A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

February 14, 2012

7:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Abigail Sabo – 4th grade student at Stonehouse Elementary

E. PRESENTATION – None

F. PUBLIC COMMENT

G. BOARD REQUESTS AND DIRECTIVES

H. CONSENT CALENDAR

1. Minutes –
   a. January 21, 2012 – Budget Retreat Meeting
   b. January 24, 2012 – Work Session Meeting
   c. January 24, 2012 – Regular Meeting
2. Grant Award – Commonwealth Attorney – V-STOP Grant Program Fund – $57,378
3. Grant Award – Commonwealth Attorney – VA Domestic Violence Victim Fund – $37, 981

I. PUBLIC HEARING

1. Appropriation – Hurricane Irene – $2,554,000

J. BOARD CONSIDERATION

1. Jamestown District Supervisor Discussion

K. PUBLIC COMMENT

L. REPORTS OF THE COUNTY ADMINISTRATOR

M. CLOSED SESSION –

1. The Board will go into Closed Session pursuant to Section 2.2-3711(A) (1) of the Code of Virginia to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions.
   a. Chesapeake Bay Board/Wetlands Board
   b. Purchase of Development Rights Committee
   c. Clean County Commission
2. The Board will go into Closed Session pursuant to Section 2.2-3711(A)(6) of the Code of Virginia to discuss contract negotiations where financial interests of the County are involved.
   a. School Contract Negotiations

N. BOARD REQUESTS AND DIRECTIVES

O. ADJOURNMENT to 4 p.m. on February 28, 2012

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AGENDA ITEM NO. H– 1a

AT A BUDGET RETREAT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 21ST DAY OF JANUARY 2012, AT 8:00 A.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Chairman, Berkeley District
John J. McGlennon, Vice Chairman, Roberts District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

Robert C. Middaugh, County Administrator

C. ECONOMIC OVERVIEW

Mr. Middaugh stated that the agenda for the meeting is generally divided into two parts. The first consists of staff sharing information with the Board, and the second part is designed to the give the Board the opportunity to provide feedback and guidance.

Mr. Middaugh stated the national economy continues to grow slowly and that the housing market is still an issue due primarily to the inability for consumers to get credit. He further stated that revenues are growing slowly and that the Board had done a good job of managing the County's finances during the difficult economy.

D. FINANCIAL OVERVIEW

Ms. Sue Mellen, Assistant Manager of Financial and Management Services, provided an update on the County's financial situation since the November work session. She said the building permit revenues and recordation taxes continue to perform as expected. Sales, meals, lodging, and Business, Professional, and Occupational License (BPOL) taxes are performing better than expected.

Mr. Kennedy asked what the increase in meals taxes was compared to inflation. He also asked if building permit revenues were the result of new construction or repairs, renovations, or minor improvements such as a deck. He further asked if the increase in BPOL was due to new businesses.

Ms. Mellen stated that staff had increased the estimated revenue for FY 13 by $1.2 million based on the current trends.

Mr. Kennedy asked if staff was talking to County businesses about the economy.

Mr. Russ Seymour, Director of Economic Development, stated the Office of Economic Development was meeting with businesses and that the general feeling among businesses is that the economy is improving.

Ms. Jones asked if outside experts could present to the Board at its first budget work session.

Mr. Kennedy said he would especially like to hear from the real estate industry.

Ms. Mellen said staff is still projecting a 6 percent decrease in assessments.

Mr. Middaugh discussed that staff is projecting an accumulated savings of about $7.4 million by the end of FY 12. Staff is generally reluctant to recommend that non-recurring revenues be used for operational expenses, but that the savings could be used for capital projects, capital maintenance projects, and debt service, or to assist the schools.

Mr. Middaugh then began a discussion of expenditures. He stated there is a significant gap for the school in FY 13 and that without additional local funds, the schools will have to make significant programmatic changes.

Mr. McGlennon noted that the gap is without any new expenditures and is primarily a result of mandated Virginia Retirement System (VRS) expenditures. He asked if staff anticipated the increased level of spending on VRS to be ongoing.

Mr. John McDonald, Manager of Financial and Management Services, responded that he does not think that the VRS issue can be solved in two years and expects the increased level of funding to continue longer. He said it is difficult to estimate because it will depend on many factors, including plan design and investment results.

Mr. Icenhour asked if the VRS increase proposed in the Governor's budget was different from what VRS recommended.

Ms. Mellen replied that it is less.

Mr. Middaugh noted it could change based on what budget is ultimately approved.

Mr. McDonald stated that there are several bills before the General Assembly pertaining to VRS, some of which allow localities to require that employees pay 5 percent into VRS.

Mr. Icenhour asked about County spending compared to school spending.

Mr. Middaugh responded that since FY 2008, school funding has remained flat while County spending has declined 9.5 percent.

Mr. Middaugh stated the County is facing many capital needs and that staff needs guidance on how to proceed. He mentioned the cafeterias at Hornsby and Berkeley Middle schools, the many HVAC issues in the schools, and that the County is still uncertain about mandates that the County may have to implement related to stormwater. He also clarified that the VRS increase for schools is $4.4 million and is about $1 million for the County.

E. OVERARCHING GOALS

Mr. Middaugh shared a list of overarching goals compiled by the staff. He asked the Board to let staff know if there was anything on the list they wanted to do more or less of.

Discussion ensued about the County's land preservation programs.

Mr. McDonald stated that the County currently has a balance of about $6 million in the Purchase of Development Rights (PDR) and Greenspace accounts combined. The County also has the authority to borrow $14 million, but the authority expires in December 2013. The County can ask the judge to extend the authority for two additional years until December 2015.

Mr. McGlennon stated he would like to see a program of encouragement developed in an effort to preserve more land. He asked if land preservation could be applied to the requirements of the Chesapeake Bay Preservation Act.

Mr. John Horne, Manager of General Services, said there still seems to be a disconnect between the State and Environmental Protection Agency (EPA) and that the County is still not certain what if any targets will need to be achieved.

Mr. Kennedy asked to be provided with the video from a previous Board discussion on stormwater.

Mr. McGlennon stated he thought it was possible that preserving land could help achieve multiple goals that are important to the County.

Ms. Jones stated that some citizens feel the County already owns too much property, and that she is hesitant to support an enhanced PDR/Greenspace program.

There was also discussion on workforce housing.

Mr. McGlennon asked to revisit the studies already conducted on this issue.

Ms. Jones said the solution to workforce housing should be market driven. She also noted the lack of rental housing in the County.

Mr. Kennedy asked how workforce housing is defined and what the population we are trying to help is. He asked when was the last time the County approved the construction of apartments.

Mr. Icenhour said he didn’t feel the County should be interfering too much with the housing market, but he is frustrated with the private sector.

Mr. Middaugh stated the staff would develop strategies during FY 13 to address workforce housing and implementation would be no sooner than FY 14.

Mr. Middaugh noted that tourism is another overarching goal.

There was some discussion about the Ladies' Professional Golf Association (LPGA) tournament, what would be expected of the County, and what the return on investment was.

Ms. Jones said she was pleased with the efforts to support sports tourism.

Mr. Kennedy also said he wanted to continue to support sports tourism and that the County had made good strides in this area. He also said he had concerns about the County’s investment with the Alliance.

At 9:40 a.m. the Board took a break.

At 9:55 a.m. Ms. Jones reconvened the Board.

Discussion continued on the goal of safety net services and homelessness.

Ms. Diana Hutchens, Manager of Community Services and Director of Social Services, said that County staff meets regularly with representatives of the faith community and nonprofit organizations in an effort to coordinate services. She said coordination is improving and cited the recent example of the implementation of the Homelessness Management Information System.

Mr. Kennedy stated that the other local governments need to pay their fair share. He said he wondered how much the economy was improving based on the number of citizens seeking safety net services.

Mr. Middaugh noted that one of the overarching goals is to address the growing retirement community.

Mr. Kennedy said it could be an industry with assisted living facilities and senior day care.

Mr. Icenhour said he would like to see programs that enable seniors to age in place.

Mr. Middaugh asked if the Board would support a position to seek and obtain grants.

Mr. Icenhour said he would be supportive as long as a positive return on investment could be demonstrated.

Mr. Kennedy asked how such a position would work with other staff members who write grants. He also asked that if such a position were created, could it partner with the schools.

Mr. Middaugh introduced the goal of blight.

Mr. Kennedy said he wants to see blight cleaned up and that he does not think the County is doing a good job on this issue.

Mr. Middaugh estimated that it would take about $50,000 to $75,000 in the FY 13 budget to address some of the more significant blight issues in the County.

Mr. McGlennon asked if the County could provide incentives for owners to rehabilitate their property.

Mr. John Carnifax, Director of Parks and Recreation, discussed the proposed changes in the Financial Aid Policy. The proposal is simpler than the current policy by reducing the number of eligibility tiers.

The Board expressed support for the proposed policy.

F. OPTIONS FOR ADDRESSING THE GAP

Mr. Middaugh stated the biggest issue is the schools and suggested that the Board provide some level of additional funding to the schools and ask the schools to reduce its expenditures by a certain amount. He stated that funding the VRS increase would be one option.

Mr. McDonald noted that under the existing contract, the City would provide approximately $700,000 to the schools based on enrollment growth.

Mr. Kennedy suggested providing an additional $2.9 million to the schools, estimating that with the additional City funding, this would result in a total increase of about $4 million to the schools.

Mr. McGlennon noted that the City wants to implement a formula that smooths a spike in expenditures, and that long term such a formula benefits the County.

Mr. Icenhour said he wants to help the schools but he is not sure of an exact amount yet. He said that addressing the budget issue should be a cooperative effort with the schools and City.

The Board agreed that it is too early to make commitments.

Ms. Jones stated that the Board needs to be cautious given the uncertainty for years ahead.

Mr. Kennedy stated he was not interested in any revenue enhancements.

Mr. McGlennon asked if two budgets could be developed, one with a $0.77 tax rate and one with a $0.79 tax rate.

Mr. Icenhour said the Board needs a list of options and tradeoffs.

At 11:18 a.m., the Board took a break.

At 11:25 a.m., Ms. Jones reconvened the Board.

Mr. McGlennon said he was not opposed to incurring some debt for high priority projects, but it would have to be under the $30 million in debt being retired.

Mr. Icenhour said if there are cuts, he would like to maintain funding to public safety. He said an across-the-board reduction may be necessary.

Mr. Middaugh stated that the County could save about $1 million per year if solid waste collection and recycling were bundled, but that all County residents would have to participate.

Mr. McGlennon said he was not sure if there were any more reductions that could be made to the operating budget without reducing services to an unacceptable level.

There was a consensus of the Board to protect organizations that provide safety net services.

Mr. Kennedy stated that the other localities need to provide their fair share of funding to these agencies or difficult decisions would need to be made.

Mr. Middaugh stated that the Hampton Roads chief administrative officers were going to recommend an across-the-board reduction for regional organizations.

G. JAMES CITY SERVICE AUTHORITY

Mr. Larry Foster, General Manager of the James City Service Authority, introduced a proposal to set a public hearing for April 24 to consider a 15 percent increase in sewer fees. This proposal is prompted by a need for additional funds to pay for improvements required by a Virginia Department of Environmental Quality consent order. Under this proposal, a total of $750,000 per year would be generated and the average customer would pay an additional $7 per quarter.

Mr. Foster said that a total of $3-4 million a year is needed to fund the improvements and that connection fees can fund part of that amount. However, an additional $1.5-2 million in additional revenue is needed per year. Therefore, Mr. Foster projected that smaller incremental rate increases would likely be necessary in future years.

Mr. Foster said that there are three options: increase rates, increase connection fees, or issue bonds. Connection fees are already high compared to other localities and the uncertainty in the housing market made this a less than desirable option. He also said bonds would have to be repaid and he was concerned the debt would exist longer than the improvements.

Mr. Foster said that there had not been a sewer rate increase since 2007. There was some discussion that EPA expected rates to be equal to 1.5 percent of median household income, which would be about double the current rates.

Mr. Icenhour said that James City County would pay more even though the County has fewer problems than most other localities.

Mr. McGlennon expressed concern that sewer rates do not distinguish income levels. He asked if staff could look into the possibility of monthly billing.

Mr. Foster replied yes.

At 12:20 p.m. the Board took a break.

At 12:25 p.m., Ms. Jones reconvened the Board.

H. DISCUSSION OF JAMESTOWN DISTRICT SUPERVISOR SEAT

The Board agreed to interview all five candidates who applied for the seat and to interview Ms. Robin Bledsoe, who had expressed an interest but had been unable to turn her application in by the deadline. The Board agreed to conduct interviews on February 6 beginning at 4 p.m. Candidates will be asked why they want the position. There will be a total of four questions and interviews will be approximately 30 minutes each.

I. ADJOURNMENT to 4 p.m. on January 24, 2012.

At 12:46 p.m., Mr. McGlennon made a motion to adjourn until 4 p.m. on January 24.

On a roll call vote, the vote was AYE: Icenhour, McGlennon, Kennedy, Jones (4). NAY: (0).

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Robert C. Middaugh
Clerk to the Board

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AGENDA ITEM NO. __H – 1b

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 24TH DAY OF JANUARY 2012, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Chairman, Berkeley District
John J. McGlennon, Vice Chairman, Roberts District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

C. BOARD DISCUSSIONS

1. Dominion Virginia Power – Discussion of Transmission Line

Dominion staff gave a PowerPoint presentation.

Ms. Stephanie Harrington stated that Dominion would present its proposal to the State Corporation Commission (SCC) in April, which allows it opportunities to respond to feedback. Dominion planners are concerned with the area's electrical reliability due to the Peninsula's geographic isolation. With the Yorktown plant going offline in 2014, the need for additional transmission line has accelerated. Dominion has already acquired right-of-way running from Charles City to Newport News. A 500kv line would extend across the Chickahominy River through James City to a Skiffe's Creek switching station, with another new 230kv line running from the Skiffe's Creek switching station to Newport News. This corridor does not need to be widened or require additional easements.

Ms. Mary Jones asked how Dominion determined what areas of the right-of-way would receive lattice style towers versus monopole towers.

Mr. Wade Briggs, Dominion Virginia Power, stated that was an economic assessment.

Ms. Harrington stated that Dominion has already mailed letters to property owners, created a website, and held three open houses. Citizens can submit feedback through the website or at an upcoming open house. The upcoming open houses will be advertised in local papers. Dominion's routing analysis will be reviewed based on those comments. The SCC will hold its own round of outreach and feedback.

Mr. McGlennon asked if alternative routes were considered.

Ms. Harrington stated that Dominion had considered another line extending through New Kent to the Lanexa substation. That route was not chosen due to the existing line needing to remain in place.

Mr. Briggs stated that a new corridor was chosen instead of upgrading the existing corridor for redundancy in case of a major event.

Mr. Middaugh asked if there were any problematic issues along the northern route.

Mr. Briggs stated that Dominion had to consider the effects on the region of losing a large amount of load in a short time.

Ms. Jones asked if existing lines would be removed or if double lines would be placed.

Mr. Briggs stated that the existing lines between the Lightfoot and Toano substations would be removed and replaced. He stated that the existing 230kv line between Chickahominy, Lanexa, and Lightfoot substations would remain.

Mr. McGlennon asked if any lattice structures would be placed in the County.

Mr. Briggs stated that the lattice structures would move across the Chickahominy River and transition to monopoles soon after. The monopoles would run the rest of the way through the County. Dominion is still collecting historical and cultural information and feedback regarding the routes. Dominion will report back to the County after getting a better idea of the final route.

Mr. Middaugh asked how Dominion deals with cultural sites, such as Freedom Park, along the corridor.

Mr. Briggs stated that feedback on the corridor is still being collected.

Mr. McGlennon asked who monitors environmental impacts for the project.

Mr. Briggs stated that he has a staff member that collects and monitors environmental data.

Mr. McGlennon asked if there were any issues at the Skiffe's Creek station.

Mr. Briggs stated there were some historical issues under review at the site.

Mr. McGlennon asked if there had been community outreach in that area.

Mr. Briggs stated not yet, although he intends to set one up. Dominion has held three public meetings so far: at Warhill High School, in Charles City, and in Newport News.

Mr. Jim Icenhour asked if future hearings would be held in Richmond or in each locality.

Mr. Briggs stated that the State hearing examiner would make that decision and he has seen the examiner rule both ways.

Ms. Harrington stated that the Dominion project website links directly to the SCC email and mailing addresses to allow citizens to send feedback.

Mr. Briggs stated that Dominion wants to hear feedback for any issue and that plans are not finalized.

Ms. Harrington stated that photo simulations from Hornsby Middle and Warhill High Schools are available on the project website at www.dom.com/about/electric-transmission/skiffes/index.jsp.

2. Stage II Zoning Ordinance Update for Nonpriority Items - Continued from September 27, 2011, Work Session

Ms. Tammy Rosario, Principal Planner, stated that high priority issues from the last work session included density calculation for residential and multiuse districts, the affordable housing opportunities policy, and green building policy.

Ms. Ellen Cook, Senior Planner, said that staff calculated various ways of determining density including: net acreage, gross acreage, the current calculation of 35 percent of non-developable acreage, and a stepped-scale approach.

Mr. Icenhour asked if staff changed the 35 percent calculation to 25 percent in the draft ordinance.

Ms. Cook stated that the 35 percent calculation was the current ordinance. Staff had initially changed it to 25 percent, but at the Board's direction, concentrated on the stepped-scale option.

Mr. Icenhour asked if the R-1 and R-2 districts were affected by the current proposal.

Ms. Cook said no, but that the stepped-scale option could be used in other districts if the Board wished.

Mr. Icenhour said that the districts calculate density differently. He preferred net density, but felt the acreage calculation was a good compromise. For consistency, if the acreage calculation was adopted, he would like to see it adopted in all districts. He asked staff if there were any issues with using the calculation everywhere.

Mr. Allen Murphy, Acting Manager of Development Management and Planning Director, stated that the calculations could be used everywhere if the Board wanted a consistent policy.

Ms. Rosario said that staff wants feedback on how consistent the Board wants density. Using a step-scale in Mixed Use (MU) would not have much effect, but using it in Economic Opportunity (EO) could actually increase density since this was already adopted using net acreage.

Mr. Jason Purse, Senior Planner, stated that there are other density checks in EO to limit residential development.

Mr. Icenhour stated that if there are no negative impacts to MU or EO he would like to see all districts use the same density. He said that using the same standard would clean up different density methods while still allowing a bonus.

Mr. Kennedy stated that he would like to review additional information on the topic.

Mr. McGlennon stated that as a principle, he would like all densities to be calculated the same way, although upon further review, it may not work for all districts.

Ms. Jones stated that she would like to see additional examples showing the density methods.

Ms. Rosario stated that while staff examples are hypothetical, the Board ultimately controls the number of units through the legislative process.

Mr. Murphy that stated the process can be either more predictable or give the Board more discretion.

Ms. Kate Sipes, Business Development Coordinator and former Senior Planner, stated that staff drafted an affordable housing policy based on feedback from the Board to provide affordable units with future residential proposals, including making expectations for developers clearer. Based on Policy Committee input, staff was considering combining the definitions for 'affordable' and 'workforce' by targeting households earning between 30 and 120 percent of the area median income.

Ms. Rosario stated that developers would get additional benefits for homes offered at the lower end of the area median.

Mr. Icenhour stated that he wanted to maintain the distinction between 'affordable' and 'workforce.' The market was taking care of workforce housing and the program should be focused on the affordable end. He asked staff to elaborate on changes to the affordable proffer language.

Ms. Sipes stated that staff does not want to overlook the category of greatest-need households at 30-60 percent of area median income and wants to give additional benefit to those providing it.

Mr. McGlennon asked what in the policy addressed housing needs at the lowest income level.

Ms. Sipes stated that developers will be asked to provide the entire spectrum of affordable housing targeted at households earning from 30 to 120 percent of area median income. She said that units targeting the lowest income levels would have no cash proffers.

Ms. Rosario stated that there are additional density bonuses in the districts to further incentivize affordable housing.

Mr. Icenhour asked staff to research whether soft second provisions apply to workforce housing, including the new Candle Factory proposal. He also asked how taking cash in lieu of affordable housing helps the County.

Mr. Vaughn Poller, Administrator of Housing and Community Development, stated that staff envisions using the in lieu funds to develop other affordable units around the County.

Ms. Sipes stated that staff included the in lieu policy in cases where a development's having affordable housing may not be practical, but that the County would still want to uphold the policy.

Ms. Jones stated that she was comfortable with the policy.

Mr. Poller stated that the policy provides 10 percent of affordable units below 30 percent of area median. He said the in lieu fund could also be used to address people at the lowest end by subsidizing home renovations.

Ms. Cook stated that staff drafted an incentive-based green building policy for commercial and residential based on Economic Development Authority (EDA) comments. The draft submitted to the Board could be expanded from commercial to include all development.

Mr. Kennedy stated that the Green Building Roundtable intended green buildings to be voluntary. Many people feel the draft language is punitive. He asked what changed in the policy.

Ms. Cook stated that while many of the Green Building Roundtable's recommendations focused on incentives, staff used language from the recommendations for expectations on commercial buildings larger than 10,000 square feet and for residential units. Incentives would be revisited later.

Mr. Kennedy stated that he would like to see an incentive-based final policy.

Mr. Russell Seymour, Director of Economic Development, stated that the Office of Economic Development (OED) recommends various incentives for commercial green building, including expedited review and fee waivers as well as business education. Additional restrictions would be not helpful in the current economic climate.

Ms. Rosario stated that the latest staff version presented to the Board is incentive-based.

Mr. Icenhour asked if the same incentives would be possible for both commercial and residential green building.

Mr. Murphy stated that commercial green building could be expedited. However every case cannot be expedited.

Ms. Jones stated that the policy should use incentives while the green building deposit draft language moves away from that.

Mr. Icenhour stated that it would be better to give to businesses that comply rather than take away from businesses that do not and he would like the incentives policy clarified. He asked staff to come back and demonstrate, if the policy was adopted, how the County could verify its effectiveness and performance.

Mr. Kennedy stated that having more options gives businesses greater reason to locate here.

Mr. McGlennon stated green building was not being built into the ordinance and was only a staff policy.

Mr. Murphy stated that draft ordinance language included density bonuses for exceeding green building standards. That language can be modified based on Board feedback.

Mr. Kennedy stated expedited review may not matter as much with fewer planning cases under review, but could become a more important incentive when an improved economy causes a case backlog.

Mr. Seymour stated that expedited review was frequently requested by business owners. Expedited review would be taken off the table if the Board decided to extend green incentives to residential units.

Mr. Murphy stated that staff could develop residential incentives without losing business fast-tracking.

Mr. Kennedy stated that it was very important to have consistency and clear expectations.

Mr. Murphy stated that staff will draft supplemental material to accompany an incentive-based policy with clear expectations.

Mr. McGlennon stated that he would prefer expectations to incentives.

Ms. Jones stated that she did not want to see additional regulations.

Ms. Rosario stated that the Board seemed to have consensus on commercial incentives, but was divided on whether to go beyond that for either commercial or residential. Staff could draft an incentives policy now with an evaluation period before reporting findings to the Board.

Mr. Icenhour stated that he would like to see whether voluntary incentive programs are meeting expectations.

D. ADJOURNMENT

Ms. Jones adjourned the meeting at 6:01 p.m.

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Robert C. Middaugh
Clerk to the Board

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AGENDA ITEM NO. H-1c

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 24TH DAY OF JANUARY 2012, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

Mary K. Jones, Chairman, Berkeley District
John J. McGlennon, Vice Chairman, Roberts District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE – Amy Pressey, an 11th grade student at Jamestown High School, led the Board and citizens in the Pledge of Allegiance.

E. PRESENTATIONS

1. Ms. Shelley Weisberg – Williamsburg Area Arts Commission

Ms. Weisberg presented the annual report of the Williamsburg Area Arts Commission and asked for the Board's continued support during the upcoming FY 13 budget.

2. Mr. Scott Jackson – Virginia Arts Festival

Mr. Jackson thanked the Board for its ongoing support and provided a preview of the 2012 program.

F. BOARD CONSIDERATION

1. Analysis of HB 316 Cemeteries

Mr. Rogers provided an overview of HB 316 and SB 430, which are identical bills introduced to the General Assembly that expand the definition of cemetery, expand the approval time for cemetery subdivision plats and site plans, create new vesting provisions for zoning, and exempt all structures in a cemetery from the building code. Mr. Rogers noted that although St. Bede has withdrawn its proposal for a mausoleum, these

bills would eliminate the need for the St. Bede mausoleum to obtain County approvals.

Mr. McGlennon made a motion to adopt the two resolutions opposing HB 316 and SB 430 noting that the legislation changes the authority of local government.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

R E S O L U T I O N

ANALYSIS OF HOUSE BILL NO. 316 CEMETERIES

WHEREAS, the Virginia General Assembly will be considering House Bill No. 316 (HB 316) during its 2012 session; and

WHEREAS, HB 316 greatly expands the definition of cemetery in Virginia Code Section 54.1-2310 by adding additional uses; and

WHEREAS, the amendments proposed in HB 316 lengthen the approval time for cemetery subdivision plats and site plan; and

WHEREAS, HB 316 would exempt development of future sections from complying with any changes to local laws and regulations different from any other land uses; and

WHEREAS, HB 316 would create a new vesting provision for zoning and exempt all structures in a cemetery from the County's building code or "any other applicable code utilized by localities," and

WHEREAS, the erosion of local control in the locating, developing, designing, and construction of cemeteries could negatively impact the residents of the community; and

WHEREAS, HB 316 would eliminate not only local regulation of cemeteries, but also the citizens ability to voice their concerns; and

WHEREAS, local land use decision have been and should continue to be made on a local level giving citizens of the locality and the Commonwealth of Virginia an opportunity to express their opinion.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby opposes HB 316 and calls upon the members of the General Assembly to oppose HB 316.

BE IT FURTHER RESOLVED that the County Administrator and the County Attorney are hereby authorized and directed to express James City County's opposition to House Bill No. 316 and to send a certified copy of this resolution to the County's legislative delegation and to members of the General Assembly who will be considering it.

R E S O L U T I O N

ANALYSIS OF SENATE BILL NO. 430 CEMETERIES

WHEREAS, the Virginia General Assembly will be considering Senate Bill No. 430 (SB 430) during its 2012 session; and

WHEREAS, SB 430 greatly expands the definition of cemetery in Virginia Code Section 54.1-2310 by adding additional uses; and

WHEREAS, the amendments proposed in SB 430 lengthen the approval time for cemetery subdivision plats and site plan; and

WHEREAS, SB 430 would exempt development of future sections from complying with any changes to local laws and regulations different from any other land uses; and

WHEREAS, SB 430 would create a new vesting provision for zoning and exempt all structures in a cemetery from the County's building code or "any other applicable code utilized by localities," and

WHEREAS, the erosion of local control in the locating, developing, designing, and construction of cemeteries could negatively impact the residents of the community; and

WHEREAS, SB 430 would eliminate not only local regulation of cemeteries, but also the citizens ability to voice their concerns; and

WHEREAS, local land use decision have been and should continue to be made on a local level giving citizens of the locality and the Commonwealth of Virginia an opportunity to express their opinion.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby opposes SB 430 and calls upon the members of the General Assembly to oppose SB 430.

BE IT FURTHER RESOLVED that the County Administrator and the County Attorney are hereby authorized and directed to express James City County's opposition to Senate Bill No. 430 and to send a certified copy of this resolution to the County's legislative delegation and to members of the General Assembly who will be considering it.

Mr. McGlennon asked that the resolutions be circulated to all members of the General Assembly.

G. PUBLIC COMMENT

Ms. Jones noted that Mr. Al Woods was in attendance representing the Planning Commission.

1. Mr. Mark Morrow, 124 Ewell Place, prayed for the Board.

2. Mr. Vernon Stocker, 102 Little Aston, expressed concern that St. Bede has left the issue of the mausoleum open. He said that St. Bede may bring another version of the mausoleum forward in the future.

3. Ms. Linda Rice, President of the Friends of Norge Road and Toano, requested $1,500 from the Board to landscape the median in front of Toano Middle School.

4. Mr. Rick Overa, 150 Old Field Road, representing The Meadows II Homeowners Association, stated the organization is opposed to the St. Bede mausoleum and the bills proposed in the General Assembly regarding cemeteries.

5. Mr. Ralph Spohn, 121 Broadwater, thanked the Board for its opposition to the bills proposed in the General Assembly regarding cemeteries. He noted that even if St. Bede resubmitted a scaled-down version of the mausoleum, it would still be big.

6. Mr. Aiden Digges, 3707 Ironbound Road, discussed the definitions of cemetery and mausoleum.

7. Ms. Mary Catherine Digges, 3612 Ironbound Road, thanked the Board for adopting the resolutions in opposition to HB 316 and SB 430. She expressed concern about the statement by the pastor of St. Bede that he had been assured that a redesigned proposal would be approved.

Mr. Middaugh emphasized that County staff had not assured St. Bede of any approval.

8. Ms. Donna Mishoe, 121 Branscome Boulevard, expressed concern about a water bill she received from the James City Service Authority and asked the Board to review her situation.

9. Ms. Judy Fuss, 3509 Hunter's Ridge, thanked the Board on behalf of the James City County Citizens Coalition (J4C) for adopting the resolutions of opposition to HB 316 and SB 430.

10. Mr. Randy O'Neill, 109 Sheffield Road, said that no issue is more important than children's health.

11. Mr. Jack Fowler, 109 Wilderness, thanked Mr. Kennedy for his efforts to increase fines for repeat offenders of the grass and trash ordinances. He also noted that there are ruts on Forge Road that pose a danger to fire and rescue vehicles. He also noted that a road issue on Rochambeau Drive has not been addressed effectively by the Virginia Department of Transportation (VDOT).

12. Mr. Ed Oyer, 139 Indian Circle, discussed Roberts Rules of Order.

13. Mr. Jim Brown, 4 Longleaf Circle, thanked the Board for adopting the resolutions of opposition to HB 316 and SB 430.

14. Mr. James Vaiden, 4557 the Foxes, thanked the Board for its service.

H. CONSENT CALENDAR

1. Minutes –
   a. December 20, 2011, Special Meeting
   b. January 3, 2012, Organizational Meeting
   c. January 9, 2012, Joint Meeting
   d. January 10, 2012, Regular Meeting

2. Grant Award – Radiological Emergency Preparedness – $25,000

R E S O L U T I O N

GRANT AWARD – RADIOLOGICAL EMERGENCY PREPAREDNESS – $25,000

WHEREAS, the James City County Fire Department's Division of Emergency Management has been awarded pass-through funds in the amount of $25,000 to support radiological emergency preparedness (REP) from the Virginia Department of Emergency Management (VDEM); and

WHEREAS, the funds are to be used for planning and response for public protective actions related to the Surry Power Station nuclear plant; and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and authorizes the following budget appropriation to the Special Projects/Grants fund:

Revenue:

Radiological Emergency Preparedness Funds - VDEM	$25,000

Expenditure:

Radiological Emergency Preparedness Funds - VDEM	$25,000

3. Contract Award – Architectural Services for Fire Station #4, New Construction – $255,378

R E S O L U T I O N

CONTRACT AWARD – ARCHITECTURAL SERVICES FOR FIRE STATION #4,

NEW CONSTRUCTION - $255,378

WHEREAS, a Request for Proposals for Architectural Services for Fire Station #4, New Construction was publicly advertised and staff reviewed proposals from 14 firms interested in performing the work; and

WHEREAS, upon evaluating the proposals, staff determined that HVC-Chenault was the most fully qualified and submitted the proposal that best suited the County's needs as presented in the Request for Proposals.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the $255,378 contract for Architectural Services for Fire Station #4, New Construction to HVC-Chenault.

4. Grant Award – Office of Emergency Medical Services (OEMS) Rescue Squad Assistance Fund (RSAF) Grant – $269,840

R E S O L U T I O N

GRANT AWARD – OFFICE OF EMERGENCY MEDICAL SERVICES (OEMS)

RESCUE SQUAD ASSISTANCE FUND (RSAF) GRANT – $269,840

WHEREAS, the James City County Fire Department has been awarded a Rescue Squad Assistance Fund (RSAF) grant for $269,840 ($134,920 grant funds, $134,920 local match) from the Commonwealth of Virginia Department of Health, Office of Emergency Medical Services (OEMS); and

WHEREAS, the funds are to be used for the purchase of an ambulance and two E-series Automatic External Defibrillators (AEDs); and

WHEREAS, the grant requires a 50 percent match of $134,920, which is budgeted in the FY 2012 Capital Improvements Program (CIP) ($107,500 for the ambulance) and Grants Match ($27,420 for the AEDs) accounts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following budget appropriation to the Special Projects/Grants fund:

Revenues:

RSAF-Ambulance and AEDs	$134,920
Transfer from Capital Projects Fund	107,500
Transfer from General Fund	27,420
Total	$269,840

Expenditure:

RSAF-Ambulance and AEDs	$269,840

Mr. Icenhour made a motion to approve the Consent Calendar.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

I. BOARD REQUESTS AND DIRECTIVES

Ms. Jones mentioned that the Board received a report from Dominion Virginia Power on the proposed transmission line.

Mr. McGlennon asked staff to prepare an analysis of the impact of the transmission line on the County.

The Board by consensus supported Mr. McGlennon's request.

Mr. Icenhour reported that he and Mr. McGlennon attended the VDOT public hearing on the discontinuance of Jolly Pond Road.

The Board asked staff to widely publicize the date of the Commonwealth Transportation Board (CTB) meeting when the CTB will consider the issue.

Mr. McGlennon said that he attended the National Association for the Advancement of Colored People (NAACP) breakfast in celebration of Mr. Martin Luther King and that the pledge leader, Ms. Amy Pressey, received an award at the event.

J. PUBLIC HEARING

1. Freedom Park Lease – Go Ape Freedom, LLC

Ms. Carla Brittle, Management and Resource Administrator, Department of Parks and Recreation, provided an overview of a proposed lease with Go Ape Freedom, LLC for the construction and operation of a ropes course at Freedom Park. Under the provisions of the lease, Go Ape Freedom, LLC will pay to build and operate the course and the County will receive a monthly rent that is equivalent to three percent of annual gross revenues. Ms. Brittle said that the course is consistent with the Master Plan, will not result in the extensive removal of trees, and will not impact any of the current amenities at the park. The course is managed in a manner that does not create a burden on the park as only 14 individuals can participate at one time. No healthy mature trees are removed and the course is not attached to the trees. The proposal offers several public benefits: it adds an amenity at Freedom Park at no taxpayer expense, creates revenue from the lease, creates 12 jobs, and creates tax revenue. Go Ape will also provide free passes for Parks and Recreation and a 10 percent discount for James City County citizens.

Mr. Kennedy asked if participants wear helmets.

Mr. Dan D'Agostino, Chief Executive Officer of Go Ape USA, said that helmets are not required and in fact could be a hazard if one was caught on a safety line. He said that there had been no head injuries in the company's 10 year history.

Mr. Kennedy asked if the course was inspected.

Ms. Brittle said that Building Safety and Permits had been consulted and that there were no guidelines.

Mr. D'Agostino said that they conduct regular inspections and will share the results of inspections with the County.

Mr. McGlennon asked about the impact on the park as it relates to the number of people in the park and the company's business model.

Mr. D'Agostino said that only 14 people every 30 minutes could be accommodated, so there was not a significant impact on the park or need for parking.

Mr. Middaugh asked about the children's course.

Mr. D'Agostino said that they plan to build the course in about a year if everything goes well.

Ms. Jones opened the Public Hearing.

1. Mr. Ed Oyer, 139 Indian Circle, said that liability should be clear.

Mr. Middaugh noted that the company assumes liability in the agreement.

2. Ms. Amy Pressey, 2907 Robert Hunt North, said that she thought the ropes course would be a fantastic opportunity for teenagers in the community.

3. Ms. Christina Clark, 143 The Maine, asked if there were any limitations on weight on the course.

4. Ms. Mary Catherine Digges, 3612 Ironbound Road, asked what participants would do with children.

Mr. D'Agostino said that the course is engineered for 10 people on the platform at any one time. The course is restricted to only three people on a platform at a time.

Mr. McGlennon said this is an interesting new opportunity to provide a recreational amenity and possibly increase tourism and generate revenue. He made a motion to approve the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

R E S O L U T I O N

FREEDOM PARK LEASE AGREEMENT – GO APE FREEDOM, LLC

WHEREAS, James City County Parks and Recreation has been tasked with enhancing revenue-generating opportunities to support the operations of parks, programs, and facilities; and

WHEREAS, funds are needed to continue to develop Freedom Park based upon the approved Master Plan; and

WHEREAS, Go Ape Freedom, LLC will design, construct, and operate a high ropes course while paying a monthly rent to James City County; and

WHEREAS, a lease between James City County and Go Ape Freedom, LLC has been prepared that details the usage of the site; and

WHEREAS, the addition of the ropes course provides significant public benefit, protects the integrity of Freedom Park, allows the citizen to participate for a reduced rate, and produces new park revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or his designee to execute the Freedom Park Lease with Go Ape Freedom, LLC for the operations of a ropes course in Freedom Park.

K. BOARD CONSIDERATIONS

1. Creation of a James City County Tourism Zone

Mr. Russell Seymour, Director of Economic Development, stated that the Code of Virginia allows the creation of a tourism zone which provides incentives and regulatory flexibility for qualifying businesses. He said that staff recommended approval of a James City County Tourism Zone and that he met with Mr. McGlennon and Mr. Icenhour since the last Board meeting to respond to questions they had.

Mr. McGlennon said many of his concerns had been resolved.

Mr. Icenhour said that many of his concerns had also been resolved.

Mr. McGlennon made a motion to approve the resolution and ordinance.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

RESOLUTION

CREATION OF A JAMES CITY COUNTY TOURISM ZONE

WHEREAS, the tourism industry continues to be an important part of James City County's overall economic and employment base; and

WHEREAS, many of the County's existing businesses rely heavily upon the tourism industry for their business's success; and

WHEREAS, the Commonwealth of Virginia allows for the establishment of Tourism Zones for the purpose of granting tax incentives and for providing regulatory flexibility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the creation of a James City County Tourism Zone that encompasses the entire County.

2. Board and Commission Appointments

Ms. Jones said that she agreed to serve on the Regional Issues Committee.

The Board appointed Mr. McGlennon to Williamsburg Area Destination Marketing Committee (WADMC) and Mr. Seymour to the Hampton Roads Economic Development Authority. The Board asked staff to contact current delegates to the Community Action Agency Board and asked if they want to continue to serve. The Board had brief discussion on the School Negotiating Committee and asked for copies of the last two contracts.

3. Draft Deferral Policy

Mr. Middaugh stated that the Board had requested a draft deferral policy and that there is a work session scheduled for May that can be accelerated if the Board wishes. The Board deferred action and asked that the policy be circulated among the business and development community for feedback.

Mr. Kennedy asked to look at a policy where the County does not delay an application if an applicant is providing information on a timely basis.

L. PUBLIC COMMENTS

1. Mr. Ed Oyer, 139 Indian Circle, spoke about the confusion in assessment notices due to the term "fiscal year." He also said that the County needs to be realistic about the Dominion Virginia Power transmission line.

2. Mr. Jack Fowler, 109 Wilderness, continued discussion about road issues.

M. BOARD CONSIDERATION

1. Discussion of Jamestown District Supervisors Appointment

Mr. Middaugh stated that the County Attorney had contacted the Circuit Court judges and they were agreeable to the schedule set forth by the Board for interviews for the Jamestown District Supervisor appointment. He said there were a total of six applicants.

Ms. Jones asked the Board to submit interview questions to the County Administrator by Monday, January 30.

Mr. Rogers said that the Board needed to amend its calendar.

Mr. McGlennon made a motion to amend the Board's calendar to include a meeting at 4 p.m. on February 6 in the Building F Work Session Room.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

N. COUNTY ADMINISTRATOR'S REPORT

Mr. Middaugh reported that there will be a Regional Comprehensive Plan meeting on February 2 at 7 p.m. at Magruder Elementary School. The purpose of the meeting is to receive comments related to all of the Historic Triangle, but this meeting will focus on the Riverside, Busch, and Marquis area.

O. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon said that he appreciated Mr. Oyer's comments about the transmission line. He said the question is not the need for the project, but the route.

P. ADJOURNMENT

Mr. McGlennon made a motion to adjourn until February 6 at 4 p.m.

On a roll call vote, the vote was: AYE: McGlennon, Icenhour, Kennedy, Jones (4). NAY: (0).

At 8:42 p.m., Ms. Jones adjourned the Board.

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Robert C. Middaugh
Clerk to the Board

012412bos_min

MEMORANDUM COVER

Subject: Grant Award - Commonwealth Attorney - V-STOP Grant Program Fund - $57,378

Action Requested: Shall the Board approve the resolution that accepts the State Department of Criminal Justice Services grant award?

Summary: The Commonwealth Attorney has been awarded a grant from the State Department of Criminal Justice Services V-STOP Grant Program Fund to be used for the personnel costs for the continuation of a position to advocate for victims of crimes involving domestic violence, sexual abuse, and stalking.

Staff recommends adoption of the attached resolution to appropriate funds.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes ☐ No ☐

_____

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh __ _____

Attachments:
1. Memorandum
2. Resolution

Agenda Item No.: __H-2_____

Date: February 14, 2012

GA_V-Stop_cvr

AGENDA ITEM NO. H-2

M E M O R A N D U M

DATE: February 14, 2012

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Assistant Manager of Financial and Management Services

SUBJECT: Grant Award - Commonwealth Attorney - V-Stop Grant Program Fund - $57,378

The Commonwealth Attorney has been awarded a $57,378 (Federal share $28,372; County Match $29,006) grant from the V-Stop Grant Program Fund through the State Department of Criminal Justice Services. This Federal pass-thru grant will fund the personnel costs for the continuation of the Victim Witness Director position to advocate for victims of crimes involving domestic violence, sexual abuse, and stalking. The local match is available in the Commonwealth Attorney's general fund account. This grant has been recurring for several years and funds were included in the budget in anticipation of receiving the grant. The City of Williamsburg will pay its share of the local match.

The attached resolution appropriates these funds to the Victim's Grants Fund through December 31, 2012.

Staff recommends approval of the attached resolution.

Suzanne R. Mellen

GA-V-Stop_mem
SRM/nb

Attachment

R E S O L U T I O N

GRANT AWARD - COMMONWEALTH ATTORNEY -

V-STOP GRANT PROGRAM - $57,378

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a $57,378 grant from the V-STOP Grant Fund (Federal share $28,372; County match $29,006) through the State Department of Criminal Justice Services; and

WHEREAS, this grant would fund the personnel costs of a position to advocate for victims of crimes involving domestic violence, sexual abuse, and stalking beginning January 1, 2012, through December 31, 2012; and

WHEREAS, this grant requires a local cash or in-kind match of $29,006, which is available in the Commonwealth Attorney's general fund account.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Victim's Witness Fund through December 31, 2012, for the purpose described above:

Revenues:

CY 12 V-Stop Department of Criminal Justice Services Federal Revenue (DCJS)	$28,372
CY 12 V-Stop James City County Matching Funds	29,006
Total:	$57,378

Expenditure:

CY 12 V-Stop Grant Program	$57,378

_____
Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

_____
Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2012.

GA_V-Stop_res

MEMORANDUM COVER

Subject: Grant Award – Commonwealth Attorney – VA Domestic Violence Victim Fund – $37,981

Action Requested: Shall the Board approve the resolution that accepts the Virginia Domestic Violence Victim Fund Grant?

Summary: The Commonwealth Attorney has been awarded a $37,981 grant from the Virginia Domestic Violence Victim Fund through the State Department of Criminal Justice Services. The grant will fund the personnel costs and travel expenses of an existing position to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking, and family abuse.

This grant requires no match.

Staff recommends approval of the attached resolution.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes ☐ No ☐

_____

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:
1. Memorandum
2. Resolution

Agenda Item No.: H-3

Date: February 14, 2012

GA_VaDVioVictm_cvr

AGENDA ITEM NO. H-3

M E M O R A N D U M

DATE: February 14, 2012

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Assistant Manager of Financial and Management Services

SUBJECT: Grant Award – Commonwealth Attorney – Virginia Domestic Violence Victim Fund – $37,981

The Commonwealth Attorney has been awarded a $37,981 grant from the Virginia Domestic Violence Victim Fund through the State Department of Criminal Justice Services. The State grant will fund the personnel costs and travel expenses of an existing attorney position to assist in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking, and family abuse. The Commonwealth Attorney has been successful in obtaining this grant in previous years and plans to continue to apply for this grant in the future.

The grant requires no match.

The attached resolution appropriates these funds to the Special Projects/Grant Fund through December 31, 2012.

Staff recommends adoption of the attached resolution.

Suzanne R. Mellen

SRM/nb
GA_VaDVioVictm_mem

Attachment

R E S O L U T I O N

GRANT AWARD – COMMONWEALTH ATTORNEY –

VIRGINIA DOMESTIC VIOLENCE VICTIM FUND – $37,981

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a $37,981 grant from the Virginia Domestic Violence Victim Fund through the State Department of Criminal Justice Services; and

WHEREAS, this grant would fund the personnel costs and travel expenses of a position in the prosecution of misdemeanors and felonies involving domestic violence, sexual abuse, stalking, and family abuse through December 31, 2012.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Special Projects/Grants Fund through December 31, 2012, for the purpose described above:

Revenue:

CY 12 Virginia Domestic Violence Victim Fund	$37,981

Expenditure:

CY 12 Virginia Domestic Violence Victim Fund	$37,981

_____
Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

_____
Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2012.

GA_VaDVioVictm_res

MEMORANDUM COVER

Subject: Appropriation – Hurricane Irene – $2,554,000

Action Requested: Shall the Board appropriate expected funding from Federal and State Sources?

Summary: James City County has filed for claims of reimbursement from its insurance carrier and the Federal Emergency Management Agency (FEMA) totaling $2,554,000. Of that amount, $2,345,000 was for debris removal. FEMA claims are cost-shared by the Federal government at 75 percent, State government at 15 percent, and James City County at 10 percent.

In FY 08 the County set aside $350,000 in the Special Projects/Grants fund for emergency needs, such as debris clearing, in the event that during a local disaster, the County is not deemed eligible for State or Federal assistance.

Staff recommends that the Board appropriate $250,000 of these funds for the County's portion of this disaster.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes ☒ No ☐

_____

Assistant County Administrator

Doug Powell _____

County Administrator

Robert C. Middaugh _____

Attachments:
1. Memorandum
2. Resolution

Agenda Item No.: I-1

Date: February 14, 2012

HurricaneIr_cvr

AGENDA ITEM NO. I-1

M E M O R A N D U M

DATE: February 14, 2012

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Assistant Manager of Financial and Management Services

SUBJECT: Appropriation – Hurricane Irene – $2,554,000

Hurricane Irene caused heavy rains and high winds in August 2011 in James City County. Emergency Protective measures were taken to save lives, protect public health, safety, and improved property. Damage to public facilities occurred and repairs have been completed.

James City County has filed for claims of reimbursement from its insurance carrier and the Federal Emergency Management Agency (FEMA) totaling $2,554,000. Included in that amount is $2,345,000 for debris removal and $84,000 in emergency protective measures, which includes emergency response overtime. FEMA claims are cost-shared by the Federal government at 75 percent, State government at 15 percent, and James City County at 10 percent. In FY 08 the County set aside $350,000 in the Special Projects/Grants fund for emergency needs, such as debris clearing, in the event that during a local disaster, the County is not deemed eligible for State or Federal assistance. Staff recommends that the Board appropriate $250,000 of these funds for the County's portion of this disaster.

Attached is a resolution that appropriates all insurance proceeds and anticipated Federal, State, and local funding for Hurricane Irene related expenditures.

Staff recommends adoption of the attached resolution.

Suzanne R. Mellen

SRM/nb
HurricaneIr_mem

Attachment

R E S O L U T I O N

APPROPRIATION – HURRICANE IRENE – $2,554,000

WHEREAS, in August 2011 Hurricane Irene caused heavy rains and high winds in James City County; and

WHEREAS, Emergency Protective measures were taken to save lives, protect public health, safety, and improved property and damage to public facilities has been repaired; and

WHEREAS, James City County has filed for claims of reimbursement from its insurance carrier and the Federal Emergency Management Agency (FEMA) totaling $2,554,000; and

WHEREAS, FEMA claims are cost-shared by the Federal government at 75 percent, State government at 15 percent, and James City County at 10 percent, with the County's share available in fund balance.

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:

Federal Government	$1,900,000
State Government	382,000
Fund Balance	250,000
Insurance Proceeds	22,000
Total:	$2,554,000

Expenditure:

Storm Expenses	$2,554,000

_____
Mary K. Jones
Chairman, Board of Supervisors

ATTEST:

_____
Robert C. Middaugh
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2012.

HurricaneIr_res