

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 13TH DAY OF MARCH, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

**A. ROLL CALL**

John J. McGlennon, Chairman, Jamestown District  
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District  
James G. Kennedy, Stonehouse District  
Ronald A. Nervitt, Powhatan District

Sanford B. Wanner, County Administrator  
Frank M. Morton, III, County Attorney

**B. PLEDGE OF ALLEGIANCE**

Ms. Danielle Abdon, a student at Toano High School, and Boy Scout Troop 102 led the Board and citizens in the Pledge of Allegiance.

**C. PUBLIC COMMENT - None**

**D. PRESENTATION**

**1. NACo/FEMA Award**

Mr. Nervitt presented Mr. Richard Miller, Fire Chief; Ms. Ronnie Nowak, Communications and Neighborhood Connections Administrator; Ms. Jody Puckett, Communications/Cable Specialist; and Mr. Wilton C. Bobo, Jr., Deputy Emergency Services Coordinator, with the NACo/FEMA Award for implementing the Disaster Resistant Community Program.

Chief Miller thanked Mr. Nervitt for the award and recognized the County staff members and Emergency Services staff who are responders to emergencies.

**E. CONSENT CALENDAR**

Mr. McGlennon asked if a member wished to pull an item from the consent calendar.

Mr. Goodson requested Item Number 4, Award of Standby Generator Contract, be pulled for a separate vote.

Mr. Harrison requested Item Number 2, Dedication of Streets in Greensprings Plantation, Phases 1 and 2, be pulled.

Mr. Harrison made a motion to adopt the remaining items on the consent calendar.

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

1. Minutes
  - a. February 21, 2001, Work Session
  - b. February 27, 2001, Regular Meeting
3. James City County Road Construction Revenue Sharing

### 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 (VDOT) Revenue Sharing Program for FY 01-02; and

WHEREAS, VDOT required written notification of the County's intent to participate by March 30, 2001.

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 01-02, for an amount not to exceed \$500,000.

#### 2. Dedication of Streets in Greensprings Plantation, Phases 1 and 2

Mr. Wanner stated that the streets in Phases 1 and 2 of the Greensprings Plantation subdivision have been inspected and approved by representatives of the Virginia Department of Transportation as meeting the minimum requirements for secondary roadways. Mr. Wanner recommended the Board adopt the resolution authorizing the Virginia Department of Transportation to accept certain streets in Greensprings Plantation, Phases 1 and 2 into the State Secondary Highway System.

Mr. Harrison made a motion to adopt the resolution.

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

**RESOLUTION****DEDICATION OF STREETS IN GREENSPRINGS PLANTATION PHASES 1 AND 2**

WHEREAS, the street(s) described on the attached Report of Changes 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 advised the Board that street(s) 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 entered 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 street(s) described on the attached Report of Changes Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED that the 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.

4. **Award of Standby Generator Contract**

Mr. Kennedy made a motion to adopt the resolution authorizing the County Administrator to execute a contract between James City County and E. G. Middleton, Inc.

On a roll call vote, the vote was: AYE: Harrison, Kennedy, Nervitt, McGlennon (4). NAY: (0). ABSTAIN: Goodson.

**RESOLUTION****AWARD OF STANDBY GENERATOR CONTRACT**

WHEREAS, funds are available in the Capital Improvement Program Budget for purchase and installation of standby generators at Fire Stations 2, 3, 4, and Fleet Maintenance; and

WHEREAS, proposals for purchase and installation of standby generators were received on November 22, 2000, with E.G. Middleton, Inc., submitting the lowest and most responsive proposal of \$112,087.00.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute a contract between James City County and E.G. Middleton, Inc., in the amount of \$112,087.00.

**F. PUBLIC COMMENT - None**

**G. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner recommended that the Board recess for a James City County Transit Company Board of Directors meeting. Following which, the Board will reconvene for the remainder of the agenda including a closed session pursuant to Section 2.1-344 (A) (1) of the Code of Virginia to consider appointments of individuals to County Boards and/or Commissions.

Mr. McGlennon recessed the Board at 7:17 p.m.

Mr. McGlennon reconvened the Board at 7:22 p.m.

**H. PUBLIC COMMENT - None**

**I. BOARD REQUESTS AND DIRECTIVES – None**

**J. CLOSED SESSION**

Mr. Kennedy made a motion to go into closed session as recommended by the County Administrator.

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

At 7:35 p.m. Mr. McGlennon reconvened the Board into open session.

Mr. Goodson made a motion to adopt the Closed Session resolution.

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

**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. Harrison made a motion to appoint Mr. Charles Loundemon to a three-year term on the Clean County Commission, term to expire on March 13, 2004; and to appoint Ms. Camilla Buchanan, Ms. Loretta Garrett, Ms. Mary Higgins, Mr. Mike Kirby, Mr. Ron Boyd, Mr. Jim Tucker, and Mr. Bill William to the Greenways Steering Committee.

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

Mr. Goodson made a motion to adjourn.

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

Mr. McGlennon adjourned the Board at 7:45 p.m.



Sanford B. Wanner  
Clerk to the Board

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## In the County of James City

By resolution of the governing body adopted March 13, 2001

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official):

  
 Sanford B. Wanner, County Administrator

### Report of Changes in the Secondary System of State Highways

Form SR-5A  
 Secondary Roads Division 5/1/99

Project/Subdivision

#### Greensprings Plantation, Phase 1 And 2

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: §33.1-229

#### Route Number and/or Street Name

##### **Captain Drew, State Route Number 1178**

Description: **From:** Rt 1170 (Frances Berkeley)

**To:** 0.04 mi south to end of cul-de-sac

A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 57, with a width of 40

##### **Elizabeth Killebrew, State Route Number 1176**

Description: **From:** Intersection of Rt 1175 (George Mason)

**To:** 0.05 mi west to end of cul-de-sac

A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 02/21/1996, Plat Book 63, Page 60, with a width of 40

## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

### Francis Berkeley, State Route Number 1170

- Description:* **From:** Route 614  
**To:** 0.12 mi east to intersection of Rt 1171  
A distance of: 0.12 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1171  
**To:** 0.28 mi east to intersection of Rt 1173  
A distance of: 0.28 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1173  
**To:** 0.07 mi east to intersection of Rt 1170  
A distance of: 0.07 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1170  
**To:** 0.12 mi east to intersection of Rt 1175 (George Mason)  
A distance of: 0.12 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1175 (George Mason)  
**To:** 0.16 mi east to intersection of Rt 1177 (Samuel Mathews)  
A distance of: 0.16 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1177 (Samuel Mathews)  
**To:** 0.37 mi southwest to intersection of Rt 1178 (Captain Drew)  
A distance of: 0.37 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of Rt 1178 (Captain Drew)  
**To:** 0.21 mi north to intersection of 1170  
A distance of: 0.21 miles.
- Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 50
- Description:* **From:** Intersection of 1170  
**To:** 0.07 mi west to intersection of Rt 1179 (Giles Bland)  
A distance of: 0.07 miles.
- Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Pages 61-62, with a width of 50
- Description:* **From:** Intersection of Rt 1179 (Giles Bland)  
**To:** 0.09 mi west to intersection of Rt 1180 (William Lee)  
A distance of: 0.09 miles.
- Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Pages 61-62, with a width of 50
- Description:* **From:** Intersection of Rt 1180 (William Lee)  
**To:** 0.18 mi west to end of cul-de-sac  
A distance of: 0.18 miles.
- Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Pages 61-62, with a width of 50

## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

### George Mason, State Route Number 1175

*Description: From:* Rt 1170 (Frances Berkeley)

*To:* 0.11 mi south to end of cul-de-sac

A distance of: 0.11 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 58, with a width of 40

*Description: From:* Rt 1170 (Frances Berkeley)

*To:* 0.05 mi north to intersection of Rt 1176 (Elizabeth Killebrew)

A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Page 60, with a width of 40

*Description: From:* Intersection of Rt 1176 (Elizabeth Killebrew)

*To:* 0.05 mi northeast to end of cul-de-sac

A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Page 60, with a width of 40

### Giles Bland, State Route Number 1179

*Description: From:* Rt 1170 (Frances Berkeley)

*To:* 0.03 mi north to end of cul-de-sac

A distance of: 0.03 miles.

*Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Page 61, with a width of 40

### John Shropshire, State Route Number 1173

*Description: From:* Rt 1170 (Frances Berkeley)

*To:* 0.04 mi south to intersection of Rt 1174 (William Hodgson)

A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 56, with a width of 40

*Description: From:* Intersection of Rt 1174 (William Hodgson)

*To:* 0.10 mi south to end of cul-de-sac

A distance of: 0.10 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 56, with a width of 40

### Mary Byrd, State Route Number 1172

*Description: From:* Rt 1171 (Philip Ludwell)

*To:* 0.04 mi west to end of cul-de-sac

A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Pages 52-64, with a width of 40

## Report of Changes in the Secondary System of State Highways

Form SR-5A  
Secondary Roads Division 5/1/99

### Philip Ludwell, State Route Number 1171

*Description:* **From:** Rt 614 (Centerville Rd)  
**To:** 0.42 mi north to intersection of Rt 1172 (Mary Byrd)  
A distance of: 0.42 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 2, Pages 52-64, with a width of 50

*Description:* **From:** Intersection of Rt 1172 (Mary Byrd)  
**To:** 0.08 mi north to intersection of Rt 1170 (Frances Berkeley)  
A distance of: 0.08 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 2, Pages 52-64, with a width of 50

*Description:* **From:** Intersection of Rt 1170 (Frances Berkeley)  
**To:** 0.06 mi north to end of cul-de-sac  
A distance of: 0.06 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 2, Pages 52-64, with a width of 40

### Samuel Mathews, State Route Number 1177

*Description:* **From:** Route 1170 (Frances Berkeley)  
**To:** 0.05 mi south to end of cul-de-sac  
A distance of: 0.05 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 61, with a width of 40

### William Hodgson, State Route Number 1174

*Description:* **From:** Rt 1173 (John Shropshire)  
**To:** 0.07 mi west to end of cul-de-sac  
A distance of: 0.07 miles.

*Right of Way Record:* Filed with the Land Records Office on 08/16/1995, Plat Book 62, Page 56, with a width of 40

### William Lee, State Route Number 1180

*Description:* **From:** Rt 1170 (Frances Berkeley)  
**To:** 0.04 mi north to end of cul-de-sac  
A distance of: 0.04 miles.

*Right of Way Record:* Filed with the Land Records Office on 02/21/1996, Plat Book 63, Page 61, with a width of 40