

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF FEBRUARY, 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**

Ms. Annabel Ombac, President of the Freshman Class at Lafayette High School, led the Board and citizens in the Pledge of Allegiance.

**C. PUBLIC COMMENT**

1. Ms. Pamela Calver, 6008 Huntington Avenue, Newport News, invited citizens to attend the 2000 Peninsula Regional Neighborhoods Conference at Woodside High School in Newport News on March 4, 2000.

2. Mr. Ed Oyer, 139 Indian Circle, voiced his concerns regarding the placement of a mobile home in Country Village Mobile Home Park, adjacent to his home. Mr. Oyer also commented on paying for Alternate Route 5.

**D. CONSENT CALENDAR**

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

Mr. McGlennon made a motion to approve the items on the Consent Calendar with the noted revision to the January 25, 2000, minutes.

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

1. Minutes of January 3, 2000, Organizational Meeting, and January 29, 2000, Board of Supervisors Retreat

2. FY 2000 Budget Adjustments**RESOLUTION****FY 2000 BUDGET ADJUSTMENTS**

WHEREAS, the Board of Supervisors of James City County has been requested to amend its previously adopted budget and appropriate additional funds in support of the FY 2000 budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby amend the budget for FY 2000 and approves the following amended appropriations:

Revenues:

VDOT - Crossroads Ironbound Road Design Project	\$ 54,000
Crossroads Group - Road Design	16,000
State Arts Commission	4,750
City of Williamsburg	3,000
Colonial Drug Task Force Fund Balance	<u>1,343</u>
	<u>\$ 79,093</u>

Expenditures:

Crossroads Ironbound Road Design Project	\$ 70,000
Court Services	21,200
Operating Contingency	(21,200)
Williamsburg Arts Commission	4,750
Colonial Drug Task Force	<u>4,343</u>
	<u>\$ 79,093</u>

E. **PUBLIC HEARINGS**1. Ordinance to Amend and Reordain Chapter 2, Administration, by Amending Article IV, Officers and Employees, Division 1, by adding Section 2-11.1, Disclosures of Financial Interest

Mr. Sanford B. Wanner, County Administrator, advised the Board regarding the "long form" financial disclosure requirement for selected Department Heads and those supervisory personnel in the development area.

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

Mr. Goodson made a motion to approve the proposed ordinance.

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

2. Exchange of Reciprocal Easements for the Courthouse.

Mr. Leo P. Rogers, Deputy County Attorney, recommended the Board approve the exchange of easements to enhance the development, use, and accessibility of the Courthouse site and the adjacent property being developed by Trimax, L. L. C.

Mr. Nervitt opened the public hearing.

1. Mr. Robert McDale, York County, asked if the cost of parking would be shared and if liability would be shared.

Mr. Rogers said the parking areas would be shared. Each owner will maintain and insure their own property.

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

Mr. Harrison requested a map reflecting the exchange of easement area for review before a vote is taken on this item.

The Board deferred action until the February 22, 2000, Board meeting.

3. Case No. Z-6-99 and SUP-27-99. Williamsburg Commons at Williamsburg Crossing.

Mr. Paul D. Holt, III, Senior Planner, at the request of the applicant, requested deferral until the March 14, 2000, Board of Supervisor's meeting.

Mr. Nervitt opened the public hearing and it will remain open to March 14, 2000.

4. Case No. Z-13-99. Rezoning of Certain Lots in Mirror Lake Estates.

Mr. Paul D. Holt, III, Senior Planner, presented the staff report stating that two lots had been left out of the advertisement for Case No. Z-13-99. Mr. Holt recommended the Board defer action on this case until consideration of Case Nos. Z-12-99 and Z-13-99, thereby allowing the Board to act on the zoning and all the parcels at once.

Mr. Nervitt opened the public hearing.

1. Ms. Eve Palmer, 140 Wellington Circle, voiced her concern that development under the Subdivision Ordinance management is not being done correctly.

2. Mr. Ed Oyer, 139 Indian Circle, said he was present when the Board considered Case No. Z-20-86 and stated that the 15-acre public use site was not specifically designated a public school site.

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

The Board deferred this case until Case Nos. Z-12-99 and Z-13-99 are under Board consideration.

**F. BOARD CONSIDERATIONS**

1. Case No. Z-12-99. Rezoning by Voiding Case No. Z-20-86 Due to Invalid Proffers (deferred from January 26, 2000)

Mr. Paul D. Holt, III, Senior Planner and the applicant, Wellington, LLC, requested deferral of this case until the February 22, 2000, Board meeting.

The Board deferred this case until the February 22, 2000, meeting.

2. Case No. Z-13-99. Rezoning of certain lots in Mirror Lake Estates (deferred from January 26, 2000)

Mr. Paul D. Holt, III, Senior Planner and the applicant, Wellington, LLC, requested deferral of this case until the February 22, 2000, Board meeting.

The Board deferred this case until the February 22, 2000, meeting.

**G. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139 Indian Circle, reminded citizens of their duty to vote.
2. Ms. Ingrid Jahn, 118 Dover Road, suggested the schools post the Golden Rule and teach the students the Golden Rule.

**H. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner suggested at the end of the meeting, the Board meet for a closed session pursuant to Section 2.1-344 (A) (1) to consider a personnel matter(s), including the appointment of individuals to County boards and/or commissions; and Section 2.1-344 (A) (7) to consult with legal counsel and staff members (or consultants) pertaining to actual or probable litigation; and the Board then recess until February 10, 2000, at 12:00 noon to attend the VACo/VML Legislative Day in Richmond.

**I. BOARD REQUESTS AND DIRECTIVES**

Mr. Goodson requested a representative from VDOT be at the next meeting.

Mr. McGlennon let citizens know that Fox is back on Cox Cablevision.

Mr. McGlennon made a motion to go into Closed Session at 7:55 p.m.

Mr. Nervitt reconvened the Board into open session at 9:25 p.m.

Mr. Nervitt made a motion to approve the certification resolution.

**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 and Section 2.1-344(A)(1) to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions; and 2.1-344(A)(7) to consult with legal counsel and staff members (or consultants) pertaining to actual or probable litigation.

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

Mr. Nervitt made a motion to recess until Thursday, February 10, 2000, at 12:00 noon.

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

The Board recessed at 8:30 p.m.

The Board of Supervisors came into session Thursday, February 10, 2000, at 12:00 noon to attend the VML/VACo Legislative Day in Richmond.

All Board members were present.

The Board adjourned at 10:26 p.m., until February 22, 2000, at 7:00 p.m.

  
Sanford B. Wanner  
Clerk to the Board

ADOPTED

FEB 8 2000

ORDINANCE NO. 55A-29

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 1, GENERALLY, BY ADDING SECTION 2-11.1, DISCLOSURES OF FINANCIAL INTEREST.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, Article IV, Officers and Employees, Division 1, Generally, is hereby amended and reordained by adding Section 2-11.1, Disclosures of financial interest.

#### Article IV. Officers and Employees

##### Division 1. Generally

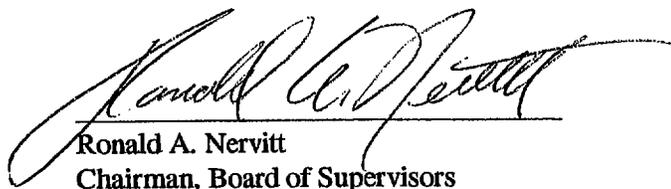
###### *Section 2-11.1. Disclosures of financial interest.*

*Annually by January 15 of each year or otherwise within twenty-one (21) days of formal notification of appointment or employment, the members of the board of supervisors and of the school board, and the county administrator, the assistant county administrator, the county attorney, the manager of financial and management services, the manager of development management, the director of planning, the director of code compliance, the zoning administrator, the capital projects administrator, the director of the environmental division, the general manager of the James City Service Authority, and the human resources manager shall file, as a condition to assuming or holding office or employment, a disclosure statement of personal interests and such other information as required on the form or forms specified in section 2.1-639.15 of the Code of Virginia, as amended.*

Ordinance to Amend and Reordain  
 Chapter 2. Administration  
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*For purposes of this section, formal notification of appointment for appointees to the boards is deemed to be the date that the clerk mails notice of appointment and blank disclosure forms to the appointee. Formal notification of employment for employees is deemed to be the date the financial disclosure form is distributed to the employee by his or her appointing authority.*

*State law reference - Code of Va. § 2.1-639.14 - Disclosure by local government officers and employees.*



Ronald A. Nervitt  
 Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner  
 Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MCLENNON	AYE
HARRISON	AYE
GOODSON	AYE
KENNEDY	AYE
NERVITT	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of February, 2000.