

AT AN ORGANIZATION MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 2ND DAY OF JANUARY, 2003, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Jay T. Harrison, Sr., Vice Chairman, Berkeley District
John J. McGlennon, Jamestown District
Michael J. Brown, Powhatan District
Bruce C. Goodson, Roberts District

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

B. PUBLIC COMMENT - None

C. PUBLIC HEARINGS

1. Lease Agreement – James City-Bruton Volunteer Fire Department

Chief Richard M. Miller, Fire Department, stated that the existing lease of the County-owned property for use by the James City-Bruton Volunteer Fire Department expires in 2005. The volunteers requested an early renewal of the lease in order to invest in building improvement and enhancements.

Staff recommended approval of the resolution authorizing the County Administrator to execute the lease agreement.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. Brown made a motion to adopt the resolution.

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

RESOLUTIONLEASE AGREEMENT JAMES CITY-BRUTON VOLUNTEER FIRE DEPARTMENT

WHEREAS, the Board of Supervisors of James City County has been requested to approve a lease agreement between the County of James City and the James City-Bruton Volunteer Fire Department, Inc.; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a lease agreement between James City County and the James City-Bruton Volunteer Fire Department, Inc.

2 Ordinance – Outdoor Water Use

Mr. Larry M. Foster, General Manager of the James City Service Authority, stated that Governor **Warner** has lifted his Executive Order 33 on water restrictions.

Mr. Foster stated that on November 12, 2002, the Board of Supervisors approved an Emergency Ordinance repealing Ordinance No. 196A-1 and recommended the Board adopt the Ordinance to repeal Ordinance No. 196A-1 as it has been duly advertised.

Mr. **McGlennon** inquired as to when staff will be presenting the Board with the recommended rate changes.

Mr. Foster stated that staff anticipates bringing forward an Ordinance to the Board at its meeting on February 25, 2003.

Mr. Kennedy opened the Public Hearing.

As no one wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. **Goodson** made a motion to adopt the Ordinance.

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

D. ORGANIZATIONAL MEETING

Mr. Kennedy requested nominations for Chairman 2003

Mr. **Goodson** nominated Mr. Harrison for Chairman 2003.

As there were no other nominations, Mr. **Goodson** made a motion to elect Mr. Harrison as Chairman for 2003.

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

Mr. Harrison requested nominations for Vice Chairman.

Mr. Brown made a motion to elect Mr. Goodson as Vice Chairman.

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

Mr. McGlennon made a motion to adopt the Organizational Meeting of the Board of Supervisors Resolution and the Board of Supervisors calendar as amended.

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

RESOLUTION

ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors of James City County, Virginia, is required by State law to organize at the first meeting in January.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following rules shall apply for the Year 2003:

1. Regular meetings of the Board shall be held as shown on the attached 2003 calendar. in the Board Room of the James City County Government Center. The meeting time shall be 7:00 p.m.

Work session meetings of the Board shall be held at 4:00 p.m., Tuesday before the second regular meeting in the Board Room of the James City County Government Center.

2. The Board shall for parliamentary purposes follow Robert's Rules of Order and more specifically those provisions which pertain to the conduct of Business in Boards, Newly Revised, 1981 at p. 404 as follows; provided, however, the Board may amend by Resolution the Rules as it deems appropriate. The following rules shall apply:
 - a. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - h. Motions need not be seconded
 - c. There is no Limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained
 - d. Informal discussion of a subject is permitted while no motion is pending.
 - e. The Chairman can speak in discussion without leaving the chair; and can make motions and votes on all questions.

3. In addition, the Board agrees to the following:
- a. A motion to rescind shall not be in order in a land use **decision** involving a rezoning or a special use permit. A motion to reconsider such a decision must be made at the same meeting the decision is made by ~~the~~ Board.
 - b. Should it be necessary to cancel an **advertised** Board of Supervisors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to ~~the~~ same time and place.

Mr. Morton recommended the request ~~that~~ the Board carry out the annual organization of ~~the~~ James City County Transit Company Stockholders and elect its Board of Directors, President, and **Secretary/Treasurer** for the year of 2003.

Mr. Harrison asked for nominations for the James City County Transit Company President.

Mr. Kennedy made a motion to elect Mr. McGlennon as the Transit President, and Mr. Conyers as Secretary.

There being no other nominations, on a roll call vote, the vote was: AYE: **McGlennon**, Brown, **Goodson**, Kennedy, Harrison (5). NAY: (0).

Mr. Harrison recessed the Board for the organizational meeting of the James City County Transit Company and Stockholders at 4:08 p.m.

Mr. Harrison reconvened the Board at 4:10 p.m.

The Board and staff held a discussion concerning member's appointments to **Boards** and Commissions.

Mr. Kennedy made a motion to appoint the Board members to ~~the~~ following **Boards and Commissions**:

Agricultural and Forestal District Advisory Committee	James G. Kennedy
Community Action Agency Board of Directors	Michael J. Brown / Anthony Conyers, Jr., Alternate Bruce C. Goodson / George Drummond , Alternate Jay T. Harrison, Sr. / Walter Taylor, Alternate James G. Kennedy / John Filichko , Alternate
Community Services Coalition Board of Directors	Jay T. Harrison, Sr.
Farmers Advisory Committee	James G. Kennedy
Hampton Roads Planning District Commission	Bruce C. Goodson Sanford B. Wanner, Executive Committee
High Growth Coalition	John J. McGlennon Bruce Goodson , Alternate

Historical Commission	Michael J. Brown
Industrial Development Authority Liaison	Michael J. Brown
Local Emergency Preparedness	James G. Kennedy
Peninsula Alliance for Economic Development	Jay T. Harrison, Sr.
Peninsula Chamber of Commerce	Bruce C. Goodson
Regional Issues Committee	Jay T. Harrison, Sr.
School Liaison Subcommittee	Jay T. Harrison, Sr., and James G. Kennedy John J. McGlennon, Alternate
Transportation Improvement District Commission	Jay T. Harrison, Sr. James G. Kennedy Michael J. Brown Bruce C. Goodson John J. McGlennon
Virginia Peninsula Regional Jail Authority	Bruce C. Goodson
Williamsburg Area Chamber of Commerce	John J. McGlennon
Williamsburg Area Civic and Cultural Center, Inc.	Michael J. Brown
Williamsburg Area Medical Assistance Corp.	Michael J. Brown
Williamsburg Land Conservancy	John J. McGlennon
Workforce Investment	Jay T. Harrison, Sr. Bruce C. Goodson, Alternate

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

E **REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner recommended the Board recess for a Board of Directors, James City Service Authority, Organizational Meeting, following which the Board reconvene into Open Session to go into Closed Session pursuant to Section 2.2-3711 (A) (I) of the Code of Virginia to consider the appointment of individuals to County boards and/or commissions.

F. BOARD REQUESTS AND DIRECTIVES – None

Mr. Harrison recessed the Board at 4:30 p.m

Mr. Harrison reconvened the Board at 4:32 p.m.

G. CLOSED SESSION

At 4:32 p.m., Mr. Kennedy made a motion to go into Closed Session pursuant to **Section 2.2-3711 (A) (1)** of the code of Virginia to consider the appointment of individuals to County boards **and/or** commissions.

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

At 4:44 p.m., Mr. Harrison reconvened the Board into Open Session.

Mr. **McGlennon** made a motion to adopt the Closed Session Resolution.

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

R E S O L U T I O NCERTIFICATION 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 2.2-3711 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 2.2-3711(A)(1), to consider personnel matters, the appointment of individuals to County boards **and/or** commissions.

Mr. **Goodson** made a motion to appoint Bernard H. Ngo to an unexpired term on the Industrial Development Authority, term to expire on July 22, 2006.

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

H. ADJOURNMENT

Mr. McGlennon made a motion to adjourn until 7 p.m. on January 14.

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

The Board adjourned at 4:46 p.m.


Sanford B. Wanner
Clerk to the Board

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THIS CONTRACT OF LEASE, made this 2nd day of JANUARY, 2003, between the COUNTY OF JAMES CITY, VIRGINIA, (herein known as the Lessor) and the JAMES CITY-BRUTON VOLUNTEER FIRE DEPARTMENT, INC. (herein known as the Lessee).

WITNESSETH: That for the consideration of \$20.00 paid to the Lessor by the Lessee, the Lessor agrees to lease and demise to the Lessees for the term of twenty (20) years from the date of this Lease the following described property, to-wit:

All that certain piece of parcel of land, situated in Stonehouse District, James City County, Virginia, containing 2.33 acres, more or less, and lying on ~~the~~ southerly side of Route #610, fronting on said Route #610 the distance of 225 feet, more or less, and running back from said Route #610 between parallel lines, 210 feet apart, said easterly parallel line being a **distance** of 10 feet from the easterly side of the fire station (Fire Station 1) and **running** parallel with said **fire** station, said parallel line being 510 feet, more or less.

This lease shall be automatically renewable for an additional 20-year period provided that both parties agree to such renewal and further provided that the Lessee attests to the Lessor, within ninety (90) days of the end of the lease term or any renewal period, that Lessee remains an active and productive organization able to provide fire and rescue services to the County.

WITNESS the following signatures and seals:

COUNTY OF JAMES CITY, VIRGINIA

By: 
Sanford B. Wanner
County Administrator

JAMES CITY-BRUTON VOLUNTEER
FIRE DEPARTMENT, INC.

By: 

Print Name: Michael J. Hixson

Print Title: President - JCBVFD

ADOPTED

ORDINANCE NO. 196A-3

JAN 2 2003

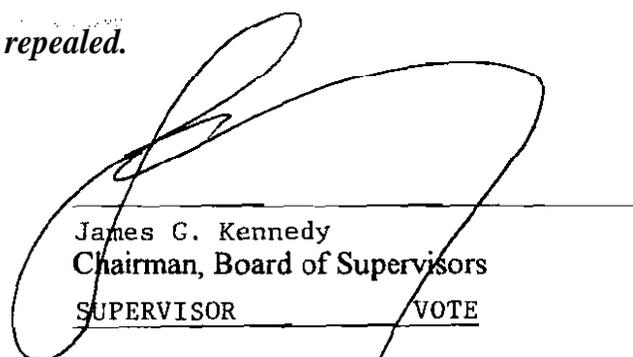
BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN EMERGENCY ORDINANCE NO. 196A-2
WHICH REPEALED THE GOVERNOR OF VIRGINIA'S EXECUTIVE ORDER 33.

Whereas, on November 12, 2002 the Governor of Virginia rescinded Executive Order 33 (2002);
and

Whereas, the Board of Supervisors of James City County adopted Emergency Ordinance No.
196A-2 on November 12, 2002.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County,
Virginia, that Ordinance No. 196A-1 is hereby repealed.

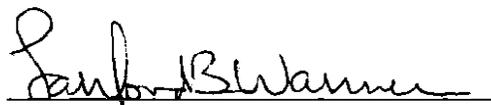


James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR VOTE

MCLENNON	AYE
BROWN	AYE
HARRISON	AYE
KENNEDY	AYE

ATTEST,


Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of January,
2003.

ORDINANCE NO. 196A-3

JAN 2 2003

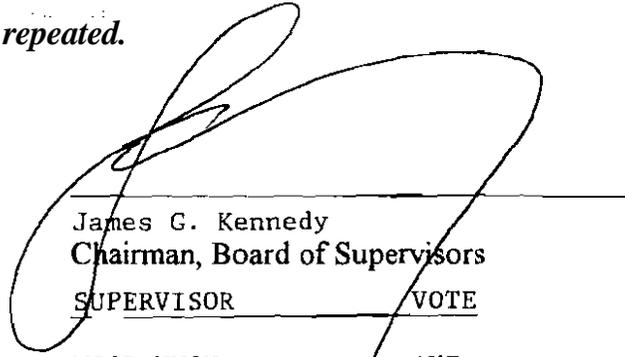
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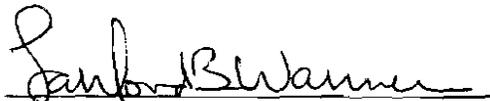


James G. Kennedy
Chairman, Board of Supervisors

SUPERVISOR VOTE

MCLENNON	AYE
BROWN	AYE
GOODSON	AYE
HARRISON	AYE
KENNEDY	AYE

ATTEST


Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of January,
2003