

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 9TH DAY OF MARCH, 1999, AT 7:00 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  
Ronald A. Nervitt, Powhatan District (Absent)  
John J. McGlennon, Jamestown District  
M. Anderson Bradshaw, Stonehouse District  
Sanford B. Wanner, County Administrator  
Frank M. Morton, III, County Attorney

**B. PUBLIC COMMENT**

1. Mr. Jay Everson, 103 Branscome Boulevard, stated that the County Zoning Ordinance Committees should address the issue of big box retail business and recommend specific standards for big box retailers to be a part of the County Code.
2. Mr. Ed Oyer, 139 Indian Circle, spoke to a variety of concerns including that future groundwater drawdown must be considered before drilling of new wells.

**C. PRESENTATIONS**

1. Resolutions of Appreciation. Debris Cleanup

Mr. Edwards read and presented the resolutions to the following representatives of local jurisdictions: Pete Morley, Sam Johnson, Spencer Fox, and John Ellis of Hampton; Cynthia McPherson, Alvin Holley, and Anderson Forman of Virginia Beach; Brad Clark and Fletcher Hays of Newport News; James Brown of Chesapeake; and John Dunn of York County. No representative for Poquoson was present.

Mr. Edwards expressed the Board's gratitude and appreciation for the exceptional response and cooperation of the local jurisdictions in assistance with the pick up of debris from the December 24 and December 25, 1998, ice storm.

2. Resolution of Appreciation. Virginia Power

Mr. Edwards read and presented the resolution to Mr. Wayne Williamson of Virginia Power.

Mr. Edwards thanked staff, persons from the area communities, and Virginia Power employees for preparation of a system and accomplishment of the very successful program.

**D. CONSENT CALENDAR**

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

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

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

1. Minutes of February 23, 1999, Regular Meeting
2. Resolutions of Appreciation, Debris Cleanup
  - a. City of Hampton

**RESOLUTION OF APPRECIATION****CITY OF HAMPTON**

WHEREAS, on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

WHEREAS, in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

WHEREAS, the City of Hampton graciously volunteered to assist James City County in carrying out the Debris Management Plan and sent personnel and equipment for a total of 23 days, including a combination of weekdays, weekends, and holidays, between January 9, 1999, and February 6, 1999; and

WHEREAS, James City County saved County taxpayers \$1 million through the collective efforts and assistance from the City of Hampton and our neighboring localities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank the City of Hampton for its assistance in providing personnel and equipment.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, thanks each of the 42 Hampton employees for their excellent and professional work in assisting James City County during cleanup efforts.

- b. City of Virginia Beach

**RESOLUTION OF APPRECIATION****CITY OF VIRGINIA BEACH**

WHEREAS, on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

WHEREAS, in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

WHEREAS, the City of Virginia Beach graciously volunteered to assist James City County in carrying out the Debris Management Plan and sent personnel and equipment for a total of five days, including a combination of weekends and holidays, between January 9, 1999, and February 6, 1999; and

WHEREAS, James City County saved County taxpayers \$1 million through the collective efforts and assistance from the City of Virginia Beach and our neighboring localities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank the City of Virginia Beach for its assistance in providing personnel and equipment.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, thanks each of the 11 Virginia Beach employees for their excellent and professional work in assisting James City County during clean up efforts.

c. City of Newport News

**RESOLUTION OF APPRECIATION**

**CITY OF NEWPORT NEWS**

WHEREAS, on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

WHEREAS, in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

WHEREAS, the City of Newport News graciously volunteered to assist James City County in carrying out the Debris Management Plan and sent personnel and equipment for a total of nine days, including a combination of weekends and holidays, between January 9, 1999, and February 6, 1999; and

WHEREAS, James City County saved County taxpayers \$1 million through the collective efforts and assistance from the City of Newport News and our neighboring localities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank the City of Newport News for its assistance in providing personnel and equipment.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, thanks each of the 38 Newport News employees for their excellent and professional work in assisting James City County during clean up efforts.

d. City of Chesapeake**RESOLUTION OF APPRECIATION****CITY OF CHESAPEAKE**

**WHEREAS,** on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

**WHEREAS,** in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

**WHEREAS,** the City of Chesapeake graciously volunteered to assist James City County in carrying out the Debris Management Plan and sent personnel and equipment for a total of two weekdays, between January 9, 1999, and February 6, 1999; and

**WHEREAS,** James City County saved County taxpayers \$1 million through the collective efforts and assistance from the City of Chesapeake and our neighboring localities.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of James City County, Virginia, does hereby thank the City of Chesapeake for its assistance in providing personnel and equipment.

**BE IT FURTHER RESOLVED** that the Board of Supervisors of James City County, Virginia, thanks each of the 12 Chesapeake employees for their excellent and professional work in assisting James City County during clean up efforts.

e. City of Poquoson**RESOLUTION OF APPRECIATION****CITY OF POQUOSON**

**WHEREAS,** on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

**WHEREAS,** in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

**WHEREAS,** the City of Poquoson graciously volunteered to assist James City County in carrying out the Debris Management Plan; and sent personnel and equipment for a total of 15 days, including a combination of weekdays, weekends, and holidays, between January 9, 1999, and February 6, 1999; and

**WHEREAS,** James City County saved County taxpayers \$1 million through the collective efforts and assistance from the City of Poquoson and our neighboring localities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank the City of Poquoson for its assistance in providing personnel and equipment.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, thanks each of the 12 Poquoson employees for their excellent and professional work in assisting James City County during clean up efforts.

f. County of York

**RESOLUTION OF APPRECIATION**

**COUNTY OF YORK**

WHEREAS, on December 24 and 25, 1998, James City County experienced the most damaging ice storm in 25 years; and

WHEREAS, in accordance with the County Government mission to work in partnership with all County citizens to develop a quality community, the Board of Supervisors developed a Debris Management Plan to assist County homeowners in the disposal of storm debris; and

WHEREAS, the County of York graciously volunteered to assist James City County in carrying out the Debris Management Plan and sent equipment for a total of ten days, including a combination of weekdays, weekends, and holidays, between January 9, 1999, and February 6, 1999; and

WHEREAS, James City County saved County taxpayers \$1 million through the collective efforts and assistance from the County of York and our neighboring localities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby thank the County of York for its assistance in providing equipment during the County cleanup effort.

Mr. Bradshaw commended the County Administrator for his part in the good will shown throughout the Peninsula. He also recognized the Assistant County Administrator for directing the Storm Debris program.

3. Resolution of Appreciation. Virginia Power

**RESOLUTION OF APPRECIATION**

**VIRGINIA POWER**

WHEREAS, the December 24-25, 1998, ice storm caused the largest electrical outage in Virginia Power history with 401,518 customers without electrical power including 100 percent of the customers in James City County; and

WHEREAS, 1,537 line force workers worked through the Christmas holidays, regardless of weather and unsafe conditions to restore power; and

WHEREAS, in most cases, the storm damage was so extensive that parts of the electrical transmission system had to be completely rebuilt.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby express its sincere appreciation and thanks to Virginia Power, its employees, and all the assisting line forces involved for the timely restoration of electrical power under extreme conditions.

4. Dedication of Streets in Governor's Land

**RESOLUTION**

**DEDICATION OF STREETS IN GOVERNOR'S LAND**

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are 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 this Board the streets meet 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 streets 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.

5. Contribution to Botetourt County, Virginia, for Defense of Personal Property Tax Appeal

**RESOLUTION**

**CONTRIBUTION TO BOTETOURT COUNTY, VIRGINIA**

**FOR DEFENSE OF PERSONAL PROPERTY TAX APPEAL**

WHEREAS, Botetourt County, Virginia is currently defending an appeal by Coca-Cola of Roanoke regarding that County's ability to tax Coke vending machines as personal property; and

WHEREAS, localities throughout Virginia, including James City County, stand to lose significant personal property tax revenue unless Botetourt County successfully defends its case; and

WHEREAS, in defense of its case, Botetourt County has spent far in excess of what it alone can hope to recover in personal property tax revenue, and is therefore requesting contributions from localities to help defray the estimated \$20,000 expense of defending its case.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the contribution of \$200.00 to the Virginia Municipal League for use by Botetourt County or its designated agent for the defense of its personal property case.

#### E. PUBLIC HEARINGS

1. Ordinance Amendment, Chapter 13, Motor Vehicles and Traffic, Article IV, Section 13-64, Duplicate or Substitute Vehicle Decals

Ms. M. Ann Davis, Treasurer, stated that the proposed ordinance would eliminate the \$5.00 fee for a duplicate County decal. She determined that the elimination would be good public policy and improve customer relations since most decals are issued for replacement of vehicle windshields.

Staff recommended approval of the resolution.

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

Mr. Sisk made a motion to approve the ordinance amendment.

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

2. Case No. SUP-7-98, J. W. Crossing (formerly C&N Dining)

Ms. Jill E. Schmidle, Senior Planner, stated that Mr. Robert Singley, on behalf of Mr. Joseph J. Naparolo, had applied for a special use permit to construct a 5,600 square foot retail shopping center; 2,883-square foot automobile service center; and 3,148 square foot restaurant, on 2.87 acres, zoned B-1, General Business, located at 5547 Richmond Road (an outparcel for Ewell Station shopping center), further identified as Parcel No. (1-2A) on James City County Real Estate Tax Map No. (33-3).

Staff determined the proposal was consistent with surrounding commercial zoning and development, and consistent with Community Commercial designation, suggested uses, General Land Use standards and Commercial Land Use standards of the Comprehensive Plan.

Staff did not support the proposal's request for an additional right-in only entrance off Richmond Road (Route 60) as Section 24-11 of the Zoning Ordinance allowed only one access point on each abutting public street unless approved by the Board of Supervisors, and the additional entrance was not consistent with the Comprehensive Plan. Staff was concerned that the entrance would create safety hazards for drivers and would increase the likelihood of cut-through traffic to the shopping center.

In concurrence with staff, the Planning Commission unanimously recommended approval of the special use permit with conditions listed in the resolution.

Mr. Edwards opened the public hearing. 9

1. Alvin Anderson, Esq., representing J. W. Crossing, stated several issues existed under restrictive covenants: drainage, location of internal access points, and single-story buildings. He further explained that the building designs were compatible with one another and that Virginia Department of Transportation had approved the right-in only entrance from Richmond Road (Route 60).

Board members questioned the spacing between the two right-turn entrances from Route 60 and whether traffic patterns had been addressed.

2. Mr. Bobby Hornsby, 2 Kensington Court, stated the additional right-in only entrance would help alleviate congestion at the Richmond Road/Olde Towne Road intersection.

3. Mr. Bruce Marshall, 600 East Main Street, 20th Floor, Richmond, representing the owners of Ewell Station Shopping Center, explained the unresolved issues concerning the restrictive covenants with the applicant.

Mr. Edwards closed the public hearing.

Mr. Sisk made a motion to approve the application and amend the resolution by striking the second sentence of Condition 2.

Board members indicated they could not support the motion because of traffic safety issues and length of distance from the existing curb cut.

Mr. Sisk withdrew the amendment.

On a roll call for motion to approve, the vote was: AYE: Sisk, McGlennon, Bradshaw, Edwards (4).  
NAY: (0).

## RESOLUTION

### CASE NO. SUP-7-98. J. W. CROSSING

WHEREAS, the Board of Supervisors of James City County has adopted, by ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on February 1, 1999, unanimously recommended approval of Case No. SUP-7-98 to permit the operation of a 5,600-square foot retail shopping center, a 2,883-square foot automobile service center, and a 3,148-square foot restaurant at 5547 Olde Towne Road, further identified as Parcel No. (1-2A) on James City County Real Estate Tax Map No. (33-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-7-98, as described herein, with the following conditions:

1. The applicant shall submit to the Environmental Director a drainage plan addressing the stormwater management facilities to be located on-site. The drainage plan shall be approved by the Environmental Director prior to preliminary site plan approval for any development on this parcel, and said approved facilities shall be installed in accordance with this plan.

2. **Internal access to Ewell Station Shopping Center shall be limited to two internal access points. No additional entrance from Richmond Road shall be permitted. Access locations shall be generally in accordance with the binding master plan, as approved by the Board of Supervisors, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.**
3. **A minimum four-foot sidewalk, as shown on the master plan, shall be provided that connects the commercial structures on this site, to the extent possible.**
4. **The applicant shall reimburse the Virginia Department of Transportation for its actual cost in adjusting the signal timing as reflected in the traffic study "Traffic Analysis for Ewell Station Expansion at Richmond Road/Olde Towne Road," prepared by DRW Consultants, July 9, 1998. The applicant shall dedicate sufficient right-of-way along Olde Towne Road to accommodate an additional westbound left-turn lane from Richmond Road, as recommended by the traffic study. The additional right-of-way shall be dedicated prior to final site plan approval.**
5. **The building elevations for any commercial structure shall be approved by the Planning Director prior to final site plan approval. The intent of this condition is to ensure that the buildings on the site are compatible with the design, materials, and color of the Ewell Station shopping center building. The drawings submitted by the applicant on file with the County prepared by Magoon Associates are consistent with this condition.**
6. **All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.**
7. **Free-standing signs shall be ground-mounted, monument style, and shall be approved by the Planning Director prior to final site plan approval.**
8. **The landscaping plan shall be approved by the Planning Director prior to final site plan approval and shall consist of, at a minimum, the amount of landscaping shown on the binding master plan.**
9. **Construction on this project shall commence within 36 months from the date of approval of this special use permit or this special use permit shall be void. Construction shall be defined as the obtaining of permits for the construction of foundations and/or footings.**
10. **Prior to obtaining site plan approval, the owner(s) of the property which is the subject of this special use permit ("the Property") shall provide evidence to the County Attorney that the development hereby permitted will not violate the Declaration of Easements and Restrictions dated May 1, 1989, of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City County in James City County Deed Book No. 436, page 175, *et seq.* ("the Restrictions") or evidence of the issuance of a title insurance policy by a major national title insurance company that if the development hereby permitted violates the Restrictions, the owners of the Property its tenants, occupants, and invitees will not sustain any financial loss.**

11. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Case No. ZO-8-98. LB, Limited Business District Amendment and Neighborhood Commercial Development Standards Policy

Ms. Schmidle introduced Mr. Jack Fraley of the Business and Industrial Zoning Ordinance Update Committee. Mr. Fraley detailed general revisions to LB, Limited Business, with additions to permitted uses; deletion of automobile service stations and flea markets to uses permitted by special use permit only; incorporate flexibility for front setbacks to setback requirements; and rewritten text for ease of reading.

Mr. Fraley stated that a separate section applied to property that was zoned both LB and designated Neighborhood Commercial in the Comprehensive Plan. He explained that Neighborhood Commercial areas contained limited business activity within Primary Service Area, provide service to local surrounding neighborhoods and have a limited impact on nearby residential development.

Mr. Fraley stated that the Committee initially recommended exclusion of convenience stores from Neighborhood Commercial or Low-Density Residential, but later concurred with the Planning Commission, who, by a vote of 4-3, recommended allowing convenience stores without fuel sales, with a special use permit, in all areas zoned LB. He referenced that the Comprehensive Plan emphasized design and scale standards and recommended limitations on scale.

Mr. Fraley stated that staff was presenting a Neighborhood Commercial Development Standards policy to address architectural and aesthetic issues for development in LB zones designated Neighborhood Commercial or Low-Density Residential.

Mr. Joe McCleary made comments regarding convenience store operations.

Mr. Fraley stated that the Development Standards covered landscaping, architectural appeal, colors, and character. He thanked staff for outstanding support during the entire process.

Mr. Edwards opened the public hearing.

1. Mr. Bobby Hornsby, 2 Kensington Court, asked that the Board continue the public hearing to allow citizens to consider the impact of change.

2. Mr. Jay Everson, 103 Branscome Boulevard, spoke in favor of the locations listed as Neighborhood Commercial.

Mr. Edwards continued the public hearing until the March 23, 1999, Board of Supervisors' meeting.

Mr. Edwards asked staff to move restaurants to permit with special use permit from by-right section; remove convenience stores from special use permit section; add lighting standards to design; and identify areas that require a special use permit under proposed, but not existing, ordinance.

Mr. Bradshaw asked staff to provide a complete chart listing specific areas and voiced concerns about: 1) creating a system where every project takes a special use permit; and 2) the prohibition of pastel shades of color on buildings.

**F. BOARD CONSIDERATIONS**

**1. Case No. SUP-25-98, Route 5 Water System Improvements (Deferred from February 24, 1999, Meeting)**

Mr. Christopher M. Johnson, Planner, stated that this item had been deferred from the February 24, 1999, Board of Supervisors' meeting to allow staff to provide information demonstrating the need for this project. He further stated that staff provided information that the project would alleviate safety, water quality, and health concerns.

In concurrence with staff, the Planning Commission unanimously recommended approval of the resolution with conditions listed.

Without Board objection, Mr. Edwards extended an invitation to allow citizens to speak.

1. Major General Tom Brain, United States Army (Retired), 2496 Sanctuary Drive, on behalf of Governor's Land, as President of Governor's Land Board of Directors, explained four issues: quality of water, water pressure and volume, looping would provide reliability of supply, and traffic delay on Route 5 during construction of the water transmission main.

Mr. Edwards expressed appreciation to the Board and citizens for the opportunity to learn about the issues during the past two weeks.

Mr. Edwards made a motion to approve the resolution.

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

**RESOLUTION**

**CASE NO. SUP-25-98, ROUTE 5 WATER SYSTEM IMPROVEMENTS**

WHEREAS, the Board of Supervisors of James City County has adopted, by ordinance, specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on February 1, 1999, found Case No. SUP-25-98 to be consistent with the 1997 Comprehensive Plan and voted 7-0 to recommend approval of Case 25-98 to permit the installation of approximately 3,860 linear feet of 12-inch water main, including fire hydrants, and connections to two existing water mains in the Virginia Department of Transportation right-of-way along the south side of Route 5, John Tyler Highway, from Greensprings Road to Greensprings Plantation Drive and Jamestown High School.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-25-98 as described herein, with the following conditions:

1. Construction, operation and maintenance of the water transmission main shall comply with all local, State, and Federal requirements.
2. The project shall comply with all State erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook.

3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction has not commenced on the project within twenty-four (24) months from the date of issuance of the special use permit, the permit shall become void. Construction shall be defined as clearing, grading, and excavation of trenches necessary for the water main.
5. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main do not create adverse effects on the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
6. The applicant shall avoid removing trees, bushes, and shrubs along the water main corridor. Trees, bushes, and shrubs damaged during construction that are not designated on the site plan as to be removed will be replaced with a tree, bush, or shrub of equal type as approved by the Director of Planning.

2. James City County Road Construction Revenue Sharing

Mr. John T. P. Horne, Manager of Development Management, stated that the County must apply each year to Virginia Department of Transportation for revenue sharing funds. He further stated that Monticello Avenue was the project to be funded.

Staff recommended approval of the resolution and authorization to submit the letter of participation in an amount not to exceed \$500,000 to the State Secondary Roads Engineer.

Mr. McGlennon made a motion to approve the resolution.

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

**RESOLUTION**

**JAMES CITY COUNTY ROAD CONSTRUCTION REVENUE SHARING**

WHEREAS, the James City County Board of Supervisors has decided to participate in the Virginia Department of Transportation Revenue Sharing Program for FY 99-00; and

WHEREAS, VDOT requires written notification of the County's intent to participate by March 31, 1999.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Chairman is authorized to notify VDOT of the County's intention to participate in the Revenue Sharing Program for FY 99-00, in an amount not to exceed \$500,000.

### 3. 1999 Primary Road Priorities

Mr. Horne stated that the County's Primary Road Plan outlined priorities for primary and interstate highway construction projects in 1999. He further stated that the Virginia Department of Transportation staff would evaluate and determine funding levels. Mr. Horne stated that the County was requesting \$400,000 to fund the design and installation of new landscaping along the entire Route 199 corridor.

Staff recommended approval of the resolution listing the highest priority primary highway projects in James City County.

Mr. Sisk made a motion to approve the resolution.

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

## RESOLUTION

### 1999 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 to 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.

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.

- full funding for the widening of the existing sections of **Route 199 to four lanes** in those areas where only two lanes exist;
- full funding for **traffic signal coordination improvements for the Route 199 corridor between Brookwood Drive and Route 5 and improvements to the Route 199 - Jamestown Road intersection;**
- funding for **landscaping along the Route 199 corridor;**
- funding for design and construction of **Route 60 Relocation;** and
- proceeding with the next phases of preliminary design and environmental study for the **Capital to Capital Bikeway project** consistent with a resolution adopted by the Board of Supervisors on November 10, 1998.

**G. PUBLIC COMMENT - None****H. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner made a public announcement for the ABCs of Community Association Management to be held Saturday, March 13, 1999, 8:30 a.m. to 4:30 p.m. at the Human Services Building, to help citizens work together to better communities. He stated that the County received a Certificate of Appreciation from Virginia Innovative Government for our outstanding support of Technical Assistance Program.

Mr. Wanner referenced Mr. Horne's memorandum in the reading file recommending the Board appoint one individual and reappoint two members of the Route 5 Transportation Improvement District Advisory Board. Mr. Wanner suggested that the Board consider Mr. Horne's memorandum on Financial Impact of Residential Growth and determine whether a special work session should be scheduled. He recommended adjournment until the next regular meeting, 7:00 p.m., March 23, 1999.

**I. BOARD REQUESTS AND DIRECTIVES**

Mr. Bradshaw asked staff to consider notification of private covenant restrictions as part of the building permit, and stated that along with consideration of a crosswalk on Croaker Road (Route 607) at James City County Library from Mirror Lakes subdivision, sidewalk improvements to Rose Lane were needed for safety of citizens getting to Croaker Road.

Mr. Edwards announced a High Growth Coalition meeting on March 18, 1999, in Richmond regarding the organization's plans for the coming year before next year's General Assembly.

Mr. Edwards made a motion to appoint Jerry L. Moore and to reappoint C. Lewis Waltrip and Marc B. Sharp to the Route 5 Transportation Improvement District Advisory Board for three-year terms, terms expiring March 12, 2002, respectively.

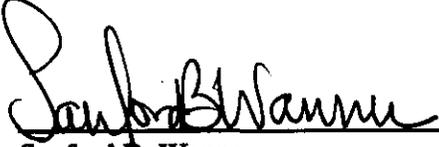
On a roll call, the vote was: AYE: Sisk, McGlennon, Bradshaw, Edwards (4). NAY: (0).

Mr. Edwards stated that a work session or decision was needed as to whether staff should proceed with financial impact of residential growth issue.

Mr. Edwards made a motion to adjourn.

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

The Board adjourned at 9:35 p.m.

  
Sanford R. Wanner  
Clerk to the Board

ADOPTED  
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MAR 9 1999

ORDINANCE NO. 66A-42

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, VEHICLE DECALS, SECTION 13-64, DUPLICATE OR SUBSTITUTE DECALS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicles and Traffic, is hereby amended and reordained by amending Article IV, Vehicle Decals, Section 13-64, Duplicate or substitute decals.

Chapter 13. Motor Vehicles and Traffic

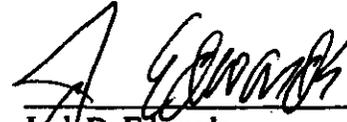
Article IV. Vehicle Decals

**Sec. 13-64. Duplicate or substitute decals.**

(a) In the event that any county motor vehicle decal issued under the provisions of this article is lost or mutilated or becomes illegible, the owner shall make immediate application for and obtain a duplicate or substitute decal by furnishing information of such fact satisfactory to the county treasurer and upon payment of \$5.00.

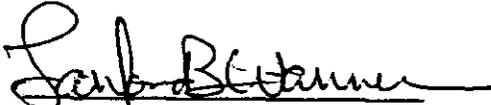
~~(b) Any person exempted under section 13-54 from payment of the decal fee imposed by this article who needs a duplicate or substitute decal, as provided in this section, shall be furnished such duplicate or substitute decal without charge.~~

Ordinance to Amend and Reordain  
Chapter 13. Motor Vehicles and Traffic  
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Jack D. Edwards  
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
Clerk to the Board

SUPERVISOR	VOTE
NERVITT	ABSENT
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of March,  
1999.

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