

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 17TH DAY OF AUGUST, 1999, AT 3:05 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

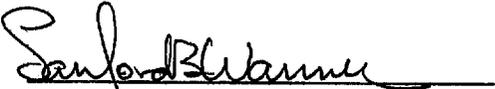
B. WORK SESSION.

Mr. Edwards called the meeting to order and welcomed State Legislators, Senator Thomas K. Norment, Jr., and Delegate George W. Grayson. Discussion followed regarding transportation funding in the context of Hampton Road Metropolitan Planning Organization 2020 Plan; growth control; water policy; tax restructuring, and cameras at intersections for traffic enforcement.

Mr. McGlennon made a motion to adjourn.

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

The Board adjourned at 4:43 p.m.


Sanford B. Wanner
Clerk to the Board

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 17TH DAY OF AUGUST, 1999, AT 7:03 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. PUBLIC COMMENT

1. Mr. Glenn Helseth, 1782 Jamestown Road, spoke of alternatives to the King William Reservoir including education, conservation, and use of gray water. He emphasized that the County building code does not allow gray water systems and he wanted the Code changed by next year when he plans to build a house.

2. Mr. Ed Oyer, 139 Indian Circle, asked what happened to past assurances that the roadway to Jamestown High School would meet Virginia Department of Transportation standards.

C. PRESENTATION

1. Planning Commission Annual Report, Martin Garrett

Mr. Martin Garrett, Chairman, Planning Commission, gave an update on the Planning Commission efforts of the past year and commended the committees that worked on making the Zoning Ordinances consistent with the 1997 Comprehensive Plan.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Williamsburg Area Resident Engineer, Virginia Department of Transportation (VDOT), thanked the Board for comments made at the opening ceremonies for Route 199 on August 6, 1999.

Mr. McGlennon asked about how long would portions of the Monticello/Route 199 interchange be closing.

Mr. Elliott responded for about a month so that the bridge could be undercoated with paint.

Mr. Sisk asked when the additional lanes on Monticello would be opened.

Mr. Elliott stated within the next 30 days.

Mr. Sisk asked about a timetable for Grove Interchange and would it be open next spring for the opening of Busch Gardens.

Mr. Elliott stated that the steel would be delivered sometime next year and it would not be open next spring.

E. CONSENT CALENDAR

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

Mr. Bradshaw asked that Item Nos. 2 and 7 be removed.

Mr. Edwards made a motion to approve the remaining items on the Consent Calendar.

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

1. Minutes of July 21, 1999, Joint Meeting with Parks and Recreation Advisory Commission; July 27, 1999, Regular Meeting; and July 28, 1999, Work Session
3. Support for Restoration of National Aeronautical Space Administration Budget

RESOLUTION

A REQUEST OF THE U S CONGRESS TO RESTORE FUNDING TO THE NASA BUDGET

AND NASA LANGLEY RESEARCH CENTER FOR AERONAUTICS

RESEARCH PROGRAMS

WHEREAS, NASA Langley Research Center, the nation's first civil aeronautical laboratory, has received significant budget reductions since 1998 due to the Congressional spending cap and emphasis being placed on the space program; and

WHEREAS, NASA Langley Research Center plays a major roll in the Hampton Roads economy, employing more than 3,900 workers with an overall budget of \$624 million; and

WHEREAS, NASA Langley Research Center is a center for the Aviation Safety Program that benefits the flying public and the military.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby urge the United States Congress to restore full funding to the NASA budget and that an amount equal to ten percent of NASA's budget be used for aeronautics research programs.

4. Colonial Community Corrections Position Request

RESOLUTION

COLONIAL COMMUNITY CORRECTIONS POSITION REQUEST

WHEREAS, Colonial Community Corrections has received additional funding from the Department of Criminal Justice Services to hire one Case Supervisor; and

WHEREAS, James City County is the fiscal agent for Colonial Community Corrections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, creates the position of full-time limited-term Case Supervisor.

5. Urban and Community Forestry Grant Program

RESOLUTION

GREENSPRINGS GREENWAY INTERPRETIVE SIGN GRANT

WHEREAS, the Virginia Department of Forestry, in cooperation with the Virginia Urban Forest Council, has made matching funds available for the development of interpretive trail programs; and

WHEREAS, funds are needed to purchase signs, stands, and trail head markers at James City County's Greensprings Greenway Trail Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, accepts the \$4,500 matching grant awarded by the Virginia Department of Forestry to assist with the costs of interpretive signs and markers for the Greensprings Greenway Trail.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation within the FY 00 Capital Improvements Fund.

Revenues:

From the Commonwealth \$4,500

Expenditures:

Greenways and Open Space Development \$4,500

6. Trash and Grass Liens, 105 Lewellyn Drive and 206 Tarleton Bivouac**RESOLUTION****CODE VIOLATION LIEN**

WHEREAS, the Zoning Administrator has certified to the Board of Supervisors of James City County, Virginia, that the property owners as described below have 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 owners 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 10-7 and 10-5 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 Properties to wit:

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

ACCOUNT:	Jacalyn Meyer 105 Lewellyn Drive Toano, VA 23168
DESCRIPTION:	Grass Cutting
TAX MAP NO.:	(12-1) (04-0-0028) James City County, Virginia
AMOUNT DUE:	\$175

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 10-7 and 10-5 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: Lu Ann Ammons
206 Tarleton Bivouac
Williamsburg, VA 23185-6229

DESCRIPTION: High Weeds and Grass

TAX MAP NO.: (59-2) (02-0-0121)
James City County, Virginia

AMOUNT DUE: \$250

2. High School Resource Officer Grant

Mr. Bradshaw expressed pleasure that with the grant, one officer would be assigned to each of the County high schools.

Mr. Bradshaw made a motion to approve the resolution.

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

RESOLUTION

HIGH SCHOOL RESOURCE OFFICER GRANT APPROPRIATION

WHEREAS, the Board of Supervisors of James City County has been awarded \$24,550 in grant funds from the Department of Criminal Justice, requiring a local match of \$8,183, to create a second high school resource officer; and

WHEREAS, additional unappropriated funds are available for the local match in the form of funding by the State Compensation Board for two sheriff deputies in the new courthouse that had previously been programmed as locally funded.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following budget amendments and appropriates these additional State funds for the FY 2000 Operating Budget:

Revenues from the Commonwealth:

Department of Criminal Justice	\$ 24,550
Compensation Board	<u>8,183</u>
	<u>\$ 32,733</u>

Expenditures:

Police Department Budget

\$ 32,733

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes the establishment of one new full-time limited-term Police Officer position to act as a high school resource officer.

7. Dedication of Streets in Woodland Farms, Section 3, and North Cove, Section 2

Mr. Bradshaw stated that these were streets in subdivisions developed prior to the County Subdivision Ordinance that were upgraded by the County which was not customarily done.

Mr. Bradshaw made a motion to approve the resolution.

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

RESOLUTION**DEDICATION OF STREET IN WOODLAND FARMS, SECTION 3**

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 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 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 the Board of Supervisors guarantees and does hereby so guarantee satisfactory performance of the street in Woodland Farms, Section 3, for a period of one year from the date of acceptance by the Virginia Department of Transportation.

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

RESOLUTION**DEDICATION OF STREET IN NORTH COVE, SECTION 2**

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 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 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 the Board of Supervisors guarantees and does hereby so guarantee satisfactory performance of the street in North Cove, Section 2, for a period of one year from the date of acceptance by the Virginia Department of Transportation.

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

F. PUBLIC HEARINGS**1. Case No. SUP-20-99. Williamsburg Dodge**

Mr. Paul D. Holt, III, Senior Planner, stated that Mr. John Dodson had applied to amend Condition No. 14 of SUP-21-97, approved September 9, 1997, by extension of the time limit of six months. Mr. Holt explained that the additional time would be sufficient for Mr. Dodson to complete the site and building plans and begin construction of the project.

In concurrence with staff, the Planning Commission, by a 5-0 vote, recommended approval of the special use permit.

Mr. Edwards opened the public hearing.

1. Mr. John Dodson, owner, stated drawings compatible with the community character were submitted to Planning and six months would be adequate time to begin construction of the car dealership.

2. Mr. Jay Everson, 103 Branscome, spoke in support of the project and commended staff for its cooperative manner with the small business community.

Mr. Edwards closed the public hearing.

Mr. Bradshaw made a motion to approve the resolution.

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

RESOLUTION

CASE NO. SUP-20-99. WILLIAMSBURG DODGE

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 applicant has applied to amend the conditions of SUP-21-97 and SUP-20-97 which were approved on September 9, 1997, along with Case Nos. Z-9-97 and Z-8-97, to give the developer an additional six months in which to begin construction on property identified as Parcel No. (1-8) on the James City County Real Estate Tax Map Number (24-1); and

WHEREAS, the Planning Commission, following its public hearing on August 2, 1999, voted 5-0 to recommend approval of this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-20-99 as described herein with the following conditions:

1. No exterior loud speaker system shall be installed.
2. Lights not needed for security purposes shall be turned off after 9:00 p.m. Lights left on during nonbusiness hours shall be identified on the lighting plan.
3. A lighting plan shall be submitted to, and approved by, the Planning Director which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 foot candle or any direct view of the lighting source from the street or adjoining residentially designated property. All lights shall have recessed fixtures with no bulb, lens or globe extending below the metal casing.
4. An enhanced landscaping plan shall be submitted to, and approved by, the Planning Director. For purposes of this section, "enhanced landscaping" shall mean landscaping which includes specimen trees along Richmond Road placed in such a way as to establish a streetscape effect.
5. Landscape areas along Richmond Road shall remain free of all signage, (with the exception of one monument style sign that conforms with the sign ordinance), vehicles, and display structures. For purposes of this section, a "monument" style sign shall be defined as a free standing sign with a completely enclosed base not to exceed thirty-two square feet in size and not to exceed eight feet in height from grade.
6. A six-foot wide sidewalk shall be constructed along Richmond Road.

7. With the exception of one American flag and one State of Virginia Flag, not to exceed 12 square feet each, no flags shall be permitted.
8. Vehicles for sale shall remain at grade (i.e., no elevated display structures shall be allowed).
9. No service bays shall face Richmond Road.
10. The height of all structures shall be limited to 35 feet.
11. The on-site car wash shall be used exclusively by the dealership during regular business hours. The car wash shall be of a type that uses recycled water. The car wash shall not be open to the general public.
12. Additional right-of-way shall be reserved along Richmond Road to accommodate a Class II bike lane.
13. The site shall be developed substantially in accordance with the plan drawn by AES Consulting engineers, entitled "Williamsburg Dodge," and dated July 30, 1997. The parking area in front of the main building shall be lower than the grade of the front landscaped area by at least 1½ feet. The Planning Director may permit modifications to this requirement in order to comply with the architectural review proffer and the enhanced landscaping condition listed above.
14. Construction shall start on this project by March 9, 2000, or the special use permit shall become void.

2. Case No. SUP-19-99. Lee Manufactured Home

Mr. O. Marvin Sowers, Jr., Director of Planning, stated staff requested deferral of this case until the September 14, 1999, Board of Supervisors meeting to allow time to receive permits from Health Department. He asked that the public hearing remain open.

Mr. Edwards opened the public hearing and continued the public hearing until the September 14, 1999, Board of Supervisors meeting.

3. Ordinance Amendment, Chapter 23, Chesapeake Bay Preservation

Mr. Darryl Cook, Environmental Division Director, stated that the General Assembly had passed legislation allowing localities to impose civil penalties to be assessed for Chesapeake Bay Act violations. He further stated that an additional provision was to allow for injunctive relief to stop violations in progress where voluntary compliance with a stop-work order notification was not obeyed.

Staff recommended approval.

Mr. Edwards opened the public hearing.

1. Mr. George Wright, 148 Cooley Drive, President of the Historic Route 5 Association, spoke in support of the Chesapeake Bay Ordinance amendment to include the assessment of civil penalties for environmental violations.

2. Mr. Warren Barnes, 4348 Landfall Drive, spoke in opposition to the amendment citing need to cut undergrowth for children's safety; what qualifies as a dead, damaged or diseased tree; penalties for repeated offenses; and felling a tree damages undergrowth.

Mr. Edwards closed the public hearing.

Board and staff discussed civil penalties enforcement and appeal.

Mr. McGlennon made a motion to approve the ordinance.

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

Board members spoke to the civil penalties being based on water quality degradation.

4. Outdoor Gathering Permit, Junior Women's Club of Williamsburg, Inc., September 24, 1999

Mr. John T. P. Horne, Manager of Development Management, stated that the Junior Women's Club of Williamsburg, Inc., had applied to hold an outdoor gathering on Friday, September 24, 1999, 6:00 p.m. to 11:00 p.m. at Williamsburg-Jamestown Airport.

Staff recommended approval.

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 resolution.

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

RESOLUTION

OUTDOOR GATHERING PERMIT

WHEREAS, James City County has received an application from the Junior Women's Club of Williamsburg, Inc., to hold an outdoor gathering on Friday, September 24, 1999, from 6:00 p.m. to 11:00 p.m., at Williamsburg-Jamestown Airport, 100 Marclay Road, Williamsburg, Virginia 23185; and

WHEREAS, the application was reviewed and approved with comments by the James City County Police Chief, Fire Chief, Emergency Medical Coordinator, the County Health Department, Building Official and the Zoning Administrator.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to issue a permit to the Junior Women's Club of Williamsburg, Inc., to hold an outdoor gathering as proposed on the Outdoor Gathering Permit Application and the written comments made thereto.

5. Outdoor Gathering Permit, Williamsburg Scottish Festival, September 25, 1999

Mr. Horne requested that the Williamsburg Scottish Festival application be deferred until the September 14, 1999, Board of Supervisors meeting to allow additional time for agencies to review.

Mr. Edwards opened and continued the public hearing until the September 14, 1999, Board of Supervisors meeting.

G. BOARD CONSIDERATIONS

1. Case Nos. Z-1-99 and MP-1-99, Stonehouse, Rezoning and 1999 Master Plan Amendment (Continued from July 27, 1999)

Mr. Paul D. Holt, III, Senior Planner, stated that the applicant had requested deferral of these cases until the September 14, 1999, Board of Supervisors meeting to resolve remaining issues.

The Board agreed that action would be taken on the two cases at the September 14, 1999, Board of Supervisors meeting.

2. Spot Blight Abatement Program Plan

3. Derelict Structures Fund Application

Mr. Vaughn Poller, Community Development Specialist, stated that localities could abate nuisances through eminent domain and the General Assembly had given authority to allow localities to recover the cost of spot blight abatement from the property owner(s). He further stated that the Spot Blight Abatement Program would coordinate current voluntary blight abatement with a procedure for prioritizing blight abatement enforcement actions through oversight of a Blight Management Committee and action of the Board of Supervisors. He explained that funding to begin implementation of the program was available with the Derelict Structures Fund a potential source.

Mr. Poller stated that the General Assembly had allocated \$500,000 to establish the Derelict Structures Fund, created to address the problem of derelict structures in the Commonwealth. He further stated that the Derelict Structures Fund application required designation and description of specific properties for blight abatement. He stated the application requested funds for demolition expenses and to acquire a property for residential development in the James River Enterprise Zone.

Staff recommended approval of the resolutions.

Board and staff discussed the number of derelict structures in the County; the Blight Management Committee would set priorities for structures; and time frame for removal.

Mr. McGlennon made a motion to approve the two resolutions without Board objection.

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

RESOLUTION**SPOT BLIGHT ABATEMENT PROGRAM PLAN**

- WHEREAS, a comprehensive Spot Blight Abatement Program accomplishes certain goals and objectives of the James City County Comprehensive Plan and the Strategic Management Plan adopted by the Board of Supervisors; and
- WHEREAS, citizens have expressed concern about abandoned, dilapidated, or unsafe properties in their communities; and
- WHEREAS, the *Code of Virginia* empowers localities to enact Spot Blight Abatement Programs and to address blighted properties by demolition, repair, and/or acquisition.
- NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors, Virginia, does hereby adopt the attached Spot Blight Abatement Program Plan.

RESOLUTION**DERELICT STRUCTURES FUND APPLICATION**

- WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Derelict Structures Fund; and
- WHEREAS, James City County wishes to apply for a matching grant of \$50,000 to abate blighted conditions on properties with derelict structures located in the State-designated James River Enterprise Zone; and
- WHEREAS, \$50,000 of local funds must be provided to match any grant made available from the Derelict Structures Fund.
- 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 with the Virginia Department of Housing and Community Development and to provide such additional information, understandings, and assurances, as may be required by the Department.

4. **Establishment of Workforce Investment Area and Workforce Investment Board**

Mr. Douglas Powell, Assistant Manager of Community Services, stated that workforce development was a critical issue of the business community and local governments on the Greater Peninsula and a priority for the Peninsula Alliance for Economic Development. He further stated that the Workforce Investment Act was passed by Congress and mandated the establishment of local Workforce Investment Areas and Workforce Investment Boards. He briefly explained the details listed in the resolution.

Staff recommended approval of the resolution.

Mr. Sisk made a motion to approve the resolution.

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

A JOINT RESOLUTION FOR THE ESTABLISHMENT OF A LOCAL
WORKFORCE INVESTMENT AREA, A LOCAL WORKFORCE INVESTMENT
BOARD, AND FOR THE PROVISION OF WORKFORCE DEVELOPMENT
ACTIVITIES IN THE GREATER PENINSULA AREA

- WHEREAS, the business community and local governments on the Greater Peninsula recognized as early as 1996 that improving the area's workforce needed to be afforded high priority; and
- WHEREAS, the Peninsula Mayors and Chairs created a Workforce Development Commission in 1997 to begin creating a vision for an effective workforce development system; and
- WHEREAS, the local governments understood that success in economic development must be linked with creating and maintaining a well-trained and skilled workforce and that workforce development should be a major priority for the Peninsula Alliance for Economic Development (PAED); and
- WHEREAS, the passage of the Workforce Investment Act (the "Act") by Congress in 1998 encouraged the formation of local Workforce Investment Boards to provide strategic leadership for a variety of employment and training activities including those not funded under this Act; and
- WHEREAS, the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the Counties of Gloucester, James City, and York (the "Local Governing Bodies") desire to create a Local Workforce Investment Board ("Local Board") that is business driven, has interest in the entire workforce development system, and that will qualify for Federal and State designation under the Act; and
- WHEREAS, the Peninsula Alliance for Economic Development, local Chambers of Commerce, and other business entities support the creation of a Greater Peninsula Workforce Investment Board to address local workforce development issues and to establish a structure that satisfies this criteria for designation of such a board under the Act; and
- WHEREAS, the Local Governing Bodies also desire to be designated by the Governor of the Commonwealth of Virginia as a Temporary Local Workforce Investment Area under the Act; and
- WHEREAS, the criteria for establishing a Local Workforce Investment Area contained in the Act have been met.
- NOW, THEREFORE, BE IT RESOLVED that the Local Governing Bodies intend to cooperate in the strategic planning, policy development, and oversight of the Workforce Development System that now encompasses the geographic area of the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the Counties of Gloucester, James City, and York and are requesting that the Governor of the Commonwealth of Virginia grant temporary designation to these localities as a Local Workforce Investment Area pursuant to the provisions of 29 U.S.C. Section 2831(a)(3) of the Workforce Investment Act of 1998.

BE IT FURTHER RESOLVED by the Councils of the Cities of Hampton, Newport News, Poquoson, and Williamsburg, and the Boards of Supervisors for the Counties of Gloucester, James City, and York:

1. That a Greater Peninsula Workforce Investment Board ("Local Board") shall be established, and its members shall be appointed by the Local Governing Bodies and shall represent the business, labor, education, and other private and public sector organizations as provided by law and who have an interest in workforce development.
2. Membership of the Local Board
 - a. The Local Board shall be composed of members representing the following:
 - (1) A minimum of twenty (20) business owners, chief executive officers, or other executive officers or other executive level officials of businesses that are reflective of employment opportunities in the area, and are nominated for appointment by the Peninsula Alliance for Economic Development.
 - (2) The President of Thomas Nelson Community College.
 - (3) The Executive Director of New Horizons Regional Education Center.
 - (4) The Superintendent in charge of New Horizons Regional Education Center.
 - (5) The Chief Executive Officers of the Peninsula, Williamsburg Area, and Gloucester Chambers of Commerce.
 - (6) The Chairman of the Board of the Peninsula Alliance for Economic Development.
 - (7) The Regional Manager of the Virginia Employment Commission.
 - (8) The Regional Manager of the Virginia Department of Rehabilitative Services.
 - (9) The Chairman of the Peninsula Education Foundation.
 - (10) The Chairman of the Greater Peninsula Private Industry Council.
 - (11) Such other representatives of labor organizations, educational entities, community-based organizations, economic development agencies, and one-stop partners as may be required to comply with the Act and with State and Federal regulations.
 - (12) Chief Administrative Officer from each local governing body, or their designee.

- b. Nominations. Representatives of local educational entities shall be nominated by regional or local educational agencies, institutions, or organizations; representatives of labor organizations shall be nominated by local labor federations.
 - c. Qualifications. Local Board members who are representatives of businesses shall possess optimum policymaking or hiring authority. Members who represent organizations, agencies, or other entities shall possess optimum policymaking authority within their organizations, agencies, or entities.
 - d. Majority. A majority of the members of the Local Board shall be representatives of businesses.
 - e. Chairman and Vice Chairman. The Local Board shall elect from among its business representatives a Chairman and Vice Chairman.
 - f. Term. The initial term of Local Board appointees shall expire on June 30, 2002.
 - g. Staff Support. Staff support for the Local Board shall be provided through the Peninsula Alliance for Economic Development, the Greater Peninsula Private Industry Council, and the Greater Peninsula Consortium of Governments, or their successor organizations.
3. The mission of the Local Board shall be to work in cooperation with the Local Governing Bodies to accomplish the following:
- a. Provide guidance to the efforts of the Peninsula Alliance for Economic Development in undertaking labor market analysis to determine the needs of the business community and the ability of education and job training providers to respond to these needs.
 - b. Develop a local five (5) year strategic workforce development plan and goals for the areas by February 29, 2000.
 - c. Promote the achievement of strategic workforce development goals through encouraging collaboration between the business community and education and training providers to ensure that workforce services are responsive to employer needs.
 - d. Establish and monitor systems to evaluate the effectiveness of education and training programs and services in meeting employer requirements.
 - e. Select One-Stop Operators.
 - f. Coordinate the workforce investment activities carried out in the local area with economic development strategies and develop other employer linkages.
 - g. Participate in the regional workforce development planning efforts sponsored by the Hampton Roads Partnership and others.

- h. Perform such other functions as agreed upon by the Local Governing Bodies as well as those delegated to local boards under the Act.

5. Economic Development Incentive Policy Statement

Mr. Edwards stated that the Industrial Development Authority had requested that its views be provided prior to action being taken on the proposed Economic Development Incentives Policy.

Without Board objection, Mr. Edwards deferred the item until the September 14, 1999, Board of Supervisors meeting.

6. Award of Bids for Furnishings of the Williamsburg/James City County Courthouse

Mr. Bernard M. Farmer, Jr., Capital Projects Administrator, stated that bids were received for the Courthouse furnishings. He gave a summary of the low bids by vendor and the purchases listed for the State of Virginia contract. He verified that these bids did not include computer and office machinery, and that the equipment could be delivered by October.

Staff recommended approval of the resolution.

Mr. Bradshaw made a motion to approve the resolution.

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

RESOLUTION

AWARD OF BIDS FOR FURNISHINGS OF THE

WILLIAMSBURG/JAMES CITY COUNTY COURTHOUSE

WHEREAS, competitive bids have been received for furnishings for the Williamsburg/James City County Courthouse; and

WHEREAS, some furnishings are available through use of the State Contract; and

WHEREAS, these procurements are within the project budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or designee to execute the necessary purchase documents for the Williamsburg/James City County Courthouse furnishings.

7. Award of Work for Telecommunications Cabling of Williamsburg/James City County Courthouse

Mr. Farmer stated that a quote in the amount of \$96,406 had been received for cabling through the Williamsburg/James City County School Board contract for the purchase of computer and telephone wiring and associated equipment.

Staff recommended approval of the resolution.

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

AWARD OF WORK FOR CABLING OF THE

WILLIAMSBURG/JAMES CITY COUNTY COURTHOUSE

WHEREAS, a valid quote has been received for telecommunications cabling of the Williamsburg/James City County Courthouse; and

WHEREAS, cabling materials, installation and associated equipment are available through use of the School Board Voice/Data Communication Contract; and

WHEREAS, these procurements are within the project budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or designee to execute the necessary purchase documents for the Williamsburg/James City County Courthouse telecommunications cabling.

8. Financing of School Building Improvements

Mr. Sanford B. Wanner, County Administrator, stated that authorization was requested for the Williamsburg-James City County Schools to apply by September 2, 1999, to the Virginia Public School Authority to borrow up to \$2,000,000 to finance the necessary improvements to Toano Middle School, Clara Byrd Baker Elementary School, and DJ Montague Elementary School. He further stated that the second resolution was a requirement of the Internal Revenue Service and would allow the proceeds of any financing to reimburse project costs incurred after this date, even though the bonds might be issued at some later date.

Mr. Wanner explained that this financing would appear to be a prudent fiscal response to provide a major portion of the needed funds for the school projects.

Staff recommended approval of the resolutions.

Mr. Bradshaw made a motion to approve the resolutions.

Board members discussed an independent analysis of construction; repairs of schools for children's safety; and State laws in regard to School Board capital projects.

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

RESOLUTION**OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA****DECLARING ITS INTENTION TO REIMBURSE****THE COST OF CERTAIN EXPENDITURES**

- WHEREAS, James City County, Virginia, ("the County") has undertaken a school construction and improvement program; and
- WHEREAS, the County has made or will make expenditures (the "Expenditures") in connection with improvements to Toano Middle School, Clara Byrd Baker Elementary School, and DJ Montague Elementary School (collectively, the "Projects"); and
- WHEREAS, the County may determine that the funds advanced and to be advanced to pay Expenditures will be reimbursed to the County from the proceeds of one or more tax-exempt obligations to be issued by the County (the "Indebtedness"); and
- WHEREAS, as of the date hereof, there are no funds of the County that are, or are reasonably expected to be, allocated on a long-term basis, reserved or otherwise available to finance the development of those portions of the Projects that are to be financed with the Indebtedness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia (the "Board"):

1. Hereby adopts his declaration of official intent under Treasury Regulations Section 1.150-2 and declares that the County intends to reimburse itself with the proceeds of Indebtedness for Expenditures made on, after or within 60 days prior to the date hereof with respect to the Projects, except that Expenditures made more than 60 days prior to the date hereof may be reimbursed as to certain de minimis or preliminary expenditures described in Treasury Regulations Section 1.150-2(f) and as to other expenditures permitted under applicable Treasury Regulations.
2. The maximum principal amount of Indebtedness expected to be issued for the Projects is \$2,000,000.
3. This Resolution shall take effect immediately upon its adoption.

RESOLUTION OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY,

VIRGINIA AUTHORIZING THE WILLIAMSBURG-JAMES CITY COUNTY

SCHOOL BOARD TO APPLY FOR FUNDING FROM THE

VIRGINIA PUBLIC SCHOOL AUTHORITY FOR

THE FINANCING OF CAPITAL PROJECTS FOR SCHOOL PURPOSES

WHEREAS, the Williamsburg-James City County School Board wishes to finance a portion of the costs of improvements to Toano Middle School, Clara Byrd Baker Elementary School, and DJ Montague Elementary School, all of which are capital projects for school purposes located in James City County, Virginia (the "County").

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby consents in all respects to the financing of the costs of improvements to Toano Middle School, Clara Byrd Baker Elementary School, and DJ Montague Elementary School, all of which are capital projects for the Williamsburg-James City County Public Schools, by contracting a debt in an amount not to exceed \$2,000,000, issuing school bonds of James City County, Virginia and selling the same to the Virginia Public School Authority, pursuant to Section 22.1-162 *et seq.* of the Code of Virginia of 1950, as amended. The Williamsburg-James City County School Board is hereby authorized to file with the Virginia Public School Authority an application relating to this bond financing.

H. PUBLIC COMMENT

1. Mr. R. M. Hazelwood, Jr., 300 Old Stage Road, expressed displeasure that the City of Williamsburg would pay only a set portion of the Courthouse costs and would not share cost overruns.

2. Mr. Jay Everson, 103 Branscome, stressed conducting an independent analysis and holding people accountable for the needed school repairs.

3. Mr. Mark Rinaldi, 103 Leon Drive, asked whether the funds from civil penalties imposed by the Chesapeake Bay Act Ordinance would be designated to water quality, open space, and greenways programs.

Mr. Morton responded in the affirmative.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner requested a recess for a James City Service Authority Board of Directors meeting following the regular agenda, and recommended a closed session for appointments to the Cable Television Advisory Commission, Historic Triangle Bicycle Advisory Commission, and Rural Lands Study Committee.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon gave an update of the schools' repair schedules as reported at the August 17, 1999, School Liaison Committee meeting

Mr. Edwards mentioned a letter from Nancy James, Secretary to the Electoral Board, regarding the possibility of changing of polling places for upcoming elections. He stated that the Board would follow up with the Electoral Board.

Mr. Edwards responded to Mr. Hazelwood's comments that the percentage paid by the City of Williamsburg for the Courthouse construction was based on population and usage.

The Board expressed that a good time was had by all at the 1999 James City County Fair.

Mr. Edwards declared a recess for a James City Service Authority Board of Directors meeting, at 9:14 p.m.

Mr. Edwards reconvened the Board into open session, and made a motion to go into closed session pursuant to Section 2.1-344(A)(1) of the Code of Virginia to consider appointment of individuals to the boards and/or commissions recommended by the County Administrator, at 9:21 p.m.

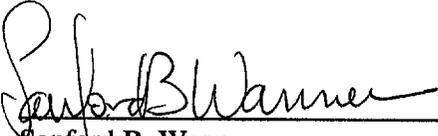
Mr. Edwards reconvened the Board into open session at 9:28 p.m. and made a motion to appoint Rita Davis and Julia Leverenz to the Cable Television Advisory Commission to fill unexpired terms, terms expiring September 15, 2001, respectively; to appoint Don Cherry to the Historic Triangle Bicycle Advisory Commission for a four-year term, term expiring August 17, 2003; and to appoint Jeff Barra, Beverly Hall, Mike Hipple, Phil Smead, and Billy Apperson to the Rural Lands Study Committee to serve from September, 1999 to May, 2000, along with Planning Commission representative Martin Garrett and Industrial Development Authority representative Vincent Campana, and Board of Supervisors representative M. Anderson Bradshaw.

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

Mr. Sisk made a motion to recess until 7:00 p.m., Tuesday, August 24, 1999, for a joint meeting with the Planning Commission.

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

The Board recessed at 9:44 p.m.


Sanford B. Wanner
Clerk to the Board

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AUG 17 1999

ORDINANCE NO. 183A-2

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 23, CHESAPEAKE BAY PRESERVATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING SECTION 23-18, VIOLATIONS; PENALTIES.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 23, Chesapeake Bay Preservation, is hereby amended and reordained by adding Section 23-18, Violations, penalties.

Chapter 23

CHESAPEAKE BAY PRESERVATION

- Sec. 23-1. Short title.
- Sec. 23-2. Statement of intent.
- Sec. 23-3. Definitions.
- Sec. 23-4. Designation of Chesapeake Bay Preservation Area (CBPA).
- Sec. 23-5. Permitted uses.
- Sec. 23-6. Lot size.
- Sec. 23-7. Required conditions.
- Sec. 23-8. Determining resource protection area boundaries.
- Sec. 23-9. Performance standards.
- Sec. 23-10. Plan of development.
- Sec. 23-11. Water quality impact assessment.
- Sec. 23-12. Waivers.
- Sec. 23-13. Exemptions.
- Sec. 23-14. Exceptions.
- Sec. 23-15. Applications for waivers or exceptions.
- Sec. 23-16. Granting waivers or exceptions.
- Sec. 23-17. Appeals.
- Sec. 23-18. Violations; penalties.

Sec. 23-18. Violations; penalties.

(a) Without limiting the remedies which may be obtained under this section, any person who violates any provision of this chapter or who violates, fails, neglects, or refuses to obey any variance or permit condition authorized under this chapter shall, upon such finding by the circuit court, be assessed a civil penalty not to exceed \$5,000.00 for each day of violation. Such penalties may, at the discretion

Ordinance to Amend and Reordain
Chapter 23. Chesapeake Bay Preservation
Page 2

of the court assessing them, be directed to be paid into the treasury of the county for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas within the county, in such a manner as the court may direct by order.

(b) Without limiting the remedies which may be obtained under this section, and with the consent of any person who has violated any provision of this chapter, or who has violated, failed, neglected, or refused to obey any variance or permit condition authorized under this chapter, the county may provide for the issuance of an order against such person for the one-time payment of civil charges for each violation in specific sums, not to exceed \$10,000.00 for each violation. Such civil charges shall be paid into the treasury of the county for the purpose of abating environmental damage to or restoring Chesapeake Bay Preservation Areas in the county. Civil charges shall be in lieu of any appropriate civil penalty that could be imposed under subdivision (a) of this section. Civil charges may be in addition to the costs of any restoration required by the Board.

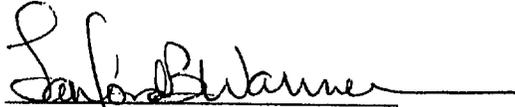
(c) In addition to, and not in lieu of, the penalties prescribed in sections (a) and (b) hereof, the county may apply to the circuit court for an injunction against the continuing violation of any of the provisions of this ordinance and may seek any other remedy authorized by law.

State law reference - Virginia Code § 10.1-2109(E)



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 17th day of August, 1999.