

**JAMES CITY COUNTY WETLANDS BOARD**  
**August 13, 2008 - 7:00PM**

**A. ROLL CALL**

John Hughes - Chairman  
William Apperson  
Larry Waltrip  
David Gussman

**ABSENT**

Henry Lindsey

**OTHERS PRESENT**

County Staff

**The responsibility of this Board is to carry out locally the Commonwealth policy to preserve the wetlands and to accommodate economic activity so as to prevent their despoliation.**

**B. MINUTES**

The June 11, 2008 Board minutes were approved as presented.

The June 25, 2008 Restoration Hearing minutes were approved as presented.

**C. PUBLIC HEARINGS - None**

**D. BOARD CONSIDERATIONS**

1. W-16-07/VMRC 07-1035: Jamestown 4-H Educational Center – 3751 4-H Club Rd - Permit Extension

Mr. Menichino stated that Mr. Tony Lea, Director of the 4-H Center requested an extension of the Wetlands Permit issued on August 8, 2007. The County authorized an extension of the permit to August 8, 2009 and asked that the Board confirm this extension.

Mr. Hughes made a motion to adopt the resolution approving a one-year extension of the permit expiration date for case W-16-07/VMRC 07-1035 with all previously approved conditions.

The motion was approved by a 4-0 vote.

**E. MATTERS OF SPECIAL PRIVILEGE**

1. Videotaping Board meetings

The Board had a brief discussion on adopting a policy for videotaping the Wetlands and Chesapeake Bay Board meetings.

Mr. Menichino stated staff would look into the feasibility of videotaping the meetings.

2. W-09-08 – 5004 River Drive

Mr. Menichino stated that on June 25, 2008, the Wetlands Board conducted a restoration hearing on this case and following that hearing, the Board issued a Wetlands Restoration Order (Order) to the property owner, Walker W. Ware. The Order required that Mr. Ware restore the wetlands on his property. The Order clearly identified specific actions that Mr. Ware must initiate along with the specific timeframes required to begin the wetlands restoration process. Mr. Ware has failed to initiate the specific actions required within the Order.

On July 31, 2008, Mr. Ware was sent a letter informing him of his failure to comply with the requirements set forth in the Order. As of August 5, 2008, Mr. Ware has not contacted the Environmental Division or the Wetlands Board Secretary concerning this matter.

Mr. Gussman asked if the letter had been sent by certified mail.

Mr. Menichino stated the Environmental Division mailed certified letters to Mr. Ware and his attorney, Timothy M Murphy. In addition, copies of the letter were faxed to both parties and when possible an attempt was made to hand deliver a copy of the letter.

3. Virginia Dept of Emergency Management – Surge Maps

The Board had a brief discussion regarding the fact that James City County was not indicated on the latest storm surge maps released by the Virginia Department of Emergency Management and advertised in the Daily Press Newspaper.

Scott Thomas, Environmental Director, stated staff would research this concern and report their findings to the Board.

4. Notice of Vacancy on Board.

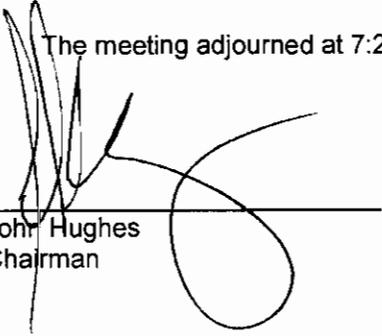
All Board members agreed to authorize Scott Thomas to notify the James City County Board of Supervisors of the upcoming vacancy on the Wetlands Board, as required in the bylaws. Henry Lindsey's term on the Board will expire on Oct 1, 2008 and he has stated he does not wish to continue to serve.

5. VIMS Advisory Services

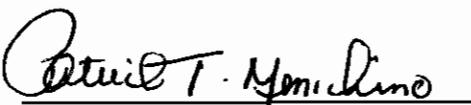
Mr. Menichino stated the Virginia Institute of Marine Science (VIMS) has decided to curtail its shoreline advisory service to local Wetland Boards and local staff. VIMS will continue to receive and evaluate the Joint Permit Applications (JPA) based on available historic and current data. The Board will continue to receive a copy of the VIMS reports for Wetlands cases but VIMS will no longer make onsite project visits. This change will undoubtedly place more responsibility on local staff to evaluate proposed wetlands projects. Mr. Menichino also supplied the Board with a copy of a letter of protest sent to VIMS from the commissioner of the Virginia Marine Resources Commission (VMRC).

**F. ADJOURNMENT**

The meeting adjourned at 7:20 PM.



John Hughes  
Chairman



Patrick T. Menichino  
Secretary