

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 27TH DAY OF APRIL 2010, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

James G. Kennedy, Chairman, Stonehouse District  
Mary Jones, Vice Chair, Berkeley District  
Bruce C. Goodson, Roberts District  
James O. Icenhour, Jr., Powhatan District  
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator  
Leo P. Rogers, County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE** – Christopher Madeira, a sixth-grade student at James Blair Middle School, led the Board and citizens in the Pledge of Allegiance.

**E. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139 Indian Circle, commented on Veteran Affairs (VA) and customer service; comments by Mr. Stam at a previous meeting; quick resolution of tax issues at the Commissioner of the Revenue office; and compensation for government employees.

2. Mr. Robert Richardson, 2786 Lake Powell Road, commented on the Project Development Agreement with Newport News Waterworks. He requested to revisit the contract due to changes in circumstances since 2008. He commented that the County should investigate desal-2 systems and make its own water. He commented on the cost of paying Newport News Waterworks and possible difficulties with the contract.

**F. CONSENT CALENDAR**

Mr. McGlennon made a motion to adopt the items on the Consent Calendar.

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

1. Minutes –
  - a. April 13, 2010, Continued Meeting
  - b. April 13, 2010, Regular Meeting
2. Colonial Community Criminal Justice Board Appointments

**RESOLUTION**

**COLONIAL COMMUNITY CRIMINAL JUSTICE BOARD APPOINTMENT**

WHEREAS, the terms of Doug Powell and the Honorable G. C. Fairbanks, IV, on the Colonial Community Criminal Justice Board have expired; and

WHEREAS, Mr. Powell has agreed to reappointment and Judge Fairbanks' appointment to the Board is required

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby reappoints Doug Powell and Judge G. C. Fairbanks, IV, to a full three-year term on the Colonial Community Criminal Justice Board, set to expire on February 28, 2013.

3. Appropriation of Insurance Proceeds – \$12,226

**RESOLUTION**

**APPROPRIATION OF INSURANCE PROCEEDS POLICE DEPARTMENT - \$12,226**

WHEREAS, James City County is committed to protecting County assets and replacing destroyed assets in an efficient manner; and

WHEREAS, James City County Vehicle No. 062607 was destroyed in an accident on January 8, 2008; and

WHEREAS, the actual cash value of Vehicle No. 062607 has been recovered from Erie Insurance Group; and

WHEREAS, the insurance proceeds recovered will be used for a replacement Police vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation of recovered funds.

Revenue

Insurance Recovery	<u>\$12,226</u>
--------------------	-----------------

Expenditure

Police	<u>\$12,226</u>
--------	-----------------

## **G. PUBLIC HEARING**

### **1. FY 2011-2012 County Budget**

#### **a. Ordinance Amendments to Chapter 2, Administration, Section 2-15.1, Authority to Obtain Criminal History Record Information for Employees, Etc.**

Ms. Sue Mellen, Financial and Management Services Assistant Manager, gave an overview of the County Administrator's proposed FY 2011-12 County budget. She stated that the tax rate is constant at \$.77. She stated that the budget proposed a reduction in spending of roughly \$3.5 million and elimination of 41 positions. She reviewed the sources and amounts of General Fund revenues and explained each revenue source was decreasing, including real estate revenues and State revenues. She noted new proposed fees for criminal history checks and recreation fee changes. She reviewed spending and noted decreases in funding in many of these areas. She noted program eliminations and decreases in spending for FY 2011-12. She reviewed the Capital Improvements Program (CIP) and stated that the James City Service Authority (JCSA) was self-supporting and had no proposed rate increases. She reviewed the FY 2012 plan, which projected less than a one-percent increase in revenues. She reviewed the Budget Work Session schedule and requested that the budget public hearings be opened and stated that no action was required at this time.

Mr. McGlennon asked if there would be an additional public hearing opportunity on May 11, 2010.

Mr. Wanner stated that the public hearing would be closed and the budget would be considered on May 11, 2010, as a Board Consideration.

Mr. McGlennon stated that he felt there should be consideration for a full public hearing on May 11, 2010.

Mr. Kennedy and Mr. Goodson opened the joint Public Hearing of the Board of Supervisors and the James City Service Authority Board of Directors.

1. Dr. David Trump, Director of Peninsula Health District, 416 J. Clyde Morris Blvd., Newport News, highlighted the activities of the Peninsula Health District. Dr. Trump stated the operations of the Peninsula Health District are funded through the State and the localities it serves. He stated that James City County's share of the funding was about 12 percent of the budget. He noted the percentage of the Peninsula Health District services that were rendered to James City County residents. He commented on the Peninsula Health District responses to public health and public safety, such as the recent H1N1 flu vaccinations.

2. Mr. Bill Williams, 154 Lakewood Drive, Chairman of the Board of Directors of Williamsburg Land Conservancy, stated the organization was celebrating its 20th anniversary of fulfilling its mission to preserve land in the region. He commented that the Conservancy works with property owners and conducts inspections of its conservation easements. He commented on reductions in greenspace and Purchase of Development Rights (PDR) funds in the County budget, and said that would increase demands on the Williamsburg Land Conservancy. He requested additional funding for the Williamsburg Land Conservancy.

3. Mr. Jim Easton, 105 Harvest Circle, Chairman of the Board of Directors of Hospice House and Support Care, commented that Hospice House is facing a financial struggle due to reductions from grants, Williamsburg Community Health Foundation, United Way, and localities. He commented that more than half of the residents were from James City County. He requested funding for Hospice House in the FY 2011-12 County budget.

4. Ms. Judy Ewart, 117 Kingspoint Drive, Council of Hospice Guild of Volunteers, requested funding for Hospice House in the FY 2011-12 County budget. She commented that three outside agencies, including Hospice House, had been completely removed from the budget. She stated concern that the organization would not be put back into the budget in the future. She commented on funding reductions for Hospice House and the reliance of the organization on volunteers and that as services continue to be reduced, quality will be reduced.

5. Mr. Paul Reier, President of the James City Volunteer Rescue Squad, commented that the rescue squad funding from the County had been reduced by one-third. He stated the Rescue Squad is funded by the United Way and the County. He stated the United Way funding was reduced in the last year because the County charged Advanced Life Support (ALS)/Basic Life Support (BLS) fees. He stated that the fees collected for ambulance services go to the General Fund rather than to the Rescue Squad. He stated the County recently purchased an ambulance, but all equipment and maintenance are supplied by the Rescue Squad. He stated there is a budget deficit of over \$1,600 per year as a result which is made up by savings and that additional cuts would be detrimental. He commented that the funding for James City/Bruton Volunteer Fire Department has maintained a level funding, though it does not provide revenue for the County as the Rescue Squad does.

6. Mr. Tim Lee, on behalf of Tidewater Fiber Corporation (TFC) Recycling, stated that his company was a contractor for recycling for the County. He thanked the Board for continuing to support the curbside recycling program, helping to protect the natural environment. He requested approval of the current level of funding for the curbside recycling program.

7. Ms. Debra Siebers, 3504 Quail Hollow, requested additional funds for greenspace and PDR acquisitions and protection of stormwater. She requested finding alternate funding sources for stormwater management.

8. Mr. John Haldeman, 1597 Founder's Hill North, stated objection to a funds transfer from greenspace and PDR funds to finance stormwater management. He commented that the bond referendum denoted the funds for the acquisition of land rather than capital projects. He commented on reduced buffers, elimination of the stormwater management fee, and a backlog of necessary stream improvements. He requested the Board to find an alternate funding source for stormwater management.

9. Ms. Linda Baker, 107 Formby, stated objection to a funds transfer from greenspace and PDR funds to finance stormwater management projects. She commented that a user fee or other revenue source should be used for stormwater management projects.

10. Mr. Ed Oyer, 139 Indian Circle, commented on an absence of Williamsburg Area Transit Authority (WATA) in the budget; New Horizons listed as a Capital Project; additional debt in FY 2011 due to CIPs; superfluous funding for sports; new debt; contribution to schools larger than annual contribution; totals for Full-Time Equivalents (FTEs) for employees; increasing debt service; 50 percent of principal taxpayers are in the Roberts District; using bonded funding for greenspace and PDR properties going towards stormwater projects; and excess school bond money being used for capital projects.

11. Mr. Robert Richardson, 2786 Lake Powell Road, commented that he also opposed using funding for greenspace and PDR properties for stormwater projects. He asked for discussion and clarification on that point. He commented that Rural Lands should be considered in this matter also. He commented on the budget cuts and service reductions which could be restored with roughly a \$0.035 tax increase.

12. Mr. Richard Wrobel, 116 Waters Edge Drive, commented on Virginia Retirement System (VRS) contributions for County employees. He asked for clarification on deferred payment of VRS contributions.

13. Mr. Shomer Zwelling, 121 Oak Road, stated he was a volunteer at Hospice House and requested County financial support for the organization.

Mr. Kennedy commented that there was a request to keep the public hearing open, which did not follow the usual protocol. He asked for input from the Board on whether this should be changed or not.

Mr. McGlennon stated he would like to keep the public hearing open until May 11, 2010.

Mr. Goodson stated he would like to follow standard protocol.

Mr. Icenhour stated he would like to keep the public hearing open until May 11, 2010.

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

Mr. Goodson asked for more information about the comments referring to referendum bond funds being reallocated in the budget for stormwater management projects.

Mr. McDonald stated that the proposal in the budget was to move current cash balances from accounts for PDRs and greenspace to finance stormwater improvements. He stated that the referendum proceeds that exist as General Obligation bonds would continue to exist and funds exist in debt service if the Board wished to use the debt for greenspace and PDR purposes. He stated that no bond proceeds were being diverted for stormwater management projects.

Mr. Goodson stated that he believed the PDR and Greenspace funds were at the discretion of the Board each year and the funds could be diverted, but the bond funding was allocated specifically for greenspace.

Mr. Wanner stated this matter could be discussed at the budget work sessions.

Mr. McGlennon stated he believed the money that was in the accounts was money placed there in budgets over the years specifically for greenspace, and that was the expectation of the taxpayers for those funds. He commented that he would like to have discussion during the work sessions on the capacity to repay the \$14 million in remaining bonding as well as the ability to support a stormwater management program without identifying a continuous revenue source for those improvements.

Mr. Goodson noted that he wanted to clarify that referendum funding was not being used for the stormwater projects.

Mr McGlennon stated that he believed Mr. Goodson proposed during the referendum to dedicate the \$0.02 that was then being contributed to the capital fund in order to repay the debt.

Mr. Goodson stated that was correct and that if the County took on the additional debt, the money would have to go into the greenspace account in the future.

Mr. McGlennon stated that he did not believe that was the case.

## **H. PUBLIC COMMENT**

1. Mr. Robert Richardson, 2786 Lake Powell Road, continued his comments on the Project Development Agreement with Newport News Waterworks. He stated that he believed the County residents and businesses were paying for water twice and getting nothing in return.

2. Mr. Bill Wallace, Fieldcrest, commented that the greenspace bond referendum led the citizens to believe that the funds would be used only for the purpose of greenspace and PDRs. He commented that the new Board repealed the stormwater management fee, leading to the proposal to transfer greenspace funds for stormwater projects.

3. Mr. Ed Oyer, 139 Indian Circle, commented on his interaction with the Veteran's Administration (VA) and customer service.

## **I. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner stated that the Board should adjourn to 7 p.m. on April 28, 2010, for its first Budget Work Session.

## **J. BOARD REQUESTS AND DIRECTIVES**

Mr. Goodson asked if the Board could consider a resolution on Regional Day.

Mr. Wanner stated it could be considered on April 28, 2010.

Mr. McGlennon clarified that there was a Regional Day being sponsored by Hampton Roads Partnership on May 6, 2010, and each locality has been asked to adopt a resolution endorsing regional interdependence.

Mr. McGlennon responded to Mr. Oyer's comments on WATA, which was now a regional authority so it was handled differently in the budget.

Mr. Wanner responded to Mr. Oyer's question and noted that the FTEs were listed in the proposed budget on page G-3.

Ms. Jones stated that she recently attended the James City County Economic Development Authority's forum on agribusiness in rural lands. She also noted that she attended the Regional Issues Committee (RIC) meeting and discussed the synchronized Comprehensive Plan updates. She commented that the RIC has added an opportunity for public comment during its meetings.

Mr. Kennedy noted that the County Administrator's proposed budget was open to discussion and modification. He commented on Newport News Waterworks and that he would like to have a work session to discuss the future of that agreement.

Mr. McGlennon commented that he attended the memorial for James City County Firefighter Chris Karban who recently passed away. He recognized all public safety workers and the contributions they make to the community.

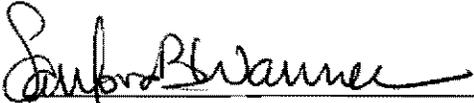
Ms. Jones asked if the budget work sessions would be broadcast.

**K. ADJOURNMENT** to 7 p.m. on April 28, 2010.

Mr. McGlennon made a motion to adjourn.

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

At 8:14 p.m., Mr. Kennedy adjourned the Board until 7 p.m. on April 28, 2010.

  
Sanford B. Wanner  
Clerk to the Board

042710bos\_min