

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 9TH DAY OF APRIL, NINETEEN HUNDRED NINETY-SIX, AT 5:10 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

David L. Sisk, Chairman, Roberts District (Absent)  
Robert A. Magoon, Jr., Vice Chairman, Jamestown District

Jack D. Edwards, Berkeley District  
Perry M. DePue, Powhatan District  
Stewart U. Taylor, Stonehouse District  
David B. Norman, County Administrator  
Frank M. Morton, III, County Attorney

B. WORK SESSION

1. Enterprise Zone

Mr. Magoon introduced Mr. Douglas Powell, Assistant Manager of Community Services, who presented the provisions for codification and administration procedures for the Enterprise Zone, and advised that a public hearing would be scheduled for the Board of Supervisors' meeting on April 30, 1996.

2. Regional Sports Authority

Mr. Sanford B. Wanner, Assistant County Administrator, stated that the Hampton Roads Planning District Commission had requested a statement that the Board agreed to participate in the regional sports studies with funding to come from existing Hampton Roads Planning District Commission resources. The Board agreed and supported a preference for either the Hampton Roads District Commission or the Sports Authority Of Hampton Roads to be the contracting vehicle for the studies.

Mr. Magoon recessed the Board at 6:00 p.m. for dinner.

Mr. Magoon reconvened the Board into open session at 7:00 p.m.

C. PRESENTATION

1. Williamsburg Area Convention and Visitors Bureau

Mr. David Shulte, Executive Director, introduced Mr. Edward Dreistadt, Executive Vice President of Marketing, Busch Gardens, who explained new television market and advertisements, and presented attendance and revenue figures for the past year. He requested Board support of additional revenue to increase advertisement campaign coverage.

Farewell Comments to David B. Norman, County Administrator

Individual Board members spoke regarding Mr. Norman's principles, public service, encouragement of citizen participation, and accomplishments during his tenure as County Administrator.

Mr. Norman thanked each Board member for the kind comments, all staff members for their outstanding commitment to the County and the citizens for their response toward involvement. He expressed pleasure for having the opportunity to work with all associated with the County.

**D. MINUTES - March 26, 1996**

Mr. Magoon asked if there were corrections or additions to the minutes, and noted a word correction on Page 12.

Mr. Taylor made a motion to approve the minutes with amended Page 12.

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

**E. CONSENT CALENDAR**

Mr. Magoon 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: Taylor, DePue Edwards, Magoon (4). NAY: (0).

**1. National Volunteer Recognition Week - April 21 - 27, 1996**

**RESOLUTION**

**NATIONAL VOLUNTEER RECOGNITION WEEK APRIL 21-27, 1996**

WHEREAS, in the proud tradition of our rich heritage, James City County volunteers continue to be a valuable resource; and

WHEREAS, citizen participation cannot be measured in dollars or in numbers, that only those who have been helped can describe the influence volunteers have had on enriching their lives; and

WHEREAS, the citizens of James City County are deserving of recognition for their commitment and hard work in improving the quality of life for all James City County residents by providing services that might otherwise not be provided.

NOW, THEREFORE, BE IT RESOLVED by Board of Supervisors of James City County, Virginia, that it hereby designates the week of April 21, as Volunteer Appreciation week and calls its significance to all of our citizens.

2. Bicycle Month**RESOLUTION****BICYCLE MONTH**

WHEREAS, the Historic Triangle Bicycle Advisory Committee, together with local, state, and national bicycle clubs and organizations, are celebrating Bicycle Month throughout the month of May 1996; and

WHEREAS, the development of safe and convenient bikeways is an important component of enhancing tourism and, by extension, economic development; and

WHEREAS, many organizations and groups throughout the County and region will be conducting activities related to bicycling during May 1996, for the purpose of promoting bicycling as a wholesome leisure activity as well as an environmental friendly alternative to the automobile.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors hereby recognizes May 1996 as Bicycle Month in James City County, and all citizens are urged to reacquaint themselves with bicycling and share the road with a cyclist.

BE IT FURTHER RESOLVED that the Board of Supervisors, of James City County, Virginia, recommends citizens utilize bicycles as an alternative mode of transportation to work during the month of May.

3. Dedication of Street in Westray Downs, Section 5**RESOLUTION****DEDICATION OF STREET IN WESTRAY DOWNS, SECTION 5**

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on a plat recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the street described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

4. Appropriation Request - Federal Training Grant

RESOLUTION

BUDGET AMENDMENT

VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION

GRANT REVENUE

WHEREAS, the Board of Supervisors of James City County has been requested to approve an Urban Technical Assistance Grant provided by the Virginia Department of Rail and Public Transportation to the James City County Transit Company in the amount of \$1,845 for training assistance to meet the requirements of the Section 15 Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, that the following appropriation be made within the FY 96 Transit Fund:

Transit Company Revenues

VDRPT Grant \$1,845

Expenditures

Training (Section 15 Program) \$1,845

5. Business Incentives Policy Statement

RESOLUTION

BUSINESS INCENTIVES POLICY STATEMENT

WHEREAS, the Board of Supervisors of James City County desires to create a statement of policy regarding economic development.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the following statement:

Policy Statement  
for Economic Development Incentives

The Board of Supervisors, Industrial Development Authority, and Staff of James City County agree to consider incentives for qualified new or expansion economic development projects, on a case-specific basis, reacting to Staff proposals with a commitment to quick decisions. The form and nature of these incentives will vary, each case being unique. Specific attention will be given to projects most compatible with the County's character and targeted industry groups,

to capital intensive projects, and to projects offering enhanced job opportunities for which County residents may compete.

Mr. Magoon presented the National Volunteer Recognition Week resolution to Mr. Richard K. Orr, volunteer, who thanked the Board.

#### F. PUBLIC HEARINGS

1. Proposed FY 97 Budget
2. Proposed Tax Rate
3. Capital Improvement Program, FY 1997-2001
4. Proposed Utilities Rate

Ms. Carol Davis, Assistant Manager of Financial and Management Services, presented the proposed budget and tax rate, capital improvement program and proposed utilities rate for FY 1997.

Mr. Magoon recessed the Board for convening of James City Service Authority Board of Directors, for a joint public hearing on the proposed utilities rate at 7:38 p.m.

Mr. Magoon reconvened the Board of Supervisors at 7:39 p.m.

Mr. Magoon opened the public hearings for the proposed FY 97 budget, capital improvement program and proposed utilities rate.

1. Ms. Lydia Bailey Brown, 302 Piez Avenue, Newport News, Executive Director, Cultural Alliance of Greater Hampton Roads, asked the Board to support funding for the arts.
2. Mr. Jim McCord, 611 Richmond Road, asked the Board to increase County funding for Williamsburg Arts Commission.
3. Ms. Mary Selby, 412 Idlewood Lane, violinist and one of the founders of Williamsburg Symphonia, spoke in favor of funding for arts for the opportunities it offers to youth.
4. Mr. Charles Bump, 32 Lynnhaven Drive, Hampton, Virginia Choral Society, urged the Board to support funding for the arts to prevent curtailing of services or raising ticket prices.
5. Mr. Carl Andersen, 116 Caran Road, President, Williamsburg Symphonia, determined that over half of the audience for a concert is from James City County, and asked for a considerable increase to funding for the Williamsburg Art Commission.
6. Mr. M. D. Galbreath, III, 113 Deerwood Drive, spoke in favor of streamlining County operations and spoke in opposition to tax increases.
7. Mr. Lawrence Beamer, Powhatan Secondary, spoke in opposition to the increase in proposed utility rates.
8. Mr. Grant Olson, 105 Holman Road, asked that the Board favorably consider funding for the arts.
9. Mr. Ed Oyer, 139 Indian Circle, expressed his concern over the increase in several items of the proposed budget.

Mr. Magoon closed the public hearings and announced that budget worksessions would be held Wednesday, April 17, 1996, Thursday, April 18, 1996, and Wednesday, April 24, 1996, at 7:00 p.m. in Building C Board Room at the Government Center, with adoption of the budget scheduled for the Board of Supervisors' meeting on April 30, 1996.

2. Proposed Tax Rate

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

5. Case NO. Z-19-95. Associated Developers/Mainland Farm

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. Henry Stephens of Associated Developers had submitted a letter requesting deferral of this case until the Board of Supervisors' meeting on April 30, 1996, to allow the case to be heard before all Board members.

Staff concurred with the request.

Mr. Magoon opened the public hearing, and continued the public hearing until April 30, 1996.

6. Case No. Z-20-95. Greensprings LLC (Mainland Farm)

Mr. Sowers stated that Mr. Marshall Findley of Greensprings Limited Liability Company had requested deferral of this case until the Board of Supervisors' April 30, 1996, meeting to allow this case to be considered with Case No. Z-19-95.

Staff concurred with the request.

Mr. Magoon opened the public hearing and continued the public hearing until April 30, 1996.

7. Case No. SUP-2-96. Rowe Custom Homes

Mr. Sowers stated that Ms. Judy Rowe, President of Rowe Custom Homes, had requested withdrawal of this case.

Mr. Magoon stated no action required.

8. Transit Company - FY 97 Section 5311 Grant Application

Mr. Richard Drumwright, Transit Administrator, stated that funding for the James City County Transit Company was provided under provisions of Section 5311 of the Intermodal Surface Transportation Efficiency Act of 1991, with the application request of \$43,176. (The original memorandum amount listed was \$37,926.)

Staff recommended approval of the resolution.

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

Mr. Edwards made a motion to approve the resolution with amendment in dollar amount.

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

**RESOLUTION****FTA SECTION 5311 RESOLUTION****REQUEST FOR FEDERAL MATCHING FUNDS - FY 97**

WHEREAS, the Federal Government has made funds available for nonurban public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit Company's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized by the Board to execute and file application to the Virginia Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant of Federal public transportation assistance under Section 5311 of the Intermodal Surface Transportation Efficiency Act of 1991. The amount requested for Section 5311 Federal Assistance is \$43,176 to assist in administrative and operating expenses. The County Administrator shall be authorized to accept grant funds awarded and to furnish the Virginia Department of Rail and Public Transportation documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of FTA Section 5311 Program and that James City County may be subject to audit by the Virginia Department of Rail and Public Transportation and by the State Auditor of Public Accounts.

**G. BOARD CONSIDERATIONS****1. Amendments to the 1996 Comprehensive Plan Review Methodology**

Mr. Matthew Maxwell, Planner, stated that addressing growth management would require additional time for the overall Plan development process. He stated the Planning Commission had recommended inclusion of a member of the Board of Supervisors on the Comprehensive Plan Development Steering Committee; amend adopted Comprehensive Plan review timeline to extend the delivery date from the Steering Committee to the Planning Commission from August 1996 to December 1996; and, select one member of the Board of Supervisors to serve as principal liaison to the Steering Committee, and select one member as alternate.

The Board discussed concerns of extending the time line and asked staff to bring back proposal to have a joint work session with Steering Committee and Planning Commission for Board input and suggestions on the Comprehensive Plan.

Without objection, the Board selected Mr. Edwards as the principal liaison to the Comprehensive Plan Steering Committee.

**2. 1996 Primary Road Priorities**

Mr. John T. P. Horne, Manager of Development Management, stated that the Virginia Department of Transportation holds pre-allocation hearings to assist in its determination of priorities for funding primary, urban and interstate road projects over a six year period (FY1997 through FY2002).

Staff recommended approval of the resolution listing the priorities of primary road projects.

Mr. Edwards made a motion to approve the resolution with a change to put the design, construction and completion of Route 199 as first priority.

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

## RESOLUTION

### 1996 PRIMARY ROAD PRIORITIES

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient, and adequate transportation network is vital to the future of the County and the region; and

WHEREAS, the James City County Comprehensive Plan and/or Regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which causes inconvenience and delay, impedes the actions of emergency vehicles and personnel, and contributes the major source of air pollution to the area; and

WHEREAS, public hearings for the corridor selection of Route 199 were successfully completed in 1979 and again in 1986, and the access point for the Grove Interchange on Interstate 64 was approved in 1979; and

WHEREAS, the Commonwealth Transportation Board has included funding for the Grove Interchange in the Six-Year Improvement Program in recognition of the need for improved traffic circulation in the vicinity of Busch Gardens and the need to provide improved access to major developing industrial and commercial areas in James City County and Newport News; and

WHEREAS, the adopted Comprehensive Plan of James City County designates new roadway construction bypassing hazardous portions of Pocahontas Trail (Route 60 East) and providing access to a major future industrial area; and

WHEREAS, the Secretary of Transportation has requested lower cost interim improvements along our major roadways.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following list comprises the highest priority primary highway projects in James City County:

- The design, construction and completion of Route 199 from Interstate 64 to John Tyler Highway (Route 5) as a full four-lane facility, and the widening of the existing section of Route 199 to four lanes in those areas where only two lanes presently exist.
- The design of an alternate alignment of Pocahontas Trail (Route 60 East) between the Anheuser-Busch access road and the Newport News city limits.
- Interim improvements to six intersections on Pocahontas Trail (Route 60 East) by constructing turn lanes.
- The design and construction of the Grove Interchange on Interstate 64 as programmed in the adopted Six-Year Improvement Program.

- Interim improvements to one intersection on John Tyler Highway (Route 5) by constructing a left turn lane at Greensprings Road (Route 614).

Mr. DePue left the meeting.

3. Award of Construction Contract - Facilities Management Renovation and Addition

Mr. Sanford B. Wanner, Assistant County Administrator, stated that the renovation and addition project consisted of a 625 square foot addition connecting the Grounds Maintenance and Building Maintenance buildings, renovation of 1,680 square feet, widening restrooms and offices, and a new natural gas heating system and central air conditioning for the added renovated areas.

He further stated that the lowest responsive bidder was Shoreline Industries, Inc., in the amount of \$124,348.

Mr. Edwards made a motion to approve the resolution.

On a roll call, the vote was: AYE: Taylor, Edwards, Magoon (3). NAY: (0). ABSENT: DePue (1).

## RESOLUTION

### AWARD OF CONSTRUCTION CONTRACT

#### FACILITIES MANAGEMENT RENOVATION AND ADDITION

WHEREAS, the Board of Supervisors previously authorized a renovation and an addition to the Facilities Management Shops; and

WHEREAS, the lowest responsive and responsible bid for the renovation and addition was received from Shoreline Industries, Inc., in the amount of \$124,348.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the Facilities Management renovation and addition construction contract to Shoreline Industries, Inc., in the amount of \$124,348 and authorizes the County Administrator to execute the construction contract.

Mr. DePue returned to the meeting.

4. Sidewalk Construction Contract - Hi and Sons, Inc.

Mr. Horne stated bids for sidewalk construction had been received. He further stated that the remedial sidewalks were recommended in the Comprehensive Plan and funds were available.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

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

**RESOLUTION****AWARD OF SIDEWALK CONSTRUCTION CONTRACT**

WHEREAS, remedial sidewalk along Richmond Road between the Williamsburg city limit and Old Towne Road, and along Pocahontas Trail between Skiffe's Creek Terrace and the Carlton Hall property are recommended in the Comprehensive Plan; and

WHEREAS, sufficient funds are available in the FY 96 CIP; and

WHEREAS, Hi and Sons, Inc., of Hampton, Virginia, has submitted the low bid for both sidewalk projects.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute all necessary contract documents with Hi and Sons, Inc., for construction of these sidewalks.

5. **Request to Designate Greensprings Road a Virginia Byway**

Mr. Sowers stated that a request would be made to the State to review Greensprings Road (Route 614) as a Virginia Byway because of its historical significance and aesthetic nature.

Mr. DePue made a motion to approve the resolution.

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

**RESOLUTION****REQUEST TO DESIGNATE GREENSPRINGS ROAD A VIRGINIA BYWAY**

WHEREAS, Greensprings Road is one of the oldest roads in the country, characterized by historical and scenic significance; and

WHEREAS, James City County has expressed in its 1991 Comprehensive Plan a desire to preserve the County's scenic, cultural, and historic resources, and in fact has designated Greensprings Road a greenbelt road; and

WHEREAS, pursuant to the Virginia Department of Transportation's policy on Virginia Scenic Highways and Byways, the study of a Virginia Byway may be initiated upon the request of a local governing body; and

WHEREAS, the Board of Supervisors desires Greensprings Road be designated a Virginia Byway.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors, of James City County, Virginia, requests that the Virginia Department of Transportation conduct a study and evaluate the potential of Greensprings Road, Route 614, as a Virginia byway.

**H. PUBLIC COMMENT**

1. Mr. Ed Riley, 611 Tam-O-Shanter, spoke of danger to tourists visiting parks from over population of deer and the impact of Lyme disease.

2. Mr. Ed Oyer, 139 Indian Circle, spoke of several articles relating to budget and growth.

3. Mr. Jay Everson, 242 Lockhaven Drive, spoke of problems of trash haulers getting into market due to Virginia Peninsulas Public Service Authority standards.

**I. REPORTS OF THE COUNTY ADMINISTRATOR - None**

**J. BOARD REQUESTS AND DIRECTIVES - None**

Mr. Magoon recessed for adjournment of the James City Service Authority meeting, at 10:15 p.m.

Mr. Magoon reconvened the Board and brought forward the resolution of appointment of Acting County Administrator to the Hampton Roads Planning District Commission and Executive Committee.

Mr. Edwards made a motion to approve the resolution.

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

**RESOLUTION**

**HAMPTON ROADS PLANNING DISTRICT COMMISSION**

WHEREAS, the bylaws of the Hampton Roads District Planning Commission require that each respective governing body designates one Commission member to the Executive Committee, term of appointment two years; and

WHEREAS, the James City County Board of Supervisors desires to appoint the Acting County Administrator to serve on the Executive Committee until a County Administrator has been selected.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints Sanford B. Wanner to the Hampton Roads Planning District Commission and as the Executive Committee member to represent James City County on the Hampton Roads Planning District Commission, effective April 15, 1996.

Mr. Magoon announced a Town Meeting on the Casey Tract Town Plan and Courthouse Design at Berkeley Middle School on Thursday, April 11, 1996, at 7:00 p.m.

Mr. Magoon noted that Governor George Allen appointed Mr. Edwards to the Hampton Roads Air Quality Committee on March 22, 1996.

Mr. Magoon made a motion to recess until 5:00 p.m., Wednesday, April 17, 1996, for an executive session work session.

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

The Board recessed at 10:20 p.m.



David B. Norman  
Clerk to the Board

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