

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 13, 2003

7:00 P.M.

Page

A. ROLL CALL

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE - Antoine Whitby, a ninth-grade student at Lafayette High School

D. PRESENTATIONS

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- 2. Williamsburg Christian Academy Update Report - Lorraine Perkins
- 3. Outstanding Volunteer and Employee Service Awards 1

E. PUBLIC COMMENT

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I. PUBLIC COMMENT

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L. CLOSED SESSION

- 1. Consideration of Personnel Matters, the Appointment of Individuals to County Boards and/or
Commissions, Pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Board of Adjustments and Appeals

M. ADJOURNMENT

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: Employee and Volunteer Outstanding Service Awards

The County's Recognition Program is designed to provide meaningful recognition of exceptional achievement, performance, and improvements by employees and volunteers of James City County and James City Service Authority.

The following individuals and teams exemplify the County's mission and demonstrate our values:

- two individual employees;
- two employee teams;
- three employee and volunteer teams;
- two teams of volunteers;
- one individual volunteer; and
- one lifesaving award.

Sanford B. Wanner

SBW/adw
servaw.mem

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 10TH DAY OF APRIL, 2003, AT 7 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

1. Review of the FY2004 Proposed Operating Budget

Mr. Wanner introduced Ms. Suzanne R. Mellen, Director of Budget and Accounting.

Ms. Mellen provided the Board with an overview of the Proposed Operating Budget for Fiscal Year 2004.

Mr. Brown requested staff to reevaluate the fee increases proposed for both the Board of Zoning Appeals and administrative appeals.

Mr. Brown also requested additional information on erosion and sedimentation control fees.

Mr. McGlennon requested staff to review the estimates of revenue from the State Rolling Stock tax.

Ms. Mellen stated that she would attempt to respond to all of the Board's comments and questions on revenue at the next Work Session.

2. Employee Compensation and Benefits

Ms. Carol M. Luckam, Manager of Human Resource, provided the Board with an overview of the recommendations relating to employee compensation and benefits for FY 2004.

The Board and staff reviewed the General Fund Expenditures of the Proposed Budget with the exceptions of discussion on the funding proposals for Public Safety until April 14, and funding proposals for schools and the library until April 16.

The Board and staff held a brief discussion regarding the proposal for the Colonial Services Board.

Mr. McGlennon requested that the funding proposal for the Colonial Services Board be reevaluated and additional information obtained for further discussion on April 16.

C. RECESS

At 9:20 p.m. Mr. Harrison recessed the Board until 7 p.m. on April 14, 2003.

Sanford B. Wanner
Clerk to the Board

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AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 14TH DAY OF APRIL, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

Without an objection from the Board, Mr. John E. McDonald, Manager of Financial and Management Services, suggested a process for examining the Proposed FY 2004 Operating Budget.

1. Continued Review of the Proposed Operating Budget for FY 2004

a. Contributions – Other Outside Agencies

Ms. Suzanne R. Mellen, Director of Budget and Accounting, provided information to the Board regarding the funding requests of outside agencies, the Sheriff's Office, and minor changes by staff to the proposed Budget.

The Board and staff discussed the funding request to the County by the Colonial Services Board and funding by other jurisdictions.

Mr. McGlennon requested a letter be sent to the participating jurisdictions of the Colonial Services Board advising them of the County's concern about individual localities amending the agreement without full disclosure to the other participating jurisdictions.

The Board concurred with the request.

The Board and staff continued to discuss the funding request by the Colonial Services Board and also discussed the programs it offers to the community.

b. Public Safety

Ms. Mellen provided an overview of the Public Safety portion of the proposed FY 2004 Operating Budget.

The Board and staff discussed the reduction in travel spending for FY 2004, partnership and grant opportunities for additional funding for public safety, the proposed 800 MHz radio system, retention of public safety personnel, and the possible impact of the State's revision of funding for the Sheriff's Office.

Sheriff Deeds requested the Board fund the salary gap in comparison to surrounding jurisdictions by providing additional funding support.

The Board, Sheriff Deeds, Mr. Wanner, and staff discussed the State's shortfalls, the salary gap, possible State raises in December, and impacts of State shortfalls on other Constitutional Offices.

2. Proposed FY 2004 Operating Budget – Capital Projects

The Board went through a presentation of Section D (Capital Projects). They agreed that the Board and staff should address the process for future proposed long-term funding of any major new programs.

The Board and Mr. Wanner discussed the financing and possible funding opportunities associated with the archaeological interpretation at the District Park.

Mr. Brown requested language stating the Board's intent regarding grant funding for the archaeological interpretation at the District Park.

The Board and staff discussed the request by the Library for funding to replace the software for the HVAC system at the James City County Library.

At 8:50 p.m. Mr. Brown called the James City Service Authority Board of Directors to order. All members were present.

3. Proposed FY 2004 James City Service Authority Operating Budget

Mr. Larry Foster, General Manager of the James City Service Authority (JCSA), introduced Mr. Bob Smith, Assistant Manager of the JCSA.

Mr. Smith provided the Board with an overview of the JCSA's Proposed FY 2004 Budget.

The Board and staff discussed staffing and funding needs to maintain and inspect the existing well facilities and the Groundwater Treatment Facility. Mr. Foster informed the Board that the bonds for the Groundwater Treatment Facility would be issued on April 16, 2003.

At 9:10 p.m. Mr. Brown adjourned the James City Service Authority Board of Directors meeting.

4. Proposed FY 2004 Operating Budget – Other Funds

The Board went through a presentation of Section F (Other Funds). The Board and staff discussed the transit cost to service the College of William & Mary, the anticipated farebox revenues for FY 2004, and the Capital Reserve Fund.

C. BOARD REQUESTS AND DIRECTIVES

The Board directed Mr. Wanner to work with Sheriff Deeds and the City of Williamsburg to bring back a funding recommendation for a straw vote on April 16.

The Board and staff discussed the Zoning Board fees and the Colonial Services Board funding for straw votes on April 16.

The Board commended staff for its work on the Budget.

D. RECESS

Mr. McGlennon made a motion to recess.

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

At 9:35 p.m. Mr. Harrison recessed the Board until 7 p.m. on April 16, 2003.

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 16TH DAY OF APRIL, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., Chairman, Berkeley District
Bruce C. Goodson, Vice Chairman, Roberts District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

1. Library Board

Mr. Harrison welcomed Mr. John Moorman, Library Director, and the members of the Williamsburg Regional Library (WRL) Board of Trustees.

Ms. Mary Ann Brendel, Chair of the Williamsburg Regional Library Board of Trustees, introduced members of the Williamsburg Regional Library Board in attendance, and introduced Mr. Moorman for an overview of the WRL Budget.

Mr. Moorman provided an overview of the WRL Budget and emphasized that the WRL was not asking the County to pick up any of the State's funding shortfalls to the WRL.

Discussion of the Library Board Budget followed.

2. Williamsburg-James City County School Board

Mr. Harrison welcomed the Williamsburg-James City County School Board (School Board) and Dr. Carol Beers, Superintendent of Schools.

The School Board members gave an overview of the School Budget.

Discussion of the Williamsburg-James City County School Budget, the School's unallocated fund balance, employee compensation, possible areas of shared support services, and programming and enrollment population, and "temporary" trailers followed.

The Board expressed its thanks to Ms. Kay Ainsworth, School Board representative of the Stonehouse District, for her years of service on the School Board.

Mr. Harrison recessed the Board for a brief break at 9:15 p.m.

At 9:25 p.m. Mr. Harrison reconvened the Board.

3. Budget Follow-up Items

The Board and staff discussed the Budget and funding the School Board's Budget request.

Ms. Mellen invited direction from the Board regarding the Colonial Services Board funding.

The Board and staff discussed funding requests from outside agencies including the Colonial Services Board and the Board of Zoning Appeals fees.

Mr. Brown requested a straw vote on the fees on page 2 of the Ordinance Amendment to Chapter 24, Article I, General Administrative Fees, paragraph numbers 6 and 8, specifically the fees for Appeals to the Board of Zoning Appeals and the fees for Application for Administrative Variance remain unchanged.

The straw vote passed 5-0.

AYE: McGlennon, Brown, Goodson, Kennedy, Harrison. NAY: None.

Mr. McDonald requested staff be provided additional time to meet with the Colonial Services Board (CSB) regarding the County's representation on the Board, Capital Improvements, and revenue maximization. Mr. McDonald stated that staff would accept an amendment to the funding of the CSB or could come back before the Board with outcome information from meeting with the CSB.

Mr. Wanner assured the Board that staff has talked to the CSB staff regarding these issues and that CSB understands the County's position, and stated that he contacted the County Administrator of York County regarding the maintenance of effort funding shortfall by York County and that it will be addressed.

Mr. Wanner recommended the Board approve the staff's suggested funding level.

The Board held a brief discussion regarding the Board's ability to increase the funding level at a later time should there be cooperation by the Colonial Services Board on the issues raised.

The Board agreed by consensus to fund the Colonial Services Board at the staff proposed level.

The Board and staff held a brief discussion regarding the Sheriff's request for additional funding to the Sheriff's Office.

The Board agreed by consensus to the County Administrator's compromise recommendation.

Mr. Wanner thanked the Board for its guidance regarding the Budget.

C. BOARD REQUESTS AND DIRECTIVES

The Board thanked the County Administrator and staff for adhering to the guidance provided by the Board and putting together a good Budget.

D. ADJOURNMENT

Mr. McGlennon made a motion to adjourn until 7 p.m. on April 22, 2003.

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

At 10:15 p.m. Mr. Harrison adjourned the Board.

Sanford B. Wanner
Clerk to the Board

041603bsbudgws.min

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: Needham S. Cheely, III, Director of Parks and Recreation
SUBJECT: May is Bike Month

Bicycle enthusiasts, organizations, and businesses nationally recognize the month of May as "Bike Month." During this month various local organizations in conjunction with local government will be conducting a number of activities including "Pedal the Parkway." In order to increase visibility throughout the State and here locally, cyclists from around the Commonwealth gather in Richmond on Thursday, May 1, 2003, to receive statewide proclamations signed by the Governor declaring May as Bike Month in the Commonwealth of Virginia. Cyclists from James City County, including members of Williamsburg Area Bicyclists, citizens at large, and even several members of the James City County staff rode 60 miles to deliver that proclamation to you this evening.

Additionally, at the request of citizens, Williamsburg Area Bicyclists, and the Parks and Recreation Advisory Commission, staff has prepared a resolution for your consideration. This resolution recognizes the many benefits of bicycling and formally proclaims May 2003 as "Bike Month" in James City County.

Staff recommends the Board adopt the attached resolution.

Needham S. Cheely, III

CONCUR:

Anthony Conyers, Jr.

NSC/gs
bikemonth03.mem

Attachment

RESOLUTION

MAY IS BIKE MONTH

WHEREAS, cycling is a relaxing and enjoyable mode of exercise and transportation for many men, women, and children throughout James City County, and it is a convenient and environmentally clean way for many to travel between work, school, and home; and

WHEREAS, James City County offers many bicycling opportunities for transportation, recreation, and exercise, and it is important for children and adults to learn the basics of bicycle safety and to always wear a safety helmet while bicycle riding; and

WHEREAS, Bike Month is designed to increase awareness about bicycling opportunities through organized activities such as bike-to-work days and bike rodeos for children.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby recognize May 2003 as Bike Month in James City County, Virginia, and call this observance to the attention of its citizens.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

bikemonth03.res

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: Anthony Conyers, Jr., Manager of Community Services
SUBJECT: Virginia Leadership Association

Representatives from leadership programs throughout Virginia are collaborating to form the Virginia Leadership Association (VLA). The goal of this organization is to involve the forty leadership programs in the State in networking and the sharing of information and supplies.

James City County Citizen's Leadership Academy (CLA) is sponsored jointly by the Department of Community Services and Neighborhood Connections. We recently graduated the largest class ever from the CLA.

The VLA requests that the governing bodies of the jurisdictions that offer leadership programs adopt a resolution of support.

Staff recommends approval of the resolution.

Anthony Conyers, Jr.

AC/gs
VLA.mem

Attachment

RESOLUTION

VIRGINIA LEADERSHIP ASSOCIATION

WHEREAS, leadership programs from across the Commonwealth share many of the same opportunities, priorities, and challenges; and

WHEREAS, directors of leadership programs have come together in agreement that a State coalition of leadership programs be created to share best practices and stimulate improvement; and

WHEREAS, a State coalition will create a forum for leadership programs to effectively network and communicate shared ideas, visions, and long-term strategies.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, supports and endorses the Virginia Leadership Association (VLA), an organization whose purpose is to strengthen communities throughout Virginia by fostering the principles of community leadership and civic engagement.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

VLA.res

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Director
SUBJECT: Installation of "Watch for Children" Sign - The Meadows

Effective July 1, 1997, the Code of Virginia was amended to allow counties to request that the Virginia Department of Transportation (VDOT) install and maintain "Watch for Children" signs. The law requires that a Board of Supervisors resolution be submitted to the Department authorizing them to take this action and allocating secondary road system maintenance funds for this purpose.

Residents of Whistle Walk in The Meadows community have requested the Board of Supervisors have a "Watch for Children" sign installed on Whistle Walk at the location shown on the attached drawing.

The attached resolution requests VDOT install and maintain one "Watch for Children" sign in The Meadows subdivision.

Staff recommends adoption of the attached resolution.

Darryl E. Cook

CONCUR:

John T. P. Horne

DEC/gs
meadowsign.mem

Attachments

RESOLUTION

INSTALLATION OF "WATCH FOR CHILDREN" SIGN - THE MEADOWS

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, residents of Whistle Walk in The Meadows community have requested that a "Watch for Children" sign be installed on Whistle Walk as illustrated on the attached drawing titled "The Meadows 'Watch for Children Sign'."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain one "Watch for Children" sign as requested with funds from the County's secondary road system maintenance allocation.

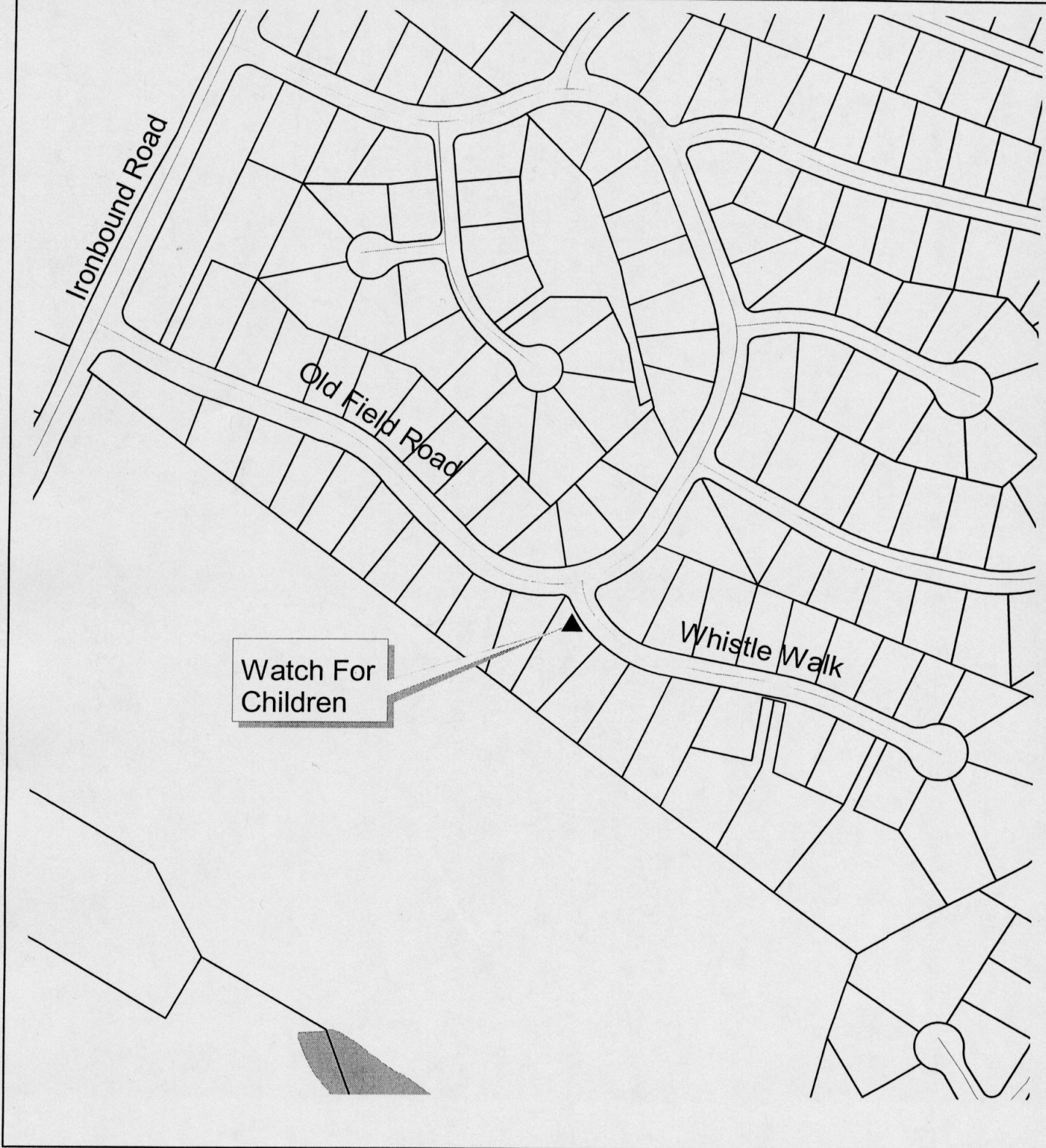
Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

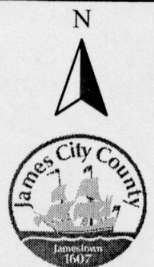
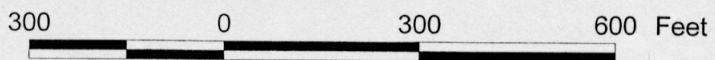
Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

meadowsign.res



THE MEADOWS "WATCH FOR CHILDREN" SIGN



MEMORANDUM

DATE: May 13, 2003

TO: The Board of Supervisors

FROM: Darryl E. Cook, Environmental Director

SUBJECT: Dedication of Streets in Villages of Westminster - Phase 1, Section 2; Phase 2, Section 1; Phase 4, Sections 1 and 2; and Phase 5, Sections 1 and 2

Attached is a resolution requesting acceptance of certain streets in Villages of Westminster - Phase 1, Section 2; Phase 2, Section 1; Phase 4, Sections 1 and 2; and Phase 5, Sections 1 and 2 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 adoption of the attached resolution.

Darryl E. Cook

DEC/gb
westminster.mem

Attachments

RESOLUTION

DEDICATION OF STREETS IN VILLAGES OF WESTMINSTER - PHASE 1, SECTION 2;

PHASE 2, SECTION 1; PHASE 4, SECTIONS 1 AND 2; AND PHASE 5, SECTIONS 1 AND 2

WHEREAS, the streets described on the attached Additions Forms SR-5(A)s, 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 Forms SR-5(A)s 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.

Bruce C. Goodson
Vice Chairman, Board of Supervisors


ATTEST:

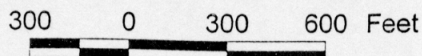
Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

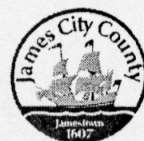


DEDICATION OF STREETS IN VILLAGES OF WESTMINSTER

 Streets Being Dedicated



N



In the County of James City

By resolution of the governing body adopted May 13, 2003

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Villages Of Westminster, Phase1 Section 2; Phase 2 Section 1; Phase 4 Sections 1 and 2

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: §33.1-229

Route Number and/or Street Name

Chelsea Crescent, State Route Number 1053

Description: **From:** Rt 1050, Wellesley Boulevard

To: Rt 1050, Glenwilton Lane

A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 9/18/1998, Plat Book 70, Pg 68-69, with a width of 44'

Glenwilton Lane, State Route Number 1050

Description: **From:** Rt 1056, Sommerset Lane (South End)

To: Rt 1056, Sommerset Lane (North End)

A distance of: 0.23 miles.

Right of Way Record: Filed with the Land Records Office on 5/24/2001, Document # 010009261, with a width of 44'

Description: **From:** Rt 1056, Sommerset Lane (North End)

To: Rt 1053, Chelsea Crescent

A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 5/26/2000, Document # 000010047, with a width of 44'

Description: **From:** Rt 1053, Chelsea Crescent

To: Rt 1050, Wellesley Boulevard

A distance of: 0.15 miles.

Right of Way Record: Filed with the Land Records Office on 7/2/1998, Plat Book 69, Pg 95-97, with a width of 44'

Sommerset Lane, State Route Number 1056

Description: **From:** Rt 1050, Wellesley Boulevard

To: Rt 1050, Glenwilton Lane

A distance of: 0.13 miles.

Right of Way Record: Filed with the Land Records Office on 5/26/2000, Document # 000010047, with a width of 44'

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Wellesley Boulevard, State Route Number 1050

Description: From: Rt 1054, Mayfair

To: Rt 1050, Glenwilton Lane

A distance of: 0.06 miles.

Right of Way Record: Filed with the Land Records Office on 7/2/1998, Plat Book 69, Pg 95-97, with a width of 100'

Description: From: Rt 1050, Glenwilton Lane

To: Rt 1053, Chelsea Crescent

A distance of: 0.06 miles.

Right of Way Record: Filed with the Land Records Office on 9/18/1998, Plat Book 70, Pg 68-69, with a width of 100'

Description: From: Rt 1053, Chelsea Crescent

To: Rt 1056, Sommerset Lane

A distance of: 0.06 miles.

Right of Way Record: Filed with the Land Records Office on 5/24/2001, Document # 010009261, with a variable width

In the County of James City

By resolution of the governing body adopted May 13, 2003

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Villages Of Westminster, Phase 5, Sections 1 and 2

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

Cotswold Court, State Route Number 1058

Description: From: Rt 1057, St Johns Wood

To: End of cul-de-sac

A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 9/15/2000, Document # 000017627, with a width of 40'

Glencoe Way, State Route Number 1059

Description: From: Rt 1057, St Johns Wood

To: End of cul-de-sac

A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 9/15/2000, Document # 000017627, with a width of 40'

Regents Park, State Route Number 1060

Description: From: Rt 1057, St Johns Wood

To: End of cul-de-sac

A distance of: 0.32 miles.

Right of Way Record: Filed with the Land Records Office on 5/8/2000, Document # 000009084, with a width of 44'

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

St. Johns Wood, State Route Number 1057

Description: From: Rt 1050, Wellesley Boulevard

To: Rt 1060, Regents Park

A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 5/8/2000, Document # 000009084, with a width of 70'-44'

Description: From: Rt 1060, Regents Park

To: Rt 1058, Cotswold Court

A distance of: 0.27 miles.

Right of Way Record: Filed with the Land Records Office on 5/8/2000, Document #000009084, with a width of 44'

Description: From: Rt 1058, Cotswold Court

To: Rt 1059, Glencoe Way

A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 9/15/2000, Document #000017627, with a width of 44'

Description: From: Rt 1059, Glencoe Way

To: End of cul-de-sac

A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 9/15/2000, Document #000017627, with a width of 44'

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: M. Ann Davis, Treasurer
SUBJECT: Destruction of Paid Personal Property and Real Estate Tax Tickets

Attached are two resolutions requesting approval to destroy paid tax tickets from 1992, 1996, and 1997.

Staff recommends the Board adopt the attached resolutions.

M. Ann Davis

MAD/adw
destruct.mem

Attachments

RESOLUTION

DESTRUCTION OF PAID REAL ESTATE TAX TICKETS

WHEREAS, the Code of Virginia § 58.1-3129 states that the Treasurer may, with the consent of the governing body, destroy all paid tax tickets at any time after five years from the end of the fiscal year during which taxes represented by such tickets were paid, in accordance with the retention regulations pursuant to the Virginia Public Records Act (§ 42.1-76 et seq.); and

WHEREAS, the tax tickets hereby referred to are paid real estate tax records from 1992, 1996, and 1997.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the destruction of the paid real estate tax records from 1992, 1996, and 1997.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

destruct_re.res

RESOLUTION

DESTRUCTION OF PAID PERSONAL PROPERTY TAX TICKETS

WHEREAS, the Code of Virginia § 58.1-3129 states that the Treasurer may, with the consent of the governing body, destroy all paid tax tickets at any time after five years from the end of the fiscal year during which taxes represented by such tickets were paid, in accordance with the retention regulations pursuant to the Virginia Public Records Act (§ 42.1-76 et seq.); and

WHEREAS, the tax tickets hereby referred to are paid personal property tax records from 1992, 1996, and 1997.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the destruction of the paid personal property tax records from 1992, 1996, and 1997.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

destruct_pp.res

M E M O R A N D U M

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: Williamsburg Regional Library System Board of Trustees Reappointment

The Assistant County Administrator's term on the Williamsburg Regional Library System Board of Trustees is due to expire on June 30, 2003.

I recommend the reappointment of the Assistant County Administrator to the Williamsburg Regional Library System Board of Trustees, term to expire on June 30, 2007.

Sanford B. Wanner

SBW/gs
WRLappt.mem

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: John E. McDonald, Manager, Financial and Management Services
SUBJECT: Budget Amendments - Fire Station No. 5, Courthouse, and GIS Mapping System

The following resolution authorizes three budget amendments for FY 2003.

The first item is \$30,000 from Operating Contingency estimated as necessary to excavate, replace, or repair leaking fuel tanks at Fire Station No. 5. If we can recover our costs from the manufacturer, contractor, or sub-contractor who installed the tanks, we will pursue the appropriate claims.

The second is \$28,000 from Operating Contingency for the final annual payment of a contract for leased orthophotography for the County's GIS mapping system. The County is now participating in a State GIS mapping program, cutting our annual cost to \$15,576 under that agreement.

The third is \$27,000 from the Courthouse Maintenance Fund to replace the security x-ray machine at the Courthouse entrance. Use of the Courthouse Maintenance Funds requires City Council approval as well and City Council approved that expenditure on April 9, 2003.

Staff recommends approval of the attached resolution.

John E. McDonald

JEM/gs
budgamend.mem

Attachment

RESOLUTION

BUDGET AMENDMENTS - FIRE STATION NO. 5,

COURTHOUSE, AND GIS MAPPING SYSTEM

WHEREAS, emergency repairs are required for the fuel tanks at Fire Station No. 5 on Monticello Avenue and the costs are estimated at \$30,000; and

WHEREAS, funds for the final \$28,000 annual payment under a contract for orthophotography were not included in the FY 2004 Budget; and

WHEREAS, the Courthouse x-ray machine needs to be replaced at a cost not to exceed \$27,000, and Courthouse Maintenance Funds can be used.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that \$58,000 in funds budgeted in FY 2004 in Operating Contingency be transferred for the purposes identified below:

Fleet Maintenance – Fuel Tank Repair	\$30,000
Real Estate Assessments – Contracted Orthophotography	<u>\$28,000</u>
Total	<u>\$58,000</u>

BE IT FURTHER RESOLVED that a sum not to exceed \$27,000 be appropriated from the Courthouse Maintenance Fund to the County's Special Grant Fund to acquire a new security x-ray machine.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

budgamend.res

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: John E. McDonald, Manager of Financial and Management Services
SUBJECT: Reimbursement - High School Facility 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 \$45 million, which at this point is an estimate since agreement on the project scope has not yet been reached. The resolution attempts to include all the expected costs of building and/or expanding high school facilities including the costs of acquiring a site.

Staff recommends approval of the attached resolution.

John E. McDonald

JEM/gs
schfinreimb.mem

Attachment

RESOLUTION

REIMBURSEMENT - HIGH SCHOOL FACILITY FINANCING

WHEREAS, James City County, Virginia (the "County") has made or will make expenditures (the "Expenditures") in connection with the construction and/or expansion of high school facilities, to include possible land acquisition (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 \$45,000.000.
3. This resolution shall take effect immediately upon its adoption.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

schfinreimb.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 _____, 2003, 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:

Board Member

Present/Absent

Vote

WITNESS, my hand and the seal of the Board of Supervisors of James City County, Virginia, this _____ day of _____, 2003.

Clerk, Board of Supervisors
James City County, Virginia

(SEAL)

#1039839

schfinreimb.res

MEMORANDUM

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: William C. Porter, Jr., Assistant County Administrator
SUBJECT: Virginia Department of Transportation Williamsburg Residency

On April 22, 2003, the Richmond Times Dispatch ran an article regarding the possibility that the Virginia Department of Transportation (VDOT) may take steps to require VDOT resident engineers to be licensed Professional Engineers. Though potentially beneficial, it is staff's belief that there is sufficient engineering expertise at the residency and district levels without this added requirement.

The Resident Engineer for the Williamsburg Residency, Steven W. Hicks, has provided the Board and citizens of James City County outstanding customer service, has addressed transportation needs, and has exceptionally demonstrated the skills necessary to be an effective resident engineer despite not being a licensed Professional Engineer.

The County Administrator will submit a letter of support to the Commissioner of Transportation and the Commonwealth Transportation Board requesting that effective and valuable resident engineers, such as Mr. Hicks, be permitted to remain in their positions by not modifying the VDOT requirement for resident engineers to be licensed Professional Engineers.

Staff recommends the Board adopt the attached resolution to be included with the letter of support.

William C. Porter, Jr.

CONCUR:

Sanford B. Wanner

WCP/adw
engin.mem

Attachment

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION

WILLIAMSBURG RESIDENCY

WHEREAS, an article in the April 22, 2003, Richmond Times Dispatch entitled "State Engineers' Credential's Weak" indicated that the Virginia Department of Transportation (VDOT) may take action to ensure all resident engineers are licensed Professional Engineers; and

WHEREAS, the Resident Engineer for the Williamsburg Residency, Steven W. Hicks, was promoted to Resident Engineer by VDOT knowing that he was a planner and not a licensed Professional Engineer; and

WHEREAS, during his tenure as Resident Engineer, Steven W. Hicks has demonstrated leadership, a commitment to excellence and a commitment to partnering with local governments to meet their transportation needs; and

WHEREAS, sufficient engineering expertise exists at either the residency or district levels within VDOT to address engineering issues.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Commonwealth Transportation Board and the Commissioner of Transportation to modify the requirement that VDOT resident engineers be licensed Professional Engineers and allow VDOT employees who clearly show the skills necessary to be effective resident engineers, such as Mr. Hicks, to remain in their positions.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

engin.res

**SPECIAL USE PERMIT-10-03. Leighton-Herrmann Family Subdivision
Staff Report for April 8, 2003, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Board of Supervisors to assist it 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
 Planning Commission: N/A
 Board of Supervisors: April 8, 2003, 7:00 p.m. (Continued)
 May 13, 2003, 7:00 p.m.

SUMMARY FACTS

Applicant: Michael Leighton-Herrmann
 Land Owner: Michael Leighton-Herrmann
 Proposed Use: Family Subdivision (4 lots)
 Location: 217 Skillman Drive, Stonehouse District
 Tax Map and Parcel No.: (4-3)(4-11)
 Primary Service Area: Outside
 Parcel Size: Proposed Parcel B: Approximately 1.6 acres
 Proposed Parcel C: Approximately 1.08 acres
 Proposed Parcel D: Approximately 1.06 acres
 Proposed Parcel E: Approximately 1.9 acres
 Remaining Parent Lot: Approximately 5.16 acres
 Existing Zoning: A-1, General Agricultural
 Comprehensive Plan: Rural Lands
 Surrounding Zoning: The site is completely surrounded by land zoned A-1, General Agricultural
 Staff Contact: Matthew D. Arcieri - Phone: 253-6685

STAFF RECOMMENDATION:

This case was continued at the Board of Supervisors April 8, 2003, meeting in order for the applicant and adjacent property owners to meet with Board members. In addition, staff has reviewed family subdivision cases over the last five years and found that none of the nine approved cases were similar to this case in regard to creating a family subdivision internal to another subdivision. A chart detailing the nine cases is attached.

A copy of the previous staff report to the Board of Supervisors is also attached.

Matthew D. Arcieri

CONCUR:

O. Marvin Sowers, Jr.

MDA/gs
sup-10-03_2.wpd

Attachments:

1. Location Map
2. Family Subdivisions Over the Last Five Years
3. Site Sketch
4. Four Signed Affidavits
5. April 8, 2003, Board of Supervisors Staff Report
6. Resolution

RESOLUTION

CASE NO. SUP-10-03. LEIGHTON-HERRMANN FAMILY SUBDIVISION

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 a family subdivision in an A-1, General Agricultural District of four parcels, generally one acre or more, located at 217 Skillman Drive, further identified as a portion of Parcel No. (4-11) on James City County Real Estate Tax Map No. (4-3).

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-10-03 as described herein with the following conditions:

1. This special use permit is valid for a family subdivision for the creation of four (4) new lots of one acre or more with one parent lot remaining generally as shown on the sketch submitted with this application.
2. Only one entrance shall be allowed onto Skillman Drive.
3. Final subdivision approval must be received from the County within twelve months from the issuance of this special use permit or the permit shall become void.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

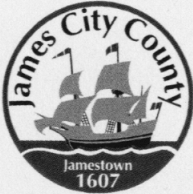
Sanford B. Wanner
Clerk to the Board

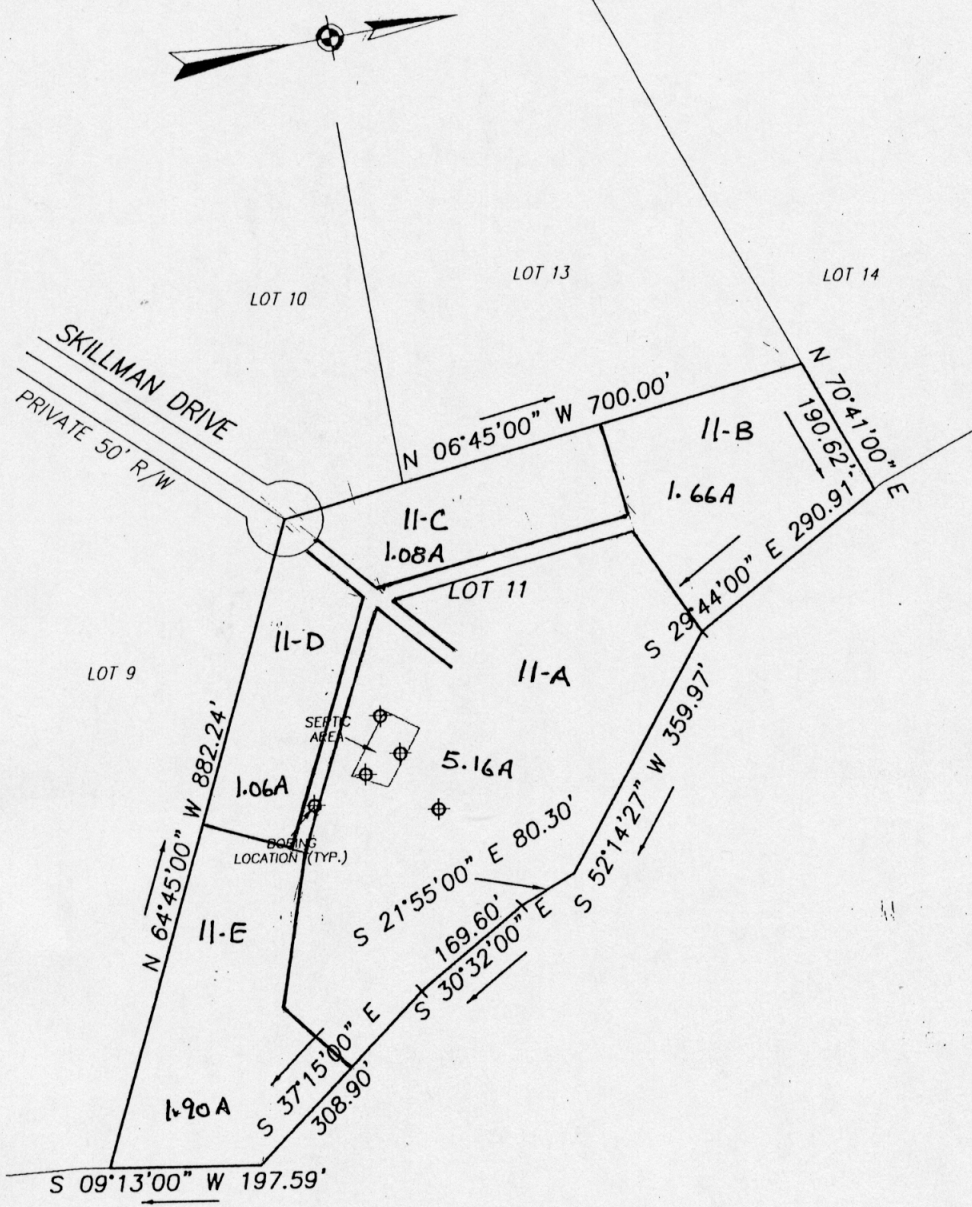
Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

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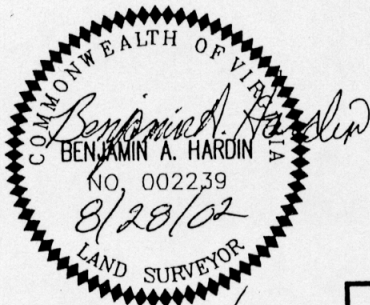
SUP-10-03

Leighton-Herrmann Family Subdivision





REFERENCES:
 P.B. 31, PG. 45
 D.B. 155, PG. 237
 D.B. 271, PG. 39
 D.B. 678, PG. 715
 INSTRUMENT 990228



Benjamin A. Hardin

HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE ON THIS DATE AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THERE ARE NO ENCROACHMENTS OF OTHER BUILDINGS UNLESS SHOWN HEREON.

THOMAS LAND SURVEYING, P.C.
 11830-A CANON BOULEVARD
 NEWPORT NEWS, VIRGINIA 23606
 TEL. (757) 873-2770 / FAX (757) 873-2772

PRELIMINARY BOUNDARY SURVEY OF:

LOT 11

PROPOSED SUBDIVISION OF

THE SKILLMAN ESTATES

POWHATAN DISTRICT

JAMES CITY COUNTY, VIRGINIA

JCC	F.B. 570 PG. 57	JOB #: 02-416	45 SCALE: 1" = 200'	TO: LEIGHTON	DATE: 8/27/02
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Family Subdivisions Over the Last Five Years*

Case No.	Location	Acreage** of New Lot	Remaining Parent Parcel Acreage	Inside PSA?	Zoning
SUP-9-98	Fenton Mill Road	1.9	3.90	N	A-1
SUP-11-98	Jolly Pond Road	1.16	32.00	N	A-1
SUP-19-98	Rochabeau Drive	1	2.58	Y	A-1
SUP-23-98	Hicks Island Road	1.5	3.00	N	A-1
SUP-1-99	Old Stage Road	1	3.00	Y	A-1
SUP-2-00	Jolly Pond Road	1.28	19.00	N	A-1
SUP-23-00	Barnes Road	1.7	9.70	N	A-1
SUP-1-01	Fenton Mill Road	1	3.00	N	A-1
SUP-6-01	Barnes Road	1	29.20	N	A-1

*None of the cases above were part of another subdivision
 The Board of Supervisors approved all nine cases

** Only one lot was created in each of these family subdivisions

2/27/03
(Date)

State of Virginia

County of James City

I, Michael Leighton Hermann, am requesting James City County, Virginia, to approve a family subdivision of 1 parcel(s), consisting of 1.66 acres as set forth and designated on a plat entitled "LOT 11-B THE SKILLMAN ESTATES", made by THOMAS LAND SURVEYING, dated 01/27/02.

This subdivision is being made for the purpose of transferring a lot by sale or gift to:

Adam J. Leighton-Hermann, (an) immediate family member(s), and specifically my Son, and is not made for the purpose of circumventing Section 19-17 of the Code of the County of James City, Virginia.

It is my intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the plat submitted herewith.

Subscribed and sworn before me this 20th day of February 2003.

Charlett Cadena
Notary Public

[Signature]

My commission Expires 4/30/05.

approval frm

2/27/03
(Date)

State of Virginia

County of James City

I, Michael Leighton-Herzmann, am requesting James City County, Virginia, to approve a family subdivision of 1 parcel(s), consisting of 1.08 acres as set forth and designated on a plat entitled "LOT 11-C THE SKILLMAN ESTATES", made by THOMAS LAND SURVEYING, dated 8/27/02.

This subdivision is being made for the purpose of transferring a lot by sale or gift to:

Amanda C. Leighton-Herzmann, (an) immediate family member(s), and specifically my daughter, and is not made for the purpose of circumventing Section 19-17 of the Code of the County of James City, Virginia.

It is my intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the plat submitted herewith.

Subscribed and sworn before me this 28th day of February, 2003.

Charlett Cadena
Notary Public

[Signature]
Owner

My commission Expires 4/30/05.

approval.fm

2/27/03
(Date)

State of Virginia

County of James City

I, Michael Leighton-Herrmann, am requesting James City County, Virginia, to approve a family subdivision of 1 parcel(s), consisting of 1.06 acres as set forth and designated on a plat entitled "LOT 11-D. THE SKILLMAN ESTATES", made by THOMAS LAND SURVEYING, dated 8/27/02.

This subdivision is being made for the purpose of transferring a lot by sale or gift to:

Deborah M. Gill, (an) immediate family member(s), and specifically my daughter, and is not made for the purpose of circumventing Section 19-17 of the Code of the County of James City, Virginia.

It is my intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the plat submitted herewith.

Subscribed and sworn before me this 28th day of February 2003.

Scarlett Cadena
Notary Public

[Signature]
Owner

My commission Expires 4/30/05

approval.frm

2/27/03

(Date)

State of Virginia

County of James City

I, Michael Leighton Hevmann, am requesting James City County, Virginia, to approve a family subdivision of 1 parcel(s), consisting of 1.90 acres as set forth and designated on a plat entitled "LOT 11-E THE SKILLMAN ESTATES", made by THOMAS LAD SURVEYING, dated 8/27/02.

This subdivision is being made for the purpose of transferring a lot by sale or gift to:

Ellyn E. Leighton-Hevmann, (an) immediate family member(s), and specifically my daughter, and is not made for the purpose of circumventing Section 19-17 of the Code of the County of James City, Virginia.

It is my intention that the deed(s) of transfer will be drawn and duly recorded as soon as reasonably possible subsequent to the approval of the plat submitted herewith.

Subscribed and sworn before me this 28th day of February 2003.

Scarlett Cadena
Notary Public

[Signature]
Owner

My commission Expires 4/30/05.

approval frm

**SPECIAL USE PERMIT-10-03. Leighton-Herrmann Family Subdivision
Staff Report for April 8, 2003, 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
Planning Commission: N/A
Board of Supervisors: April 8, 2003, 7:00 p.m.

SUMMARY FACTS

Applicant: Michael Leighton-Herrmann
Land Owner: Michael Leighton-Herrmann
Proposed Use: Family Subdivision (4 lots)
Location: 217 Skillman Drive, Stonehouse District
Tax Map and Parcel No.: (4-3)(4-11)
Primary Service Area: Outside
Parcel Size: Proposed Parcel B: Approximately 1.6 acres
Proposed Parcel C: Approximately 1.08 acres
Proposed Parcel D: Approximately 1.06 acres
Proposed Parcel E: Approximately 1.9 acres
Remaining Parent Lot: Approximately 5.16 acres
Existing Zoning: A-1, General Agricultural
Comprehensive Plan: Rural Lands
Surrounding Zoning: The site is completely surrounded by land zoned A-1, General Agricultural
Staff Contact: Matthew D. Arcieri - Phone: 253-6685

STAFF RECOMMENDATION:

Staff finds the proposal to be consistent with the surrounding zoning and development, and recommends approval of this application with the attached conditions.

Project Description

Michael Leighton-Herrmann has requested that the Board approve a family subdivision on land zoned A-1, General Agricultural, for each of his four children. The existing parcel is 10.8 acres and approval of the proposed family subdivision would create five lots. For A-1 zoned property, although the minimum lot size for residential dwelling units is three acres, lots of less than three acres are allowed for immediate family members (children 18 years of age or older) with an approved special use permit (SUP). The Zoning Ordinance requires the Board of Supervisors to review and approve this type of SUP. Each of the four new parcels created would be between one to two acres in size. The property is located at 217 Skillman Drive.

Utilities

Public water and sewer are not currently available to this site; therefore, each lot will have to be served by a septic system and well. The Subdivision Ordinance states that locations for both wells and septic tank drainfields must be approved by the Health Department prior to final subdivision approval.

Access

The site is located on the cul-de-sac at the end of Skillman Drive. Each of the four new lots, as well as the parent lot will be served by a minimum 10-foot gravel drive located in a 20-foot right-of-way. This drive will meet the criteria for access as stated in Section 19-17 of the James City County Subdivision Ordinance, Special Provisions for Family Subdivisions. In addition, Condition No. 2 allows for only one entrance onto Skillman Drive and prohibits the new lots from having individual driveways onto Skillman Drive.

Comprehensive Plan and Surrounding Uses

The site is located outside the Primary Service Area (PSA) and the Land Use Map designates the property as Rural Lands. The surrounding property is zoned A-1 and is largely undeveloped with scattered residential homes. Staff finds this proposal to be generally consistent with surrounding development.

Recommendation:

Staff finds the proposal to be consistent with the surrounding zoning and development, and recommends approval of this application with the following conditions:

1. This special use permit is valid for a family subdivision for the creation of four new lots of one acre or more with one parent lot remaining generally as shown on the sketch submitted with this application.
2. Only one entrance shall be allowed onto Skillman Drive.
3. Final subdivision approval must be received from the County within twelve months from the issuance of this special use permit or the permit shall become void.
4. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Matthew D. Arcieri

CONCUR:

O. Marvin Sowers, Jr.

MDA/gs
sup-10-03.wpd

Attachments:

1. Location Map
2. Site Sketch
3. Four Signed Affidavits
4. Resolution

SPECIAL USE PERMIT-2-03. Hankins Industrial Park Ready Mixed Concrete Plant Staff Report for May 13, 2003, 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
Planning Commission: April 7, 2003, 7:00 p.m.
Board of Supervisors: May 13, 2003, 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Vernon Geddy, III, on behalf of Larry Spence, Southern Equipment Company, Inc.

Land Owner: Sharon Dunn, George M. Hankins, Jr., George S. Hankins, Jr., Howard Hankins, Mary Thompson and the Virginia Tech Foundation

Proposed Use: Ready Mixed Concrete Plant

Location: 190 Industrial Boulevard, Hankins Industrial Park, Toano, VA
Stonehouse District

Tax Map and Parcel No.: (12-4)(1-13)

Primary Service Area: Inside

Parcel Size: 145.34± acres with the SUP applying to 16.221± acres as shown on the conceptual site plan

Existing Zoning: M-2, General Industrial

Comprehensive Plan: General Industry

Surrounding Zoning: The site is within the Hankins Industrial Park zoned M-2, General Industrial. To the north and south, the property is zoned A-1, General Agricultural, and to the east, property is zoned R-1, Limited Residential

Staff Contact: Karen Drake - Phone: 253-6685

STAFF RECOMMENDATION:

Staff finds the proposed Ready Mixed Concrete plant in the Hankins Industrial Park consistent with the surrounding zoning, development, and the 1997 Comprehensive Plan. Given the applicants stated intent to subdivide and create the 16.22±-acre site, the project will be buffered on all but one side by land within the Hankins Industrial Park. The Planning Commission, at its April 7, 2003, meeting, voted 6-1, recommending approval of this special use permit application. Staff recommends the Board of Supervisors approve this special use permit application with conditions listed in the staff report.

Project Description

Mr. Vernon Geddy has applied on behalf of the Southern Equipment Company, Inc., for a Special Use Permit (SUP) to allow the construction and operation of a Ready Mixed Concrete plant at 190 Industrial Boulevard in the Hankins Industrial Park, Toano, VA. The property is zoned M-2, General Industrial, with the manufacture of cement, bricks and stone products, a specially permitted use in the M-2 Zoning District. Currently, the property is 145.34± acres in size and the proposed SUP would apply to only 16.22± acres that would be subdivided upon approval of this SUP. The property can be further identified as Parcel No. (1-13) on James City County Real Estate Tax Map No. (12-4).

Proposed operational details of the Ready Mixed Concrete plant are as follows:

- The facility will start with five employees, four drivers, and one plant manager.
- Normal working hours will be 7:00 a.m. until 5:00 p.m.
- Equipment on-site will include a concrete batch plant, four concrete mixer trucks, and one wheel loader.
- Buildings on-site include one metal building serving as an office, driver's room, and a small warehouse for storage.
- Facility estimates for the first year are 12,000 to 15,000 cubic yards (eight to nine truck trips per day).

Surrounding Zoning and Development

The property is located at the end of Industrial Boulevard which would be extended eastward to provide access to the site. To the west and southwest is the GTE Cellular Communications Tower, James City Service Authority (JCSA) well facility and the Owens-Brockway Glass Company, all part of the Hankins Industrial Park and zoned M-2. Once the 16.22± acres are subdivided for the proposed Ready Mixed Concrete plant, the 16.22± acres would be bordered to the east and southeast by the remaining property in the Hankins Industrial Park to be developed, zoned M-2.

As the property exists today, the 145.34±-acre parcel is adjacent to the east and southeast by the Wellington and Mirror Lakes subdivisions both zoned R-1, Limited Residential. To the south is the Massie Corporation properties zoned A-1, General Agricultural, M-1, Limited Business and Industrial, and M-2, General Industrial. To the north, the property is adjacent to the Hankins Farm, zoned A-1, General Agricultural.

Physical Features and Environmental Considerations

The proposed 16.22±-acre site is relatively flat near the proposed Industrial Boulevard and slopes downward to a ravine and stream that forms the northern property line. The ravine and stream will serve as a natural buffer between the Ready Mixed Concrete plant and the Hankins Farm to the north.

It should be noted that the proposed Ready Mixed Concrete plant must apply for and receive from the Virginia Department of Environmental Quality General Virginia Pollutant Discharge Elimination System Permits for construction activities and industrial activity. These permits would be applied for during the review of development plans.

To help mitigate environmental impacts from the Plant, the applicant has proposed installing a central dust collector, vented silos, and concrete line washdown pits for the mixer trucks and a concrete line pit for process water that will be put through a sand filter and recycled back into the concrete.

Traffic/Access

Located off Richmond Road, Industrial Boulevard is a public road (Route 754) that provides access into the Hankins Industrial Park. To provide access to the proposed concrete plant, Industrial Park would be extended beyond the GTE tower and the Owens Brockway plant. VDOT has commented that when development plans are submitted, vehicle trip information should be provided to include heavy vehicles and pavement calculations showing Route 754 is adequately designed to handle the proposed future traffic. Staff concurs with this requirement.

Preliminary trip estimates provided by the applicant predict 8.65-truck trips per day. A traffic impact study was not required with the SUP application as only approximately 36-weekday peak-hour trips to and from the site will be generated according to International Traffic Estimate rates. Staff does not believe that the number of trips generated by this operation significantly adds to the existing traffic already on Industrial Boulevard or Route 60 and the proposed expansion will not negatively impact either road.

Public Utilities

The site is inside the Primary Service Area (PSA), and public water and sewer are available to the site. It should be noted that water from the adjacent JCSA well facility is raw water that has not yet been treated. The concrete plant will have to tap into an existing water line within the industrial park that contains treated water.

Comprehensive Plan

The Comprehensive Plan designates this property and the Hankins Industrial Park as General Industry. A General Industry designation is intended to designate areas inside the PSA that are suitable for industrial uses which, because of their potential to create noise, dust, odor, and other environmental impacts, require buffering from adjoining uses. To the north, east, and southeast, the Hankins Farm, Wellington and Mirror Lake subdivision are designated low- density residential on the Comprehensive Plan Land Use Map. Staff believes that the proposed Ready Mixed Concrete plant is consistent with the Comprehensive Plan because it is located in an area intended for industrial and manufacturing uses and upon recordation of the 16.22± subdivision, the property will be buffered on all but one side by land within the Hankins Industrial Park.

Recommendation

Staff finds the proposed Ready Mixed Concrete plant in the Hankins Industrial Park consistent with the surrounding zoning, development, and the 1997 Comprehensive Plan. Given the applicants stated intent to subdivide and create the 16.22±-acre site, the project will be buffered on all but one side by land within the Hankins Industrial Park. The Planning Commission, at its April 7, 2003, meeting, voted 6-1, recommending approval of this special use permit application. Staff recommends the Board of Supervisors approve this special use permit application with the following conditions:

1. If construction has not commenced on the project within thirty-six months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as securing permits for land disturbance, building construction, clearing and grading, and the pouring of footings.
2. Prior to the issuance of preliminary approval for the site plan, the applicant shall record an approved subdivision plat showing the subdivision of the 16.22±-acre parcel from the currently existing Parcel No. (1-13) on James City County Real Estate Tax Map No. (12-4), generally in accordance with Parcel No. 2 as shown on the conceptual site plan titled "Ready Mixed Concrete Hankins Industrial Park," dated January 15, 2003.
3. A Spill Prevention and Control Measure Plan shall be approved by the Director of the Environmental Division prior to final site plan approval for the Ready Mixed Concrete plant.

4. A dust collection system, such as, but not limited to, the Reverse Air Duct Collector RA140 shall be utilized on the Ready Mixed Concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
5. No flags or signage on any silo, hopper, or any other piece of permanent external equipment shall be permitted.
6. All exterior light fixtures on the property 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 occur outside the property lines.
7. The "reverse warning beepers" on all equipment which serve the Ready Mixed Concrete plant shall be turned down to their lowest volumes as permitted by Federal or State law or regulations.
8. Rock, gravel, sand, cement and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
9. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval.
10. A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading, or construction activities thereon.
11. The owner shall be responsible for developing and enforcing water conservation standards to be submitted to, and approved by, the JCSA. The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
12. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Karen Drake

CONCUR:

O. Marvin Sowers, Jr.

KD/gs
sup-2-03.wpd

Attachments:

1. Planning Commission Minutes
2. Location Map
3. Conceptual Plan
4. Resolution

RESOLUTION

CASE NO. SUP-2-03. HANKINS INDUSTRIAL PARK READY MIXED CONCRETE PLANT

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 production of ready-mix concrete is a specially permitted use in the M-2, General Industrial, zoning district; and

WHEREAS, the Planning Commission of James City County, following its public hearing on April 7, 2003, recommended approval of Case No. SUP-2-03 by a 6-1 vote to permit the construction and operation of a Ready Mixed Concrete facility on 16.2± acres at 190 Industrial Boulevard in the Hankins Industrial Park and further identified as Parcel No. (12-4) on James City County Real Estate Tax Map No. (1-13).

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-2-03 as described herein with the following conditions:

1. If construction has not commenced on the project within thirty-six months from the issuance of the special use permit, the permit shall become void. Construction shall be defined as securing permits for land disturbance, building construction, clearing and grating and the pouring of footings.
2. Prior to the issuance of preliminary approval for the site plan, the applicant shall record an approved subdivision plat showing the subdivision of the 16.22±-acre parcel from the currently existing Parcel No. (1-13) on James City County Real Estate Tax Map No. (12-4), generally in accordance with Parcel No. 2 as shown on the conceptual site plan titled "Ready Mixed Concrete Hankins Industrial Park," dated January 15, 2003.
3. A Spill Prevention and Control Measure Plan shall be approved by the Director of the Environmental Division prior to final site plan approval for the Ready Mixed Concrete plant.
4. A dust collection system, such as, but not limited to the Reverse Air Duct Collector RA140, shall be utilized on the Ready Mixed Concrete plant. The manufacturer's specifications for the system shall be submitted with the site plan and shall be approved by the Director of Planning prior to final site plan approval.
5. No flags or signage on any silo, hopper, or any other piece of permanent external equipment shall be permitted.
6. All exterior light fixtures on the property 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 occur outside the property lines.

7. The “reverse warning beepers” on all equipment, which serve the Ready Mixed Concrete plant, shall be turned down to their lowest volumes as permitted by Federal or State law or regulations.
8. Rock, gravel, sand, cement, and/or similar materials shall be stored in bins to control runoff and scattering of such materials onto adjacent property. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
9. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval.
10. A Phase I Archaeological Study for the entire site shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources’ *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior’s *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior’s *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading, or construction activities thereon.
11. The owner shall be responsible for developing and enforcing water conservation standards to be submitted to, and approved by, the James City Service Authority (JCSA). The standards may include, but shall not be limited to, such water conservation measures as limitations on the installation and use of irrigation systems and irrigation wells, the use of approved landscaping materials including the use of drought-tolerant plants where appropriate, and the use of water-conserving fixtures and appliances to promote water conservation and minimize the use of public water resources.
12. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

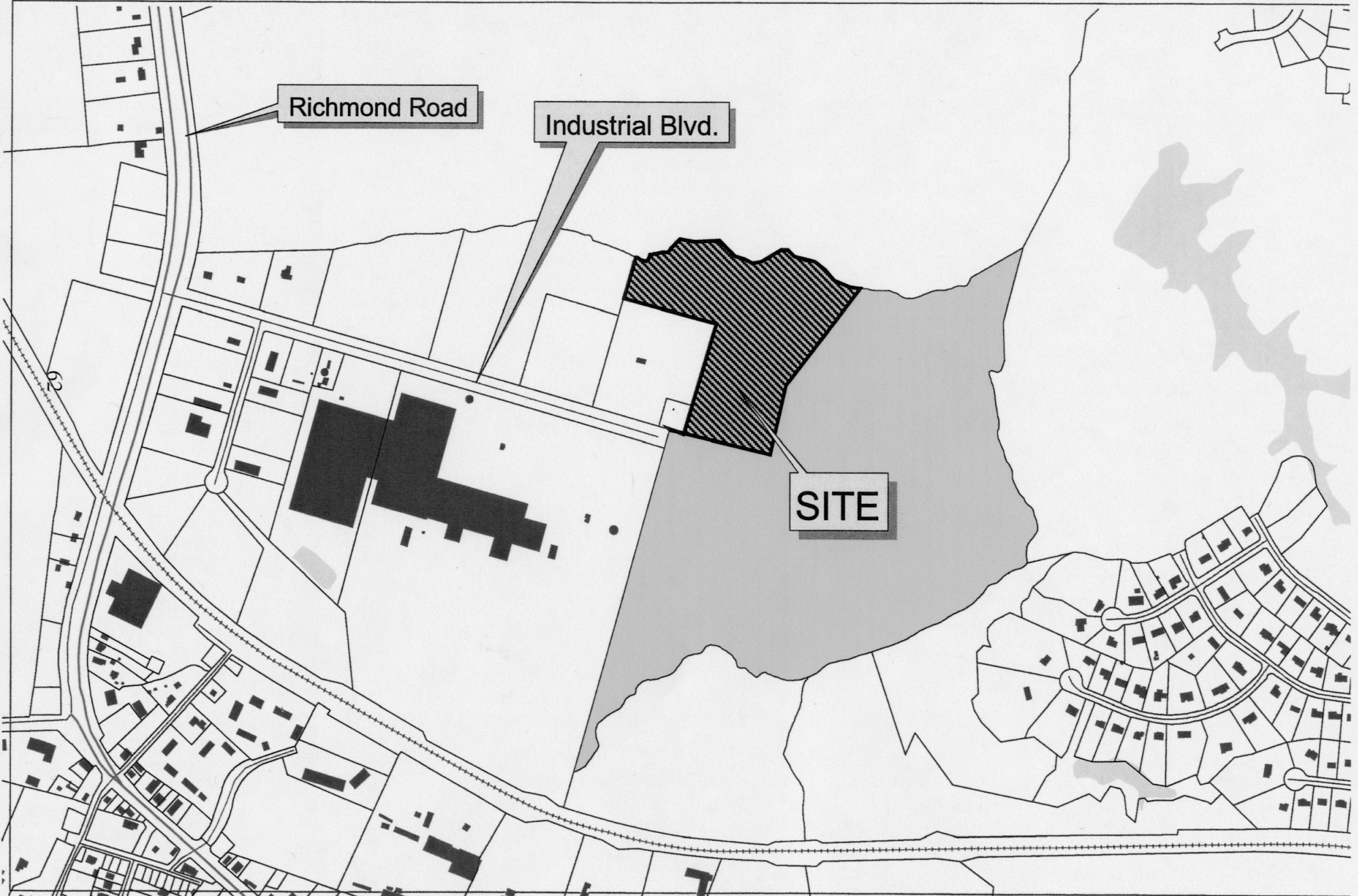
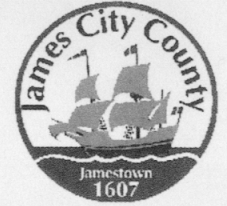
ATTEST:

Sanford B. Wanner
Clerk to the Board

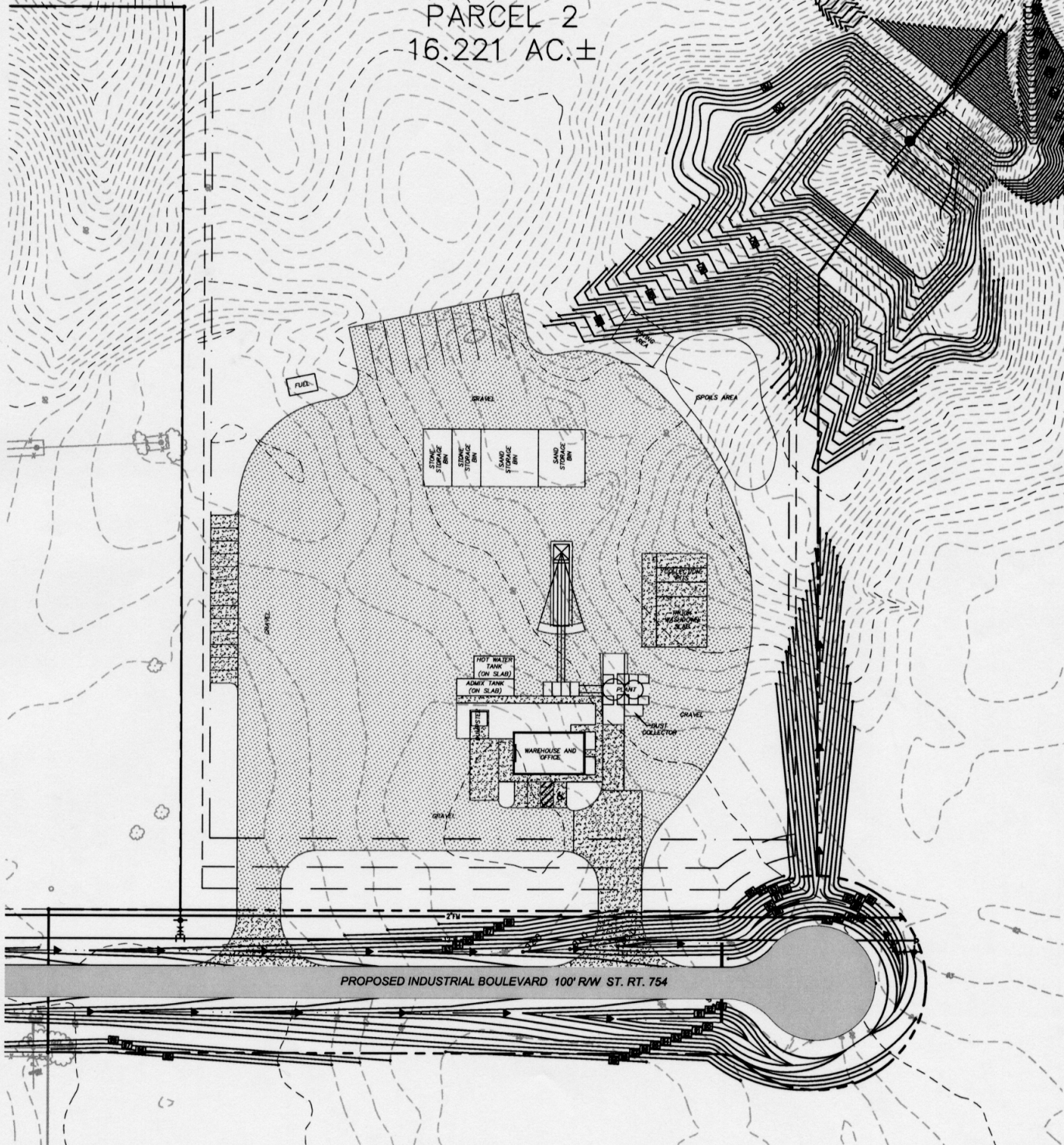
Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of
May, 2003.

sup-2-03.res

SUP-02-03. Hankins Industrial Park Ready Mixed Concrete Plant



PARCEL 2
16.221 AC.±



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EAW



Consulting Engineers

Engineers, Surveyors, Planners

Williamsburg, Virginia

CONCEPTUAL PLAN
READY MIXED CONCRETE
HANKINS INDUSTRIAL PARK

UNAPPROVED MINUTES TO THE APRIL 7, 2003,
PLANNING COMMISSION MEETING

CASE NO. SUP- 2-03 Hankins Industrial Park Ready Mixed Concrete Plant.

Ms. Karen Drake presented the staff report. Mr. Vernon Geddy has applied on behalf of the Southern Equipment Company, Inc. for a Special Use Permit (SUP) to allow the construction and operation of a Ready Mixed Concrete plant at 190 Industrial Boulevard in the Hankins Industrial Park, Toano, VA. The property is zoned M-2, General Industrial with the manufacture of cement, bricks and stone products a specially permitted use in the M-2 Zoning District. Currently, the property is ±145.34 acres in size and the proposed SUP would apply to only ±16.22 acres that would be subdivided upon approval of this SUP. The property can be further identified as Parcel No. (1-13) on James City County Real Estate Tax Map No. (12-4). Proposed operational details of the Ready Mixed Concrete Plant are as follows: The facility will start with 5 employees, 4 drivers and 1 plant manager; Normal working hours will be 7:00am until 5:00pm; Equipment on site will include a concrete batch plant, 4 concrete mixer trucks and one wheel loader; Buildings on site include one metal building serving as an office, driver's room and a small warehouse for storage; Facility estimates for the first year are 12,000 to 15,000 cubic yards, (8 to 9 truck trips per day). Staff finds the proposed Ready Mixed Concrete plant in the Hankins Industrial Park consistent with the surrounding zoning, development and the 1997 Comprehensive Plan. Given the applicants stated intent to subdivide and create the ±16.22 acre site, the project will be buffered on all but one side by land within the Hankins Industrial Park. Staff recommends the Planning Commission approve this Special Use Permit application with conditions.

Mr. Wilford Kale asked for clarification on the two driveways.

Mr. Joe Poole, III invited the applicant, Mr. Vernon Geddy, Esq., to approach the podium.

Mr. Vernon Geddy, representing Southern Equipment, discussed their application for a special use permit. He stated the property the plant would be on is a well buffered site and would be a small operation with only 5 employees and 4 concrete trucks. He explained the dust collection equipment to be used is 99.8% effective and is regulated by the VA dept. of Environment, and an erosion and settlement plan as well as a spill and prevention plan that would be in place. He also mentioned the truck wash down area where the water would be collected, recycled and reused.

Mr. Joe McCleary asked for clarification on the size of the operation, wondering if it would be equal to the Jack Massie operation.

Mr. Vernon Geddy replied it would be smaller.

Mr. Joe Poole, III, asked if the 15 conditions attached to the special use permit were acceptable.

Mr. Vernon Geddy replied yes, they were.

Mr. Joe Poole, III, opened the public hearing.

Mr. Tony Dion, resident of 102 Fairmont Drive, in the Mirror Lakes subdivision, stated his reasons for opposition to the special use permit and strongly recommended the Planning Commission not to approve.

Ms. Teresa Hudgins of 111 Knollwood Drive, representing the Stonehouse District Citizen's Association, also stated her concerns regarding the special use permit and recommended the Planning Commission not approve the permit.

Hearing no other questions, Mr. Joe Poole, III, closed the public hearing. He questioned Mr. Geddy regarding the measured distance the plant would be from the Mirror Lakes subdivision, truck traffic and environmental issues.

Mr. Vernon Geddy replied the shortest distance the plant would be to the subdivision would be 1500 feet, that the truck traffic was based on the capacity of the plant and average loads the trucks could carry and the environmental issues were highly regulated by the DEQ and James City County. He mentioned that the sand and gravel would be stored in outdoor storage bins, and that all aggregates would arrive via trailer trucks.

Mr. Wilford Kale asked if James City Service Authority was concerned about contamination to the well facilities that would be next door.

Ms. Karen Drake explained that the well facilities were raw water and were sent to a treatment plant from that location. Also, she didn't receive any comments for JCSA regarding it.

Mr. Vernon Geddy was asked if the VEDQ permit was applied for, and he stated it has not.

Mr. Wilford Kale asked if there would be a chance of surface or ground water contamination.

Mr. Vernon Geddy stated it would be surface water mostly.

Mr. John Hagee made a motion to approve.

Mr. Joe McCleary seconded the motion.

Mr. John Hagee, Mr. Joe McCleary, Mrs. Peggy Wildman and Mr. Joe Poole, III, all stated their support for the special use permit. They felt it was an appropriate use for the property.

In a roll call vote, motion passed (6-1). AYE: Wildman, McCleary, Hagee, Hunt, Billups, Poole (6); NAY: Kale (1).

MEMORANDUM

DATE: May 13, 2003

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Proposed Agreement Between the Virginia Department of Transportation and the Board of Supervisors of James City County, Virginia, for the Removal of Illegal Advertisement Within the Limits of Highways

As a follow-up to discussion at the March 25 Board of Supervisors meeting regarding removal of illegal signs, staff has been working with the Virginia Department of Transportation (VDOT) to develop a cooperative agreement that would permit designated County employees (Zoning Officers) to remove such signs placed in the VDOT right-of-way.

The Virginia Code sets forth a process for entering into such an Agreement allowing governing bodies to act as agents of the Commissioner.

The County is required to hold a public hearing on the proposed Agreement. Following the public hearing and adoption of the attached resolution by the Board, the Agreement is submitted to the Commonwealth Transportation Board for its approval.

The Agreement authorizes the Board and its designees as agents for prosecuting violations of § 33.1-373, Code of Virginia Annotated, which reads "Advertising on rocks, poles, etc., within limits of highways, a civil penalty."

The Agreement also provides for the following:

1. The County may seek civil penalties, fines, costs of abatement, court costs, attorney fees, and other fines, penalties, or costs the Court may award under the above section.
2. The County would be entitled to full reimbursement of its costs of sign removal and enforcement. Fifty percent of any excess of those funds remaining after such reimbursement shall be retained by the County and fifty percent shall be remitted to VDOT on a quarterly basis.

It is my hope that the County would not need to use the courts often under the process. I believe with the removal of the signs and a written notification of intent to enforce the provisions under this Agreement, most of the offending parties would cease the activity.

Finally, I should note that the removal powers do not extend to political signs unless they are in place more than three days after the election.

Staff recommends the adoption of the attached resolution following the public hearing.

Sanford B. Wanner

SBW/gs
signremovagr.mem

Attachment

RESOLUTION

PROPOSED AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF

TRANSPORTATION AND THE BOARD OF SUPERVISORS OF

JAMES CITY COUNTY, VIRGINIA, FOR THE REMOVAL OF

ILLEGAL ADVERTISEMENT WITHIN THE LIMITS OF HIGHWAYS

WHEREAS, the Board of Supervisors of James City County, Virginia (“Board”), has the authority to enter into an agreement with the Virginia Department of Transportation (VDOT) under §33.1-375.1 of the Code of Virginia Annotated; and

WHEREAS, a public hearing was held on May 13, 2003, to determine if the public health, safety, morale, or welfare requires that a sign removal program be adopted.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve an Agreement with the Virginia Department of Transportation under § 33.1-373 of the Code of Virginia Annotated to adopt a County sign removal program, and designates the Zoning Administrator to be the County’s responsible party for enforcement under the Agreement.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

VDOTsign.res

PROPOSED AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF

TRANSPORTATION AND THE BOARD OF SUPERVISORS OF

JAMES CITY COUNTY, VIRGINIA, FOR THE REMOVAL OF ILLEGAL

ADVERTISEMENT WITHIN THE LIMITS OF HIGHWAYS

THIS AGREEMENT is made this _____ day of _____, 2003, between the Virginia Department of Transportation ("VDOT") and the Board of Supervisors of James City County, Virginia ("Board").

W I T N E S S E T H:

WHEREAS, pursuant to Title 33.1, Chapter 7, Article 1 of the Code of Virginia, 1950 as amended, VDOT enforces a prohibition on the placement of signs and advertisements within the limits of highways in the Commonwealth; and

WHEREAS, the Board, as the governing body of James City County, and as the owner, in fee simple, of several public roads in James City County, has an interest in protecting the public health, safety and welfare, and in protecting the appearance of the County in general and the Board's property in particular; and

WHEREAS, the Board has found that the proliferation of advertisements in the right-of-way of highways in James City County threatens the public safety and the welfare of the County, and has a negative effect on the appearance of highways; and

WHEREAS, the Board desires to assert its authority under §15.2-1200 of the Code of Virginia, 1950 as amended, to regulate the placement of advertisements and signs in the right-of-way of highways in the County, in a manner consistent with existing provisions of the Code of Virginia and regulations promulgated by the Commissioner of VDOT, as provided in §33.1-374; and

WHEREAS, the Board desires additional authority, as VDOT's agent, for the removal of signs and advertisements from the highways in James City County; and

WHEREAS, VDOT desires the Board's assistance in removing signs and advertisements from the highways in James City County, and wishes to designate the Board of Supervisors and its designees as VDOT's agent for the removal, obliteration, and abatement of signs and advertisements within the limits of highways in James City County.

NOW, THEREFORE, in consideration of the foregoing, the parties agree as follows:

1. This Agreement is contingent upon the adoption of a resolution by the Board of Supervisors, following a duly advertised public hearing.
2. This Agreement is contingent upon the Board's conducting a public hearing on the terms of this Agreement and whether it should be entered pursuant to §33.1-375.1 and then adopting a resolution.
3. VDOT designates the Board, and its designees, as its agent for the purposes of removing any signs or advertisements located within the right-of-way which violate the provisions of §33.1-373, Code of Virginia, 1950 as amended.
4. VDOT designates the Board, and its designees, as its agent for the purposes of prosecuting violations of §33.1-373, Code of Virginia Annotated, seeking any remedy authorized by that section, and recovering any civil penalties, fines, costs of abatement, court costs, attorney fees, and any other fines, penalties, or costs that may be awarded by a court under that section. The County shall be entitled to full reimbursement of its costs of sign removal and enforcement from the fines, penalties, or costs that it collects through court enforcement. Fifty percent of any excess of those funds remaining after reimbursement of the County's costs of sign removal and enforcement shall be retained by the Board, and fifty percent shall be remitted by the Commissioner of VDOT and paid into the Highway Maintenance and Operating Fund. The Board will remit funds due to VDOT under this section of this Agreement on a quarterly basis.
5. This Agreement shall remain in full force and effect unless sooner terminated upon 30 days' written notice by either party to the other party. This Agreement must be renewed, in writing, by the parties.
6. This Agreement may be amended at any time by the written agreement of the parties.

WITNESS the following signatures and seals:

VIRGINIA DEPARTMENT OF
TRANSPORTATION

Philip A. Shucet
Commissioner

M E M O R A N D U M

DATE: May 13, 2003

TO: The Board of Supervisors

FROM: John E. McDonald, Manager, Financial and Management Services
Frank M. Morton, III, County Attorney

SUBJECT: Exemptions from Real and Personal Property Taxes

The 2003 session of the General Assembly, in the adoption of HB 1750, amended the Code to accommodate an amendment approved by voters last November in the Constitution of Virginia. This Constitutional amendment delegates the authority and responsibility of exempting real and personal property, under most circumstances, to local governments. Specifically, Article X, Section 6 (a) 6 of the Constitution states:

“(6) Property used by its owner for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes, as may be provided by classification or designation by an ordinance adopted by the governing body and subject to such restrictions and conditions as provided by general law.”

Beginning retroactively, as of January 1, 2003, the Board of Supervisors will have the authority to act by ordinance to exempt real and personal property from taxation. This authority was previously held by the General Assembly.

A copy of HB1750 is attached. It sets out criteria that must be considered by the Board in its review of an application for tax exemption. These are shown in HB1750 and are listed below:

- 1. Whether the organization is exempt from taxation pursuant to § 501 (c) of the Internal Revenue Code of 1954;*
- 2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;*
- 3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services, which such director, officer, or employee actually renders;*
- 4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions, or local, State or Federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;*
- 5. Whether the organization provides services for the common good of the public;*
- 6. Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office;*

7. *The revenue impact to the locality and its taxpayers of exempting the property; and*
8. *Any other criteria, facts and circumstances that the governing body deems pertinent to the adoption of such resolution.*

Completely satisfying this list of criteria is not a requirement for the Board to grant an exemption; the language of the Bill only indicates that each issue must be considered. Based on the Constitutional amendment, the use of the property is the principal issue to be analyzed. Based on some of the provisions of HB1750, the characteristics of the petitioning organization must also be evaluated and exemptions can only be made to nonprofit organizations.

There are other issues to be considered:

Constitutional Exemptions. Some tax exemptions exist by reference in Federal law or in the State Constitution and are not subject to local review. These include properties owned by the Federal or State government or by any political subdivision. They also include property owned by religious bodies and used for religious purposes, burying grounds or cemeteries, and public or nonprofit libraries.

Pre-1971 Exemptions. Exemptions of property from taxation granted prior to 1971 and still in existence on December 31, 2002, cannot be repealed except by action of the General Assembly. The Board of Supervisors can request that the General Assembly revoke a particular exemption.

Post-1971 Exemptions. With the adoption of HB1750, those exemptions granted by the General Assembly after 1971 are taxable as of January 1, 2003, and now need a local ordinance to be tax-exempt.

Local Ordinance. The tax exemption shall be contingent on the adoption of an ordinance by the Board of Supervisors, after a public hearing. The ordinance shall state the specific use on which the exemption is based and continuance of the exemption shall be contingent on the continued use of the property in accordance with the purpose for which the organization is classified or designated.

Non-discrimination. No exemption shall be provided to any organization that has any rule, regulation, policy, or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex, or national origin.

Other localities are developing applications that must be completed before an ordinance is prepared and advertised. A Henrico County application has been revised and is attached as a starting point for James City County.

There are several discretionary issues that the Board of Supervisors should dispose of before the first application is received and your guidance would be appreciated:

Strict Standards. A tax exemption shifts the burden of property taxes from specific properties to all other County taxpayers. Both the use of the property and the characteristics of the applicant organization must be considered before an exemption is granted. Ordinances coming before the Board will include staff evaluations. It is the intent of staff to limit positive recommendations to those organizations and properties that can demonstrate that they fully meet all the requirements and standards of the Constitution and of the State Code.

Other Criteria. The Board is allowed to evaluate applicants using additional criteria. Your direction would be appreciated if you believe there are additional criteria that should be considered.

Fee. The Board is allowed to recover a fee that covers the costs of advertising for the public hearing. We would recommend that a fee of \$100 be established as a requirement to be submitted with each application.

Renewals. Several localities have requirements that property owners must periodically renew their exemptions. The State Code allows triennial renewals. At this point we would recommend that we not institute a triennial renewal process. Instead, every three years staff will survey tax-exempt organizations and come to the Board only if the property use, the organization, or ownership has changed.

Properties not Grandfathered. There are three County property owners whose property was exempted by the General Assembly post-1971. Unless the Board of Supervisors adopts an ordinance exempting these specific properties, they become taxable as of the July 1, 2003, land book. The organizations, each of whom had two parcels exempt from property taxes, are:

Child Development Resources
Drug Action Center
Williamsburg Land Conservancy

It is the staff's intent to advise each of the three property owners of the change in the law and of the need to apply for a tax exemption some time in the next 60 days.

Administrative Approvals. Staff assumes that tax exemption for Constitutionally-exempted properties, such as newly-occupied church buildings, will continue to be granted administratively. If there is any doubt, staff will consult with the County Attorney. This would apply to requests for exemptions from both personal and real property taxes.

Grandfathered Exemptions. There are a number of pre-1971 tax exemptions that exist for properties and organizations in James City County. These include Colonial Williamsburg, the Boy Scout and 4-H Camps, the JCB Volunteer Fire Department, the APVA, VFW and American Legion, the Daughters of the Confederacy, Masonic Lodges, Knights of Gideon, Moose Lodge, the Toano Women's Club, and the Norge Community Center. These have been grandfathered. A survey will be sent to each property owner asking for a description of the organization, the name of a contact person, and the uses of the property, but no further action is proposed.

The attached resolution sets out an outline for a legislative policy that will apply to applications for tax exemptions. In addition, a draft application is provided for your review and comment.

Staff recommends the approval of the attached resolution.

Exemptions from Real and Personal Property Taxes

May 13, 2003

Page 4

John E. McDonald

CONCUR:

Frank M. Morton, III

JEM/FMM/gs
taxexempt.mem

Attachments

RESOLUTION

EXEMPTIONS FROM REAL AND PERSONAL PROPERTY TAXES

WHEREAS, the Virginia General Assembly has adopted legislation stating that the Board of Supervisors of James City County may, by designation or by classification, exempt from property taxes by an adopted ordinance, the real or personal property, or both, owned by a nonprofit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes; and

WHEREAS, certain pre-existing tax exemptions granted by the General Assembly after 1971 are taxable as of January 1, 2003, and would now need a local ordinance to be tax-exempt; and

WHEREAS, the Board of Supervisors has been requested to adopt guidelines for the review and approval of requests for exemptions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the following requirements before advertising an ordinance for public hearing that would allow an exemption from real and/or personal property taxes:

1. A completed application that provides sufficient information about the applicant and the property that the Board of Supervisors will be able to consider the standards and questions mandated by Section 58.1-3651 of the Code of Virginia; and
2. A check in the amount of \$100 to cover the costs of advertising for the public hearing.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

taxexempt.res

VIRGINIA ACTS OF ASSEMBLY -- CHAPTER

An Act to amend the Code of Virginia by adding in Chapter 36 of Title 58.1 an article numbered 4.1, consisting of a section numbered 58.1-3651, and to repeal §§ 30-19.04 and 30-19.1:2 of the Code of Virginia, relating to property tax exemptions.

[H 1750]
Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 36 of Title 58.1 an article numbered 4.1, consisting of a section numbered 58.1-3651, as follows:

Article 4.1.

Property Exempted by Local Classification or Designation on or After January 1, 2003.

§ 58.1-3651. Property exempt from taxation by classification or designation by ordinance adopted by local governing body on or after January 1, 2003.

A. Pursuant to subsection 6 (a) (6) of Article X of the Constitution of Virginia, on and after January 1, 2003, any county, city, or town may by designation or classification exempt from real or personal property taxes, or both, by ordinance adopted by the local governing body, the real or personal property, or both, owned by a nonprofit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes. The ordinance shall state the specific use on which the exemption is based, and continuance of the exemption shall be contingent on the continued use of the property in accordance with the purpose for which the organization is classified or designated. No exemption shall be provided to any organization that has any rule, regulation, policy, or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex, or national origin.

B. The ordinance exempting property pursuant to subsection A shall be adopted only after holding a public hearing with respect thereto, at which citizens shall have an opportunity to be heard. The local governing body shall publish notice of the hearing once in a newspaper of general circulation in the county, city, or town where the real property is located. The notice shall include the assessed value of the real and tangible personal property for which an exemption is requested as well as the property taxes assessed against such property. The public hearing shall not be held until at least five days after the notice is published in the newspaper. The local governing body may collect the cost of publication from the organization requesting the property tax exemption. Before adopting any such ordinance the governing body shall consider the following questions:

- 1. Whether the organization is exempt from taxation pursuant to § 501 (c) of the Internal Revenue Code of 1954;*
- 2. Whether a current annual alcoholic beverage license for serving alcoholic beverages has been issued by the Virginia Alcoholic Beverage Control Board to such organization, for use on such property;*
- 3. Whether any director, officer, or employee of the organization is paid compensation in excess of a reasonable allowance for salaries or other compensation for personal services which such director, officer, or employee actually renders;*
- 4. Whether any part of the net earnings of such organization inures to the benefit of any individual, and whether any significant portion of the service provided by such organization is generated by funds received from donations, contributions, or local, state or federal grants. As used in this subsection, donations shall include the providing of personal services or the contribution of in-kind or other material services;*

5. *Whether the organization provides services for the common good of the public;*
 6. *Whether a substantial part of the activities of the organization involves carrying on propaganda, or otherwise attempting to influence legislation and whether the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office;*
 7. *The revenue impact to the locality and its taxpayers of exempting the property; and*
 8. *Any other criteria, facts and circumstances that the governing body deems pertinent to the adoption of such resolution.*
- C. Exemptions of property from taxation under this article shall be strictly construed in accordance with Article X, Section 6 (f) of the Constitution of Virginia.*
- D. Nothing in this section or in any ordinance adopted pursuant to this section shall affect the validity of a classification exemption claimed by an organization, or a designation exemption granted by the General Assembly, prior to January 1, 2003, that was still effective on December 31, 2002, pursuant to Article 3 (§ 58.1-3609 et seq.) or 4 (§ 58.1-3650 et seq.) of this chapter, and no locality shall recognize a classification exemption first claimed by an organization pursuant to Article 3 (§ 58.1-3609 et seq.) of this chapter after January 1, 2003. An exemption granted pursuant to Article 4 (§ 58.1-3650 et seq.) of this chapter may be revoked in accordance with the provisions of § 58.1-3605. For purposes of this subsection "a classification exemption claimed by an organization" as of January 1, 2003, means that the organization owns property in a locality that is not being taxed by the locality on December 31, 2002, by virtue of a classification exemption provided under Article 3 (§ 58.1-3609 et seq.) of this chapter. Such claim of exemption applies to each such locality in which such an organization owns property that is not being taxed on December 31, 2002, and only to each such locality.*

2. That §§ 30-19.04 and 30-19.1:2 of the Code of Virginia are repealed effective January 1, 2003.

3. That an emergency exists and this act is in force on and after January 1, 2003.

Legislative Information System

APPLICATION FOR PROPERTY TAX EXEMPTION

IF REAL PROPERTY, TAX PARCEL NUMBER _____

PROPERTY ADDRESS _____

LEGAL DESCRIPTION _____

ESTIMATED VALUE OF THE PROPERTY IDENTIFIED _____

PROPERTY OWNER _____

MAILING ADDRESS _____

NAME(S) AND TITLE(S) OF OFFICIAL REPRESENTATIVES THAT MIGHT BE CONTACTED IF THERE ARE QUESTIONS ON THIS APPLICATION:

DAYTIME TELEPHONE, E-MAIL, AND/OR FAX

1. Is the property owner chartered or incorporated under the laws of the Commonwealth of Virginia?

YES _____ NO _____

If yes, attach a copy of the charter or Articles of Incorporation and Bylaws or any other documents governing the property owner entity.

2. For what purpose is the owner chartered, incorporated, or otherwise in existence?

3. The property qualifies for exemption based on (*check one box only please*):

CLASSIFICATION – ARTICLE X, SECTION 6 OF THE CONSTITUTION OF VIRGINIA

Request for tax exemption of real and/or personal property after January 1, 2003

Owned directly or indirectly by Commonwealth of Virginia or any political subdivision

A church or religious body with uses shown in Sections 58.1-3606 and -3617

Nonprofit private or public burying grounds or cemeteries

Libraries, as defined and used in accordance with Section 58.1-3606

GRANDFATHERED BY DESIGNATION – JAMES CITY COUNTY (VA CODE 58.1-3607; -3650)

Approved by the General Assembly prior to 1971

Association for the Preservation of Virginia Antiquities
Veterans of Foreign Wars Posts 4639 and 8046
Boy Scouts of America
American Red Cross
James City-Bruton Volunteer Fire Department
Daughters of the Confederacy
Jamestown Moose Lodge 757
Knights of Gideon
Colonial Williamsburg Foundation, as described in Code Section 58.1-3607
Masonic Lodge
Norge Community Center
Toano Women's Club
Other – _____ (please document)

DESIGNATION BY JAMES CITY COUNTY (ARTICLE X, SECTION 6 OF THE CONSTITUTION OF VIRGINIA AND VIRGINIA CODE 58.1-3651)

Request for tax exemption of real and/or personal property after January 1, 2003

4. Please provide a specific explanation of the property use. If there are several types of use, or several parcels, indicate such usages by areas of the buildings, floor locations, and land allocations.

5. Does any individual or entity other than the property owner occupy or use any part of the premises?

YES _____ NO _____

If yes, provide details:

6. Is any income received from the use of any portion of the property whether considered as rent or reimbursement for services incurred?

YES _____ NO _____

If yes, provide details: _____

7. Does the property owner have an exemption from taxation under the United States Internal Revenue Service (IRS) Code, Section 501(c)?

YES _____ NO _____

Under any other provision of the IRS Code?

YES _____ NO _____

If yes to either, please provide:

the IRS identification number: _____

the date of the IRS ruling: _____

8. Is the property owner requesting 100 percent exemption from real or personal property taxes?

YES _____ NO _____

If no, provide the percentage requested and a detailed explanation:

9. Attach your most recent financial statements; including where applicable, forms filed with the IRS, reflecting income and expenditures for the most current 12-month reporting period. All submitted documents will become part of this application.

The attached financial statement is for the period _____ to _____.

Attach a list containing the names of all trustees together with any date and court in which they were qualified.

Attach the names and compensation of all directors, officers, or employees of the organization.

Attach a description and an estimate of value for any donated personal services, in-kind contributions or other material services that would be defined as donations.

10. Please answer Yes or No to the following questions:

Has a current annual alcoholic beverage license for serving alcoholic beverages been issued by the Virginia Alcohol Beverage Control Board to the applying organization for use on such property? _____ (If Yes – Please explain)

Does any part of the net earnings of the applicant organization inure to the benefit of any individual? _____ (If Yes – Please explain)

11. Please describe the circumstances that would qualify or disqualify a James City County resident for services provided by your organization.

12. Please describe any activities of the organization that involve lobbying efforts or otherwise attempting to influence legislation. Also describe if the organization participates in, or intervenes in, any political campaign on behalf of any candidate for public office.

Please certify to the following statement, or provide an explanation why you cannot.

I certify that the applicant has no rule, regulation, policy, or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex, or national origin.

ORGANIZATION:

By: Officer's Name _____

Officer's Title _____

Date _____

STATE OF VIRGINIA
COUNTY OF JAMES CITY

_____ (**Officer's Name**) being duly sworn, deposes, and states that
as the _____ (**Officer's Title**) of _____

(Legal Name of Ownership Organization), he or she has read this application and knows the contents thereof and that the matters stated are true.

(**Signature of Officer**)

Subscribed and sworn to before me this _____ day of _____

(**Notary Public**)

M E M O R A N D U M

DATE: May 13, 2003

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Real Estate Sales and Option Purchase Agreement/TMB Service Corp./Warhill

As the Board is aware, the Williamsburg-James City County Schools (“Schools”) and the County have been interested in securing a site for an eventual third high school. Recently, the Schools have selected the Warhill site as most feasible for a school. Approximately 40 acres are owned by the County as part of the 1996 Warhill acquisition. In addition, the conceptual layout proposed by the Schools includes approximately 30.4 additional acres still owned by the TMB Service Corp. (“TMB”), the same Bank from whom the County made the purchase of 528 acres in 1996.

Staff approached TMB several weeks ago and inquired as to whether it would be interested in selling 40 ± acres of its remaining 67.7± acres. It quickly became evident that TMB did not wish to split the parcel but was willing to sell the entire acreage to the County. The parcel has M-1 zoning on the portion adjoining the County property (40.2 acres) and B-1 on the portion that abuts Centerville Road (24.2 acres), with the remainder being a right-of way (3.3 acres).

The negotiated price for the 67.7 acres is \$2,150,000. Real estate assessment currently has the parcel valued at 3.5 million dollars. And while it was not the County’s intent to acquire the B-1 zoned property fronting on Centerville Road, given the price, I believe this offers the County a unique opportunity to acquire the property and have an integral hand in both the timing and nature of its development. Actual acreage and location for a third high school project will depend on the final design.

I would point out that purchasing the property relieves TMB of the responsibility of putting up approximately \$400,000 for the construction of an entrance road and intersection improvements. This commitment was part of the original sales agreement.

Staff recommends that the Board approve the attached resolution authorizing execution of the purchase agreement.

Sanford B. Wanner

SBW/gs
Warhill-TMB.mem

Attachment

RESOLUTION

REAL ESTATE SALES AND OPTION PURCHASE AGREEMENT/

TMB SERVICE CORP./WARHILL

WHEREAS, the Williamsburg-James City County Schools (“Schools”) and the County have been interested in securing a site for an eventual third high school; and

WHEREAS, the Schools have identified 40 acres of the County-owned Warhill site and an additional 30.4 acres of adjacent property owned by TMB Service Corp. (“TMB”) as the most feasible site for a high school; and

WHEREAS, the County has negotiated with TMB and reached a purchase price of \$2,150,000 for the entire TMB site consisting of 67.7± acres; and

WHEREAS, the County and TMB wish to enter into an Option Purchase Agreement and TMB has executed the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to execute the Option Purchase Agreement and any other documentation necessary to purchase the 67.7± tract owned by TMB.

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

warhill-TMB.res.

M E M O R A N D U M

DATE: May 13, 2003
TO: The Board of Supervisors
FROM: John E. McDonald, Manager, Financial and Management Services
SUBJECT: Capital Budget Amendments - School Site Acquisition

The attached resolution would authorize the necessary budget transfers to allow the investment of \$2,150,000 in both a school site and future commercial property.

Staff recommends the approval of the attached resolution.

John E. McDonald

CONCUR:

Sanford B. Wanner

JEM/gb
acquisition.mem

Attachment

RESOLUTION

CAPITAL BUDGET AMENDMENTS - SCHOOL SITE ACQUISITION

WHEREAS, the James City County Board of Supervisors has been asked to increase the capital budget line item designated for the purchase of a high school site from the current budget balance of \$753,012 to a total of \$1,250,000, an increase totaling \$496,988; and

WHEREAS, this sum, combined with \$900,000 from the County's Operating and Capital Budgets for economic development, may be used to acquire property with the potential to be both a high school site and a site for future commercial/industrial development.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the following budget transfers:

To:

High School Site Acquisition	<u>\$496,988</u>
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From:

Operating Contingency	\$260,988
(Through Transfer from County General Fund)	
Capital Contingency	<u>236,000</u>
	<u>\$496,988</u>

Bruce C. Goodson
Vice Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of May, 2003.

acquisition.res