

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 24TH DAY OF APRIL, 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

Mr Michael Key, a Junior at Lafayette High School, led the Board and citizens in the Pledge of Allegiance

C PUBLIC COMMENT

1 2001 Redistricting Plan - None

2 Ms Peggy Abbott Miller, 105 Dogwood Drive, requested the Board enact a code to protect against trashed, abandoned properties Ms Miller stated that the overgrown, trashed, and abandoned parcel at 103 Redbud Lane needs to be cleaned up and maintained Ms Miller stated that although a vehicle has been removed from this site, it was transferred to another abandoned site at 2951 Lake Powell Road that is adjacent to her property and can be clearly seen from her home

Ms Miller stated that County property owners are good stewards of their property, that she is concerned for the welfare and safety of neighbors and their properties, they keep their property in good clean condition and want to be protected from negligent property owners who allow a parcel to become overgrown infested with rodents and snakes, and lend to an ugly landscape

3 Ms Irene Manning, 108 Redbud Lane, stated that she has been at this address since 1988 and supports Ms Miller's statement and stated the neighbors will support the Board in getting the property cleaned up

Mr McGlennon stated that a letter to the property owner requesting the parcel be cleaned up will be sent and that staff will ensure this issue is addressed

4. Mr. Richard Bradshaw, Commissioner of Revenue, informed citizens of upcoming tax filing deadlines.

5. Mr. Ed Oyer, 139 Indian Circle, read an assessment increase notice that was published in the paper by Charles City County, stated that the County has budgeted a 7 percent increase to the School's Budget despite a \$1,000,000 surplus this fiscal year in the School's Budget and asked if the increased allocation is a result of a 7 percent increase in the student population. Mr. Oyer inquired as to what measure should citizens gauge how students are doing if not to be compared to the State average, and stated that James City County Schools are 43 percent above the State average in administrative staff.

Mr. McDonald stated that the State Code outlines the text and size of assessment ads for local jurisdictions and in August the County will be placing a similar ad in the paper regarding assessments.

D. PRESENTATION

1. Volunteer Recognition – International Year of the Volunteer

Mr. McGlennon recognized Alan Bennett of the Clean County Commission and Jennifer Privette, Recycling Coordinator, for their efforts in educating the public about recycling, beautification, and litter control. Mr. Bennett was also recognized for his initiative in creating a Waste Chase program for County residents.

E. HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer for the Virginia Department of Transportation (VDOT), offered to answer questions from the Board.

Mr. Kennedy requested an explanation of the proposed plans to relocate I-64W truck scales to James City County.

Mr. Elliott stated that James City County is one possible location for the relocation of the truck scales. The State is concerned about the number of trucks bypassing the scales at the current location, and is looking at other possible locations for the truck scales to minimize truck bypasses.

Mr. Harrison requested VDOT clean up the debris from construction on Stanley Drive off Route 5.

Mr. Harrison requested VDOT perform a speed limit study on News Road in Powhatan Secondary area for the increased pedestrian traffic near the neighborhood pool.

Mr. Goodson requested additional signage on Interstate 64 East and on Route 199 to route Busch Gardens traffic to the new Busch Gardens interchange on Interstate 64 East.

Mr. Elliott stated that Busch Gardens has radio signs alerting travelers of traffic patterns to Busch Gardens and will look at additional signage to assist travelers.

Mr. McGlennon requested information on the estimated completion date of the Route 60 East Busch Gardens interchange.

Mr. Elliott stated that VDOT is taking the necessary steps to ensure the project is completed by September 2001.

Mr. McGlennon thanked VDOT for the striping and lane alignment for the left-turn lane into Heritage Landing from Route 5.

Mr. McGlennon requested information concerning the report on signage for the intersection of 4-H Club Road (Route 680) and Jamestown Road (Route 31).

Mr. Home stated the report has been issued and the Department of Development Management will forward the Board a copy of that report.

F. RECOGNITION

Mr. McGlennon thanked the students of Ms. Mary Ann Benthall, Art Teacher at Norge Elementary School, for the use of their artwork for display on the walls of the Board Room.

G. CONSENT CALENDAR

Mr. McGlennon asked if anyone wished to remove an item from the consent calendar.

Mr. Goodson requested Item Number 5, Resolution of Support for King William Reservoir, be removed for further consideration.

Mr. Harrison requested Item Number 3, Appropriation to the Police Department, be removed for further consideration.

Mr. McGlennon made a motion to approve the remaining items on the consent calendar.

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

1. Minutes

a. April 10, 2001, Regular Meeting

b. April 12, 2001, Budget Work Session

2. Dedication of Streets in Scott's Pond, Sections 1A and 1B

RESOLUTION

DEDICATION OF STREETS IN SCOTT'S POND, SECTIONS 1A AND 1B

WHEREAS, the streets 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 streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation 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 streets 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. Virginia Department of Transportation Revenue Sharing Program – Additional Allocations

RESOLUTION

VIRGINIA DEPARTMENT OF TRANSPORTATION

REVENUE SHARING PROGRAM - ADDITIONAL ALLOCATIONS

WHEREAS, the Revenue Sharing Program, administered by the State of Virginia, provides valuable matching funds on a one to one basis for construction of needed roadway projects in James City County; and

WHEREAS, the Board has been notified by the Virginia Department of Transportation that an additional allocation of up to \$100,000 may be requested for FY 2000/01; and

WHEREAS, the Monticello Avenue project can productively utilize additional Revenue Sharing Program funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the request to the Virginia Department of Transportation for \$100,000 in additional Revenue Sharing Program funds.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes a transfer of \$100,000 from Operating Contingency to the Road Match CIP account.

6. Appropriation of Funds from the City of Williamsburg to James City County Cooperative Extension Service

RESOLUTION

APPROPRIATION OF FUNDS FROM THE CITY OF WILLIAMSBURG TO

JAMES CITY COUNTY COOPERATIVE EXTENSION SERVICE

WHEREAS, the Cooperative Extension Service received a \$3,000 contribution from the City of Williamsburg; and

WHEREAS, the funds will be used to pay the wages of two part-time, temporary Urban Nutrient Management Program Technicians who have responsibility for planning, implementing, and evaluating Water Quality Improvement educational programs.

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

Revenues:

City of Williamsburg \$3,000

Expenditures:

Cooperative Extension Service \$3,000

3. Appropriation to the Police Department

Mr. Harrison inquired if a funding match is required for this grant.

Mr. David Daigneault, Police Chief, stated that no match is required for this grant.

Mr. Harrison made a motion to adopt the resolution.

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

RESOLUTION

APPROPRIATION TO THE POLICE DEPARTMENT

WHEREAS, the Department of Motor Vehicles has approved a grant to provide \$9,000 to the Police Department for equipment and selective enforcement overtime to combat the problem of Driving Under the Influence; and

WHEREAS, the grant will not require additional spending by the Police Department, excluding court overtime and equipment maintenance; and

WHEREAS, the grant is administered by the Department of Motor Vehicles according to the Federal Government Fiscal Year which runs from October 1-September 30, thus causing any unspent funds as of June 30, 2001, to be carried forward to James City County's next Fiscal Year.

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

Revenue:

Department of Motor Vehicles \$9,000

Expenditure:

Appropriation to Police Department Budget \$9,000

5. Resolution of Support for King William Resolution

Mr. Wanner stated that the "Record of Decision" for the permit application to build the King William Reservoir recommends that the permit be denied. The public comment period for the permit application ends on May 4 after which, the application and "Record of Decision" will be forwarded to the North Atlantic Division of the U.S. Army Corps of Engineers for consideration.

Staff recommends the Board again express its support for the project that will provide a long-term, dependable water supply to the peninsula by approving the Resolution of Support of the permit to build the King William Reservoir.

The Board and staff held a brief discussion regarding the decision and invited citizens to voice their support for the permit.

Mr. Goodson made a motion to adopt the Resolution of Support.

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

H. PUBLIC HEARINGS1. An Ordinance to Amend Chapter 4, Building Regulations, Article I, Virginia Uniform Statewide Building Code, Division I, Generally, Section 4-3, Adoption; Amendments; and Section 4-4, When and Where Copies May Be Obtained

Mr. Douglas H. Murrow, Director of Code Compliance, presented the Board with changes to Section 4-3 and 4-4 of the James City County Code pertaining to Building Code adoption, and when and where copies of the Building Code may be obtained. These changes will bring the County's Code into compliance with State requirements.

Mr. Murrow stated that there was a connection that needed to be made in Section 2d. Strike "The Words" and "shall be inserted in the third line of Section P-304.3 on page 13 of the BOCA Basic Plumbing Code, 1993 edition."

Mr. McGlennon opened the public hearing.

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

The Board and staff briefly discussed the changes and meeting the State mandate.

Mr. Goodson made a motion to adopt the Ordinance.

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

2. Property Exchange with James City Service Authority

Mr. Larry Foster, General Manager of the James City Service Authority, stated that the James City Service Authority (JCSA), owns a 13.103-acre parcel of property at the James City-Williamsburg Community Center that the JCSA has no use planned for the property, and James City County owns an 18.64-acre parcel of property at 3123 Ironbound Road that the County has no use planned for the property.

The County is interested in acquiring 13.103 acres from JCSA to complement the Community Center facilities and build a skate park on a portion of the parcel. JCSA is interested in acquiring the County's 18.64-acre parcel to locate a Brackish Groundwater Treatment Facility to help meet the County's long-term water needs.

The County's Real Estate Assessment Office has appraised the property and determined that the two parcels are of equal values.

Staff recommends that Board invite public comment on the exchange of property following which the Board approve the resolution authorizing the property exchange.

The Board and staff held a brief discussion concerning the preservation of the water tank site at the James City/Williamsburg Community Center (JCWCC), appraised values of the parcels, proposed skate park, and preservation of trees on the tower site parcel.

Mr. McGlennon opened the public hearing.

1. Mr. Ed Oyer, 139 Indian Circle, inquired if the parcel obtained by the James City Service Authority will be utilized for a groundwater treatment facility.

Mr. Foster stated that was the case.

Mr. McGlennon closed the public hearing.

Mr. Harrison made a motion to adopt the resolution.

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

RESOLUTION

PROPERTY EXCHANGE WITH

JAMES CITY COUNTY

WHEREAS, James City County currently owns an 18.64-acre parcel at 3123 Ironbound Road, behind the Clara Byrd Baker Elementary School, and shown as Parcel No. (46-2)(1-34) on the James City County Real Estate Tax Map; and

WHEREAS, the James City Service Authority (JCSA) currently owns a 13.103-acre parcel at 5231 Longhill Road, adjacent to the James City-Williamsburg Community Center, and shown as Parcel No. (38-2)(1-2) on the James City County Real Estate Tax Map; and

WHEREAS, the County believes that the property currently owned by the JCSA could enhance the recreational offerings of the Community Center; and

WHEREAS, the JCSA desires to construct a Brackish Groundwater Treatment Facility on the parcel currently owned by the County; and

WHEREAS, it is to be the mutual benefit of both the County and the JCSA to exchange these properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator and the James City Service Authority General Manager to execute deeds and any other documents needed to exchange the above-referenced properties.

I. BOARD CONSIDERATION

1. Ms. Carol O. Swindell, Assistant Manager of Financial and Management Services, presented the Board with an overview of the Appropriation Resolution and Ordinance changes for the FY 02 Budget.

Mr. Nervitt stated support for the addition of \$1,000,000 seed money for the Purchase of Development Rights.

Mr. McGlennon inquired if the Route 5 Transportation Improvement District Commission vote to set the tax rate is apart of the Appropriation Resolution.

Ms. Swindell stated that that figure has been factored into the Appropriation Resolution before the Board for adoption.

The Board and staff discussed the Ordinance increase for the E-911 Tax to \$2.20 per month per line.

The Board directed staff to research the utilization of the Consumer Utility Tax that will tax phone lines and cellular phones.

The Board discussed support for the funding of Purchase of Development Rights, housing partnerships, and competitive wages; discussed concerns regarding the School Budget's lack of measures to develop partnerships and sharing resources; and the E-911 Tax transferring to the Consumer Utility Tax.

Mr. Harrison requested the Community Services portion of the Appropriation Resolution be pulled for a separate vote.

The Board and staff held a discussion regarding the potential funding support from the State for schools, the impact of retail sales on State funding to schools, the County's 7 percent funding increase over FY 01 for the schools, and the budgeting of fuel costs into the School and County budgets.

Mr. Morton advised Mr. Harrison that it would be appropriate to request that the Outside Agencies portion of the Appropriation Resolution be pulled for a separate vote too.

Mr. Harrison requested that the Outside Agencies portion of the Appropriation Resolution be pulled for a separate vote.

Mr. McGlennon stated that there are no hidden taxes in assessments and that 75 percent of County properties did not increase this year.

The Board discussed the impact of the Route 5 Transportation Improvement District in housing costs, proffer impacts, and contributions of the businesses such as the Monticello Marketplace; and that as the School's number one financial supporter, the County expects accountability for the resources provided.

Mr. Nervitt made a motion to approve the Appropriation Resolution without the Community Services or Outside Agency Funding portions.

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

Mr. Goodson made a motion to approve the Community Services and Outside Agencies portion of the Appropriation Resolution.

On a roll call, the vote was: AYE: Nervitt, Goodson, McGlennon (3). NAY: (0). ABSTAIN: Harrison, Kennedy.

RESOLUTION

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 2001, and ending June 30, 2002, along with a five-year Capital Improvements Program, and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2001, and ending June 30, 2002, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations.

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

1. The following amounts are hereby appropriated in the FY 2001-2002 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND EXPENDITURES

	<u>FY 2002</u>
Administrative	\$ 1,203,088
Elections	245,135
Human Resource	1,136,403
Financial Administration	2,633,598
Public Works	3,511,509
Information Resource Management	1,339,417
Development Management	3,142,767
Judicial	1,928,011
Public Safety	11,883,267
Community Services	5,576,141
Nondepartmental	5,162,878
WJCC Schools	53,662,308
Library and Arts Center	3,181,673
Regional Jail	860,429

Mental Health	557,839
Social Services	1,083,746
Public Health	534,490
Contributions - Other	<u>383,805</u>

TOTAL EXPENDITURES \$98,026,504

The appropriation for education includes \$47,715,465 as a local contribution to the Williamsburg-James City County Schools operations and debt service, and a pass-through of State Sales Tax revenue estimated at \$5,946,843. Whatever is actually received from State Sales Tax for Education will be forwarded to the schools.

GENERAL FUND REVENUES

FY 2002

General Property Taxes	\$54,762,267
Other Local Taxes	14,312,652
Licenses, Permits and Fees	4,950,181
Fines and Forfeitures	170,000
Revenue from Use of Money and Property	1,815,890
Revenue from the Commonwealth	19,619,084
Revenue from the Federal Government	4,645
Charges for Current Services	2,268,065
Miscellaneous Revenues	<u>123,720</u>

TOTAL REVENUES \$98,026,504

GENERAL FUND TRANSFERS:

Transfer In - Fund Balance	<u>\$4,004,000</u>
Transfer Out - Capital Project Fund	<u>\$4,004,000</u>

- That the tax rates be set for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 assessed value	\$0.87
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00
Enhanced E-911	\$2.20/Month
Real Estate on each \$100 assessed value	
Route 5 Transportation Improvement District	\$0.10

PROPOSED CAPITAL BUDGET:

Revenues:

Transfer In - Estimated Prior Year Fund Balance	\$ 4,004,000
Contribution - General Fund	2,875,000
Other Revenue	<u>1,162,650</u>
	<u>\$ 8,041,650</u>

Expenditures:

Public Safety	\$ 795,000
Education	989,650
Community Development	3,531,000
General Services	1,925,000
Parks and Recreation	<u>801,000</u>
	<u>\$ 8,041,650</u>

DEBT SERVICE FUNDRevenues:

From General Fund - Schools	\$ 7,605,144
From General Fund - Other	1,590,152
Transfer from Capital Reserve Fund	<u>959,926</u>
Total Debt Service Fund Revenues	<u>\$10,155,222</u>
Current Year Expenditures	<u>\$10,155,222</u>
Debt Service Fund Disbursements	<u>\$10,155,222</u>

VIRGINIA PUBLIC ASSISTANCE FUNDRevenues:

From the Federal Government/Commonwealth	\$ 2,917,098
From the General Fund	1,083,746
Comprehensive Services Act	174,050
Other	<u>144,988</u>
Total Virginia Public Assistance Fund Revenues	<u>\$ 4,319,882</u>

Expenditures:

Administration and Assistance	<u>\$ 4,319,882</u>
Total Virginia Public Assistance Fund Expenditures	<u>\$ 4,319,882</u>

COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 292,741
Grants	584,705
Generated Program Income	<u>202,021</u>
 Total Community Development Fund Revenues	 <u>\$ 1,079,467</u>

Expenditures:

Administration and Programs	<u>\$ 1,079,467</u>
 Total Community Development Fund Expenditures	 <u>\$ 1,079,467</u>

3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase with variable increases based on performance and funded at an average of 4.5 percent, granted to employees in FY 2002.

Mr. Goodson made a motion to adopt the E-911 Tax Ordinance.

On a roll call, the vote was: AYE: Kennedy, Nervitt, Goodson, McGlennon (4). NAY: Harrison (1).

3. Resolution Expressing Intent of Board of Supervisors to Pay the Annual Obligation of the Route 5 Transportation Improvement District Beginning in Year 2003

Mr. Goodson made a motion to adopt the resolution.

Mr. Kennedy requested information on the numbers and cost to the County for the TID.

Mr. McDonald stated that the County has contributed \$2,000,000 to date and in FY 03 will contribute another million. Mr. McDonald stated that proffers are expected for contribution over the next six to seven years and that the total cost of the Transportation Improvement District will be \$13,000,000. Thus far the Route 5 Transportation District has contributed \$1,000,000.

Mr. McDonald recommended the Board payoff the Transportation Improvement District over the next seven years as there is no interest associated with this.

Mr. McGlennon made a motion that the Statement of Intent eliminate the Route 5 Transportation Improvement District be stricken from the Resolution.

The Board and staff discussed the proposed amendment to the resolution.

Mr. McGlennon withdrew his motion to amend the resolution.

On a roll call, the vote was: AYE: Harrison, Nervitt, Goodson (3). NAY: Kennedy, McGlennon (2).

RESOLUTION

EXPRESSING INTENT OF BOARD OF SUPERVISORS TO PAY THE ANNUAL

OBLIGATIONS OF THE ROUTE 5 TRANSPORTATION IMPROVEMENT DISTRICT

BEGINNING IN FISCAL YEAR 2003

WHEREAS, the Board of Supervisors of James City County, Virginia ("County") created the Route 5 Transportation Improvement District ("District") by resolution dated February 1, 1993; and

WHEREAS, by Agreement between the Commonwealth Transportation Board ("CTB"), the County and the District dated September 15, 1993, the parties undertook certain financing and construction obligations for the project known as Alternate Route 5 or Monticello Avenue Extended; and

WHEREAS, the District is obligated to reimburse the CTB for \$1,000,000 of secondary road funds in eight equal installments of \$125,000 each; and

WHEREAS, the District is obligated to repay a Promissory Note dated June 23, 1999, payable to Governor's Land Associates in the original principal amount of \$1,300,000 with interest at the rate of 8 percent per year; and

WHEREAS, the County is currently imposing an annual special improvements tax of \$0.10 per \$100.00 of assessed value of taxable real property within the District; and

WHEREAS, it is the intent of the Board of Supervisors to eliminate the special improvements tax in Fiscal Year 2003 and pay the District's debt with other funds available to the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, declares its intent to eliminate the special improvements tax on taxable real estate within the District and to pay the then outstanding debts of the District with other funds available to the County beginning in Fiscal Year 2003.

2. **FY 2002 Strategic Management Plan**

Mr. Wanner recommended approval of the resolution adopting the FY 02 Strategic Management Plan.

The Board and staff held a brief discussion to clarify the adjusted baseline numbers in the FY 02 Strategic Management Plan.

Mr. Nervitt made a motion to adopt the resolution.

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

RESOLUTION**FY 2002 STRATEGIC MANAGEMENT PLAN**

WHEREAS, the County's Strategic Management Plan sets forth the mission, vision, values, goals, objectives, targets, and measure; and

WHEREAS, the FY 2002 Strategic Management Plan has been reviewed to assure that it reflects our priorities and is consistent with resources in the FY 2002 Budget; and

WHEREAS, the Strategic Management Plan is an essential tool for identifying, communicating, and tracking the critical areas we need to address to meet the needs of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the FY 2002 Strategic Management Plan.

I. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, stated that he is satisfied with the Fleet Maintenance Administrator's assurance to have Penske do the maintenance on buses and that the County and citizens should not have excessive expenditures associated with Penske's service to the County, and expressed concern that only one individual will be working on the buses.

Mr. Wanner stated that Penske will have two individuals working on the buses as a safety precaution.

2. Mr. Bill Smaller, Governor's Land, stated support for the Board's intent to take responsibility for the Route 5 Transportation Improvement District.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that following the Board Requests and Directives, the Board recess for a James City Service Authority Board of Directors meeting. Following the Directors' meeting the Board of Supervisors will reconvene for a closed session pursuant to Section 2.1-344 (A) (1) of the Code of Virginia for appointments of individuals to County Boards and/or Commissions.

K. BOARD REQUESTS AND DIRECTIVES

The Board discussed having the staff study the enactment of a property maintenance code.

Mr. Nervitt requested staff review the County ordinances regarding shooting near neighborhoods to tighten up the restrictions to prevent damage to homes and possible injury to citizens.

The Board discussed parcels used for hunting, target practice, and the impacts of the zoning designation for individuals hunting or target practicing.

Mr. McGlennon recessed the Board at 8:37 p.m.

Mr. McGlennon reconvened the Board at 8:46 p.m.

L. CLOSED SESSION

Mr. Goodson made a motion to go into closed session at 8:47 p.m. as recommended by the County Administrator.

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

Mr. McGlennon called the Board into open session at 9:01 p.m.

Mr. Harrison made a motion to adopt the closed session resolution.

On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (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. Harrison made a motion to recommend Mr. David A. Nice to the Circuit Court Judge for reappointment to the Board of Zoning Appeals.

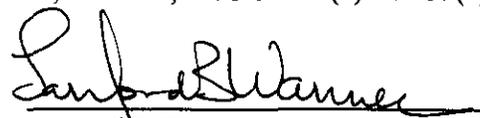
On a roll call, the vote was: AYE: Harrison, Kennedy, Nervitt, Goodson, McGlennon (5). NAY: (0).

Mr. Harrison made a motion to appoint Mr. Nervitt and Mr. McGlennon to the School Contract Negotiators Team.

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

Mr. Goodson made a motion to adjourn at 9:10 p.m.

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


Sanford B. Wanner
Clerk to the Board

In the County of James City

By resolution of the governing body adopted April 24, 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

Scott's Pond, Section One-A and One-B

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

Scott's Pond Drive, State Route Number 1567

Description: *From:* RT. 1567 (SCOTT'S POND DRIVE)
To: INTERSECTION OF RT. 1720 (THOMAS COURT)
A distance of: 0.10 miles.

Right of Way Record: Filed with the Land Records Office on 01/16/1998, Plat Book 68, Page 41, with a width of 50

Description: *From:* INTERSECTION OF RT. 1720 (THOMAS COURT)
To: INTERSECTION OF RT. 1721 (WEST GRACE COURT)
A distance of: 0.08 miles.

Right of Way Record: Filed with the Land Records Office on 01/16/1998, Plat Book 68, Page 41, with a width of 50

Thomas Court, State Route Number 1720

Description: *From:* RT. 1567 (SCOTT'S POND DRIVE)
To: END OF CUL-DE-SAC
A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 01/16/1998, Plat Book 68, Page 41, with a width of 50

West Grace Court, State Route Number 1721

Description: *From:* INTERCECTION OF RT. 1567 (SCOTT'S POND)
To: END OF CUL-DE-SAC
A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 05/17/1999, Plat Book 73, Page 12, with a width of 50

ADOPTED

APR 24 2001

ORDINANCE NO. 81A-11

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4, BUILDING REGULATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, VIRGINIA UNIFORM STATEWIDE BUILDING CODE, DIVISION 1, GENERALLY, SECTION 4-3, ADOPTION; AMENDMENTS; AND SECTION 4-4, WHEN AND WHERE COPIES MAY BE OBTAINED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 4, Building Regulations, is hereby amended and reordained by amending Section 4-3, Adoption; amendments; and Section 4-4, When and where copies may be obtained.

Article I. Virginia Uniform Statewide Building Code*

Division 1. Generally

Sec. 4-3. Adoption; amendments.

There is hereby adopted by reference in the county that certain code known as the Virginia Uniform Statewide Building Code, ~~Volume I~~, and all Virginia Administrative Amendments-Accumulative Supplements thereto in being as of the effective date set forth below or subsequently issued, and the whole thereof, and the same is hereby incorporated herein as fully as if set out in length. The effective date of the provisions of such code is September 9, 1974, and shall control all matters set forth in section 4-1 above, and all other functions which pertain to the installation of systems vital to all buildings and structures and their service equipment as defined by such code, and shall apply to all existing and proposed structures in the county; prior to the

*State law reference - As to establishment and mandatory application of Virginia Uniform Statewide Building Code, see Code of Va., § 36-105.

Ordinance to Amend and Reordain
 Chapter 4. Building Regulations
 Page 2

enactment of this code, all matters set forth in section 4-1 above were governed by the provisions of the Southern Building Code and amendments thereto. Certain sections and subsections of the Uniform Statewide Building Code are amended as follows:

(1) *BOCA Basic Building Code (Current Model Code Referenced in the Virginia Uniform Statewide Building Code):*

- a. Wherever the parenthetical phrases "name of municipality" or "name of jurisdiction" shall be found, the words "County of James City" shall be substituted therefor.
- b. Wherever the parenthetical phrase "date of adoption of this code" shall be found, the word and numbers "September 1, 1974," shall be substituted therefor.

(2) *BOCA Basic Plumbing Code (Current Model Code edition referenced in the Virginia Uniform Statewide Building Code):*

- a. Wherever the parenthetical phrase "date of adoption of this code" appears, substitute the word and numbers "September 1, 1974."
- b. Wherever the parenthetical phrases "name of municipality" or "name of jurisdiction" shall appear, substitute the words "County of James City."
- c. The words and numbers "1 foot and 18 inches" shall be inserted in the second and third lines of Section P-309.4 on page 14 of the BOCA Basic Plumbing Code, 1993 edition *The minimum depth for building sewers is 12 inches below grade.*

Ordinance to Amend and Reordain
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Page 3

- d. ~~The words " A public water main or public sewer system shall be considered available to a structure when a structure is within the distance to the public water main or sewer as required by the James City Service Authority Regulations Governing Utility Service." shall be inserted in the third line of Section P-304.3 on page 13 of the BOCA Basic Plumbing Code, 1993 edition.~~

(3) ~~BOCA Basic Mechanical Code (Current Model Code edition referenced in the Virginia Uniform Statewide Building Code):~~

- a. The date of adoption of this code is September 1, 1974.
- b. Wherever the parenthetical phrases "name and municipality" or "name of jurisdiction" shall appear, substitute the words "County of James City."

(4) ~~National Electrical Code (Current Model Code edition referenced in the Virginia Uniform Statewide Building Code):~~

- a. Wherever reference is made to governmental bodies or area jurisdiction, the words "County of James City" shall be deemed to apply.
- b. Wherever the terms "authority having jurisdiction" or "competent authority" or terms similar in nature are used, it shall be deemed to mean the "building official or a representative he may designate." Such representative shall normally be the electrical inspector, chief electrical inspector, or fire official.

Ordinance to Amend and Reordain
 Chapter 4. Building Regulations
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(5) ~~CABO One- and Two-Family Dwelling Code (Current Model Code edition referenced in the Virginia Uniform Statewide Building Code):~~

a. ~~Table No. R-201.2 in Section R-201 of that code Climatic and geographic design criteria is amended by adding the following underlined words and numbers under each of the columnar headings as follows:~~

- Roof live load, pounds per square feet - 20
- Roof snow load, pounds per square feet - 20
- Wind pressure in pounds per square feet - 25
- Seismic condition by zone - (one)

Subject to damage from:

Weathering	Yes, severe
Frost line depth	12 inches
Termite	Yes
Decay	Yes
Winter Design Temp	None Required

(6) *Requirement to use Virginia Administrative Amendments-Accumulative Supplements.* It is mandatory that the codes referenced in subsections (1) through (5) above be compared with and updated by the Virginia Administrative Amendments-Accumulative Supplements prior to final interpretation of any of the provisions of those codes.

Ordinance to Amend and Reordain
 Chapter 4. Building Regulations
 Page 5

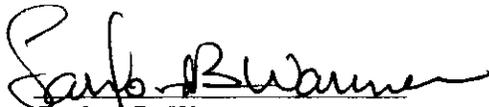
Sec. 4-4. When and where copies may be obtained.

Copies of the Virginia Uniform Statewide Building Code are available to members of the public in the office of the Board of Housing and Community Development in accordance with section 36-104, Code of Virginia, 1950, as amended. Copies of the publications adopted herein shall be offered for public inspection and review when available at the office of code compliance during regular business hours.



John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
 Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of April, 2001.

bldgregs.ord

ADOPTED

APR 24 2001

ORDINANCE NO. 107A-38

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, SPECIAL TAX FOR ENHANCED 911 EMERGENCY TELEPHONE SYSTEM, SECTION 20-25, TAX IMPOSED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Section 20-25, Tax imposed.

Chapter 20. Taxation

Article V. Special Tax for Enhanced 911 Emergency Telephone System

Sec. 20-25. Tax imposed.

Pursuant to the provisions of Section 58.1-3813 of the Code of Virginia, there is hereby imposed a special tax of ~~\$1.70~~ \$2.20 per month on each consumer of telephone service for each telephone line provided by any corporation subject to the provisions of chapter 26 of title 58.1 of the Code of Virginia; provided, however, that this tax is not imposed on federal, state or local government agencies. The definitions provided in article 4, chapter 38 of title 58.1 shall apply to this article.

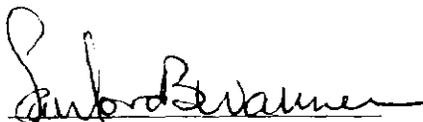
This ordinance shall become effective September 1, 2001.

Ordinance to Amend and Reordain
 Chapter 20. Taxation
 Page 2



John J. McGlennon
 John J. McGlennon
 Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
 Sanford B. Wanner
 Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of April, 2001.

e911fee02.ord

ADOPTED

APR 24 2001

ORDINANCE NO. 107A-38

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, SPECIAL TAX FOR ENHANCED 911 EMERGENCY TELEPHONE SYSTEM, SECTION 20-25, TAX IMPOSED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Taxation, is hereby amended and reordained by amending Section 20-25, Tax imposed.

Chapter 20. Taxation

Article V. Special Tax for Enhanced 911 Emergency Telephone System

Sec. 20-25. Tax imposed.

Pursuant to the provisions of Section 58.1-3813 of the Code of Virginia, there is hereby imposed a special tax of ~~\$1.70~~ \$2.20 per month on each consumer of telephone service for each telephone line provided by any corporation subject to the provisions of chapter 26 of title 58.1 of the Code of Virginia; provided, however, that this tax is not imposed on federal, state or local government agencies. The definitions provided in article 4, chapter 38 of title 58.1 shall apply to this article.

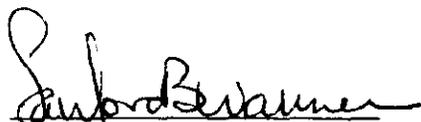
This ordinance shall become effective September 1, 2001.

Ordinance to Amend and Reordain
Chapter 20. Taxation
Page 2



John J. McGlennon
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	NAY
KENNEDY	AYE
NERVITT	AYE
GOODSON	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of April, 2001.

e911fee02.ord