

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 18TH DAY OF APRIL, NINETEEN HUNDRED NINETY-FOUR, AT 7:03 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District
David L. Sisk, Vice Chairman, Roberts District

Jack D. Edwards, Berkeley District
Robert A. Magoon, Jr., Jamestown District
Stewart U. Taylor, Stonehouse District
David B. Norman, County Administrator
Leo P. Rogers, Assistant County Attorney

Mr. Magoon was away from his seat on the dais.

B. MINUTES - April 4, 1994

Mr. DePue asked if there were additions or corrections to the minutes.

Mr. Edwards made a motion to approve the minutes with corrections as noted.

On a roll call, the vote was: AYE: Edwards, Taylor, Sisk, DePue (4). NAY: (0).

C. HIGHWAY MATTERS

Mr. Michael Taylor, Williamsburg Assistant Resident Engineer, Virginia Department of Transportation, reported that weather-related road repairs were being completed.

Mr. Sisk and Mr. Stewart Taylor thanked Mr. Taylor for prompt responses to previous requests.

Mr. DePue asked for a copy of the response, when made, to a March 29, 1994, letter addressed to Mr. David Steele from Reverend Robert A. Whitehead regarding highway construction near Mrs. Eleanor Jones' residence on Richmond Road.

Mr. Taylor responded in the affirmative.

Mr. Magoon returned to his seat.

D. CONSENT CALENDAR

Mr. DePue asked if a Board member wished to remove any item from the Consent Calendar.

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

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

1. Emergency Home Repair Program Grant Increase FY 94

RESOLUTION

**AMENDMENT OF THE APPROPRIATION OF FUNDS FOR THE
EMERGENCY HOME REPAIR PROGRAM**

WHEREAS, Virginia Department of Housing and Community Development has increased by \$2,000 the grant awarded James City County under the Emergency Home Repair Grant Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes that the appropriated funds for the Office of Community Development be amended as follows:

Revenues

VHPF Emergency Home Repair Funds	<u>\$2,000</u>
	<u>\$2,000</u>

Expenditures

Emergency Home Repair Grants	<u>\$2,000</u>
	<u>\$2,000</u>

E. **PUBLIC HEARINGS**

1. Proposed FY 95 Budget
2. Ordinance Amendment, Chapter 8, Health and Sanitation, Article II, Sections 8-9, 8-10, and 8-13, User Fees

Mr. John E. McDonald, Manager of Financial and Management Services, presented the highlights of the proposed FY 95 budget for the County's Operating Budget; Operating and Capital Budgets of James City Service Authority; Capital Budget and five-year Capital Improvement Program; and, Transit Company, Community Development, and Social Services budgets as presented. He stated the budget proposed an increase from \$0.75 to \$0.83 per \$100 for the real estate tax rate, and increase from \$0.30 to \$2.00 a month for the E911 tax, and an increase in the tipping fee for trash from \$45 to \$47 per ton.

Mr. McDonald announced public work sessions on Tuesday, April 19 with a call-in show; Thursday, April 21 with School and Library Boards; Monday, April 25, following the public hearing on tax rate; and, Tuesday, April 26, if needed, all scheduled at 7:00 p.m. in Building C Board Room, County Government Center.

Mr. DePue opened the public hearings.

1. Ms. Tammy Thompson, 4694 Hickory Sign Post Road, recalled a recent personal tragedy of a residential fire and asked the Board to support an increase of manpower in the Fire Department.
2. Ms. Corinne Garland, 116 Crownpoint, on behalf of Child Development Resources, spoke of accomplishments of providing services to children with special needs, and requested funding of the second and third installments of the capital campaign contribution for a new facility.
3. Ms. Susan Myers, 128 Queen Mary Court, presented a citizens' petition to the Board requesting support of extension of curbside recycling to several neighborhoods and contract with Waste Management, Inc., to provide additional recycling services to the County Convenience Centers.
4. Mr. Ed Oyer, 139 Indian Circle, expressed dissatisfaction with the proposed E911 tax increase, stated debt services should be limited, and gave his ranking of priorities as water, fire, police, emergency medical services, schools, and recreation.
5. Ms. Catherine M. Pierce, 4 Bray Wood, suggested finding alternatives for revenue, such as amusement, meals and rooms taxes, etc., rather than increase the real estate tax.
6. Mr. Larry Waltrip, 100 Lands End Drive, a member of the Auxiliary Firefighters, asked for support of funding for fire fighting equipment, manpower, and training.

Mr. DePue closed the public hearings.

Mr. DePue emphasized that public comment would be entertained at the upcoming work sessions and public hearing on the real estate tax rate scheduled for Monday, April 25, 1994.

3. Governor's Land, No Wake Zone

Mr. Bernard M. Farmer, Jr., Director of Code Compliance, stated that Mr. James H. Bennett, P.E., on behalf of Governor's Lane Associates, had requested that a "No Wake Zone" be established along the James River in the vicinity of the planned marina facility, further identified as adjacent to Parcel (1-16) on James City County Real Estate Tax Map No. (44-2). He further stated that the proposed zone would extend approximately 800 feet from shore for approximately 2,000 feet along James River, a majority of that area being shallow with little existing traffic.

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

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

GOVERNOR'S LAND ASSOCIATES, NO WAKE ZONE

WHEREAS, Section 29.1-744 of the Code of Virginia provides for establishment of "No Wake Zones" by the Board of Game and Inland Fisheries upon request by a local governing body; and

WHEREAS, the applicant has requested that a "No Wake Zone" be established along the James River adjacent to Parcel (1-16) found on James City County Real Estate Tax Map No. (44-2), and generally as illustrated on the attached drawing titled Governor's Land Marina dated January 28, 1994.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after a public hearing does hereby request that the Virginia Department of Game and Inland Fisheries establish a "No Wake Zone" as requested by Governor's Land Associates.

F. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, spoke of tax burdens placed on citizens by government.
2. Ms. Linda Tiexeira, 904 Wood Duck Commons, criticized the County's handling of the issues of damages to homes from shrink-swell soils and drainage problems.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman requested Board questions and directives be given to staff in preparation for the budget work sessions, and recommended an executive session pursuant to Section 2.1-344(A)(1) of the Code of Virginia to consider a personnel matter, appointment of individuals to County Boards and/or Commissions.

Without objection, Mr. DePue recessed the Board for a James City Service Authority Board of Directors' meeting, at 8:40 p.m.

Mr. DePue reconvened the Board into open session at 9:12 p.m.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Magoon stated that he would provide staff a copy of a letter addressed to Delegate George Grayson regarding Gatehouse Farms' drainage issue for Board discussion in the future.

Mr. Sisk reminded Board and staff that Mr. Hahn, the gentleman from Florida with knowledge of shrink-swell soils, was in the audience.

Mr. DePue asked staff about the requested report on Mr. Glenn Cornelisse's drainage problem. Mr. Sanford B. Wanner, Assistant County Administrator, provided copies to the Board of staff response.

Regarding budget work session procedures and questions, Mr. DePue suggested: review in order of revenues, capital, operating; respond to questions raised by Mr. Ed Oyer; provide list of department budgets exceeding norm for all departments; review departments in which Board expresses an interest; provide copies of firefighters' letter published in April 16, 1994, issue of The Virginia Gazette; and, review alternative sources for funding.

Mr. Taylor asked for explanation of increase in Economic Development, Parks and Recreation, and Code Compliance budgets, and for information of what was deleted from department budget requests.

Mr. Edwards suggested review of all programs and expressed concern with the E911 tax increase.

Mr. Magoon asked for explanation of how many years the revenue forecasts addressed, and questioned whether School and Library Boards would respond to numbers estimated by staff in the two-year budget.

Mr. Taylor made a motion to convene into executive session as recommended above by the County Administrator, at 9:43 p.m.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

Mr. DePue reconvened the Board into open session at 10:01 p.m.

Mr. Sisk made a motion to approve the executive session resolution.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

RESOLUTION

MEETING DATE: April 18, 1994

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive 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 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive 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 executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mr. DePue made a motion to appoint Felecia Manley to a 3-year term on the Clean County Commission, term expiring 5/1/97; Mary E. Higgins to the Parks and Recreation Commission for a 4-year term, term expiring 4/12/98; Anthony Conyers, Jr., to the Williamsburg Area Medical Assistance Corporation (WAMAC) for a 1-year term, term expiring 4/1/95; and, to reappoint Jack Edwards to WAMAC for a 1-year term, term expiring 4/1/95.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

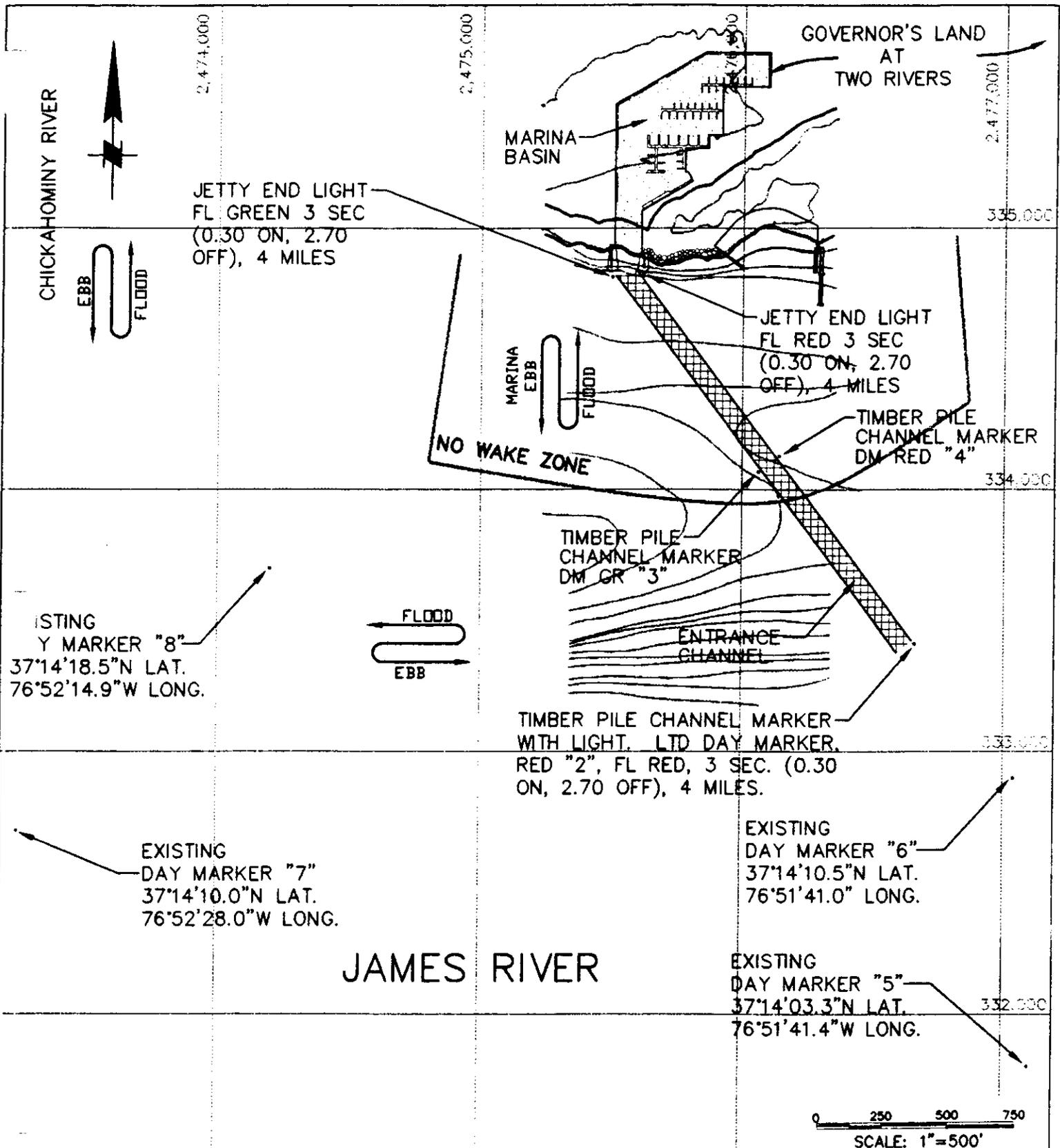
Mr. DePue made a motion to recess until 7:00 p.m., Tuesday, April 19, 1994, for a call-in show and budget work session.

On a roll call, the vote was: AYE: Magoon, Edwards, Taylor, Sisk, DePue (5). NAY: (0).

The Board recessed at 10:02 p.m.



David B. Norman
Clerk to the Board



APPLICANT: GOVERNOR'S LAND MARINA

WATER BODY: JAMES RIVER

COUNTY: JAMES CITY COUNTY

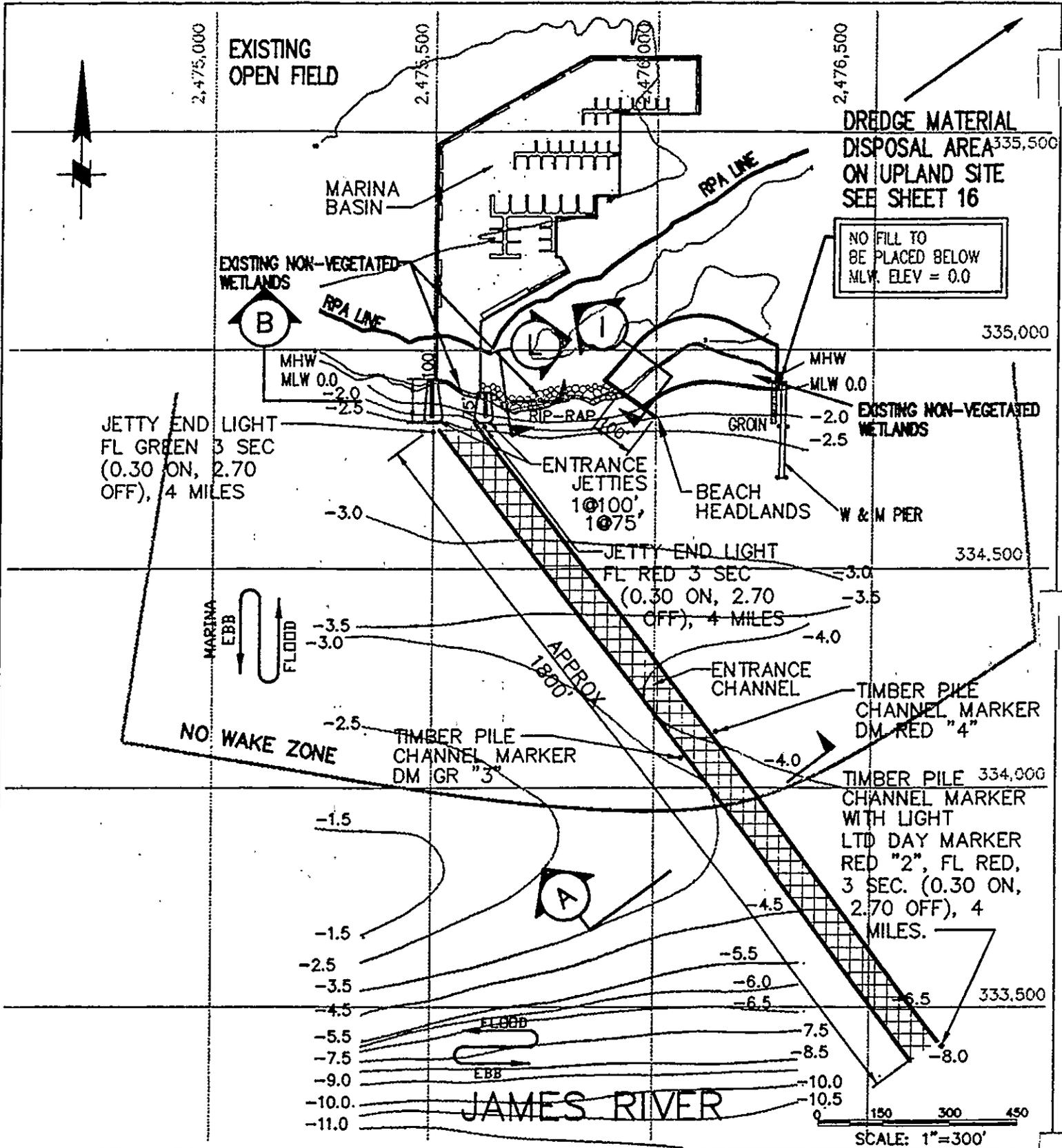
DATUM: NGVD

PURPOSE: CONSTRUCT MARINA & RELATED FACILITIES

ORIGINAL WORK MAINTENANCE

SHEET NO. OF

DATE: 1\28\94



APPLICANT: GOVERNOR'S LAND MARINA
 WATER BODY: JAMES RIVER
 COUNTY: JAMES CITY COUNTY
 DATUM: NGVD

PURPOSE: CONSTRUCT MARINA & RELATED FACILITIES
 ORIGINAL WORK MAINTENANCE
 SHEET NO. _____ OF _____
 DATE: 1/28/94