

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF OCTOBER, NINETEEN HUNDRED NINETY-SEVEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Robert A. Magoon, Jr., Chairman, Jamestown District
Jack D. Edwards, Vice Chairman, Berkeley District

David L. Sisk, Roberts District
Perry M. DePue, Powhatan District
M. Anderson Bradshaw, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. WORK SESSION - Casey/New Town Rezoning

Mr. Magoon called the meeting to order. Mr. Sanford B. Wanner, County Administrator, introduced Mr. John T. P. Horne, Manager of Development Management, who stated additional information was provided on the Casey New Town project concerning: fiscal impact study, traffic issues, environmental issues, Community Development Authority (CDA), fiscal benchmarks provided by Financial Management Services and density calculations provided by Cooper-Robertson.

The Board, staff, and Casey representatives discussed the fiscal benchmarks which would be used to compare the actual fiscal impacts of commercial and residential development over the life of the New Town project, and which would be available for consideration for future rezoning requests.

Mr. Magoon recessed the Board for dinner at 6:32 p.m.

Mr. Magoon reconvened the Board at 7:02 p.m.

C. PRESENTATION - Commemoration of Stewart U. Taylor, Supervisor, Stonehouse District

Mr. Magoon made a motion to approve the resolution for Stewart U. Taylor.

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

Mr. Magoon presented and read the resolution to Mrs. Lonell Taylor and family. He also presented Mr. Taylor's nameplate and framed photograph to them.

RESOLUTION

STEWART U. TAYLOR

WHEREAS, Stewart U. Taylor was born in James City County on March 14, 1915, and remained a resident of the County his entire life; and

- WHEREAS, Stewart U. Taylor was first elected by the voters of Stonehouse District to the James City County Board of Supervisors in January 1972, and served thereon until September 1997; and
- WHEREAS, during that time Mr. Taylor served as Chairman of the Board of Supervisors in 1979 and 1984, and Chairman of the James City Service Authority in 1983, 1988, 1991, 1992, 1995, and 1997; and
- WHEREAS, during his tenure on the Board, Mr. Taylor was a constant defender of individual property rights and believed that government is responsible to the citizens; and
- WHEREAS, Mr. Taylor demonstrated integrity and commitment in addressing the issues facing the Board and had a unique ability to sift through all aspects of an item under consideration; and
- WHEREAS, Mr. Taylor's belief in family, church, and the rights of the individual were guiding principles in his approach to successful outcomes; and
- WHEREAS, Mr. Taylor was always able to set aside political differences and fostered amicable relations among supervisors with his good humor and gifts from his farm.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby honor and remember

STEWART U. TAYLOR

for his 25 years of dedicated service to the citizens of James City County.

BE IT FURTHER RESOLVED that this resolution be spread upon the October 28, 1997, minutes of this Board and a suitable copy be presented to the family of Stewart U. Taylor.

Mr. Clifton Taylor, on behalf of the family, thanked the Board for the resolution.

Mr. DePue praised Mr. Taylor for his virtues, convictions, strong, fiery temperament with a good sense of humor and good judgment. He complimented the family for carrying on those characteristics.

Mr. Sisk applauded Mr. Taylor's 26 years of dedicated service and his way of sharing the past so we would not forget our historical place and remember our roots.

Mr. Bradshaw reflected on Mr. Taylor's being a strong defender of individual rights, property rights, and the standard of responsibility to which he held himself. Mr. Bradshaw mentioned Mr. Taylor's familiar trademark phrase "In other words," and noted that Mr. Taylor never used the phrase when praying.

Mr. Edwards remembered Mr. Taylor's integrity, great sense of humor, not taking himself too seriously, and his envisioning a community of people who had rights and responsibilities and took care of each other. Mr. Edwards expressed his respect for Mr. Taylor's ability to understand and appreciate people.

Mr. Magoon highlighted specific points stated in the resolution of individual property rights; government responsible to the citizens, integrity; compassion; commitment; family; church; and ability to set aside political differences. He felt that the respect and good will demonstrated by the Board could be attributed to Mr. Taylor's attitudes about life.

The Board members expressed that Mr. Stewart U. Taylor would be sorely missed.

Mr. Magoon declared a brief recess at 7:27 p.m.

Mr. Magoon reconvened the Board at 7:32 p.m.

D. MINUTES - October 14, 1997

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

Mr. Sisk made a motion to approve the minutes.

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

E. HIGHWAY MATTERS

Ms. Beverly Goodman, Assistant Resident Engineer, Virginia Department of Transportation (VDOT), was available for questions.

Mr. Sisk requested to know VDOT's thoughts on how efficiently traffic moved with the new configuration at Route 5/Route 199 intersection.

Ms. Goodman distributed Board of Supervisors Reference Manual prepared by VDOT's Assistant Resident Engineers Committee to the Board members as a future reference to understand VDOT's policies and respond to constituents. She requested that a Board member pass the Manual on to a successor when leaving the Board.

F. CONSENT CALENDAR

Mr. Magoon asked if a Board member wished to remove any items from the Consent Calendar.

Mr. DePue asked that Item No. 4 be removed.

Mr. Edwards made a motion to approve Item Nos. 1, 2, and 3 on the Consent Calendar.

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

1. America Recycles Day, November 15, 1997

RESOLUTION

AMERICA RECYCLES DAY

WHEREAS, to focus the nation's attention on the importance of recycling, businesses, industries, State agencies, nonprofit organizations, and individuals have joined together to celebrate "America Recycles Day," and are encouraging their employers, staff, customers, membership and all citizens to pledge to start or enhance recycling programs and buy recycled products on November 15; and

WHEREAS, participating in America Recycles Day is one way citizens can help raise awareness about the need to reduce waste by reusing, recycling, and buying recycled products; and

WHEREAS, recycling saves millions of dollars in disposal costs, created jobs, and is recognized as an easy way for everyone to help protect the environment by avoiding unnecessary use of important resources.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby proclaims Saturday, November 15, 1997, as

AMERICA RECYCLES DAY

- 2. Trash and Grass Lien: 103 Redbud Lane

RESOLUTION

CODE VIOLATION LIEN

WHEREAS, the Zoning Administrator has certified to the Board of Supervisors of James City County, Virginia, that the property owner as described below has failed to pay a bill in the amount listed, for cutting of grass and weeds or removal of trash and debris, although the County has duly requested payment; and

WHEREAS, the unpaid and delinquent charges are chargeable to the owner and collectible by the County as taxes and levies and constitute a lien against the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors, James City County, Virginia, that in accordance with Sections 7-4 and 7-5 of the Code of the County of James City, Virginia, the Board of Supervisors directs that the following delinquent charges for services rendered, plus interest at the legal rate from the date of recordation until paid, shall constitute a lien against the Property to wit:

Cleaning of Trash/Debris and/or Cutting of Grass, Weeds, etc.:

ACCOUNT:	Herbert Watson 103 Redbud Lane Williamsburg, VA 23185
DESCRIPTION:	103 Redbud Lane
TAX MAP NO.:	(48-1)(07-0-0072) James City County, Virginia
AMOUNT DUE:	\$160.00

- 3. Victim/Witness Assistance Program Grant, Commonwealth's Attorney

RESOLUTION

VICTIM/WITNESS PROGRAM GRANT

WHEREAS, the Board of Supervisors of James City County has been requested to appropriate funds and approve a full-time limited-term position within the budget of the Commonwealth Attorney for the Assistant Director of Victim Assistance using State grant funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves a full-time limited-term position beginning December 1, 1997, for the Victim Witness Program and authorizes the following appropriation of additional funds within the FY 98 budget:

Revenues:

From the Commonwealth \$20,739.42

Expenditures:

Victim Witness Assistance Program \$20,739.42

4. Crop Disaster Area

Mr. DePue asked that Mr. Ed Overton report on the drought issue.

Mr. Ed Overton, Extension Agent, stated that a cold spring and dry summer months had impacted hay and soybean yields, with the shortage of hay impacting livestock owners.

Mr. Wanner stated that New Kent County had been declared a crop disaster area, which would apply to James City County as an adjacent county.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

CROP DISASTER AREA

- WHEREAS, agriculture is a vital element of the economic base of James City County; and
- WHEREAS, weather conditions have created a drought seriously affecting the yields of summer crops and the available resources of the County are insufficient to cope with the effects of the drought; and
- WHEREAS, the cost of production of these crops is greater than the value of the commodity in the marketplace.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a state of emergency is declared to exist in the County and hereby requests The Honorable George F. Allen, Governor of the Commonwealth of Virginia, to declare James City County a disaster area for the agricultural industry and to make available all possible assistance to farmers.

G. PUBLIC COMMENT

- 1. Ms. Sharon Saari, Culpepper, Virginia, representative of the Sierra Club, spoke of water problems associated with high growth rate. She urged the Board to consider all environmental and economic costs with urban sprawl.

2. Mr. Ed Oyer, 139 Indian Circle, noted that composting facilities are closing because recycling is growing and complimented the County's advertisement of the shell building in a magazine. He urged citizens to vote.

H. REPORTS OF THE COUNTY ADMINISTRATOR

1. Presentation of 1997 Comprehensive Plan

Mr. Wanner presented the 1997 Comprehensive Plan to the Board. He thanked everyone who participated in producing the Plan and encouraged citizens to read it at public locations.

Mr. Wanner announced that the James City Service Authority work session on Water Conservation would be held at the conclusion of the Cox Communications work session. He recommended an executive session pursuant to Section 2.1-344(A)(7), consult with legal and staff members on a legal matter; Section 2.1-344(A)(1) to consider appointment of individuals to County boards and/or commissions; and Section 2.1-344(A)(3) to consider acquisition of a parcel of property for a fire station.

Mr. Wanner recommended that the Board recess until 5:00 p.m., Wednesday, November 12, 1997, for a work session with Hampton Roads Partnership, Metropolitan Area Project Strategies (MAPS).

Mr. Magoon urged the public to read the 1997 Comprehensive Plan and to participate in the process when the next update of the Comprehensive Plan is scheduled.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards asked staff to consider ways to participate in the County's 400th Anniversary, Celebration of 2007, and identify those things most important to preserve.

J. WORK SESSION - Cox Communications

Mr. Magoon welcomed Ms. Veda McMullen, Community Video Center Manager, Cable Television Advisory Committee members, and representatives of Cox Communications. Mr. Bud Robeson, Chairman of the Cable Television Advisory Committee, posed questions responded to by the representatives of Cox Communications.

WORK SESSION - Water Conservation, James City Service Authority

Mr. Magoon introduced Mr. Larry Foster, General Manager, James City Service Authority, who presented an update on the water supply and demand. The Board and staff discussed water conservation efforts.

Mr. Magoon made a motion to convene into executive session as recommended by the County Administrator, at 9:30 p.m.

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

Mr. Magoon reconvened the Board at 10:02 p.m.

Mr. DePue left the meeting.

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

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

RESOLUTION

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. Edwards made a motion to reappoint Roger Guernsey to the Board of Adjustments and Appeals for a five-year term, term expiring October 25, 2002, and to appoint Frank Kowaleski to the Social Services Advisory Board for an unexpired term, term expiring July 1, 1999.

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

Mr. Magoon made a motion to recess until Wednesday, November 12, 1997, at 5:00 p.m. for a work session on Metropolitan Area Projects Strategies (MAPS), Hampton Roads Partnership.

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

The Board recessed at 10:05 p.m.


Sanford B. Wanner
Clerk to the Board