

**JAMES CITY COUNTY WETLANDS BOARD  
MINUTES  
October 8, 2008 - 7:00PM**

**A. ROLL CALL**

John Hughes - Chairman  
Larry Waltrip  
William Apperson  
Terence Elkins  
Richard Mason

**ABSENT**

**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 September 10, 2008 Board minutes were approved as written.

Scott J. Thomas, Environmental Director, welcomed the new Board Member, Terence Elkins; First Alternate, Richard Mason, serving at this meeting for David Gussman; and Second Alternate Charles Roadley. He advised that both the Wetlands and Chesapeake Bay Board meetings were now being televised live on Chanel 48, live stream on video and rebroadcast the following Tuesdays at 8am, 2pm and 8pm. He then introduced the Kathleen Hale, Director of Emergency Services.

**C. SPECIAL PRESENTATION**

1. Kathleen Hale, Director of Emergency Services for James City County

Ms. Hale described the procedures used for compiling the storm surge maps that were publicized in the Daily Press in September. She stated that evacuation studies were based on storm surge not river flooding and the storm surge studies focused on coastline and immediately adjacent lowlying areas only. James City County is identified as a host city for hurricane evacuation. The decision to exclude James City County from the storm surge studies was based on cost and risk factors and limitations in funding. However, Ms. Hale did state that Fema would review available funding for including James City County in future studies and as soon as this information is available, she would relay it to the Board. In the mean time, the Department of Emergency Services urges citizens in low-lying areas, prone to flooding, to evacuate.

The Board thanked Ms. Hale for her time and information.

**D. PUBLIC HEARINGS**

1. W-03-09/VMRC 08-1290: Hunt – 10010 Sycamore Landing

Patrick Menichino presented the following information to the Board:

On July 15, 2008, the Environmental Division received the Joint Permit Application (JPA) from the Virginia Marine Resources Commission (VMRC). Following his initial review, he determined that the application lacked specific information required for evaluation. On July 16, 2008, he sent the applicant a comment letter informing him of the specific deficiencies that would need to be resolved in the application. On September 17, 2008, he met with the applicant and his consultant at the property to discuss the project and the deficiencies. The applicant was advised to resubmit a revised plan to VMRC.

As of October 1, 2008, he had not received the revised plan from VMRC or from the applicant. Therefore, was not prepared to present this case to the Board this evening.

Staff recommended that the applicant request a deferral to the November Board meeting.

Mr. Hughes opened the public hearing.

A. Donald Hunt, owner, stated his consultant would not be available in November and asked if the public hearing for his case could be deferred to December.

Mr. Hughes made a motion to continue the public hearing for case W-03-09/VMRC 08-1290 to December 10, 2008.

The motion was approved by a 5-0 vote.

## **E. BOARD CONSIDERATIONS**

### 1. Amendment to bylaws

Angela King, Assistant County Attorney, recommended that the board adopt a resolution amending Article II "Membership" of the Wetlands Board bylaws clarifying the procedure to be used in notifying the Chairman or Chairman's designee, that a board member will be unable to attend a meeting. The amendment also lays out the general procedure of appointing alternates to serve in place of the absent board member.

Mr. Apperson made a motion to adopt the amendment.

The motion was approved by a 5-0 vote.

### 2. Change date for November Board Meeting

Mr. Menichino stated that due to a scheduling conflict and availability of boardrooms staff was requesting a change in the November meeting date from Wednesday, November 12 to Thursday, November 13.

Mr. Hughes made a motion to change the November Board meeting date to Thursday, November 13, 2008.

The motion was approved by a 5-0 vote.

## **F. MATTERS OF SPECIAL PRIVILEGE**

### 1. Mr. Henry Lindsey's service to the Board

Pat Menichino read the following proclamation into the minutes:

**WHEREAS**, Henry C. Lindsey has continuously served the citizens of James City County as a member of the Wetlands Board since May 7, 1984 and of the Chesapeake Bay Board since January 1, 2004; and

**WHEREAS**, Henry C. Lindsey has provided invaluable Guidance, Leadership and Assistance to the Boards; and

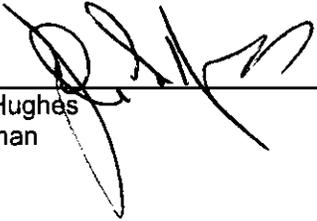
**WHEREAS**, throughout his 24 years of service, having rendered fair and impartial decisions, has fostered and encouraged exceptional public access to both Boards.

**NOW, THEREFORE BE IT RESOLVED** that the Wetlands Board and Chesapeake Bay Board of James City County do hereby proclaim great appreciation to Henry C. Lindsey for his dedication, commitment, and exceptional service to the Boards and to the citizens of James City County.

**BE IT FURTHER RESOLVED** that the issuance of this Proclamation be entered into the official minutes of the Wetlands Board and Chesapeake Bay Board of James City County.

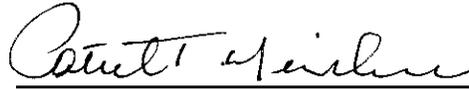
**F. ADJOURNMENT**

The meeting adjourned at 7:25 PM.



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John Hughes  
Chairman



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Patrick T. Menichino  
Secretary