

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 10TH DAY OF MARCH, 1998, AT 7:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
David L. Sisk, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Ronald A. Nervitt, Powhatan District
M. Anderson Bradshaw, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PRESENTATION

1. County-wide Communication System

Mr. Richard M. Miller, Fire Chief, reported on the Radio Communications study. He addressed the need for adequate coverage for safety issues and additional dispatch staff; replacement of aging equipment and maintenance; and preference of new digital communications rather than conventional for County-wide radio communications. He stated that the study consultant's recommendations were under review.

C. PUBLIC COMMENT

1. Mr. Robert McGaw, 2416 Sarah Spence, detailed concerns of code violations at his residence since September 1994 and expressed his outrage at the injustice of nonsupport by the County.

Mr. Nervitt asked staff for a follow-up on the code violations at the McGaw residence and include when closure might be expected.

D. MINUTES - February 21, 1998, Special Meeting
February 24, 1998, Regular Meeting
February 25, 1998, Work Session

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

Mr. Bradshaw made a motion to approve the three sets of minutes.

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

E. CONSENT CALENDAR

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

Mr. Nervitt asked that Item No. 3 be removed.

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

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

1. Additions and Abandonments to Routes 613 and 614, Brick Bat Road and Centerville Roads; Dedication of Legacy Drive in Greensprings Plantation

RESOLUTION**ADDITIONS AND ABANDONMENTS TO ROUTES 613 AND 614****(BRICK BAT ROAD AND CENTERVILLE ROAD)**

WHEREAS, the developer of Greensprings Plantation reconstructed portions of Brick Bat Road (State Route 613) and Centerville Road (State Route 614) on new alignments as depicted on the attached sketch (plat) entitled and dated "PLAT OF RIGHT-OF-WAY FOR RELOCATED STATE ROUTE 614 being a Subdivision of Property of Greensprings Plantation, Inc., June 26, 1995;" and

WHEREAS, the construction of these new roads are acceptable to the Virginia Department of Transportation; and

WHEREAS, these new roads serve the same citizens as the original roads served; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on October 30, 1997, for the crossing of three extrinsic structures which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the Virginia Department of Transportation to add to the secondary system of State highways pursuant to §33.1-229, Code of Virginia, the following portions of road identified by the attached sketch (plat) and as described on the attached Additions Form SR-5 (A):

New alignment of Route 614 Segment C B, from Point C situated in a southerly direction 0.92 miles to Point B, situated 0.40 miles south of its intersection with Route 613 (News Road), and

New alignment of Route 613 (Brick Bat Road), Segment A D, from Point A, situated 0.08 miles west of Route 614 to Point D, situated 0.08 miles to the east and located 0.46 miles south of the intersection Route 613 (News Road) and Route 614 (Centerville Road).

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, abandons, pursuant to §33.1-155, Code of Virginia, as part of the secondary system of State highways those portions of the original alignments of the roads relocated and identified by the sketch as:

Former alignment of Route 613, Segment A B from Point A situated 0.10 miles west of the intersection of Route 614 and Route 613 to Point B, located 0.40 miles south of the intersection of Route 613 (News Road) and Route 614 (Centerville Road).

Former alignment of Route 614 (Centerville Road), Segment C B, from Point C situated 0.98 miles south of the intersection of Route 613 (Brick Bat Road) and Route 614 (Centerville Road).

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

RESOLUTION

DEDICATION OF STREET IN GREENSPRINGS PLANTATION

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on plats 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 the Board of Supervisors of James City County, Virginia, the street meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, James City 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; and

WHEREAS, James City County and the Virginia Department of Transportation have entered into an agreement on October 30, 1997, for the crossing of three extrinsic structures 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 that the Board of Supervisors of James City County, Virginia, 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.

2. Transit Company - FY 99 Section 5311 Grant Application

RESOLUTION

FTA SECTION 5311 RESOLUTION

REQUEST FOR FEDERAL MATCHING FUNDS - FY 99

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 to execute and file an application to the Virginia Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant for 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 \$33,685 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.

4. Budget Adjustment - FY 1998

RESOLUTION

FY 1998 BUDGET ADJUSTMENTS

WHEREAS, the Board of Supervisors of James City County has been requested to act on several mid-year adjustments to the adopted budgets for the year ending June 30, 1998.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the following budget adjustments:

Revenues:	<u>Social Services</u>	
	From the Commonwealth	+ \$ 80,567
Expenditures:	<u>Social Services</u>	
	Transfer to the Schools	+ \$ 80,567
	<u>General Fund</u>	
	Juvenile Detention	+ \$ 52,500
	Regional Jail	- \$52,500

<u>Capital Budget</u>	
Landfill	+ \$ 75,000
Capital Contingency	- \$ 75,000

3. Local Innovation Program Community Development Block Grant Application

Mr. Sanford B. Wanner, County Administrator, introduced Mr. Richard B. Hanson, Housing and Community Development Administrator, who stated that the Virginia Department of Housing and Community Development established the Local Innovation Program. He further stated that this application requested \$100,000 for two pilot programs, Homeownership Savings Program would provide assistance to first-time homebuyers and Home Maintenance and Improvement Savings Program would provide assistance to low-income homeowners whose property needs improvement.

Mr. Nervitt made a motion to approve the resolution.

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

RESOLUTION

LOCAL INNOVATION PROGRAM

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Community Development Block Grant Program (VCDBG); and

WHEREAS, two public hearings have been held regarding this application, in compliance with VCDBG citizen participation requirements; and

WHEREAS, James City County wishes to apply for \$100,000 in VCDBG Local Innovation Program funds to be used to implement a Homeownership Savings Program and a Home Maintenance and Improvement Program within James City County; and

WHEREAS, the project is anticipated to benefit 34 low and moderate income households by providing matching grants for home purchase, home maintenance and home improvements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to file an application, including all understandings and assurances contained therein, with the Virginia Department of Housing and Community Development and to provide such additional information as may be required by the Department.

F. BOARD CONSIDERATIONS

1. Ironbound Square Housing Preservation Program Community Development Block Grant Application

Mr. Hanson gave a presentation of the \$600,000 Community Development Block Grant (CDBG) application to assist in funding housing preservation and neighborhood improvement in the Ironbound Square neighborhood. He stated that the neighborhood, County staff, and engineer and design professionals would develop a concept plan for residential infill development and improvement of the right-of-way and frontage of the neighborhood along Ironbound Road.

Mr. Hanson detailed the focus of the project would be housing preservation, improvements to the neighborhood park, installation of a bus shelter for school children, and development of a multiuse pedestrian/bicycle path to replace an existing earthen footpath.

The Board and staff discussed justification for footpath improvement and retainment of the residential character of the neighborhood.

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

IRONBOUND SQUARE HOUSING PRESERVATION PROGRAM

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Community Development Block Grant Program (VCDBG); and

WHEREAS, two public hearings have been held regarding this application, in compliance with VCDBG citizen participation requirements; and

WHEREAS, James City County wishes to apply for \$600,000 in VCDBG funds to be used in undertaking a Housing Rehabilitation Plus Project in the designated Ironbound Road area; and

WHEREAS, \$51,200 in local funds are allocated to the project and \$319,600 in State and Federal and \$41,250 in private funds will be expended on this project; and

WHEREAS, the project is anticipated to benefit 81 households of whom 76 are low- and moderate- income households by providing property clearance, development of a multipurpose path, and park improvements; and to benefit 27 low- and moderate-income households by providing housing rehabilitation, replacement, or relocation assistance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to file an application, including all understandings and assurances contained therein, with the Virginia Department of Housing and Community Development and to provide such additional information as may be required by the Department.

2. Design Review Board - Casey New Town

Mr. John T. P. Horne, Manager of Development Management, stated that one of the governing mechanisms in the Casey New Town proffers was creation of a Design Review Board to consult with prospective developers during the development of specific plans for future rezonings and future site plans or subdivisions, and to evaluate the developments with the Master Plan and Design Guidelines.

Mr. Horne stated that the property owners and County would each appoint two members, with those four members appointing the fifth member of a five-member Board. Staff recommended appointment of two local professional in the architecture or landscape architecture field.

Board discussion ensued regarding having a citizen member who is not an architect or landscape architect; members would serve at pleasure of Board of Supervisors and be reevaluated after a short period of time.

Mr. Edwards urged the Board to exchange names during the next two weeks of persons who would be willing to serve.

G. PUBLIC COMMENT

1. Mr. R. M. Hazelwood, Jr., 300 Old Stage Road, Toano, stated opposition to the limitation of designated times for presentation of cases; asked that the Board meeting videotapes be broadcast more often than the morning after a meeting; and, agreed that a member of the Design Review Board should be a citizen with designated terms rather than open-ended.

2. Mr. Ed Oyer, 139 Indian Circle, spoke of the water seepage being experienced at Jamestown High School and stated that a trip to the asphalt plant in Leesburg should be made during warm weather when the plant is in full operation.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner asked Mr. Frank M. Morton, III, County Attorney, to respond to Mr. McGaw's comments.

Mr. Morton gave a brief outline of events and stated that he would research and inform the Board of the current status of the case.

Mr. Edwards asked that a memorandum be prepared for the Board.

Mr. Wanner stated, in response to Mr. Oyer's comments, stated that the Jamestown High School contractor was making necessary repairs to the drama room water damage, and further information would be received from Dr. James Kent on the entire Jamestown High School project. He stated that Mr. Gary Massie had provided dates that the asphalt plant in Leesburg would be in operation and arrangements should be made for visiting.

Mr. Wanner announced a balloon test for the Route 5 tower sites was scheduled for Friday, March 13, 1998, 8:00 a.m. at the James City County-Williamsburg Community Center.

Mr. Wanner recommended an executive session pursuant to Section 2.1-344(A)(7) of the Code of Virginia to consult with the County Attorney on a matter involving litigation, and 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.

Mr. Wanner recommended a recess until Friday, March 13, 1998, 8:00 a.m., for a balloon site test for Route 5 towers.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Nervitt asked staff to address responsibility of maintenance at Jamestown High School after warrants expire.

Mr. McGlennon commended staff for work at the Lake Powell Road improvements meeting.

Mr. Edwards thanked staff who participated in the rewarding, regional success of Neighborhoods Conference Day.

Mr. Sisk thanked staff for the productive meeting held with the County Village Mobile Home Steering Committee.

Mr. Edwards made a motion to go into executive session as recommended by the County Administrator, at 8:45 p.m.

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

Mr. Edwards reconvened the Board at 9:16 p.m. and made a motion to approve the executive session resolution.

On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). 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 were heard, discussed or considered by the Board as were identified in the motion, Section 2.1-344(A)(1) appointment of individuals to County boards/commissions, and Section 2.1-344(A)(7) consult with County Attorney on a matter involving litigation, convening the executive meeting.

Mr. Edwards made a motion to reappoint John Digges and Lawrence Beamer, respectively, to the Transportation Improvement District Advisory Board, for a two-year term, terms expiring March 12, 2000.

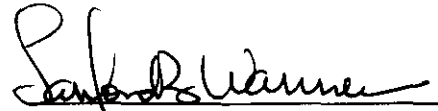
On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Nervitt, Edwards (5). NAY: (0).

The Board agreed to appeal the decision of the Circuit Court in the skillet sign case.

Mr. Edwards made a motion to recess until Friday, March 13, 1998, 8:00 a.m., at the James City County-Williamsburg Community Center for a balloon test for Route 5 tower sites.

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

The Board recessed at 9:19 p.m.





A handwritten signature in black ink, appearing to read "Sanford B. Wanner", written over a horizontal line.

Sanford B. Wanner
Clerk to the Board

RELOCATED ROUTE 614
 GREENSPRINGS PLANTATION, INC.
 SHEETS 5 THRU 9
 PLAT BOOK 62 , PAGES 30 - 34
 PLATS HAVE BEEN REDUCED TO
 8 1/2" X 11"

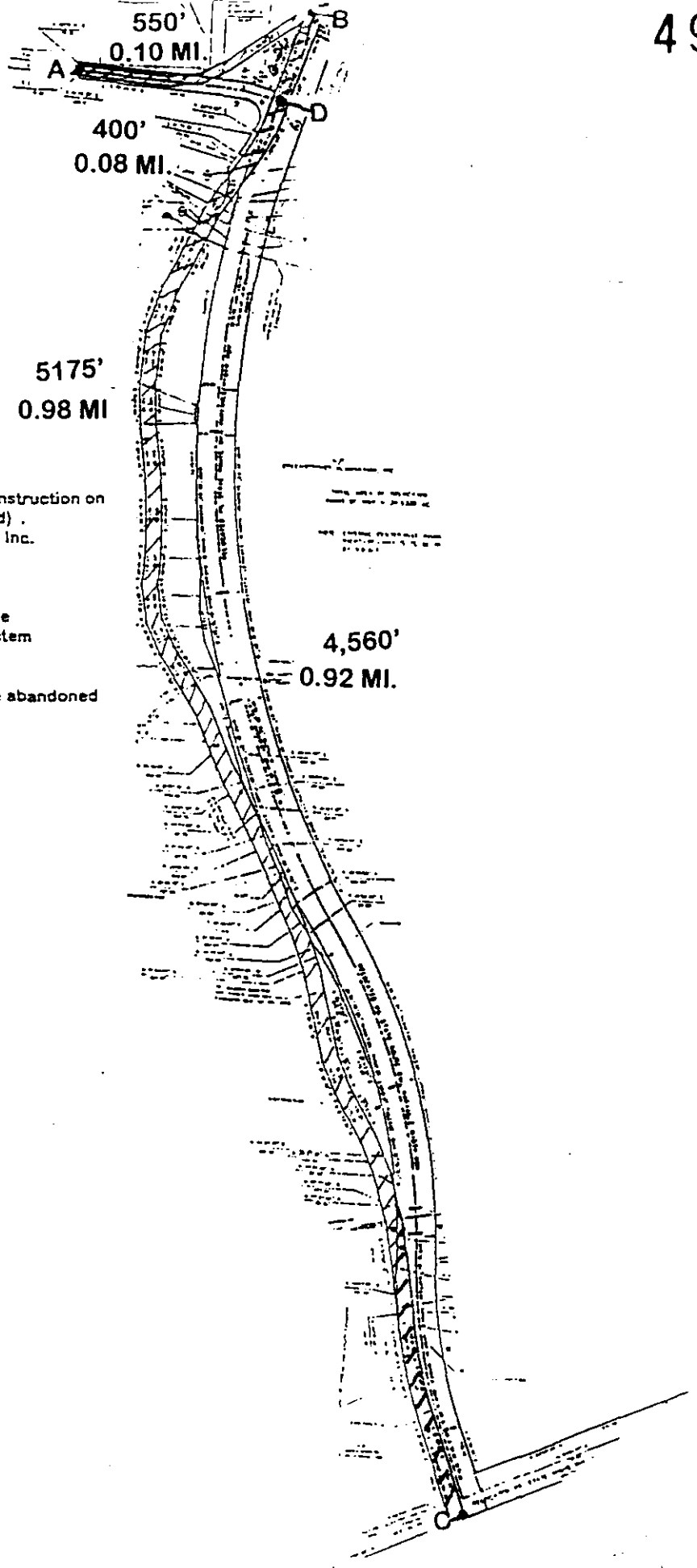
LEGEND
 JAMES CITY COUNTY

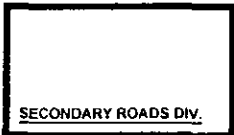
Changes in the Secondary System due to relocation and construction on
 Route 613 (Brick Bat Road) and Route 614 (Centerville Road) .
 Being a subdivision of property of Greensprings Plantation, Inc.
 Berkeley District - James City County

- | | |
|--|---|
| <p>Addition
 CB 
 AD </p> <p>Abandon (33.1 - 155)
 Old Alignment
 CB 
 AB </p> | <p>Sections of new location to be
 added to the Secondary System</p> <p>Sections of old location to be
 abandoned</p> |
|--|---|

General Highway Map of
 James City
 and
 York Counties
 Supplement (A) (B) (C)
 of General Map
 1993

VIRGINIA DEPARTMENT
 OF TRANSPORTATION
 14401 EAST BROAD STREET
 RICHMOND, VIRGINIA 23219





ADDITIONS FORM SR-5(A) - Proposed Additions to the Secondary System of State Highways

Attachment to one) Board of Supervisors Resolution Surety

Attachment 1 of 1

Name of Subdivision: Reloc. Rtes 613&614

James City (47) County

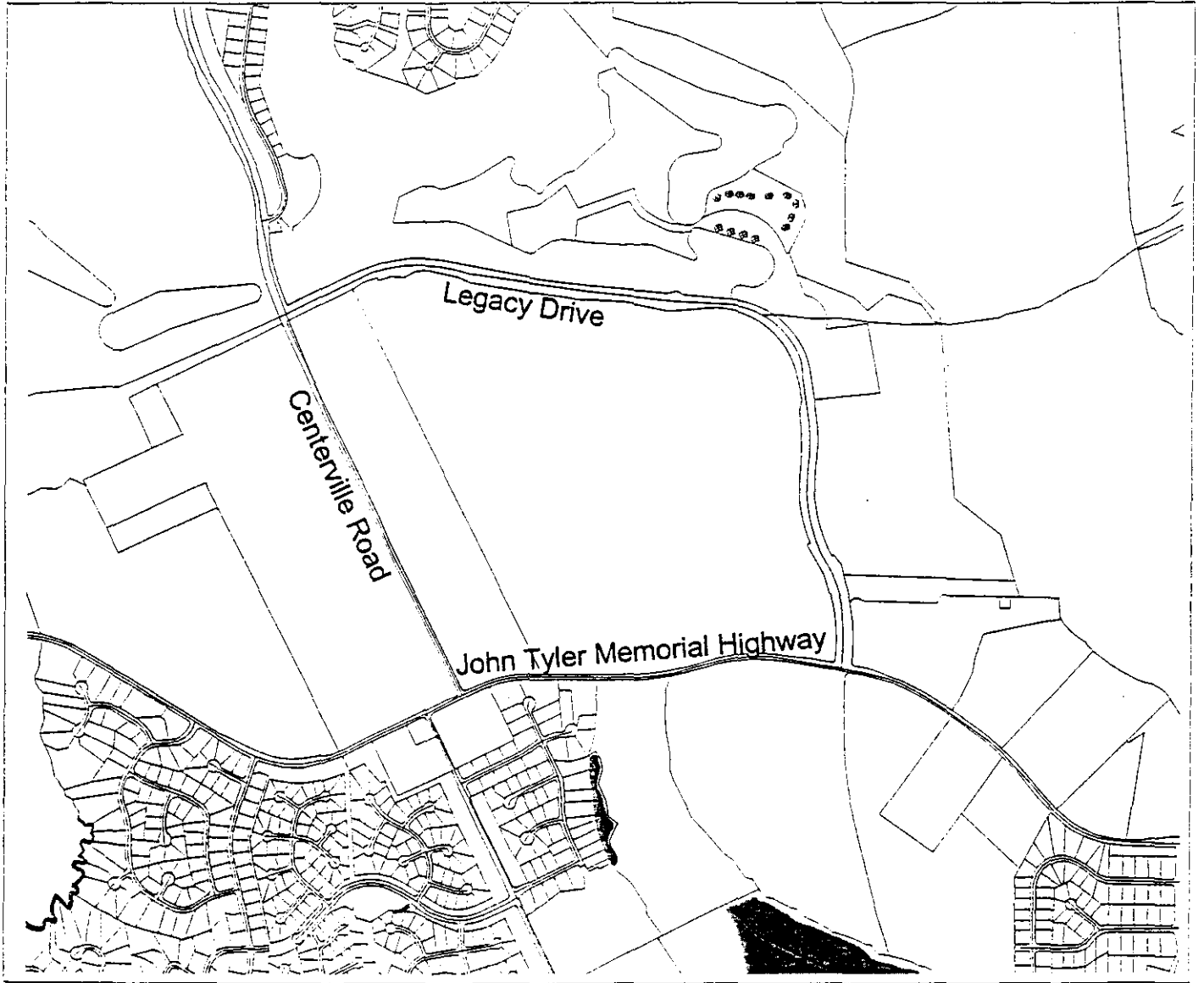
Ref. No.	Name of Street (Required Data Field)	Street Addition Termini	R-O-W Width (ft)	Miscellaneous Notes	Centerline Length(mi.)
1	Addition Relocated 614	From: Route 614: 0.40 mi south of Route 613 (News Road) To: 0.92 mi south on Relocated 614 (Centerville Road) Plat Recorded Dat 07/31/95 Plat Book: 62 Page: 30 - 34	120	# Occupied D Other Service: New road serves same citizens as existing road Description: Bit. concrete, open roadside ditches	0.92
2	Addition Relocated 613	From: Point A - 0.08 mi west of Route 614 (Centerville Road) To: Point D on Route 614 (Centerville Road) Plat Recorded Dat 07/31/95 Plat Book: 62 Page: 30 - 34	50	# Occupied D Other Service: New road serves same citizens as existing road Description: Bit concrete, open roadside ditches	0.08
3	Abandon Old Route 614	From: Point B - Route 614: 0.40 mi south of Route 613 (News Road) To: Point C - 0.98 mi south of Route 614 (and 0.40 mi south of News Road) Plat Recorded Dat 07/31/95 Plat Book: 62 Page: 30 - 34	50	# Occupied D Other Service: Description: Centerline length 0.98 mi.	
4	Abandon Old Route 613	From: Point A - 0.10 mi west of Route 614 (Centerville Road) To: Point B - 0.40 mi south of Route 613 (News Road) Plat Recorded Dat 07/31/95 Plat Book: 62 Page: 30 - 34	30	# Occupied D Other Service: Description: Centerline length 0.10 mi.	
5		From: To: Plat Recorded Dat Plat Book: Page:		# Occupied D Other Service: Description:	
6		From: To: Plat Recorded Dat Plat Book: Page:		# Occupied D Other Service: Description:	
7		From: To: Plat Recorded Dat Plat Book: Page:		# Occupied D Other Service: Description:	
Total Mileage					1.00

Notes: Guaranteed width of right of way exclusive of any necessary easements for cuts, fills, and drainage.

Magisterial District: Berkeley

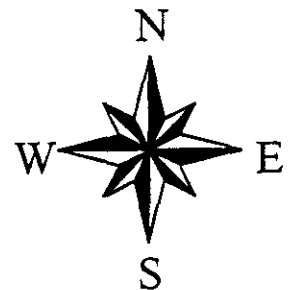
CERTIFICATION OF ATTACHMENT (by county clerk or surety agent)
This attachment is certified a part of the document above.
<i>Janice Williams</i> COUNTY CLERK
(Name and Title)

Dedication of Legacy Drive Greensprings Plantation



 Road Being Dedicated

3000 0 3000 Feet





ADDITIONS FORM SR-5(A) - Proposed Additions to the Secondary System of State Highways

Attachment to (check one) Board of Supervisors Resolution Surety Date

Attachment 1 of 1

Name of Subdivision: Greensprings Plantation/Legacy Drive

James City (47) County

Ref. No.	Name of Street (Required Data Field)	Street Addition Termini	R-O-W Width (ft)	Miscellaneous Notes	Centerline Length (mi)	
1	Legacy Drive	From: Rte. 614 (Centerville Rd.) 1.32 mi south of Rte. 613 (News Rd) To: 1.35 mi east to Rte. 5 Plat Recorded Date: 07/31/95 Plat Book: 62 Page: 26 - 30	160-120	# Occupied Dwl: N/A Other Service: Connector Road Description: Bit. conc. surface, roadside ditches.	1.35	
2		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
3		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
4		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
5		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
6		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
7		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl: Other Service: Description:		
Notes: Guaranteed width of right of way exclusive of any necessary easements for cuts, fills, and drainage.					Total Mileage	1.35

Magisterial District: Berkeley

CERTIFICATION OF ATTACHMENT (by county clerk or surety agent)
 This attachment is certified a part of the document above.
Sam B. Warner COUNTY CLERK
 (Name and Title)