

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

May 25, 2004

7:00 P.M.

A. ROLL CALL

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE - Connie Hannah, a tenth-grade student at Lafayette High School

D. HIGHWAY MATTERS

E. PRESENTATION

1. Employee and Volunteer Outstanding Service Awards

F. PUBLIC COMMENT

G. CONSENT CALENDAR

1. Minutes
 - a. April 29, 2004 - Budget Work Session
 - b. May 4, 2004 - Budget Work Session
 - c. May 6, 2004 - Budget Work Session
 - d. May 11, 2004 - Regular Meeting

H. PUBLIC HEARINGS

1. Case Nos. Z-15-03/MP-13-03/HW-2-03. Stonehouse Station at Norge (Continued from May 11, 2004)
2. Ordinance Amendment - Chapter 20, Taxation, Article X, Tax on Local Telecommunications Service, Section 20-71, Levy; Amount of Tax on Local Telecommunication Service
3. Conveyance of Property Located at 150 Carriage Road (Continued from May 11, 2004)

I. BOARD CONSIDERATION

1. Ironbound Square Apartments for the Elderly

J. PUBLIC COMMENT

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. BOARD REQUESTS AND DIRECTIVES

- CONTINUED -

M. CLOSED SESSION

1. Consideration of Appointments of Individuals to County Boards and/or Commissions, Pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Parks and Recreation Advisory Commission
 - b. Regional Issues Committee

N. ADJOURNMENT

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MEMORANDUM

DATE: May 25, 2004
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: Employee and Volunteer Outstanding Service Awards

The 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 individuals and teams recognized at the May 25, 2004, Board of Supervisors meeting exemplify the County's Mission and demonstrate our Values:

- C Three individual employees;
- C One employee team;
- C Four employee and volunteer teams;
- C One team of volunteers;
- C Five individual volunteers; and
- C Two Lifesaving awards.

Sanford B. Wanner

SBW/adw
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AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 29TH DAY OF APRIL, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District
Michael J. Brown, Vice Chairman, Powhatan District
Jay T. Harrison, Sr., Berkeley District
John J. McGlennon, Jamestown District
M. Anderson Bradshaw, Stonehouse District

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

1. Review of the FY 2004 Proposed General Operating Budget

Mr. Wanner introduced John E. McDonald, Manager of Financial and Management Services, and Ms. Suzanne R. Mellen, Director of Budget and Accounting.

Mr. McDonald provided the Board with an overview of the anticipated revenues, reimbursement from the State for the Personal Property Tax, and potential impacts of the State's Budget on the revenues the County collects for taxes.

The Board and staff discussed the anticipated impacts the State's Budget and decisions regarding the tax levels, consumer spending, and sales levels on anticipated generated revenues.

Ms. Mellen provided an overview of the Proposed Operating Budget for Fiscal Year 2005.

The Board and staff discussed the various taxes.

Mr. Brown stated concern regarding the collection and dissemination of Telecommunications Taxes and the County's E-911 tax, and recommended the County raise the Telecommunications Tax by 25-cents rather than the proposed E-911 tax.

The Board and staff discussed the recommendation and staff stated that the ordinance amendment will be advertised for the May 25 Board meeting.

The Board continued discussion on the recommendation and the existing and potential revenues generated from the existing E-911 tax rate, the proposed E-911 tax increase, and a Telecommunications Tax; and potential State imposed cap on the Telecommunications Tax.

Mr. Harrison requested a fee amount projection for a revenue amount for the Basic Lifesaving Support (BLS) and Advanced Lifesaving Support (ALS).

Mr. Bradshaw requested clarification on the assessment and uses of the Sheriff and Jail Fees.

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

2. Employee Compensation and Benefits

Ms. Carol M. Luckam, Manager of Human Resources, provided the Board with an overview of the recommendations relating to employee compensation and benefits for FY 2005.

Ms. Luckam stated that Virginia Retirement System costs increased significantly without increasing benefits, Health Insurance rates also increased, and staff worked to provide those two benefits to employees at a reasonable contribution rate.

Ms. Luckam stated that changes to the Personnel Policies and Procedures Manual will be proposed to the Board including the implementation of employee compensation changes to reduce compression and standardize employee review dates.

Mr. McGlennon inquired if the Health Insurance benefits have been adjusted in addition to the costs for the plans.

Ms. Luckam stated that the premiums have gone up, but the benefits have not decreased.

Mr. McGlennon asked what the ½-percent increase in employee salaries would cost.

Ms. Luckam stated that it would cost approximately \$133,000.

Mr. McGlennon asked what the 2 percent pay-structure adjustment cost would be.

Ms. Mellen stated that it would be less than \$50,000.

The Board and staff discussed moving the minimum wage for permanent part-time employees to \$9.00 per hour.

Mr. McGlennon requested what the difference in cost would be for basing merit increases on the employee's salary versus the minimum level of the pay range.

Mr. McGlennon requested information on what type of actual raise will employees receive when factoring in the increase in Health Insurance costs.

Mr. Wanner stated that staff was guided to ensure that no employees pay raise would be eliminated due to the increased Health Insurance costs.

Mr. Wanner stated that staff would respond to all the Board's questions prior to the May 4 Budget Work Session.

3. Continued Review of the FY 2005 Proposed General Operating Fund

Ms. Mellen resumed an overview of the proposed General Operating Fund.

Mr. McGlennon inquired if the shifts for the individuals staffing the voting polls could be shortened.

Mr. Wanner stated that was not proposed in the budget and that is would be up to the Registrar. Most of the poll workers enjoy the work and willingly work election day. Mr. Wanner said the inquiry would be relayed to the Registrar.

Mr. Goodson recessed the Board for a brief break at 8:32 p.m.

Mr. Goodson reconvened the Board at 8:45 p.m.

Mr. McGlennon requested salary adjustment funding be included for the Clerk of the Circuit Court employees.

The Board and staff discussed the request and the State expenditures for Constitutional Officers.

Mr. Brown requested recommendations for funding to the Sheriff's office for educational opportunities and additional pay supplement for employees of that office.

Mr. Brown requested more information regarding the proposed radio system maintenance cost, justification for the proposed radio system, and alternatives to the proposal for the new radio system.

Mr. Brown requested justification for the anticipated travel expenditures in the Parks and Recreation Division.

Mr. Harrison requested a revenue figure for non-County users of Parks and Recreation services.

Mr. Brown requested the figure be broken down further to distinguish which jurisdictions utilize the services and what amount each jurisdiction contributes.

Mr. Brown requested staff consider moving some of the lodging tax revenue to the Williamsburg Area Transport to offset some of the cost for providing public transportation to tourists.

The Board and staff discussed the request and need to consult with the Tourism Bureau on such recommendations.

Mr. Brown requested that a representative be available to answer questions regarding the funding requests by the James City-Bruton Volunteer Fire Department and the James City County Volunteer Rescue Squad.

Mr. Brown requested the County Administrator recommend how the County might fund the establishment of a Stormwater Utility.

The Board and staff discussed the request and Mr. Brown withdrew his request.

C. RECESS

At 9:43 p.m. Mr. Goodson recessed the Board to 7 p.m. on May 4, 2004.

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 4TH DAY OF MAY, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District
Michael J. Brown, Vice Chairman, Powhatan District
John J. McGlennon, Jamestown District
M. Anderson Bradshaw, Stonehouse District
Jay T. Harrison, Sr., Berkeley District

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

1. Review of the FY 2005 Proposed Capital Projects Budget

Mr. John E. McDonald, Manager of Financial and Management Services, provided an update on the proposed State Budget and an overview of the proposed Capital Projects Budget.

Mr. Goodson inquired if the Board would consider focusing on funding the acquisition of greenspace through a bond.

Discussion by the Board and staff was held on the proposal. The Board requested staff bring forward alternatives for greenspace acquisition in addition to the purchase of development rights.

Discussion was held on the proposed animal shelter and what options are being considered for funding a new facility, and the impact on funding future projects with a dwindling Fund Balance.

Mr. McGlennon requested information on the voting machines and tracking mechanisms of the votes cast.

2. Review of the FY 2005 Proposed Other Funds Budget

Ms. Suzanne R. Mellen, Director of Budget and Accounting, provided an overview of the other funds within the proposed FY 2005 Budget including the Virginia Public Assistance Fund, Williamsburg Area Transport, Community Development Fund, and Debt Service Fund.

Mr. Anthony Conyers, Jr., Manager of Community Services, provided an overview of the Jamestown Shuttle service, being created for the Jamestown 2007 event, and the National Park Service funding of the Shuttle service.

The Board and staff discussed the donation to Jamestown 2007, activities, and opportunities to participate in the 2007 Commemoration.

3. Employee Compensation and Benefits

Ms. Carol M. Luckam, Manager of Human Resources, provided an overview of the cost to base performance increases on salary levels versus an increase based on the mid-point range; at various increase percentages; \$9.00/hr competitive wage costs; and take-home performance increases when factoring in the increased health insurance rates.

Mr. Brown stated concern that inflating the minimum pay levels may result in outsourcing those positions in the future.

The Board and staff discussed the competition for entry level, custodial, convenience center attendant, and grounds maintenance positions; and the direction the County wants to go with compensation and competitive employee retention efforts.

The Board directed staff to budget the minimum pay level to \$9.00/hr for FY 2005 and plan for \$9.00/hr for FY 2006.

The Board and staff discussed additional contribution for the non-supplemented Constitutional Officer staff's salaries; and why they have voluntarily declined to join the County's Compensation Plan.

Mr. Goodson recessed the Board for a brief break at 8:33 p.m.

Mr. Goodson reconvened the Board at 8:40 p.m.

Mr. McGlennon recommended the employee compensation for performance increases be 3.5 percent and performance increases be based on the mid-point range of the employee's pay scale.

The Board and staff discussed the recommendation, and the Board directed staff to base performance increases on the employee's salary and the increase to be 3.5 percent.

The Board and staff discussed the additional allocation of 3.5 percent to the non-supplemented salary of the staff of the Clerk of the Circuit Court; and 1.25 percent to the staff of the Sheriff's office contingent upon the level of State funding for increases.

The Board directed staff to allocate a 1.25 percent supplement on the Sheriff's salary despite the State compensation level.

The Board directed staff to allocate a pool amount equal to 3.5 percent to the Clerk of Courts for salary supplements, regardless the State compensation level.

Mr. Richard Miller, Fire Chief, and Mr. David Daigneault, Police Chief, provided an overview of the professional standards of staffing the Fire and Police Departments and the Departments' workloads.

Mr. McGlennon requested the Board support the position requests of the Fire Chief and Police Chief, as well as an additional Planner position.

The Board requested funding figures for position requests as recommended by the County Administrator.

The Board discussed funding priorities for covering Operating Costs and Capital Projects in the future.

Mr. McDonald suggested that the Board would have two more opportunities for revisiting the Budget when the State establishes its budget and when the Land Book is recorded.

Mr. Wanner requested clarification that the recordation revenue would be utilized to keep the Real Estate Tax rate at \$0.85.

The Board discussed money for the Capital Improvement Projects and Fund Balance, the Real Estate Tax Rate, and funding positions.

The Board decided to wait until August to consider funding the grounds maintenance positions.

4. Proposed FY 2005 James City Service Authority Operating Budget (Joint item with the James City Service Authority Board of Directors)

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

Mr. Smith provided the Board with an overview of the JCSA's proposed FY 2005 Budget.

The Board and staff discussed staffing and funding needs to maintain and inspect the existing well facilities and the Groundwater Treatment Facility.

Mr. McGlennon requested the JCSA staff consider the administrative fees for the submeter inspections and maintaining records of the submeters and to impose a higher administrative fee on those that submit late submeter fees.

The JCSA Board of Directors recessed at 10:15 p.m.

C. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson presented a resolution supporting the efforts of Hampton Roads to attract a Major League Baseball team to the area.

Mr. Harrison made a motion to adopt the resolution.

Mr. Brown requested clarification that the resolution supporting the attraction of a team does not require funding from the localities.

Mr. Wanner stated it does not. That the money would come from the Stadium Authority.

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

RESOLUTION

IN SUPPORT OF EFFORTS TO BRING MAJOR LEAGUE BASEBALL

TO THE HAMPTON ROADS AREA

WHEREAS, the Montreal Expos franchise is currently for sale, and the Hampton Roads area is the largest population center in the United States without a professional sports franchise; and

WHEREAS, a Major League Baseball franchise would bring significant revenues deriving from payroll, construction, and tourism; and

WHEREAS, the Virginia Baseball Stadium Authority allows State taxes generated from the stadium site to be rebated to the Stadium Authority to sell bonds for stadium construction; and

WHEREAS, Major League Baseball has recognized the efforts of the Mayor and Council of the City of Norfolk, the Hampton Roads Partnership, and the Norfolk Baseball Company by sending a site selection committee to the area in consideration of the bid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby support and endorse the effort to attract a Major League Baseball team to the Hampton Roads region and does hereby encourage citizens and the business community of the region to do likewise.

D. RECESS

At 10:20 p.m. Mr. Goodson recessed the Board to 7 p.m. on May 6, 2004, for a joint meeting with representatives from the Library Board and a joint meeting with the School Board.

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 6TH DAY OF MAY, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District
Michael J. Brown, Vice Chairman, Powhatan District
Jay T. Harrison, Sr., Berkeley District
John J. McGlennon, Jamestown District
M. Anderson Bradshaw, Stonehouse District, absent

Sanford B. Wanner, County Administrator

B. BOARD CONSIDERATIONS

1. Library Board

Mr. Goodson welcomed Ms. Victoria Gussman, Chairman of the Williamsburg Regional Library (WRL) Board of Trustees; Mr. John Moorman, Library Director; and Ms. Carrie Binsfield, Finance Director of the WRL System.

Ms. Gussman provided an overview of the WRL Budget and thanked the County staff for its support.

Discussion of the Library Board Budget followed.

2. Williamsburg-James City County School Board

Mr. Goodson welcomed the Williamsburg-James City County School Board ("School Board").

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

Discussion included the School Board Budget, the current funding shortfall from lack of a State Budget, and student projection numbers.

The Board requested information regarding the School's request for trailers to house the Child Development Resources (CDR) Program.

Discussion followed on the decision for two trailers to house the CDR program as well as on the requested funding for the trailers.

The County Administrator advised on the County's share of the funding for the two trailers.

Mr. Goodson thanked the School Board members for the dialogue.

At 8:14 p.m. Mr. Goodson recessed the Board for a brief break.

At 8:18 p.m. Mr. Goodson reconvened the Board.

3. Budget Follow-up Items

Mr. John E. McDonald, Manager of Financial and Management Services, provided an overview of the compromise for the State Budget, anticipated adoption date of the State Budget, and recommended the Board move forward on May 11 to adopt the FY 2005 Budget with the understanding that when the localities receive information on the State allocations to the local levels, the staff will present Budget Amendments accordingly.

Mr. McDonald stated that staff anticipates the State will fund most of the School's funding shortfall.

Mr. Wanner recommended that should there be a significant contribution from the State to the Schools, the Board revisit the allocation levels for the Schools and consider adjustments to the Budget to fund the County's needs.

Ms. Suzanne R. Mellen, Director of Budget and Accounting, presented an overview of the changes recommended by the Board for the proposed FY 2005 Budget.

Discussion was held regarding the additional salary allocation to the Sheriff and Circuit Court staff, and the allocation to the Sheriff's Office for tuition assistance.

Mr. Wanner stated that he recommended that the allocation to the Newport News/Williamsburg Airport Blue Ribbon Commission be \$12,025.

Mr. Brown stated that James City-Bruton Volunteer Fire Department is pleased that the County is increasing its funding and stated that the James City-Bruton Volunteer Fire Department would like funding for Ladder Fire Truck 1 repair and a Float Pump.

The Board discussed the additional funding request for equipment.

Mr. McGlennon requested the Board consider position and equipment funding in Grounds Maintenance to handle the increased facility infrastructure and spot drainage-maintenance work.

Mr. Wanner requested the Board consider the Grounds Maintenance positions in August.

Mr. McDonald stated that there is in the Capital Improvements Project fund for FY 2005, \$798,145 for office space expansion, and requested staff be permitted to bring forward an Appropriation Resolution to appropriate that money effective May 11, 2004.

The Board supported the recommendation for an Appropriation Resolution.

Mr. Bradshaw stated that he understood that the Board wanted to separate out the appropriation of funds to the Community Action Agency (CAA) in order that Mr. Harrison could abstain. He stated that he agreed with this decision. He stated he also heard that Board members intend to deny the appropriation of funds to the CAA and stated his concerns regarding such action by the Board.

Discussion followed on funding the CAA Parliamentary Procedure when a tie vote is cast, and open forum communication of concerns regarding future issues presented to the Board for consideration.

Discussion followed regarding proposed changes to the FY 2005 Strategic Management Plan and directed the County Administrator to make such changes.

C. ADJOURNMENT

Mr. Bradshaw made a motion to adjourn.

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

At 9:03 p.m. Mr. Goodson adjourned the Board until 7 p.m. on May 11, 2004.

Sanford B. Wanner
Clerk to the Board

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 11TH DAY OF MAY, 2004, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District
Michael J. Brown, Vice Chairman, Powhatan District
John J. McGlennon, Jamestown District
M. Anderson Bradshaw, Stonehouse District
Jay T. Harrison, Sr., Chairman, Berkeley District

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

B. MOMENT OF SILENCE

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

C. PLEDGE OF ALLEGIANCE

Ashley Hannah, a student at Toano Middle School, led the Board and citizens in the Pledge of Allegiance.

D. PRESENTATION

1. May is Bike Month

Mr. Goodson presented Mr. Tom King, President of the Williamsburg Area Bicyclists, and Mr. Ernie Schmit with a resolution declaring May as Bike Month in James City County and accepted a Certificate of Recognition for Bike Month signed by Governor Warner.

E. PUBLIC COMMENT

1. Ms. Victoria M. Butler, Roberts District, thanked the Chairman for his assurance that the Community Action Agency (CAA) budget funding would pass; stated support for Reba Bolden as the Executive Director of the CAA.

2. Ms. Reba Bolden, Executive Director of the Community Action Agency, provided an overview of the CAA as a public-private partnership dedicated to reducing poverty and promoting self-sufficiency of citizens in the County; provided an overview of the programs offered to moderate- to low-income residents as well as the benefits the Agency offers the community; commented on the benefits to the

Community from the County's fiscal contribution to CAA; and invited the Board to attend the upcoming Head Start graduation.

3. Mr. George Drummond, 156 Indian Circle, stated concern that his request for his term on Community Action Agency (CAA) Board to be extended was not considered; stated concern that the Board would consider denial of funding to the CAA based upon a personnel issue that has not been discussed with the CAA Board; and stated support for the CAA Executive Director.

4. Mr. John Filichko, 9615 Richmond Road, commented that he has been a CAA Board member for over three years, that the Board looked for a results-oriented leader, and therefore, Ms. Bolden was selected as the Executive Director for the Agency; and requested the Board work with each other and with the School Board to attend to the needs of the citizens and children of the community.

5. Mr. John Hall, 117 Olde Jamestowne Court, requested the Board contact the Federal and State representatives to express the County's support of funding for public transportation initiatives.

6. Ms. Linda Wallace, 3085 Friendship Drive, stated that the CAA provides many benefits to the County's citizens, stated concern that the Board would consider not supporting the CAA through funding; and provided a brief overview of the benefits the organization provides to the youth and citizens of the community.

7. Ms. Kimberly Winn, P. O. Box 2216, City of Newport News, stated that as a NBL Basketball coach she is concerned that the Board would consider withdrawing funding from the CAA that provides great programs for the youth of the community such as Head Start and NBL coaching programs, and requested the Board not consider withholding funding from the CAA.

8. Mr. Ed Oyer, 139 Indian Circle, stated concern about the programming proposed for the multiuse Performing Arts Center; commented on some highlights of the 2003 fiscal report and trends during the 2003 fiscal year; and commented on a recent article that noted that five bills passed by the General Assembly included increased fees.

F. CONSENT CALENDAR

Mr. Harrison requested that Consent Calendar Item No. 5, Appropriation - Establishment of a Full-Time Operations/Special Trips Supervisor Position for Williamsburg Area Transport, be pulled from the Consent Calendar.

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

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

1. Minutes

- a. April 13, 2004 - Regular Meeting
- b. April 27, 2004 - Work Session
- c. April 27, 2004 - Regular Meeting

2. Chesapeake Bay Restoration Fund Grant

RESOLUTION

CHESAPEAKE BAY RESTORATION FUND GRANT

WHEREAS, the Chesapeake Bay Restoration Fund, which is funded through the sale of Chesapeake Bay license plates, has made funds available for the restoration and education of the Bay; and

WHEREAS, funds are needed to provide an enriching and Standards of Learning (SOL) based environmental component to the Parks and Recreation’s Total Rec Camp Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$5,720 grant awarded by the Chesapeake Bay Restoration Fund to help with the additions to the summer camp program.

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

Revenues:

From the Commonwealth \$5,720

Expenditures:

Chesapeake Bay Restoration Fund
(024-161-5608) \$5,720

3. May is Bike Month

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; 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 cyclists can enjoy the beautiful scenery, parks, area attractions, and historic sites of James City County from a unique vantage point; 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 2004, as Bike Month in James City County, Virginia, and calls this observance to the attention of its citizens.

4. Allocation of Additional Funds for Columbia Drive Project

RESOLUTION

ALLOCATION OF ADDITIONAL FUNDS FOR COLUMBIA DRIVE PROJECT

WHEREAS, a contract has been awarded for construction of Columbia Drive and the concurrent construction of utilities into the James River Commerce Center; and

WHEREAS, the original estimate for the project was \$454,500, but the lowest responsive and responsible bid was \$472,185; and

WHEREAS, the project anticipates receiving State reimbursement of road costs in the amount of \$339,850 under terms of the Industrial Access Road Fund program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes an additional allocation of \$17,685 from Capital Improvements Project Budget to the Special Projects/Grants Fund for construction of Columbia Drive and utilities.

Revenue:

From Capital Improvements Project (CIP) Budget \$17,685

Expenditure:

James River Industrial Road Access Grant \$17,685

5. Department of Motor Vehicles Mini-Grant Awards

RESOLUTION

DEPARTMENT OF MOTOR VEHICLES MINI-GRANT AWARDS

WHEREAS, the Department of Motor Vehicles (DMV) has approved a mini-grant in the amount of \$1,500 to the Police Department for purchase of a radar device; and

WHEREAS, the grant is administered by the Department of Motor Vehicles according to the Federal Government Fiscal Year which runs from October 1 through September 30, thus allowing any unexpended funds as of June 30, 2004, to be carried forward to James City County's next fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund:

Revenues:

DMV - Police Traffic Services \$1,500

Expenditures:

DMV - Police Traffic Services \$1,500

6. Appropriation - Establishment of a Full-Time Operations/Special Trips Supervisor Position for Williamsburg Area Transport (WAT)

Mr. Harrison inquired what service the full-time position will provide and how would that impact the charter bus company.

Mr. Richard Drumwright, WAT Transit Director, stated that the position will be to support transportation needs to the College of William & Mary for special field trips. Mr. Drumwright stated that the College of William & Mary will reimburse WAT for the position that will support the special trips and the fixed-route support services.

Mr. Harrison made a motion to adopt the resolution.

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

RESOLUTION

APPROPRIATION - ESTABLISHMENT OF A FULL-TIME LIMITED-TERM

OPERATIONS/SPECIAL TRIPS SUPERVISOR POSITION

FOR WILLIAMSBURG AREA TRANSPORT

WHEREAS, Williamsburg Area Transport (WAT) has implemented transportation services in support of the College of William & Mary students for which the County is reimbursed by the College.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes a full-time limited-term Operations/Special Trips Supervisor position to provide service to the College of William & Mary and authorizes the following appropriation in the FY 2004 WAT Budget:

Revenue:

From the College of William & Mary \$3,667

Expenditure:

One Full-Time Limited-Term
Operations/Special Trips Supervisor \$3,667

G. PUBLIC HEARINGS

1. Conveyance of Property at 150 Carriage Road

Mr. Richard B. Hanson, Housing and Community Development Administrator, requested the Board open the Public Hearing on the conveyance of property at 150 Carriage Road and then continue the item to May 25, 2004.

Mr. Hanson stated that a revision by the Department of Housing and Urban Development (HUD) to the grant application time line has occurred and should the Board continue the Public Hearing, staff will have additional time to increase publicity and encourage participation by neighborhood residents regarding plans for the senior housing development along with an improved neighborhood park.

Mr. Hanson stated that a community meeting is scheduled to provide discussion and information on the project, and the meeting will be held on May 20, 2004.

Mr. Hanson stated that a bus trip to Richmond has been scheduled for participants to review a similar project.

Mr. Goodson opened the Public Hearing.

As no one else wished to speak at this time to this matter, and without objection from the Board, Mr. Goodson continued the Public Hearing to May 25, 2004.

2. Case Nos. Z-15-03/MP-13-03/HW-2-03. Stonehouse Station at Norge (Continued from April 13, 2004)

Mr. David Anderson, Planner, stated that this case was continued from the Board's meeting held on April 13, 2004.

Mr. Anderson stated that the applicant has requested deferral of this item and staff concurred with the deferral request and recommended the item be deferred to May 25, 2004.

Mr. Goodson opened the Public Hearing.

As no one wished to speak to this matter, and without objection from the Board, Mr. Goodson continued the item to May 25, 2004.

3. Case No. SUP-9-04. Chesapeake Bank SUP Amendment

Mr. David Anderson, Planner, stated that Mr. Jim Bennett of AES Consulting Engineers, applied on behalf of Chesapeake Bank to extend the expiration date of the previously approved special use permit (SUP-28-00) to coincide with the expiration date of the approved site plan (SP-98-01) for 1.9 acres zoned B-1, General Business, with proffers, located at 8909 Barhamsville Road, and further identified as Parcel No. (1-3A) on James City County Real Estate Tax Map No. (12-1).

Staff found the proposal to be generally consistent with surrounding zoning and development and compatible with the Comprehensive Plan.

At its meeting on April 5, 2004, the Planning Commission recommended approval of the amendment by a vote of 5-2.

Staff recommended approval of the permit extension request with conditions.

Mr. Goodson opened the Public Hearing.

1. Mr. Jim Bennett of AES Consulting Engineers, concurred with staff and was available to answer questions from the Board.

As no one else wished to speak to this matter, Mr. Goodson closed the Public Hearing.

Mr. Bradshaw made a motion to adopt the resolution.

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

RESOLUTION

CHESAPEAKE BANK SPECIAL USE PERMIT AMENDMENT (SUP-9-04)

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

WHEREAS, Mr. Jim Bennett of AES Consulting Engineers has applied on behalf of Marshall N. Warner of Chesapeake Bank for a special use permit (SUP) to extend the expiration date of SUP-28-00, approved July 10, 2001, and set to expire July 10, 2004; and

WHEREAS, the previously approved special use permit approved a 3,200-square-foot bank building at 8909 Barhamsville Road; and

WHEREAS, the property is located on land zoned B-1, General Business, and can be further identified as Parcel No. (1-3A) on James City County Real Estate Tax Map No. (12-1); and

WHEREAS, the Planning Commission, following its Public Hearing on April 5, 2004, recommended approval of the application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-9-04 as described herein with the following conditions:

1. A pedestrian connection, extending from the proposed bank building to the hard surface trail shown on the Michelle Point Master Plan, shall be constructed concurrent with the development of the bank. As determined by the Planning Director, this pedestrian connection shall be consistent in design and material to the hard surface trail extending from Michelle Point. A site plan amendment, identifying the design, material, and location of the pedestrian connection, shall be submitted and approved prior to construction of the proposed bank.
2. Freestanding signage shall be limited to one monument style sign. For purposes of this condition, a "monument" style sign shall be defined as a freestanding sign with a completely enclosed base not to exceed 32 square feet in size and not to exceed 8 feet in height from grade.
3. A sidewalk, 5 feet in width, shall be provided from the back parcel to Highfield Drive. This pedestrian connection shall be shown on any site plan for development of Parcel No. 1 and its design and location subject to the review and approval of the Planning Director.

4. If construction has not commenced on the project by April 19, 2007, the permit shall become void. Construction shall be defined as obtaining permits for building construction and installation of footings and/or foundations.
5. 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 a manner that all light will be directed downward and the light source is not visible from the side.
6. The building architecture shall be consistent, as determined by the Planning Director, with the building rendition prepared by Guernsey-Tingle Architects and dated June 4, 2001.
7. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

4. An Ordinance to Amend and Reordain Chapter 20, Taxation, of the Code of the County of James City, Virginia, by Amending Article II, Exemption of Certain Persons from Real Estate Taxes, Section 20-11, Amount of Exemption

Mr. Richard Bradshaw, Commissioner of the Revenue, presented an ordinance amendment to increase the real estate tax exemption from the first \$65,000 to the first \$80,000 of assessed value in order to provide increased tax relief for the elderly and disabled.

Mr. Bradshaw recommended approval of the Ordinance amendment.

Mr. Goodson opened the Public Hearing.

As no one wished to speak to this matter, Mr. Goodson closed the Public Hearing.

Mr. McGlennon made a motion to adopt the Ordinance.

The Board commended Mr. Richard Bradshaw for bringing this item forward.

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

5. Ordinance Amendment - Chapter 20, Taxation, Article IV, Transient Lodging Tax, Section 20-14, Tax Levied, and Section 20-15, Definitions

Mr. Wanner presented an ordinance amendment to impose an additional \$2 per room/per night transient occupancy tax to be designated and expended solely for advertising the Historic Triangle area as an overnight tourism destination.

Mr. Goodson opened the Public Hearing.

1. Mr. John Filichko, 9615 Richmond Road, reiterated his earlier comments and encouraged the Board members to work together to reflect the desires of the community.

2. Mr. Ed Oyer, 139 Indian Circle, stated that citizens are concerned about the imposition of another tax even though it may be targeted at tourists.

As no one else wished to speak to this matter, Mr. Goodson closed the Public Hearing.

Mr. Harrison made a motion to adopt the Ordinance.

The Board held a brief discussion regarding the marketing benefits to reinvigorate tourism in the area.

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

H. BOARD CONSIDERATIONS

1. Resolution of Appropriation - FY 2005 Budget (Deferred from April 27, 2004)
2. Ordinance Amendment - Chapter 3, Animal Control, Article III, Dog Licenses, Section 3-48, Annual Fee Imposed on Dogs and Kennels; and Section 3-4, Annual Dog License Fee; Exemption for Certain Dogs, to increase fees and provide for multi-year licenses (Deferred from April 27, 2004)
3. Ordinance Amendment - Chapter 4, Building Regulations, Article I, Virginia Uniform Statewide Building Code, Section 4-8, Generally; to increase certain fees (Deferred from April 27, 2004)
4. Ordinance Amendment - Chapter 8, Erosion and Sediment Control, Section 8-5, Permits, Fees, Bonding, Etc.; to increase fee (Deferred from April 27, 2004)
5. Ordinance Amendment - Chapter 11, Health and Sanitation, Article II, Section 11-14, County Refuse Containers; to increase fee (Deferred from April 27, 2004)
6. Ordinance Amendment- Chapter 20, Taxation, Article V, Section 20-25, Tax Imposed, to increase E911 tax (Deferred from April 27, 2004)

Ms. Suzanne Mellen, Director of Budget and Accounting, provided the Board with an overview of the proposed FY 2005 Budget.

Ms. Mellen requested that Public Hearing Item No. 6, Ordinance Amendment - Chapter 20, Taxation, Article V, Section 20-25, Tax Imposed, to Increase E-911 Tax, be withdrawn from the agenda and staff would re-advertise the item for May 25, 2004.

Ms. Mellen recommended the Board adopt the Resolutions of Appropriation and Ordinance Amendments.

Mr. McGlennon made a motion to adopt the Resolution of Appropriation for the Fiscal Year 2005 Budget.

Mr. McGlennon stated that he supports the resolution and stated concern that the Budget does not fund enough of the Capital Improvement Projects when one considers the vital projects down the road that will need to be fiscally addressed and recommended advanced planning for those projects would be beneficial.

Mr. Harrison stated that he was in partial support of the resolution because of the concern that additional employee positions and fee increases are being presented concurrently with a tax rate reduction.

Mr. Goodson stated that the Real Estate Tax Rate reduction is to partially offset the citizen's taxes while real estate assessments continue to climb.

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

RESOLUTION

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a two-year Proposed Budget for the fiscal years beginning July 1, 2004, and ending June 30, 2005, along with the fiscal year beginning July 1, 2005 and ending June 30, 2006 and a five-year Capital Improvements Program, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2004, and ending June 30, 2005, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations; and

WHEREAS, the Board wishes to adopt the second year of the operating and capital budgets, beginning July 1, 2005, and ending June 30, 2006.

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

1. The following amounts are hereby appropriated in the FY 2004-2005 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND REVENUES

	<u>FY 2005</u>
General Property Taxes	\$ 72,616,909
Other Local Taxes	16,380,725
Licenses, Permits and Fees	7,168,000
Fines and Forfeitures	300,000
Revenue from Use of Money and Property	639,131
Revenue from the Commonwealth	19,266,559
Revenue from the Federal Government	8,100
Charges for Current Services	3,235,759
Miscellaneous Revenues	<u>83,100</u>
TOTAL REVENUES	<u>\$119,698,283</u>

GENERAL FUND EXPENDITURES

	<u>FY 2005</u>
Administrative	\$ 1,103,837
Elections	282,324
Human Resources	1,356,675
Financial Administration	3,305,073
General Services	4,578,292

Information Resource Management	1,780,259
Development Management	3,670,235
Judicial	2,483,349
Public Safety	15,173,845
Community Services	5,356,027
Contributions - Other	1,781,815
Library and Arts Center	3,806,853
Health Services	1,225,340
Regional Jail	1,613,084
Nondepartmental	3,469,360
WJCC Schools	55,459,733
Contribution - School Debt Service	10,190,000
Contribution - Capital Projects Fund	1,215,000
Contributions - Other Funds	<u>1,847,182</u>
TOTAL EXPENDITURES	<u>\$119,698,283</u>

The appropriation for education includes \$55,442,378 as a local contribution to the Williamsburg-James City County Schools operations.

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

TAX RATES

Real Estate on each \$100 assessed value	\$0.85
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00

CAPITAL PROJECTS BUDGET

General Fund - FY 2004

Fund Balance	\$ 798,145
Contribution to Capital Projects Budget	798,145

General Fund - FY 2005

Fund Balance	\$ 377,166
Contribution to Capital Projects Budget	\$ 377,166

Capital Projects Fund - FY 2004

General Fund Balance	\$ 798,145
Community Services - HSB Expansion	798,145

Capital Projects Fund - FY 2005

Revenues and Other Fund Sources:

Estimated Prior Year General Fund Balance	\$ 377,166
Contribution - General Fund	1,215,000
Proffers 377,890	

Federal/State Voting Machines	47,580
School Debt Financing - VPSA	3,800,000
Current Capital Balances	88,190
State Capital - Schools	<u>162,300</u>
	<u>\$6,068,126</u>

Expenditures:

Community Development	\$1,153,456
Parks and Recreation	50,000
Community Services	287,300
Public Safety	165,000
Schools	<u>4,412,370</u>
	<u>\$6,068,126</u>

DEBT SERVICE BUDGET

From General Fund - Schools	\$ 8,920,000
From General Fund - Other	2,000,000
2-Cent Real Estate Tax Investment	<u>1,270,000</u>

Total Debt Service Fund Revenues \$12,190,000

Current Year Expenditures \$12,023,832
To Fund Balance - Capital Reserve 166,168

Debt Service Fund Disbursements \$12,190,000

VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

From the Federal Government/Commonwealth	\$ 4,025,234
From the General Fund	1,257,441
Comprehensive Services Act	174,050
Revenue Maximization	312,721
Other	<u>445,462</u>

Total Virginia Public Assistance
Fund Revenues \$ 6,214,908

Expenditures:

Administration and Assistance	\$ 6,053,636
Revenue Maximization	137,238
Contingency	<u>24,034</u>

Total Virginia Public Assistance
Fund Expenditures \$ 6,214,908

COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 466,241
Grants	1,504,508
Generated Program Income	90,000
Other	<u>780,000</u>
Total Community Development Fund Revenues & Fund Balance	<u>\$ 2,840,749</u>

Expenditures:

Administration and Programs	<u>\$ 2,840,749</u>
Total Community Development Fund Expenditures	<u>\$ 2,840,749</u>

SPECIAL PROJECTS/GRANTS FUND

Revenues:

Colonial Drug Task Force	\$ 27,000
Transfer from General Fund	57,807
Revenues from the Commonwealth	<u>83,700</u>
	<u>\$ 168,507</u>

Expenditures:

Colonial Drug Task Force	\$ 27,000
Litter Control Grant	8,700
COPS Grant	<u>132,807</u>
	<u>\$ 168,507</u>

JAMESTOWN 2007 FUND

Revenues:

County Contribution	\$ 120,000
From Fund Balance	<u>1,120,000</u>
Total Revenues	<u>1,240,000</u>

Expenditures:

Historic Triangle Corridor Enhancement Program	\$ 25,000
Jamestown Settlement	200,000
Community Activities	15,000
Community Building	<u>1,000,000</u>
Total Expenditures	<u>\$1,240,000</u>

3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase included on the employee's salary with variable increases based on performance and funded at an average of 3.5 percent.
5. The County Administrator be authorized to transfer funds to and from the Personnel Contingency account and divisional personnel line items in order to capture turnover savings at a divisional level.
6. All outstanding encumbrances in all County funds at June 30, 2004, shall be an amendment to the FY 2005 budget, and appropriated to the FY 2005 budget to the same department and account for which they were encumbered in the previous year.
7. The County Administrator be authorized to make expenditures from the Donation Trust Fund for the specified reasons for which the fund was established. In no case shall the expenditure exceed the available balance in the fund as verified by the Treasurer.
8. The Board of Supervisors of James City County, Virginia, hereby adopts the following budgets for the purposes of future financial and operational planning:

FY 2006

General Fund	\$127,577,714
Capital Budget	50,561,760
Debt Service	12,870,000

Public Assistance	6,275,291
Community Development	2,398,749
Jamestown 2007	245,000
Special Projects/Grants	185,001

Mr. McGlennon made a motion to adopt the Community Action Agency portion of the appropriation resolution for the Fiscal Year 2005 Budget.

Mr. Harrison stated that he would be abstaining from voting on the Community Action Agency appropriation to avoid any perception of conflict.

Mr. Brown clarified his comments concerning the Community Action Agency (CAA) personnel issue that he would like to handle it discreetly and not publicly, commented that he had not stated an intention to withhold funding for the CAA, stated support of Mr. Harrison's actions regarding abstaining from voting on Community Action Agency funding as an appropriate conduct, and stated that he intends to vote in favor of funding the CAA Budget.

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

RESOLUTION

RESOLUTION OF APPROPRIATION - COMMUNITY ACTION AGENCY

WHEREAS, the County Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 2004, and ending June 30, 2005, and a five-year Capital Improvements Program; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2004, and ending June 30, 2005.

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

1. The following amounts are hereby appropriated in the FY 2004-2005 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND EXPENDITURES

	<u>FY 2005</u>
Nondepartmental	\$ (92,137)
Contributions - Other Outside Agencies - Community Action Agency	92,137

VIRGINIA PUBLIC ASSISTANCE EXPENDITURES

FY 2005

Contingency	\$ (24,034)
Revenue Maximization Allocation - Community Action Agency	24,034

Mr. Bradshaw made a motion to adopt the Ordinance Amendment for Chapter 3, Animal Control, Article III, Dog Licenses, Section 3-48, Annual Fee Imposed on Dogs and Kennels; and Section 3-4, Annual Dog License Fee; Exemption for Certain Dogs of the Code of the County of James City, Virginia.

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

Mr. McGlennon made a motion to adopt the Ordinance Amendment for Chapter 4, Building Regulations, Article I, Virginia Uniform Statewide Building Code, Section 4-8, Generally, of the Code of the County of James City, Virginia.

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

Mr. McGlennon made a motion to adopt the Ordinance Amendment for Chapter 8, Erosion and Sediment Control, Section 8-5, Permits, Fees, Bonding, Etc., of the Code of the County of James City, Virginia.

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

Mr. Brown made a motion to adopt the Ordinance Amendment for Chapter 11, Health and Sanitation, Article II, Section 11-14, County Refuse Containers, of the Code of the County of James City, Virginia.

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

7. Revisions to Chapter 2, Employment Practices, and Chapter 4, Compensation Plan, of the James City County Personnel Policies and Procedures Manual

Ms. Carol M. Luckam, Human Resources Manager, presented a resolution to revise Chapter 4, Compensation Plan, and a portion of Chapter 2, Employment Practices, of the Personnel Policies and Procedures Manual, and requested the Board adopt the changes.

Mr. Brown complimented Ms. Luckam in being responsive to the Board requests and discussions regarding employee compensation.

Ms. Luckam thanked the Board for adopting the Fiscal Year 2005 Budget and support for the proposed Personnel Policies and Procedures Manual.

Mr. McGlennon asked what individuals were involved with the recommended revisions.

Ms. Luckam stated that the Employee Compensation Advisory Team (CAT) and County staff provided input.

Mr. McGlennon inquired if the CAT concurred with the recommendation before the Board.

Ms. Luckam stated that the CAT concurred with the recommendation and desired additional changes to prevent compression.

Mr. Bradshaw made a motion to adopt the resolution with the word "inlcuding" in Section 4.11 D-4 corrected to "including."

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

RESOLUTION

REVISIONS TO CHAPTER 2, EMPLOYMENT PRACTICES, AND CHAPTER 4, COMPENSATION PLAN, OF THE JAMES CITY COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, James City County's compensation policies are designed to keep County salaries competitive in the labor market, provide flexibility, be easy to use and understand, support the County in selecting, training, motivating, and keeping highly qualified men and women as County employees, and, reward quality performance; and

WHEREAS, the current policies are being revised to enhance their effectiveness by establishing a common date for performance increases and salary structure adjustments, defining and setting a time frame for recalibration of the salary structure, and, allowing temporary salary adjustments for lengthy temporary assignments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revisions to Chapter 2, Employment Practices, and Chapter 4, Compensation Plan, of the James City County Personnel Policies and Procedures Manual to be effective July 1, 2004.

8. **FY 2005 Strategic Management Plan**

Ms. Rona Vrooman, Training and Quality Performance Supervisor, presented a revised Fiscal Year 2005 Strategic Management Plan based upon feedback from the Board, identified some of the revisions, and requested the Board adopt the Plan.

Mr. Brown made a motion to adopt the resolution.

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

RESOLUTION

FY 2005 STRATEGIC MANAGEMENT PLAN

WHEREAS, James City County's previous Strategic Management Plan played a significant role in successfully guiding the County's work; and

WHEREAS, it is appropriate and necessary to revisit and review such a Plan to ensure that it remains accurate and that it properly reflects citizen and staff priorities; and

WHEREAS, the proposed Strategic Management Plan was updated based on citizen input and collaborative discussions; and

WHEREAS, the proposed Strategic Management Plan charts the County's future direction by setting forth long-range Strategic Directions that describe our needs, priorities, and aspirations, and outlines Pathways or key initiatives that will move us forward in the right direction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the FY 2005 Strategic Management Plan.

I. PUBLIC COMMENT - None

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner thanked the Board for its guidance in the development of the Budget and the Strategic Management Plan.

Mr. Wanner stated that he and the School Board, School Superintendent, and the City Manager has recommended that the Williamsburg Area Performing Arts Center Study of 1998 be updated. Mr. Wanner requested the Board approve the request to have the Study updated prior to the planning of a third high school facility and direct the County Administrator to find the appropriate resources to fund up to \$30,000 for the updated Study.

Mr. Wanner recommended that the Board recess while the James City Service Authority Board of Directors holds a brief meeting, and then the Board should reconvene into Open Session to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider the appointment of individuals to County Boards and/or Commissions.

K. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon made a motion to support the update of the Williamsburg Area Performing Arts Center Study and direct the County Administrator to find the appropriate resources to fund up to \$30,000 for the Study update.

Mr. Goodson stated support for the motion and invited York County to participate in the update.

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

Mr. McGlennon thanked Mr. John E. McDonald, Director of Financial and Management Services, for his responsiveness to Board questions regarding the FY 2005 Budget.

Mr. Harrison thanked the members of the Board and staff for their sympathy and support at his time of loss.

Mr. Goodson recessed the Board at 8:17 p.m. for a brief James City Service Authority Board of Directors meeting.

At 8:23 p.m., Mr. Goodson reconvened the Board.

L. CLOSED SESSION

Mr. Harrison made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia to consider the appointment of individuals to County Boards and/or Commissions.

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

Mr. Goodson adjourned the Board into Closed Session at 8:23 p.m.

Mr. Goodson reconvened the Board into Open Session at 8:48 p.m.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

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

RESOLUTION

CERTIFICATION OF CLOSED MEETING

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

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

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

Mr. McGlennon made a motion to reappoint Mr. John Deaver, Mr. James Dorsey, and Mr. David Jarman to four-year terms on the Parks and Recreation Advisory Commission, terms to expire on April 12,

2008; to appoint Mr. Lance Pedigo and Mr. Randal Walker to the Cable Communications Advisory Committee for four-year terms, terms to expire on May 31, 2008; William K. Frymoyer to appoint to the Regional Issues Committee, term to expire on December 31, 2006; and to recommend that Mr. Mark Wenger be appointed by the Circuit Court Judge to the Board of Zoning Appeals for a five-year term.

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

Mr. McGlennon made a motion to adopt the resolution appointing the Chairman of the Board to the Williamsburg Area Destination Marketing Committee.

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

RESOLUTION

APPOINTMENT OF THE CHAIRMAN TO THE WILLIAMSBURG AREA

DESTINATION MARKETING COMMITTEE

WHEREAS, the 2004 Virginia General Assembly approved and the Governor signed the transient occupancy tax; additional amount for overnight accommodations in the Greater Williamsburg Area; and

WHEREAS, this law allows James City County to increase the transient occupancy tax up to \$2.00 for the purpose of advertising the Historic Triangle Area; and

WHEREAS, the law establishes a "Williamsburg Area Destination Marketing Committee" to direct such advertising.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors of James City County be and hereby is appointed to the Williamsburg Area Destination Marketing Committee representing James City County and said term shall run to January 1, 2005.

BE IT FURTHER RESOLVED that each subsequent term shall be for one year.

M. AJOURNMENT

Mr. Brown made a motion to adjourn.

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

At 8:49 p.m., Mr. Goodson adjourned the Board.

Sanford B. Wanner
Clerk to the Board

REZONING 15-03/Master Plan 13-03/Height Limitation Waiver 2-03. Stonehouse Station at Norge Staff Report for the May 11, 2004, 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

Planning Commission:

7:00 p.m.; Building F Board Room; County Government Complex

February 2, 2004, 7:00 p.m.

March 1, 2004, 7:00 p.m.

Board of Supervisors:

April 13, 2004, 7:00 p.m. (Continued)

May 11, 2004, 7:00 p.m. (Continued)

May 25, 2004, 7:00 p.m.

SUMMARY FACTS

Applicant:

Ms. Lou Rowland, Stonehouse Station, L.P.

Land Owner:

Sixty-Four Associates

Proposed Use:

To rezone a total of approximately 10.167 acres to allow for the construction of up to 104 apartments which, by proffer, are proposed to be affordable in rent. A height limitation waiver is also requested from the Board of Supervisors as the proposed apartment buildings exceed 35 feet in height.

Proposed Zoning:

R-5, Multifamily Residential, with proffers

Location:

7721 Croaker Road

Tax Map/Parcel

(13-4)(1-21)

Primary Service Area:

Inside

Parcel Size

10.167 acres

Existing Zoning:

B-1

Comprehensive Plan:

Moderate Density Residential

STAFF RECOMMENDATION

The applicant is still finalizing the shared driveway agreement and requests deferral of this case until the June 22, 2004, Board of Supervisors meeting. Staff concurs with this request.

Staff Contact:

Matthew Arcieri – Phone: 253-6685

Matthew Arcieri

CONCUR:

O. Marvin Sowers, Jr.

MA/gs
Z-15-03_MP-13-03_HLW-2-03 (052504)

MEMORANDUM

DATE: May 25, 2004

TO: The Board of Supervisors

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

SUBJECT: Ordinance Amendment–Chapter 20, Taxation, Article X, Tax on Local Telecommunications Service, Section 20-71, Levy; Amount of Tax on Local Telecommunication Service

During discussions of the FY 2005 County Budget, a member of the Board suggested that the County could generate the same revenue from a lower rate increase in the Consumer Utility Tax (CUT) for telephone service than it would from an increase in the E-911 tax. The basic difference is that the CUT extends to cell phones and the E-911 tax does not.

The attached ordinance change increases the CUT from the existing 10 percent of the first \$12 of the monthly bill to 10 percent of the first \$14. This works out to a maximum of 20 cents a month. If approved, the County will provide the State-mandated 90-day advance notice to telecommunication service providers and this amended charge should begin to show up in bills for services beginning around September 1, 2004.

Staff recommends approval of the attached ordinance revision.

John E. McDonald

JEM/gs
phoneordrev.mem

Attachment

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE X, TAX ON LOCAL TELECOMMUNICATION SERVICE, SECTION 20-71, LEVY; AMOUNT OF TAX ON LOCAL TELECOMMUNICATION SERVICE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Article X, Tax on Local Telecommunication Service, Section 20-71, Levy; Amount of tax on local telecommunication service.

Chapter 20. Taxation

Article X. Levy; Amount of tax on local telecommunication service.

Sec. 20-71. Levy; Amount of tax on local telecommunication service.

(a) There is hereby imposed and levied by the county upon each and every taxable purchase by a consumer of local telecommunication service provided that the consumer's service address is located within the county a tax in the amount of ten percent of the gross charge made by the service provider against the consumer with respect to each and every taxable purchase; provided, however, that:

(1) In any case, any monthly bill submitted by any service provider for residential, commercial, or industrial service shall exceed ~~\$12.00~~ **\$14.00** for a residential consumer, there shall be no tax computed on so much of such bill as shall exceed ~~\$12.00~~ **\$14.00**; and

- (2) In any case any monthly bill submitted by any service provider to a consumer for mobile local telecommunication service shall exceed ~~\$12.00~~ *\$14.00*, there shall be no tax computed on so much of such bill as shall exceed ~~\$12.00~~ *\$14.00*.

All such taxes shall be computed to the nearest whole cent. Bills shall be considered monthly bills if submitted 12 times per year for periods of approximately one month each.

Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of May, 2004.

telecommX.ord

MEMORANDUM

DATE: May 25, 2004

TO: The Board of Supervisors

FROM: Richard B. Hanson, Housing and Community Development Administrator

SUBJECT: Conveyance of Property at 150 Carriage Road (Continued from May 11, 2004)

The Ironbound Square Apartments for the Elderly are proposed to include 67 units in a three-story elevator building located at the northeast corner of Ironbound Road and Carriage Road. The site to accommodate the building, parking, and required open space consists of approximately 3.75 acres. Six parcels, totaling approximately 2.62 acres, have been purchased over the past year by the Williamsburg Redevelopment and Housing Authority in accordance with the Ironbound Square Redevelopment Plan adopted by the Board of Supervisors in February 2002. The balance of the site will be obtained from the undeveloped part of 150 Carriage Road which is owned by the County.

It is proposed that the entire 150 Carriage Road parcel, including the neighborhood park, be deeded to the Williamsburg Redevelopment and Housing Authority. The Authority would then provide Bay Aging with an option to purchase the elderly housing site. A site option is required to be included with the grant application. At a later date following subdivision of the property, the Authority will transfer ownership of the remaining neighborhood park property back to the County.

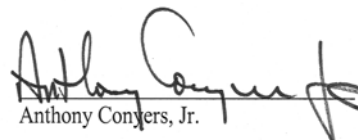
Development of the proposed elderly apartments is consistent with the land use plan adopted as part of the Ironbound Square Redevelopment Plan. The County has contracted with AES Consulting Engineers to prepare plans to enable development of affordable single family homes and apartments for the elderly, as well as blight removal and neighborhood improvements consistent with the Redevelopment Plan.

A Concept Plan for rezoning of the 19-acre redevelopment area to Mixed-Use has been prepared and received preliminary review and comment by Development Management. It is expected that the complete application for Mixed-Use zoning will be submitted in late summer following substantial completion of property acquisition. This schedule will correspond with the planning requirements related to the proposed Section 202 elderly development, as well as with the closeout requirements of the Ironbound Square Phase Two Community Development Block Grant and planning for new single family development and associated neighborhood improvements.

Staff recommends adoption of the attached resolution.


Richard B. Hanson

CONCUR:


Anthony Conyers, Jr.

RBH/adw
carriagerd2.mem

Attachment

RESOLUTION

CONVEYANCE OF PROPERTY LOCATED AT 150 CARRIAGE ROAD

WHEREAS, James City County currently owns a certain parcel containing approximately 2.748 acres located at 150 Carriage Road in the Berkeley District designated as Tax Parcel No. 3910100064; and

WHEREAS, the Board of Supervisors on February 26, 2002, adopted the Ironbound Square Redevelopment Plan (“Redevelopment Plan”) to remedy blighted and substandard housing conditions in the Ironbound Square community, and authorized the County Administrator to enter into an agreement with a housing authority to implement the Redevelopment Plan, and on July 25, 2002, James City County entered into an agreement with The Williamsburg Redevelopment and Housing Authority to implement the Redevelopment Plan; and

WHEREAS, 150 Carriage Road is identified in the Redevelopment Plan as a parcel within the redevelopment area; and

WHEREAS, the Ironbound Square Redevelopment Land Use Map designates the western portion of 150 Carriage Road for a senior citizens’ living facility and the eastern portion of 150 Carriage Road for open space/recreational use; and

WHEREAS, the Board of Supervisors, following a Public Hearing, is of the opinion the County should convey 150 Carriage Road by Deed of Gift to The Williamsburg Redevelopment and Housing Authority to facilitate the land uses proposed in the Redevelopment Plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to convey by Deed of Gift the parcel known as 150 Carriage Road, Tax Parcel No. 3910100064, to The Williamsburg Redevelopment and Housing Authority for the purpose of implementing the Ironbound Square Redevelopment Plan.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to execute a deed and any other documents needed to convey by Deed of Gift the parcel known as 150 Carriage Road to The Williamsburg Redevelopment and Housing Authority.

Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of
May, 2004.

150carriage.res

MEMORANDUM

DATE: May 25, 2004

TO: The Board of Supervisors

FROM: Richard B. Hanson, Housing and Community Development Administrator

SUBJECT: Ironbound Square Apartments for the Elderly

The proposed Ironbound Square Apartments for the Elderly would address a serious deficiency in James City County of housing which is appropriate to the special needs of the elderly, including the frail elderly, and which is affordable to lower income senior citizens. This development is also a key element in the Ironbound Square Redevelopment Plan. Bay Aging, in partnership with the Peninsula Area Agency on Aging, has agreed to submit an application to the U.S. Department of Housing and Urban Development (HUD) for a Section 202 Supportive Housing for the Elderly Program grant to finance the development and operation of this proposed apartment project.

Under the Section 202 program, HUD provides interest-free capital advances to private, nonprofit sponsors to finance the development of supportive housing for the elderly. Section 202 apartments are typically one bedroom, 550 square foot units. The program guidelines allow for common areas and office space to enable the sponsors to provide supportive services on site. Residency in Section 202 financed developments is restricted to households with at least one member who is 62 years of age or older and whose income does not exceed 50 percent of the area median (currently \$19,550 for a one person household). The Section 202 program provides project-based rental assistance which covers the difference between the HUD approved operating cost and tenant rental payments. Tenant rent payments equal 30 percent of the tenant's adjusted income.

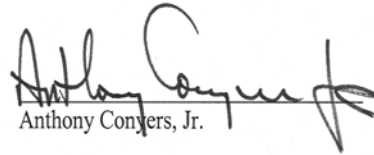
The demand for Section 202 funding is high, and the number of projects which can be funded each year is very limited. Bay Aging, which is the Area Agency on Aging serving the Northern Neck and Middle Peninsula, has been very successful in obtaining Section 202 funding, developing and managing Section 202 fund communities, and providing support services to the residents. Bay Aging currently manages 195 elderly apartment units in five developments within the Northern Neck and Middle Peninsula. The inclusion of the Peninsula Area Agency on Aging, which currently provides a wide array of services to James City County elderly residents, as the project co-sponsor will ensure a strong support service component for the proposed Ironbound Square elderly development. The ability of the County to waive building permit fees and water connection fees under existing ordinances and regulations will both increase the competitiveness of the application for Section 202 funding and enable savings to be invested in upgrades to the building.

Staff recommends adoption of the resolution endorsing the application for Section 202 funding of the Ironbound Square Apartments for the Elderly.



Richard B. Hanson

CONCUR:



Anthony Conyers, Jr.

RBH/adw
ironsq.mem

Attachment

RESOLUTION

IRONBOUND SQUARE APARTMENTS FOR THE ELDERLY

WHEREAS, Bay Aging and Peninsula Agency on Aging are submitting an application to the U.S. Department of Housing and Urban Development (HUD) for a Section 202 Supportive Housing for the Elderly Program grant for the purpose of building and operating apartments for persons 62 years of age and older on a site located in the Ironbound Square neighborhood in James City County, Virginia; and

WHEREAS, studies have substantiated the need for such housing in James City County; and

WHEREAS, housing of this type will have a positive impact on the housing needs of the community; and

WHEREAS, it is a goal of the James City County Board of Supervisors to assure an adequate supply of affordable, appropriate housing for all citizens of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, endorses the application of Bay Aging and Peninsula Agency on Aging for a HUD Section 202 Supportive Housing for the Elderly Program grant.

Bruce C. Goodson
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of
May, 2004.

ironsq.res