

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 11TH DAY OF JANUARY, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Mr. Ed Oyer led staff and citizens in the Pledge of Allegiance.

Mr. Nervitt asked Mr. Wanner to read the Board assignments for Board/Commissions.

Williamsburg Chamber of Commerce
Courthouse Committee
Hampton Roads Planning District Commission

Williamsburg Area Medical Assistance Corp.
Regional Issues
Safe and Drug-Free Schools Communities Committee
School Liaison Subcommittee
Peninsula Alliance for Economic Development
Historical Commission
Local Emergency Preparedness
Farmers Advisory Committee
Joint Sanitary District No. 1 Board
Industrial Development Authority Liaison
Community Services Coalition
Virginia Peninsula Regional Jail Authority
Williamsburg Land Conservancy

Bruce C. Goodson
Ronald A. Nervitt and Jay T. Harrison, Sr.
Ronald A. Nervitt and Sanford B. Wanner to the
Executive Committee
James G. Kennedy
Bruce C. Goodson
Jay T. Harrison, Sr.
Ronald A. Nervitt and John J. McGlennon
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John J. McGlennon
Jay T. Harrison, Sr.
James G. Kennedy
Bruce C. Goodson and John J. McGlennon
James G. Kennedy
Jay T. Harrison, Sr.
John J. McGlennon
John J. McGlennon

Mr. Nervitt asked Mr. Frank Morton, County Attorney, to read the Roberts Rules as modified by the Board.

C. PUBLIC COMMENT

Mr. Nervitt indicated that during both public comment periods, anyone could speak for five minutes. They could speak either at the first or second public comment period, or at both.

1. Mr. Jerry Scales, 132 Whittings Drive, Vice President of the Grove Community Association, spoke to the need for improvements in the Grove community. Mr. Scales presented the Board with 19 items the Grove community would like to see the County address.
2. Ms. Ethelyn Springs, 128 Ron Springs Drive, spoke to the need for improvements in the Grove community and road improvements on Ron Springs Drive.
3. Mr. Michael Halpin, 1203 Penniman Road, Lafayette High School Parent-Teacher Council, voiced his support for small high schools and his Parent-Teachers concerns regarding the need for the third high school.
4. Mr. Richard Bradshaw, Commissioner of Revenue, introduced himself to the citizens and Board.
5. Mr. George F. Wright, 148 Cooley Road, President of the Historic Route Five Association, spoke to the County's need for growth control and requested information concerning the flooding problems on Route 5 and the need to protect wetlands, and what actions will be taken.
6. Mr. Elta Howell, Powhatan District, spoke to the need of better animal control regulations.

D. PRESENTATIONS

1. Mr. Nervitt read and presented Ms. Mari Lou Smith with a Resolution of Appreciation in recognition of her 13 years of dedicated service to the Board of Supervisors and the citizens of James City County.
2. Mr. Nervitt read and presented Mr. L. Carlyle Ford a Resolution of Appreciation in recognition of his 26 years of dedicated service to the County and its citizens.
3. Mr. Nervitt read and presented Mr. Walter Dutton with a Resolution of Appreciation in recognition of his 29 years of dedicated service to the County and its citizens.
4. Mr. Nervitt read and presented Ms. Helene Ward with a resolution of Appreciation in recognition of her 18 years of dedicated service to the County and its citizens.
5. Mr. McGlennon read and presented Mr. Jack D. Edwards with a Resolution of Appreciation in recognition of his 28 years of dedicated service to the County and its citizens.

E. CONSENT CALENDAR

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

No request was made to remove an item from the Consent Calendar.

Mr. Goodson made a motion to approve the items on the Consent Calendar with the noted changes in the December 21, 1999, minutes.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

1. Approval of Resolutions of Appreciation, Mari Lou Smith, L. Carlyle Ford, Walter Dutton, Helene Ward, and Jack D. Edwards

RESOLUTION OF APPRECIATION

MARI LOU SMITH

- WHEREAS, Mari Lou Smith, Administrative Secretary to the James City County Board of Supervisors, is retiring after serving the Board of Supervisors from February 1987 to February 2000; and
- WHEREAS, during that time, Mari Lou accurately and carefully preserved the activities and actions of the Board of Supervisors through hard work and a gentle sense of humor; and
- WHEREAS, during her tenure, Mari Lou developed numerous improvements in the Board's meeting materials including the Board Agenda Manual, improved archiving of Board minutes, and the development of software to search Board minutes; and
- WHEREAS, Mari Lou constantly demonstrated the highest level of dedication and professionalism in her job as demonstrated in her receiving Certificates of Service and Appreciation awards in 1992 and 1997, and the 1995 Chairman's Award.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby thanks and honors Mari Lou Smith for her thirteen years of dedicated service to the Board of Supervisors and the citizens of James City County.
- BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, do hereby wish Mari Lou Smith a long, healthy, and happy retirement.

RESOLUTION OF APPRECIATION

L. CARLYLE FORD

- WHEREAS, L. Carlyle Ford, Commissioner of the Revenue for the County of James City, is retiring after serving the citizens of James City County for 26 years; and
- WHEREAS, Carlyle began his service to the citizens as a Business License Inspector for the Commissioner of the Revenue in 1974; and
- WHEREAS, Carlyle was first elected as the Commissioner of the Revenue of James City County in 1983, taking office on January 1, 1984, and actively worked for continuous improvements in that office in the areas of technology and customer service; and
- WHEREAS, Carlyle initiated the County's land use taxation program, agricultural, and forestal districts and was at the forefront in the County's proration of personal property, the elimination of the annual automobile decal fee, and semiannual billing of personal property; and
- WHEREAS, under Carlyle's leadership, his office has earned a reputation as one of the best offices in the State in the processing of State income tax returns, saving County residents thousands of dollars in taxes each year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby thanks and honors L. Carlyle Ford for his twenty-six years of dedicated service to the citizens of James City County.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby wish L. Carlyle Ford a long, healthy, and happy retirement.

RESOLUTION OF APPRECIATION

WALTER DUTTON

WHEREAS, Walter Dutton, Sheriff for the County of James City and the City of Williamsburg, is retiring after serving the citizens of James City County since 1961; and

WHEREAS, Walter began his service to the citizens as an employee of the James City County Sheriff's Office in 1961; and

WHEREAS, Walter was first elected as the Sheriff of James City County in 1983, taking office on January 1, 1984, and actively worked for the consolidation of the department with that of the City of Williamsburg, assuming the responsibilities for the combined office in 1998; and

WHEREAS, Walter has served to help in the planning and design of the security systems for the new courthouse and was instrumental in his role as Vice Chairman of the Virginia Peninsula Regional Jail Authority in improving correctional services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby thanks and honors Walter Dutton for his thirty-eight years of dedicated service to the citizens of James City County.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby wish Walter Dutton a long, healthy, and happy retirement.

RESOLUTION OF APPRECIATION

HELENE S. WARD

WHEREAS, Helene S. Ward served as Clerk of the Circuit Court from January 1, 1982, to December 31, 1999; and

WHEREAS, during her tenure, Ms. Ward improved accessibility to court records, streamlined office operations, instituted electronic record keeping in the Circuit Court Clerk's Office, and established electronic connection with the State Supreme Court.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby thanks Helene S. Ward for her 18 years of dedicated service to the citizens of James City County.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby wish Helene S. Ward a long, healthy, and happy retirement.

RESOLUTION OF APPRECIATIONJACK D. EDWARDS

- WHEREAS, Jack D. Edwards served on the James City County Board of Supervisors from January 1, 1972, until December 31, 1999; and
- WHEREAS, during his terms in office Mr. Edwards actively participated in statewide local government organizations serving as President of the Virginia Association of Counties; and as President of the Virginia Municipal League; and
- WHEREAS, Jack's love for local government and expertise in local government has been recognized by his appointment to statewide committees and commissions including the Commission on Local Government Structures and Relationships, the Commission on Population Growth and Development, the 2020 Panel, the VML-VACo Annexation Task Force, the Dillon Rule Study Commission, and the Advisory Task Force of the Recodification of Virginia Code Title 15.1; and
- WHEREAS, Jack played a key role in promoting regionalism and local government cooperation through his involvement in such organizations as the Hampton Roads Planning District Commission, the Peninsula and the Hampton Roads Mayors and Chairs, the Peninsula Economic Alliance for Economic Development, and the Hampton Roads Partnership; and his tireless efforts to seek "win-win" relationships in all regional efforts; and
- WHEREAS, Jack was a champion of citizen participation and involvement in their County government and an advocate for these without a voice as well as a leader in improving the quality of life for all County citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby expresses its deep gratitude and honors Jack D. Edwards for his 28 years of dedicated service to the citizens of the Berkeley Voting District and all citizens of James City County.

2. Minutes of December 21, 1999, Regular Meeting
3. Bulletproof Vest Partnership Program Grant

RESOLUTION OF APPROPRIATIONBULLETPROOF VEST PARTNERSHIP PROGRAM GRANT

WHEREAS, James City County has received a reimbursement grant from the Bulletproof Vest Partnership Program in the amount of \$4,720.30.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following budget amendments and changes in appropriations for FY 2000:

Revenues:

From Bulletproof Vest Partnership Program

\$4,720.30

Expenditures:

Police Department--Operating Equipment
Replacement Account--001-062-0520 \$4,720.30

4. Request for Change Order for Fire Department Telephone System

RESOLUTION

TELEPHONE SYSTEMS CHANGE ORDER AUTHORIZATION.

FIRE DEPARTMENT

WHEREAS, replacement telephone systems are necessary for Fire Station 3 and the Emergency Operations Center;
and

WHEREAS, funds are available within the Capital Improvements Program budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or his designee to sign all necessary documents for the Fire Station 3 and Emergency Operations Center telephone systems in the amount of \$31,951.07.

5. Agreement Between the County and the Commissioner of the Revenue

RESOLUTION

AGREEMENT/COMMISSIONER OF THE REVENUE/JAMES CITY COUNTY

WHEREAS, the Commissioner of the Revenue and the Board of Supervisors of James City County, Virginia, believe it to be in the best interests of the Commissioner's employees that they be on the County's personnel policies and the County's pay plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the Chairman to execute that certain Agreement dated January 3, 2000, by and between the County of James City and the Office of the Commissioner of the Revenue.

F. PUBLIC HEARINGS

1. Pre-Budget Public Hearing.

Ms. Carol Swindell, Assistant Manager of Financial and Management Services, invited citizens to provide comments and suggestions for the County budget for the two fiscal years beginning July 1, 2000, and ending June 30, 2002. Ms. Swindell asked the Board to provide guidance for this budget at the January 26, 2000, work session.

Mr. Nervitt opened the public hearing.

1. Mr. David Gosselin, 3301 Evesham Court, President, Williamsburg Youth Football League, encouraged the Board to consider the development and acquisition of greenspace and athletic facilities for the 1,400 youth involved in sports. He also requested a bond referendum for schools and youth recreational facilities.

2. Ms. Camilla Buchanan, 196 The Maine, requested more funding for bikeways. She stated the use of grants would enable more bikeways to be built, increase the amount of funding needed to provide bikeways by the 2007 celebration. Currently those bikeways are slated to be finished in 2011.

3. Mr. David Schulte, 105 Windsor Way, Williamsburg Conventions and Visitors Bureau, requested the Board consider raising the Transient Occupancy Tax by one percent. This would raise the tax to five percent and he requests the money be used for marketing efforts to bring tourists to the area. The area has experienced a drop in tourism and marketing is an effective way to get the tourist industry levels back up.

4. Mr. Ed Oyer, 139 Indian Circle, gave a few remarks in opportunities to small high schools; the need for a tax break for residents of James City County that have been here for 10 years or more; and the amount of money received from the State for Schools should reduce the County citizen's tax money going to the schools an equal amount.

As no one else wished to speak, Mr. Nervitt closed the public hearing.

2. U. S. Bureau of Justice Assistance Grant - Police.

Deputy Chief David Daigneault, James City County Police, indicated the Federal Bureau of Justice Assistance has approved a grant of \$20,312 to be used in activities related to reducing crime and improving public safety. A public hearing is required to receive input from the community on this grant.

Mr. Nervitt opened the public hearing and as no one wished to speak to this item, closed the public hearing.

Mr Goodson made a motion to approve the resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

U. S. BUREAU OF JUSTICE ASSISTANCE GRANT - POLICE

WHEREAS, the Bureau of Justice Assistance has approved a grant to provide \$20,312 to the Police Department for Law Enforcement equipment and technology; and

WHEREAS, sufficient local matching funds are available in the Police Department budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenue:

From Bureau of Justice Assistance	<u>\$20,312</u>
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Expenditures:

Police Department Budget	<u>\$20,312</u>
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H. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, requested information on two items. The first, is why a longer than permitted cul-de-sac was permitted to be built for the Retreat subdivision. The second, concerns the depth of well screens. Mr. Oyer requested to know why the well screen for the Retreat subdivision was allowed to go below the well screens of surrounding wells.

2. Mr. Jay Everson, 103 Branscome Boulevard, spoke regarding Fox no longer being on the Cox cable system. He inquired about the Cable Advisory Committee seeking cable competition and opening the County to another cable provider.

After Board discussion, Mr. Wanner said he would invite Cox to address the Board on the concerns of the citizens.

3. Mr. Grant Olson, 105 Holman Road, Roberts District, spoke regarding the resolutions presented to retiring Constitutional Officers, Board, and staff members. He felt they did not do justice to the service these individuals have provided the citizens of the County. He welcomed the new Board members and also the returning members.

4. Mr. Dave Gosselin, 3301 Evesham Court, Berkeley District, spoke against adding trailers at the high schools. He encouraged the Board to look down the road and project County needs in the third high school.

5. Mr. Carlyle Ford, Powhatan District, commented on the School Board not doing a very good job of planning and would like the Board of Supervisors to get involved in planning for new schools.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner requested the Board approve the Eastern State Hospital resolution stating that the resolution was developed by the County, City, and the Crossroads group to present to the General Assembly on Monday, January 17, 2000.

Mr. McGlennon made a motion to approve the resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION**EASTERN STATE HOSPITAL**

WHEREAS, the Governor's Commission on Community Services and Inpatient Care has recommended that the General Assembly change the delivery system for mental health care services and restructure Eastern State Hospital by selling the property to provide resources for the implementation of that plan; and

WHEREAS, the Greater Williamsburg Area community is committed to Eastern State Hospital serving as a critical provider of many different and modern mental health services; and

WHEREAS, planning for the future of Eastern State Hospital should give the priority to the best interest of the patients and their families; and

- WHEREAS, Eastern State Hospital delivers quality 21st century services utilizing cutting edge techniques and best practices that contribute to the well-being of those who are in need; and
- WHEREAS, the Hospital provides research capability, thereby reinforcing the historic role the Hospital has played in the development of mental healthcare for the elderly; and
- WHEREAS, it is inappropriate to move forward in eliminating Eastern State Hospital as a critical provider of mental health and geriatric services without significant analysis.
- NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County, Virginia, strongly recommends that no action be taken by 2000 General Assembly on the recommended restructuring and the disposal of Eastern State Hospital property without a detailed analysis of the cost and impacts of the proposed plan on the patients, their families, staff, and the community.

Mr. Wanner introduced Mr. John T. P. Horne, Manager of Development Management, who presented information regarding funding for the Monticello Avenue project.

Board and staff discussed taxing districts and use of public funds to offset increased cost of this project.

The Board agreed to discuss the Monticello Avenue funding options as part of the FY 01 - FY 02 Budget process.

Mr. Wanner suggested at the end of the meeting, the Board meet in closed session pursuant to Section 2.1-344 (A) (1) to consider a personnel matter including the appointment of individuals to County boards and/or commissions and the Board then adjourn until January 25, 2000, at 7:00 p.m.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon suggested working closer with the School Board and the City of Williamsburg.

Mr. Harrison thanked the citizens for the opportunity to represent them.

Mr. Harrison motioned to approve the Proclamation for Project Discovery, January 18, 2000, in recognition of efforts to provide opportunities for post-secondary education for low-income high school students.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Anthony Conyers, Jr., Manager of Community Services, presented the individuals for approval for appointments to the County's Community Development Block Grant Advisory Committee for the Ironbound Square neighborhood.

Mr. Harrison motioned to approve the appointments.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Nervitt called for a closed session pursuant to section 2.1-344 (A) (1) consider a personnel matter including the appointment of individuals to County boards and/or commissions at 8:55 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Nervitt reconvened the Board into open session at 9:14 p.m.

Mr. Nervitt made a motion to approve the closed session resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed 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 closed 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 closed 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 and/or commissions.

Mr. McGlennon made a motion to recommend the reappointment of William Miller to the James City County Board of Equalization to the Circuit Court.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

TO RECOMMEND APPOINTEES TO THE JAMES CITY COUNTY

BOARD OF EQUALIZATION

WHEREAS, Section 20-30 of the Code of the County of James City, Virginia, requires the Board to recommend to the Circuit Court qualified freeholders of the County for appointment to the James City County Board of Equalization; and

WHEREAS, the term of William F. Miller expires on December 31, 1999, and the Board of Supervisors of James City County seeks to reappoint him for a three-year term; and

WHEREAS, William F. Miller is a qualified freeholder of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby recommends to the Circuit Court the appointment to the James City County Board of Equalization of the following qualified freeholder, William F. Miller, for a three-year term.

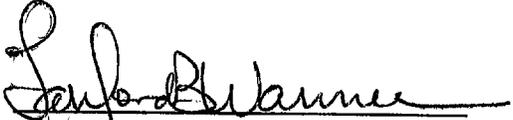
Mr. Harrison made a motion to appoint Jim Kennedy - Stonehouse District, Walter Taylor - Berkeley District, Ronald Nervitt - Powhatan District, with Anthony Conyers, Jr., as alternate, Bruce Goodson - Roberts District, with George Drummond as alternate, to the Community Action Agency Board for a one-year term ending January 3, 2001; Jim Kennedy to the Agricultural and Forestry Advisory Committee as the Board representative; and John McGlennon to the High Growth Coalition.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

Mr. Harrison made a motion to adjourn.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

The Board adjourned at 9:16 p.m.


Sanford B. Wanner
Clerk to the Board

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