

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

August 8, 2000

7:00 P.M.

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J. CLOSED SESSION

1. Appointment of Individuals to County Boards and/or Commissions, Section 2.1-344 (A) (1) of the Code of Virginia.
 - a. Historical Commission
 - b. Water Conservation Committee

AT A JOINT MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, AND THE PLANNING COMMISSION HELD ON THE 10TH DAY OF JULY, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. JOINT BOARD/COMMISSION DISCUSSION

1. Cash Proffers

The Board and Commission held a discussion concerning the timing of cash proffer requests; legality of cash proffers; alternatives for Planning Commission requests; and the basis/foundation for cash proffer requests.

The Board requested a policy be developed for cash proffers.

2. Transfer of Development Rights

The Board and Commission held a discussion regarding the staff's policy of the Transfer of Development Rights.

The Board requested an analysis of the costs involved in development rights.

3. Water Supply and Growth Issues

Discussion was held regarding the Planning Commission's involvement in growth and water decisions.

The Board requested the legal opinion on the County's ability to limit the number of building permits issued in a year.

4. Other Infrastructure Needs and Growth Issues Inside and Outside the PSA

Discussion was held regarding County road conditions and consideration of upgrading roads to four lanes that were previously not recommended for four-laning.

The Board decided to continue the discussion on roads during the next Comprehensive Plan review.

5. Developing a Joint Vision for the Historic Triangle

The Board discussed the need to include neighboring localities and the obligation to keep the Historic Triangle a special place.

The Board agreed to focus on the vision during the Comprehensive Plan update.

6. Topics for Future Meetings

The Board and Commission discussed future meeting topics including: focus on youth in community, comprehensive plan updates, and major items from the Planning Commission.

The Board and Commission agreed to hold a meeting in late September or early October concerning the Comprehensive Plan process that would begin in January 2001.

Mr. Harrison made a motion to adjourn.

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

The Board adjourned at 9:24 p.m.

Sanford B. Wanner
Clerk to the Board

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF JULY, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Miss Dominique Hundley, a Junior at Jamestown High School, led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Ms. Barbara Wallace, 3512 Fieldcrest Court, stated her concerns that the proposed bicycle path along Greensprings Road will destroy the historical ambiance of the road. By widening the road for a bike path, the tree canopy that adds to the scenic byway of the road will be destroyed.

2. Mr. Scott Albertson, President of the Fieldcrest Homeowners Association, spoke on behalf of the residents in Fieldcrest concerning the bikeway. The residents are not against the bike path, but they are worried about the damage to the beauty and history of the corridor; the safety of those utilizing the proposed bikeway; the easement from Fieldcrest that will be needed for the road widening is not currently available; and encouraged the Board to consider alternative three for the bike path as it is deemed a safer route.

3. Ms. Adrianna Wynne, 118 Ron Springs Drive, spoke to the need for stiffer law enforcement of the speed limit on Ron Springs Drive; the deteriorating condition of the drive with heavy traffic use; and existing sub-standard condition of the drive. She spoke to the rezoning of a parcel of land adjacent to Carters Grove off Route 60, and requested information on how the process of rezoning works; potential impact on the residents if rezoning is permitted; and is this rezoning in response to the expectation of widening Route 60.

4. Mr. Richard Epstein, 2223 North Mallory Street, Hampton, Virginia, requested the County delay the collection of tap fees on the Pocahontas Retirement Home located on Route 60 East to a later date.

Mr. Foster advised the Board of the standard procedure for the collection of a tap fee in connection with the application for a plumbing permit.

5. Ms. Ethelyn Springs, 128 Ron Springs Drive, voiced her concern about the condition of Ron Springs Drive; the necessity of maintaining trees along Ron Springs Drive; maintaining and widening the road; and addressing the necessity of better drainage at the entrance of Ron Springs Drive and Pocahontas Trail.

6. Mr. Clatt Williams, 3715 Quail Hollow, voiced his concern about the proposed bike path along Greensprings Drive; the damage to the tree canopy and historical nature of the road; and requested the County consider alternative locations for the bike path.

7. Ms. Bernice Dorman, 125 Howard Drive, expressed her concern about the proposed relocation of Pocahontas Trail through the residential homes on Howard Drive and requested alternatives be considered such as a flyover rather than displacing people for roads.

8. Mr. Morgan Galbreath, 113 Deerwood Drive, voiced his support for an invocation at the Board meetings; supplied the Board with a booklet entitled "The Five Great Documents of Liberty;" and volunteered to supply fifty ministers to invite for the invocation.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer, Virginia Department of Transportation (VDOT), was available for questions.

Mr. Goodson requested maintenance and right-of-way information concerning Ron Springs Drive.

Mr. McGlennon inquired about the new traffic light pattern at the intersection of Jamestown Road and Route 199.

Mr. McGlennon requested notification be posted alerting drivers of new traffic light patterns.

Mr. Harrison inquired as to what can be done to prevent the ongoing water runoff from the road into Brook Haven that is causing environmental and structural damage.

Mr. Harrison requested Watch for Children signs be posted along Hickory Signpost Road.

Mr. Harrison requested stronger law enforcement of the speed limit be encouraged on Hickory Signpost Road.

Mr. Goodson requested the timetable for the relocation of Route 60 East.

Mr. Elliott informed the Board that there will be a location hearing in the fall to obtain citizen input. Then a public information session will follow to get citizen input related to the design of the proposed relocated Route 60 East. Following that hearing, a design hearing will be held summarizing the citizen's input and to look at the feasible option available.

Mr. McGlennon inquired as to the available funding and estimated cost for the relocation of Route 60 East.

Mr. Nervitt requested procedural information concerning the testimony he gave in Suffolk concerning the County's road priorities.

Mr. Elliott explained there will be nine public hearings, then a tentative six-year plan will be provided for review, followed by two more public hearings. Then the six-year plan will be presented to the Commonwealth for adoption.

Mr. Nervitt requested Mr. Sowers provide an overview of the bikeway plan.

Mr. Sowers informed the Board that according to the Capital to Capital Bikeway plan, development of the bikeways is to begin this fall. The feasibility study on bikeway paths did not make a recommendation, but rather provided potential alternatives for the bikeway. The next phase is to resolve the route. The public will be invited to the meetings wherein the route discussion will take place and the public will be given an opportunity to provide input.

Mr. McGlennon encouraged the protection of the canopy along Greensprings Drive as voiced by the citizens.

E. CONSENT CALENDAR

Mr. Nervitt inquired if any board member wished to remove an item from the consent calendar.

Mr. Harrison requested item number nine, Budget Adjustment – Virginia Department of Transportation Road Improvements, be removed for further discussion.

Mr. Nervitt requested item number four, New Courthouse – Setting a Public Hearing for Ratification of the 1996 Agreement Between the City of Williamsburg and the County of James City, Approving a Plan and Execution of a Deed, and item number five, Budget Amendment – Bulletproof Vest Partnership Program Grant be removed for further discussion.

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

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

1. Minutes

a. June 28, 2000, Joint Work Session, James City County Board of Supervisors and James City Service Authority Board of Directors

b. July 11, 2000, Regular Meeting

2. Installation of “Watch for Children” Sign

a. Indigo Terrace “Watch for Children” Sign

RESOLUTION

INDIGO TERRACE “WATCH FOR CHILDREN” SIGN

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, a resident of Indigo Terrace has requested that a “Watch for Children” sign be installed on Indigo Terrace near its intersection with Ironbound Road, as illustrated on the attached drawing titled “Indigo Terrace Road Watch for Children Sign.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain a “Watch for Children” sign as requested with funds from the County’s secondary road system maintenance allocation.

b. Little Creek Dam Road “Watch for Children” Signs

RESOLUTION

LITTLE CREEK DAM ROAD “WATCH FOR CHILDREN” SIGNS

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, the residents of Little Creek Dam Road have requested that two (2) “Watch for Children” signs be installed on Little Creek Dam Road northeast of its intersection with Menzel’s Road, as illustrated on the attached drawing titled “Little Creek Dam Road Watch for Children Signs.”

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain “Watch for Children” signs as requested with funds from the County’s secondary road system maintenance allocation.

c. Lanexa Area “Watch for Children” Signs

RESOLUTION

LANEXA AREA “WATCH FOR CHILDREN” SIGNS

WHEREAS, Section 33.1-210.2 of the Code of Virginia provides for the installation and maintenance of signs by the Virginia Department of Transportation, alerting motorists that children may be at play nearby, upon request by a local governing body; and

WHEREAS, Section 33.1-210.2 further requires that the funding for such signs be from the secondary road system maintenance allocation for the County; and

WHEREAS, residents of the Lanexa area have requested that three (3) "Watch for Children" signs be installed on Stewarts Road near the bridge and near its intersection with Diascund Reservoir Road and on Diascund Reservoir Road near Stewarts Road, as illustrated on the attached drawing titled "Lanexa Area Watch for Children Signs."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation install and maintain "Watch for Children" signs as requested with funds from the County's secondary road system maintenance allocation.

3. Dedication of Street in Powhatan Crossing

RESOLUTION

DEDICATION OF STREET IN POWHATAN CROSSING

WHEREAS, the streets described on the attached Additions 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 has advised this Board the 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 have entered into 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 Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this 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.

6. Carry Forward Funds – Department of Motor Vehicles (DMV) Grants

RESOLUTION

CARRY FORWARD FUNDS - DEPARTMENT OF MOTOR VEHICLES (DMV) GRANTS

WHEREAS, the Police Department applied for and received DUI and Traffic Safety grants from the Department of Motor Vehicles in the amount of \$22,500 in FY 2000; and

WHEREAS, the Board of Supervisors approved an Appropriation Resolution for personnel and capital expenditures for the full amount on December 21, 1999; and

WHEREAS, the grants are administered by the Department of Motor Vehicles according to the Federal Government Fiscal Year which runs from October 1 - September 30; and

WHEREAS, the Police Department did not expend all grant funds by June 30, 2000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, declare \$6,809.25 as a continuing appropriation from the FY 2000 personnel budget (001-062-0120) and \$61.00 from the FY 2000 capital budget (001-062-0420) of the Police Department to be carried forward to the FY 2001 personnel and capital budgets for the purpose of combating the problem of Driving Under the Influence.

7. Agreement for Credit Card Processing Services

RESOLUTION

AUTHORIZING AGREEMENT WITH NOVA INFORMATION SYSTEMS, INC.

FOR ACCEPTANCE OF CREDIT CARD PAYMENTS FOR

PARKS AND RECREATION FEES

WHEREAS, NOVA Information Systems, Inc., ("NOVA") responded to a request for proposals for credit card processing services; and

WHEREAS, the County negotiated the terms of a service agreement with NOVA; and

WHEREAS, by accepting payment by credit cards, the County will receive approximately two percent less of the overall fee due to credit card service charges; and

WHEREAS, accepting payment by credit cards will improve customer service and is projected to increase revenue for Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute a credit card processing agreement with NOVA Information Systems, Inc.

8. Budget Adjustment – Developer Contribution

RESOLUTION

BUDGET ADJUSTMENT - DEVELOPER CONTRIBUTION

WHEREAS, the Board of Supervisors of James City County has received \$10,000 from a developer, Atlantic Homes, to study conducting archaeological or historical sites or to invest in an environmental protection project near or related to the development of Longhill Station,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, James City County, Virginia, does hereby authorize the following amendment to the FY 2001 budget and appropriates these funds as follows:

CAPITAL FUND

Revenues:

From Developer - Proffer \$ 10,000

Expenditures:

Environmental Protection \$ 10,000

10. Approval of the Revised Agreement Concerning Operation of the Regional Police Academy

RESOLUTION

APPROVAL OF THE REVISED AGREEMENT

CONCERNING OPERATION OF THE REGIONAL POLICE ACADEMY

WHEREAS, the Board of Directors of the Hampton Roads Regional Academy of Criminal Justice drafted a new revised agreement to expand the membership of the Academy Board of Directors; and

WHEREAS, the Acting Chief of Police and the County Administrator support this new agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to sign the revised agreement establishing the Hampton Roads Criminal Justice Training Academy on behalf of the County.

4. New Courthouse – Setting a Public Hearing for Ratification of the 1996 Agreement Between the City of Williamsburg and the County of James City, Approving a Plan, and Execution of a Deed

Mr. Morton stated the resolution for consideration sets a public hearing for the Board of Supervisors regular meeting to be held on September 12, 2000. At that public hearing the Board will consider the 1996 ratification of an agreement between the County and City to relocate the new courthouse and the site upon which it is located into the City; approve a plat that shows the relocation of Williamsburg Corporate Limits to include the property jointly owned by the City and County; and authorize the Chairman of the Board to sign the deed conveying the courthouse site from the County to the County and City as joint tenants.

Mr. Nervitt asked about the equity and capital contribution for the new courthouse.

Mr. Wanner explained the equity and capital contribution will be a ratio of 67 percent County: 33 percent City.

Mr. Nervitt made a motion to adopt the resolution.

On a roll call, the vote was: AYE: McGlennon, Goodson, Kennedy, Nervitt (4). NAY: (0). ABSENT: Harrison.

RESOLUTION

RATIFICATION OF AGREEMENT BETWEEN CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY REGARDING RELOCATION OF THE CORPORATE LIMITS OF THE CITY OF WILLIAMSBURG TO INCLUDE THE NEW COURTHOUSE; APPROVAL OF A PLAT ENTITLED "PLAT SHOWING RELOCATION OF WILLIAMSBURG CORPORATE LIMITS TO INCLUDE PROPERTY JOINTLY OWNED BY CITY OF WILLIAMSBURG AND JAMES CITY COUNTY"; AND AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN A DEED CONVEYING THE COURTHOUSE SITE FROM JAMES CITY COUNTY TO JAMES CITY COUNTY AND THE CITY OF WILLIAMSBURG AS JOINT TENANTS

WHEREAS, the City of Williamsburg ("City") and the County of James City ("County") entered into an agreement dated December 12, 1996, providing for the acquisition of a site and the construction of a new courthouse; and

WHEREAS, under the terms of that Agreement, the City and the County agreed that the new courthouse would be moved into the City limits under a voluntary boundary line adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that at its regular session to be held on September 12, 2000, the Board will hold a public hearing in accordance with Section 15.2-3107 of the Code of Virginia (1950), as amended, to consider the following: the ratification of a certain Agreement dated December 12, 1996, between the City of Williamsburg and the County of James City which provides for: the relocation of the corporate limits of the City of Williamsburg to include the new Williamsburg-James City County Courthouse and its grounds within the corporate limits of the City of Williamsburg; the approval of a plat entitled "Plat Showing Relocation of Williamsburg Corporate Limits to Include Property Jointly Owned by the City of Williamsburg and County of James City" dated April 13, 2000, drawn by Mitchell-Wilson Associates, P.C.; the authorization by the Chairman of the Board of Supervisors to sign a deed dated September 12, 2000, conveying 11.41 acres (the Courthouse site) from James City County to James City County and the City of Williamsburg as joint tenants.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Clerk of the City of Williamsburg is requested to publish a notice of such hearing in the form attached hereto once a week for two successive weeks in the Virginia Gazette as required by said Code Section.

5. Budget Amendment – Bulletproof Vest Partnership Program Grant

Acting Police Chief David A. Daigneault, stated the County has received a reimbursement grant for the Bulletproof Vest Partnership Program in the amount of \$10,515.83 that the Police and Sheriff's Department will use to purchase up to 41 bulletproof vests for officers and Sheriff's deputies.

Mr. Nervitt asked if every officer and deputy currently has a vest.

Acting Police Chief Daigneault stated they all currently have vests, and the manufacturer has indicated the vests have a limited life shelf of five years.

Mr. Nervitt moved to adopt the resolution.

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

RESOLUTION

BUDGET AMENDMENT

BULLETPROOF VEST PARTNERSHIP PROGRAM GRANT

WHEREAS, James City County has received a reimbursement grant from the Bulletproof Vest Partnership Program in the amount of \$10,515.83.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following budget amendments and changes in appropriations for FY 2001:

Revenues:

From Bulletproof Vest Partnership Program	<u>\$10,515.83</u>
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Expenditures:

Police Department	\$ 6,915.83
Sheriff's Department	<u>3,600.00</u>
	<u>\$10,515.83</u>

9. Budget Adjustment – Virginia Department of Transportation Road Improvements

Mr. John E. McDonald, Manager of Financial and Management Services, stated the resolution for consideration amends the budget and appropriates \$300,000 in Virginia Department of Transportation (VDOT) funds to cover all eligible expenditures incurred on improvements to Pocahontas Trail and an overlay on the access road to the new Wal-Mart distribution center.

The Board inquired if the eligible expenditures include turn lanes, a traffic signal, and the cost of a project manager.

Mr. McDonald stated the agreement requires that VDOT pay up to \$300,000 for eligible costs and Wal-Mart reimburse any spending above \$300,000 and any spending determined ineligible by VDOT. The costs mentioned by the Board would be covered by either VDOT or Wal-Mart.

Mr. Goodson made a motion to approve the resolution.

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

RESOLUTION

BUDGET ADJUSTMENT

VIRGINIA DEPARTMENT OF TRANSPORTATION ROAD IMPROVEMENTS

WHEREAS, the Board of Supervisors of James City County has received a commitment of up to \$300,000 from the Virginia Department of Transportation (VDOT) for roadway improvements on Route 60E (Pocahontas Trail) as required for Wal-Mart.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the following amendment to the FY 2001 budget and appropriates these funds as follows:

CAPITAL FUND

Revenues:

From Commonwealth - VDOT \$300,000

Expenditures:

Road Improvements \$300,000

F. PUBLIC HEARING

1. Proposed Sale of Sydnor Surplus Property at 16A Allyson Drive, 4921 Burnley Drive, and 7A Foxcroft Drive

Mr. Andrew H. Herrick, Assistant County Administrator, stated the County acquired titles to 16A Allyson Drive, 4921 Burnley Drive, 7A Foxcroft Drive, and 220 The Maine as part of its acquisition of the local Sydnor water systems in 1999. These parcels are not buildable or associated with the Ware Creek Reservoir and it is recommended they be sold, preferably to neighboring owners with restrictions against residential development as part of the contract.

Staff recommends the Board adopt the resolution approving the transfer of these remaining surplus properties to the James City Services Authority.

Mr. Nervitt opened the public hearing.

1. Ms. Barbara Richardson, Roberts District, asked for the definition of JCSA.

Mr. Foster explained the acronym: James City Service Authority.

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

Mr. Goodson made a motion to approve the resolution.

A brief Board discussion followed.

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

RESOLUTION

SALE OF SURPLUS PROPERTIES AT 16A ALLYSON DRIVE,

4921 BURNLEY DRIVE, AND 7A FOXCROFT DRIVE

WHEREAS, in 1999, James City County acquired certain parcels from Sydnor Pump and Well Company for use by the James City Service Authority (JCSA); and

WHEREAS, the County no longer requires these properties or facilities for its operations; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion the County should transfer certain properties to the James City Service Authority (the "Authority") for disposition as outlined herein.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute deeds and any other documents necessary to convey the following properties to the James City Service Authority, and further requests that the Authority in turn convey the properties only to adjacent property owners for combination with their existing parcels:

<u>Tax Map No.</u>	<u>Address</u>	<u>Acres</u>
33-1/4-16A	16A Allyson Drive	0.230
38-4/17-2-1A	4921 Burnley Drive	0.368
47-2/3-18A	7A Foxcroft Drive	0.432

G. BOARD CONSIDERATION

1. Reduced Street Widths

Mr. O. Marvin Sowers, Director of Planning, stated the applicant has made a written request to withdraw this item.

A brief Board discussion followed.

Mr. Nervitt removed the item from consideration.

2. Preschool Task Force for Services to At-Risk Children

Mr. Wanner stated the Preschool Task Force has submitted a report containing recommendations regarding the concept of a blended preschool program and studying services for children birth to three.

Mr. Wanner recommended adopting the resolution that endorses the concept of a blended preschool program and the efforts of the Preschool Task Force.

Mr. Harrison asked what the Preschool Task Force is going to do with the recommendations.

Mr. Anthony Conyers, Jr., Manager of Community Services, informed the Board that it had established the Preschool Task Force to make recommendations. It is now the Board's decision whether to act on the report, not necessarily implement it.

The Board and staff held a discussion regarding the manner in which the Preschool Task Force communicated with all potential participants and the concept of a blended preschool program.

Mr. Harrison made a motion to amend the resolution by adding to resolution, wording that would incorporate all stake holders in future discussion and planning.

Mr. McGlennon suggested the specific wording of "and that implementation should begin by including all stake holders" be added to the end of the paragraph starting "NOW, THEREFORE, BE IT RESOLVED that..."

Mr. Harrison accepted this wording.

The Board voted on Mr. Harrison's motion to amend the resolution with the wording put forth by Mr. McGlennon.

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

Mr. McGlennon made a motion to adopt the amended resolution.

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

RESOLUTION

PRESCHOOL TASK FORCE FOR SERVICES TO AT-RISK CHILDREN

WHEREAS, preschool services in Williamsburg and James City County are fragmented with three different programs serving at-risk children; and

WHEREAS, not all at-risk children in need of preschool services can access the existing programs due to lack of resources; and

WHEREAS, the James City County Board of Supervisors, the Williamsburg City Council, and the Williamsburg-James City County School Board appointed the Preschool Task Force to provide recommendation on how best to address the preschool needs of at-risk children; and

WHEREAS, the Task Force, having completed its work regarding three to five years olds and continuing to analyze services for children birth to three, has submitted a report dated June 2000 to the appointing bodies with accompanying recommendations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby express its support for the concept of a blended preschool program and for a phased transition as recommended by the Task Force, and that implementation should begin by including all stake holders.

BE IT FURTHER RESOLVED that the Board endorses the Task Force's continuing role in studying children birth to three programs and providing recommendations on how best to serve that population.

H. PUBLIC COMMENT

1. Ms. Sharron Dennis, a local preschool center coordinator, requested information on what groups are included in the Preschool Task Force and if preschool service providers would be invited to provide input.

2. Ms. Barbara Blayton-Richardson, Director of preschool centers, inquired if the members of the Preschool Task Force who were excluded from formal representation supported the concept of a blended program; are the special needs children being treated as At-Risk children; if there will be a blending of the Head Start preschool, special needs programs, and public preschool.

The Board held a brief discussion on the definition of blending and agreement of sharing programming.

3. Mr. Ed Oyer, 139 Indian Circle, read an excerpt of the Wall Street Journal from July 20, 2000, regarding the stress development plays on water resources; and proposed the County adopt a water measurement unit of "acre feet" as utilized by California.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended the Board recess for a James City Service Authority Board of Directors meeting, following which the Board would reconvene for a closed session pursuant to Section 2.1-344 (A) (1) to consider personnel matters(s), the appointment of individuals to County boards or commissions.

Mr. Wanner recommended the Board adjourn following the closed session until 4:00 p.m., Wednesday, July 26, 2000, for a Work Session to be followed by a closed session pursuant to Section 2.1-344 (A) (1) to consider a personnel matter involving the annual performance review of the County Administrator.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Nervitt presented a resolution for consideration to congratulate and honor the Queen Mother on the celebration of her 100th birthday.

Mr. Goodson made a motion to adopt the resolution.

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

RESOLUTION

CONGRATULATING THE HONORABLE ELIZABETH ANGELA MARGUERITE

BOWES-LYON ON HER 100TH BIRTHDAY

WHEREAS, her British Majesty Queen Elizabeth the Queen Mother was born on August 4, 1900; and

WHEREAS, the Queen Mother has served as an inspiration to people around the world; and

WHEREAS, Jamestown, the first permanent English speaking settlement in North America, was founded in 1607 in James City County, Virginia; and

WHEREAS, there are many historical, cultural, and economic ties between James City County and the United Kingdom.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby congratulate and honor the Queen Mother on the celebration of her 100th Birthday.

Mr. Harrison made a motion for the Board to accept the invocation as a part of the Board meeting understanding that the prayer would be said or read using a written prayer approved and accepted by the Board of Supervisors that has been submitted by a member of the following: citizens of James City County, members of the faith community, and the religious community at large.

The Board held a discussion on the motion regarding: the necessity to consider all citizens and religious groups in the community as well as those who are not religious; the need to be inclusive and not exclusive in the implementation of this motion if adopted; concerns about the adoption of an official County prayer; concerns about providing a prayer to clergy to recite; the appearance of a political agenda in connection with the dissemination of information concerning this topic of discussion; and the 'separation of Church and State.'

Mr. Kennedy suggested a deferral on the motion to provide the Board an opportunity for further discussion. No action was taken on this suggestion.

Mr. Nervitt requested the County Administrator call roll for the vote on Mr. Harrison's motion.

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

The Board agreed to continue discussion of this information at the September 26, 2000, work session.

Mr. Kennedy requested members of several faiths be invited to the work session.

Mr. McGlennon requested the Board review the reoccurring drainage problem in the community; develop an intensive comprehensive action; and staff consider the fiscal impact of the County addressing the implication of storm water management.

Mr. Nervitt recessed the Board for a James City Service Authority meeting, at 9:37 p.m.

K. CLOSED SESSION

Mr. Nervitt reconvened the Board at 10:05 p.m. and made a motion to convene into closed session as recommended by the County Administrator.

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

Mr. Nervitt reconvened the Board into open session at 10:12 p.m.

Mr. McGlennon made a motion to approve the closed session resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (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 and Section 2.1-344(A)(1) to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions.

Mr. McGlennon made a motion to appoint Betty Cutts to the Williamsburg Area Civic and Cultural Center for a three-year term, term expiring on July 1, 2003; and to appoint Victoria B. Gussman to the Williamsburg Regional Library System Board for a four-year term, term expiring on June 30, 2004.

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

Mr. Nervitt made a motion to adjourn until Wednesday, July 26, 2000, at 4:00 p.m.

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

The Board adjourned at 10:14 p.m.

Sanford B. Wanner
Clerk to the Board

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 26TH DAY OF JULY, 2000, AT 4:03 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District (Arrived at 4:07 p.m.)

John J. McGlennon, Jamestown District (Arrived at 4:09 p.m.)
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. WORK SESSION

Mr. Nervitt called the meeting to order.

C. BOARD DISCUSSION

1. Agricultural and Forestal District (AFD)

Mr. O. Marvin Sowers, Director of Planning, gave the Board an overview of Agricultural and Forestal District (AFD) and Mr. Paul Holt, Planner, presented planning issues on AFDs.

The Board and staff discussed current AFD statistics and facts; length of terms for individual districts; creation, renewals and withdrawals of property from an AFD; and upcoming AFD public hearings.

Mr. Richard Bradshaw, Commissioner of Revenue, addressed the land value issues of AFDs; clarified that all land in an AFD is under land use evaluation; and explained rollback taxes and land use value taxes.

2. Open Burning

Chief Richard Miller, Fire Chief, made a presentation on open burning in James City County. The presentation gave an overview of different types of open burnings; existing laws and regulations concerning open burning; fire prevention codes; how open burning complaints are handled; and a comparison of open burning regulations within several Virginia jurisdictions.

D. CLOSED SESSION

Mr. Wanner recommended the Board move into closed session pursuant to Section 2.1-344 (A)(1) to consider a personnel matter involving the annual performance review of the County Administrator.

Mr. McGlennon made a motion to go into closed session at 5:25 p.m.

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

The Board reconvened into open session at 6:16 p.m.

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

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

Mr. McGlennon made a motion to increase the base salary of the County Administrator to \$110,000 and to then award the County Administrator a 4.5 percent increase in that salary to reflect his outstanding performance.

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

Mr. McGlennon made a motion to adjourn until Tuesday, August 8, 2000, at 7 p.m.

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

The Board adjourned at 6:18 p.m.

Sanford B. Wanner
Clerk to the Board

M E M O R A N D U M

DATE: August 8, 2000

TO: The Board of Supervisors

FROM: Darryl E. Cook, Environmental Director

SUBJECT: Dedication of Streets in Grove Hill Estates, Section 2; Governor's Land, River Reach Blocks A, B, and C.

Attached are resolutions requesting acceptance of certain streets in Grove Hill Estates, Section 2 and Governor's Land, River Reach Blocks A, B, and C into the State Secondary Highway System. These streets have been inspected and approved by representatives of the Virginia Department of Transportation as meeting the minimum requirements for secondary roadways.

I recommend the Board adopt the attached resolutions.

Darryl E. Cook

DEC/alc
grovehilldos.mem

Attachments

RESOLUTION

DEDICATION OF STREET IN GROVE HILL ESTATES, SECTION 2

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is shown on a plat 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 has advised this Board the 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 have entered into 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 street described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this 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.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

grovehilldos.res

RESOLUTION

DEDICATION OF STREETS IN GOVERNOR'S LAND,

RIVER REACH BLOCKS A, B, AND C

WHEREAS, the streets described on the attached Additions 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 has advised this Board the 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 have entered into 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 Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this 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.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

MEMORANDUM

DATE: August 8, 2000
TO: The Board of Supervisors
FROM: Katie W. Green, Colonial Community Corrections Administrator
SUBJECT: Conversion of Case Supervisor Position to Full-Time, Colonial Community Corrections

Colonial Community Corrections (CCC) received additional funding from the Department of Criminal Justice Services (DCJS) to increase the hours of an existing Case Supervisor position from part-time to full-time. The primary responsibility of the position is to provide probation supervision to local responsible offenders. Since James City County is the fiscal agent for CCC, the Board of Supervisors must authorize the conversion to a full-time position.

The current caseload justifies the conversion of this position to full-time. DCJS established 50 as the minimum average caseload; CCC's current average caseload is 99.7.

Staff recommends approval of the attached resolution, which authorizes the conversion of this part-time limited term position to full-time limited term, effective July 1, 2000.

Katie W. Green

CONCUR:

Anthony Conyers, Jr.

KWG/gb
casesuper.mem

Attachment

RESOLUTION

CONVERSION OF CASE SUPERVISOR POSITION TO FULL-TIME.

COLONIAL COMMUNITY CORRECTIONS

WHEREAS, the Department of Criminal Justice Services has provided additional funding to increase the hours of a Case Supervisors position from part-time to full-time; and

WHEREAS, James City County is the fiscal agent for Colonial Community Corrections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the conversion of the Case Supervisor position from part-time limited term to full-time limited term.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

casesuper.res

MEMORANDUM

DATE: August 8, 2000
TO: The Board of Supervisors
FROM: Sanford B. Wanner, County Administrator
SUBJECT: The Virginia Peninsula Regional Jail Law Enforcement Retirement Benefit

The Virginia Peninsula Regional Jail Authority, on July 20, 2000, authorized the Virginia Peninsula Regional Jail to offer its employees the retirement benefits equivalent to those provided for State police officers effective January 1, 2001.

The Virginia Retirement System (VRS) requires that the political subdivisions participating with the Virginia Peninsula Regional Jail concur in the Jail participating in the VRS to have such employees of the jail be provided benefits equivalent to those provided for State police officers of the Department of State Police.

The attached resolution drafted by VRS sets forth the concurrence of the Board for Jail participation in this VRS benefit.

I recommend approval of the attached resolution.

Sanford B. Wanner

SBW/alc
vrsbenefit.mem

Attachment

RESOLUTION

THE VIRGINIA PENINSULA REGIONAL JAIL

LAW ENFORCEMENT RETIREMENT BENEFIT

BE IT HEREBY RESOLVED that the Board of Supervisors of James City County, Virginia, a political subdivision participating with the Virginia Peninsula Regional Jail, acting by and through its Board does hereby concur that the Jail, participating in the Virginia Retirement System under Title 51.1, Chapter 1, Article 5 of the Code of Virginia, as amended, may elect to have such employees of the Jail who are employed in positions as full-time salaried Jail Superintendents and Jail Officers and whose tenure is not restricted as to temporary or provisional appointment, to become eligible, effective January 1, 2001, to be provided benefits in the Virginia Retirement System equivalent to those provided for State police officers of the Department of State Police, as set out in Section 51.1-138 of the Code of Virginia, in lieu of the benefits that would otherwise be provided as such code has been or may be amended from time to time.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

jailret.res

CERTIFICATE

I, _____, Clerk to the Board of the County of James City, Virginia, certify that the foregoing is a true and correct copy of the resolution passed at a lawfully organized meeting of the Board of Supervisors held at the County Government Center Board Room, 101 Mounts Bay Road, James City County, Virginia, at 7:00 p.m. on August 8, 2000.

Given under my hand and seal of the County this 8th day of August, 2000.

Sanford B. Wanner
Clerk to the Board

MEMORANDUM

DATE: August 8, 2000
TO: The Board of Supervisors
FROM: Needham S. Cheely, III, Director of Parks and Recreation
SUBJECT: Grant-in-Aid Program Awards

During the FY 2000 Budget process, the Board of Supervisors approved \$25,000 for the Grant-in-Aid Program administered by the Division of Parks and Recreation. This 50/50 matching program was designed to aid nonprofit organizations in James City County to acquire parks and recreation equipment and land for citizen use. Qualifying organizations are eligible to apply for funds to pay for playground equipment, fields, services, buildings, and materials as part of a recreation project. These facilities, once built, are then open for the citizens of James City County. Organizations can also provide a monetary match that is donated to the Division for a specific project to be located in a County park.

A committee reviewed the five proposals that were submitted and has recommended the following three organizations for funding. The Junior Woman's Club of Williamsburg is recommended for a match to a \$3,500 donation they made to the Division for park signage. The funds will be used to buy park equipment to include benches and trash cans. Kristiansand Homeowners Association is recommended for \$2,262.75 for assistance with landscaping and a water fountain to be located on their new playground site. Rawls Byrd Elementary School PTA is recommended for \$3,000 for the construction of a covered pavilion with picnic tables located at the school near the playground.

The three grants total \$8,762.75. The remaining \$16,237.25 is carried forward in the Capital Improvement Budget.

RECOMMENDATION:

Staff recommends approval of the attached resolution authorizing the expenditure of funds as described above.

Needham S. Cheely, III, CLP

CONCUR:

Anthony Conyers, Jr.

NSC/gb
grantaid.mem

Attachment

RESOLUTION

GRANT-IN-AID PROGRAM AWARDS

WHEREAS, the James City County Board of Supervisors approved \$25,000 for the Grant-in-Aid Program in FY 2000 for community park projects; and

WHEREAS, three organizations to include Kristiansand Homeowners Association, the Junior Woman's Club of Williamsburg, and Rawls Byrd Elementary School PTA are recommended for funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the matching grant awards to the abovementioned organizations

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following expenditures:

Expenditures:

Grant-in-Aid Account (0130220900)	
Junior Woman's Club of Williamsburg	\$3,500.00
Kristiansand Homeowners Association	\$2,262.75
Rawls Byrd Elementary School PTA	<u>\$3,000.00</u>
 Total:	 <u>\$8,762.75</u>

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

grantaaid.res

MEMORANDUM

DATE: August 8, 2000
TO: The Board of Supervisors
FROM: Richard M. Miller, Fire Chief
SUBJECT: Award of Contract - Fire Ladder Truck Chassis

The FY 01 Capital Improvement Budget for rehabilitation of the ladder truck in Tona, approved by the Board of Supervisors, contains \$250,000 in funding. This funding supports the first year of a two year plan to totally rehabilitate the ladder truck. These funds will be used to purchase the replacement chassis from Aerialscope, Inc. Since we are remounting the original 1972 ladder boom and related hydraulic equipment on the new chassis, we are limited during the procurement process to the manufacturer of the ladder truck.

Construction and delivery of the unit could be delayed by up to two years if we place our order after a 19 truck order by New York City now being developed.

Aerialscope, Inc., has provided a price quote of \$226,415.70 for the chassis. We negotiated a discount of three percent by prepaying a portion of the cost. Purchasing concurs with our findings and supports this purchase decision.

I recommend the Board of Supervisors approve the attached resolution awarding the contract to Aerialscope, Inc., in the amount of \$226,415.70.

Richard M. Miller

RMM/tlc
ladrtrk.mem

Attachment

RESOLUTION

AWARD OF CONTRACT - FIRE DEPARTMENT LADDER TRUCK CHASSIS

WHEREAS, funds are available in the Capital Improvement Program Budget for rehabilitation of a 1972 ladder truck; and

WHEREAS, original equipment will be reused therefore bids for the rehabilitation must be limited to the original manufacturer of the fire ladder truck; and

WHEREAS, Aerialscope, Inc., provided a price quote of \$226,415.70.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute a contract between James City County and Aerialscope, Inc., in the amount of \$226,415.70.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

ladrtrk.res

MEMORANDUM

DATE: August 8, 2000
TO: The Board of Supervisors
FROM: Carol O. Swindell, Assistant Manager of Financial and Management Services
SUBJECT: Purchasing Limits

The attached resolution would authorize the County to increase its Purchasing and Contract approval limits, as follows:

<u>Purchasing Limits</u>	<u>Current Policy</u>	<u>Proposed Policy</u>
3 Phone Quotes	\$101 - \$1,000	\$1,001 - \$5,000
3 Written Quotes	\$1,001 - \$15,000	\$5,001 - \$30,000
Sealed Bid or Proposal	Over \$15,000	Over \$30,000
<u>Contract Approval</u>	<u>Current Policy</u>	<u>Proposed Policy</u>
County Administrator	Less than \$50,000	Less than \$100,000
Board of Supervisors	\$50,000 or more	\$100,000 or more

The limits have not been adjusted since 1984, and are no longer consistent with practices in other communities. In addition, the State increased its limit for small purchases from \$30,000 to \$50,000, as of July 1, 2000. We are not proposing increasing the County's limit to that level at this time. The proposed limits would allow the Purchasing staff to focus its efforts on those purchases where they add value and would allow County staff more flexibility in buying goods and services.

Staff is in the process of reviewing and revising our Purchasing procedures. We plan to bring a policy for you to consider within the next few months. Some of those policies are driven by purchasing limits, which is why we are asking you to consider these proposed limits in advance of the comprehensive policy.

As part of the review of purchasing policies, a team of County employees reviewed the Purchasing limits, gathering data from other localities. A chart comparing the proposed limits to those in other localities is attached.

I recommend approval of the attached resolution.

Carol O. Swindell

CONCUR:

John E. McDonald

RESOLUTION

JAMES CITY COUNTY PURCHASING LIMITS

WHEREAS, County staff has researched the current purchasing limits, determined they are outdated and not adequately meeting the County's needs; and

WHEREAS, the County would like the Purchasing staff to focus on those purchases where they add value, producing faster turnaround time and more flexibility in purchasing goods and services; and

WHEREAS, County staff has reviewed Purchasing Limits in other localities as well as Virginia Public Procurement Law and has proposed adjustments to James City County's existing Purchasing Limits.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the following Purchasing and Contract Approval limits for all James City County Purchasing activities.

3 Phone Quotes Required	\$1,001 - \$5,000
3 Written Quotes Required	\$5,001 - \$30,000
Sealed Bid or Proposal	Over \$30,000
County Administrator Approval Required for Contracts	Less than \$100,000
Board of Supervisors Approval Required for Contracts	\$100,000 or more

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

purchlmt.res

M E M O R A N D U M

DATE: August 8, 2000

TO: The Board of Supervisors

FROM: Sanford B. Wanner, County Administrator

SUBJECT: Resolution Authorizing the Sale to York County of James City County's Interest in Certain Property Associated with Joint Sanitary District No. 1

In October 1960, York County and James City County, acting through sanitary districts previously created in each County, entered into an Agreement (subsequently amended in November 1962) whereby the Counties established Joint Sanitary District No. 1 and agreed to share the cost of acquiring certain property necessary to operate a sewage disposal plant and associated pipelines near the intersection of Lodge Road and Route 199 in York County. The greater part of the real property, sometimes collectively known as the Sewage Disposal Plant Property, consists of three separate parcels comprising approximately 8.5 acres. A plat showing the location and configuration of those three parcels is attached. The disposal plant, which formerly occupied the property, has been removed and the property has been unused for a number of years. This property will be needed by York County in connection with a major sewer extension project in the vicinity of Route 199.

In order for York County to own the property without encumbrance, and without the restrictions placed upon it by virtue of the Joint Agreement between the Counties, it is necessary that James City County sell its interest in the property to York County. In this regard, York has proposed to James City that York purchase all of our interest in the property so that the property can be released from the terms of the Joint Agreement. Although title to the property is held in the name of York County, the Joint Agreement indicates that James City County contributed 33 percent of its purchase price. The County Assessors for both jurisdictions have conferred and agreed that the total value for all three parcels is \$20,000, meaning that the value of James City County's one-third interest in the property equals \$6,600. The Joint Agreement provides that no real property or any interest therein which is subject to the terms of the Joint Agreement may be disposed of without an authorized resolution adopted by the governing bodies of both jurisdictions permitting the disposal of the real property or any interest therein. York County Board of Supervisors adopted a resolution authorizing acquisition of James City's interest at its meeting on July 19, 2000.

RECOMMENDATION:

It is my recommendation that the Board of Supervisors adopt the attached resolution which authorizes all actions necessary be taken to accomplish the sale of James City County's interest in the subject property for the sum of \$6,600, and further authorizes the execution of such agreements or documentation as may be required to evidence the release of the Sewage Disposal Plant Property from the terms and conditions of the Joint Agreement, as amended.

Sanford B. Wanner

SBW/tlc
sandist.mem

Attachments

RESOLUTION

TO AUTHORIZE THE SALE TO YORK COUNTY OF

JAMES CITY COUNTY'S INTEREST IN CERTAIN PROPERTY ASSOCIATED

WITH SANITARY DISTRICT NO. 1

WHEREAS, the respective Boards of York County and James City County entered into an agreement dated October 20, 1960, subsequently amended by an agreement dated November 12, 1962, whereby the two jurisdictions agreed to the manner by which property would be acquired and utilized in connection with Sanitary District No. 1, created by an order of the York County Circuit Court; and

WHEREAS, the agreement, as amended, recognized that James City County had contributed 33 percent of the cost of acquiring certain real property designated as the site for a proposed sewage disposal plant, such property consisting of three parcels in York County identified as York County Tax Map Parcels 11-46, 11-47, and 11-48 ("the Sewage Disposal Plant Property"); and

WHEREAS, the parties agree the value of the three parcels is \$20,000; and

WHEREAS, the agreement, as amended, provided that no real property acquired for the purpose of constructing any portion of the proposed sewage collection and disposal system would be disposed of by the respective owners without a duly authorized resolution by both jurisdictions permitting such disposal; and

WHEREAS, it is the desire of this Board to sell James City County's Sewage Disposal Plant Property and for Sanitary District No. 1 to release the Sewage Disposal Plant Property from any obligations imposed by virtue of the terms and conditions of the above referenced agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, acting as the Board for James City County Sanitary District No. 1, authorizes the County of James City, Virginia, to sell for the sum of \$6,600 its interest in and to the Sewage Disposal Plant Property, and to release the subject property from the terms and conditions of the referenced agreement of October 20, 1960, as amended, by an agreement dated November 12, 1962; and

BE IT FURTHER RESOLVED that the Board of Supervisors for York County has, by Resolution dated July 19, 2000, agreed to purchase James City County's interest for the sum of \$6,600; and

BE IT FINALLY RESOLVED that the County Administrator be, and he hereby is, authorized and directed to take all actions necessary to accomplish the sale of James City County's interest in the subject property, and in connection therewith to execute such agreements or other documentation as may be required to evidence the release of the Sewage Disposal Plant Property from the terms and conditions of the agreements referenced above, any such documentation to be approved as to form by the County Attorney.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

sandist.res

**AGRICULTURAL AND FORESTAL DISTRICT-13-86. Gospel Spreading Church (Gilley Addition) 2000 Rees Property Withdrawal
Staff Report for August 8, 2000, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

AFD Advisory: Building C Board Room; County Government Complex
July 17, 2000, 7:00 p.m., Building E Conference Room
Planning Commission: August 7, 2000, 7:00 p.m., Building C Board Room
Board of Supervisors: August 8, 2000, 7:00 p.m., Building C Board Room

SUMMARY FACTS

Applicant: Mr. John Hughes
Land Owner: Francis S. Rees

Proposed Use: Five Lot Subdivision

Location: 537 Neck-O-Land Road (see attached map)

Tax Map and Parcel Nos.: (25-1), (25-3), (25-4), and (25-5) on the James City County Real Estate Tax Map No. (47-3)

Primary Service Area: Inside

Parcel Size: The property has a total of 108.71 acres; however the applicant has requested that only 81.88 acres be removed from the AFD

Existing Zoning: R-8, Rural Residential

Comprehensive Plan: Low Density Residential

Surrounding Zoning: All other AFD property in this District is located across Neck-O-Land Road behind the Gatehouse Farms Subdivision.

Staff Contact: Paul D. Holt, III, Phone: 253-6685

STAFF RECOMMENDATION:

Staff finds the request meets the withdrawal criteria and recommends the property be withdrawn from the AFD. On July 17, 2000, the AFD Advisory Committee recommended by a vote of 7-0, with three absences, that the property be withdrawn.

Property Description

As the attached aerial photograph shows, the property is mostly wooded, however some clearing has occurred. A single two-story house is currently the only structure on site. The property is generally flat, but the rear of property slopes off towards Powhatan Creek. Due to the proximity of the Creek, the property contains Resource Protection Areas (RPA's), as defined in the Chesapeake Bay Preservation Ordinance, marshy areas, and some of the property lies in the Floodplain. There are also wetlands on site.

Existing Property Zoning and Development

The Rees property is currently zoned R-8, Rural Residential, and has no previous zoning action or history. With the exception of one singly-family dwelling and some clearing, the land is undeveloped. The AFD property in this area of the County was originally approved by the Board of Supervisors on December 1, 1986, for a period of four years. At that time, the AFD property was collectively known as the "Gospel Spreading Church" Agricultural and Forestal District (AFD). Three properties owned by Mr. and Mrs. Gilley and the two Rees properties were added on March 2, 1987, and to add clarity, were given a new reference number (AFD-13-86) and a new reference name (the "Gospel Spreading Church (Gilley Addition)" AFD). The "Gilley Addition" AFD currently consists of 281 acres and was most recently renewed in 1998 for a period of four years.

Surrounding Zoning and Development

North and West: Vacant, Powhatan Creek
South: The Colonial Parkway
East: Powhatan Shores Subdivision

AFD Conditions

The current conditions of the "Gilley Addition" AFD are as follows:

1. All land within 25 feet of the road rights-of-way of Treasure Island Road (Route 617), Lake Powell Road (Route 618), Jamestown Road (Route 31), and Neck-O-Land Road (Route 682) shall be excluded from the District.
2. That pursuant to the Virginia Code, Sections 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the Gospel Spreading Church (Gilley) Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment, provided: a) The subdivision does not result in the total acreage of the district to drop below 200 acres; and b) The subdivision does not result in a remnant parcel of less than 25 acres.
 - b. No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Parcels inside the Primary Service Area and within the Agricultural and Forestal District may be withdrawn from the district in accordance with the

Board of Supervisors' policy pertaining to "Withdrawal of Lands From Agricultural and Forestal Districts Within the Primary Service Area," adopted September 24, 1996.

- c. No special use permit shall be issued except for agricultural, forestal or other activities and uses consistent with the State Code Section 15.2-4301 et. seq. which are not in conflict with the policies of this district. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

Board of Supervisors' Policy on Withdrawal Criteria for AFD parcels within the PSA

On September 24, 1996, the Board of Supervisors adopted a policy and withdrawal criteria for AFD parcels that are within the PSA. That policy and criteria are as follows:

FOR AGRICULTURAL AND FORESTAL DISTRICTS WITHIN THE PRIMARY SERVICE AREA, the Board of Supervisors will use the minimum standards listed below. These standards are different standards from the standards applied to those districts located outside the Primary Service Area. They are in recognition that lands within the PSA are intended for urban development at some point in the future and, therefore, are not expected to remain in agricultural and forestal use in the long term. Lands outside the PSA are intended to remain rural and the preferred use for rural lands is agricultural and forestal use.

1. Withdrawals will be approved no more than once per year, per AFD, per landowner. This means that an owner of multiple parcels within an AFD will be allowed only one withdrawal per year in the AFD.
2. The minimum acreage for withdrawals shall be 75 acres, either as a single parcel or in combination with more than one parcel. Individual landowners who own less than 75 acres must withdraw all of their parcel from the district. Parcels withdrawn as part of any one request need not be contiguous.
3. The new land use shall be in conformance with the Comprehensive Plan. A formal application to convert the use of the property shall accompany any request for withdrawal, such as an application for rezoning, special use permit or other development plans. The application shall include a conceptual plan acceptable to the Director of Planning. The application for withdrawal and the application to convert the use of the property shall be submitted together and processed concurrently as a single development request.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever criteria and it deems appropriate for the individual case.

Each of these criteria have been evaluated by staff:

Criterion 1: One Withdrawal per year

No other withdrawal request has been received by the property owner within the last year. The application meets this criterion.

Criterion 2: Minimum Acreage

The requested withdrawal is for approximately 80 acres and specifically consists of Lots 1, 3, 4, and 5 on the attached plat. The requested withdrawal is greater than 75 acres; therefore, the application meets this criterion.

Criterion 3: Conformance with the Comprehensive Plan and acceptability to the Director of Planning

The applicant has previously submitted a subdivision plat to staff which shows the property being subdivided into a total of five lots. As part of this proposed subdivision, the property owner has sold a scenic easement to the County in order to protect the viewshed of the Colonial Parkway. This easement ranges from 200-300 feet in width and, along with the five lots, is shown on the attached plat. The property is currently zoned R-8, Rural Residential, and in the R-8 Zoning District, the minimum lot size is three acres. The lot sizes shown on the attached plat greatly exceed this minimum threshold. Furthermore, the subdivision does not require a rezoning or special use permit - it is a "by-right" development (subject to approval of the withdrawal of the AFD). Staff believes the proposed use is compatible with the Low Density Residential Land Use Designation of the Comprehensive Plan and the scenic easement protects the Colonial Parkway, which is designated a Community Character Corridor. The proposal therefore, is acceptable to staff.

Utilities

Public water and sewer are available to the site.

RECOMMENDATION:

Staff finds the request meets the withdrawal criteria and recommends the property be withdrawn from the AFD. On July 17, 2000, the AFD Advisory Committee recommended by a vote of 7-0, with three absences, that the property be withdrawn.

Paul D. Holt, III

CONCUR:

O. Marvin Sowers, Jr.

PDH/tlc
afd1386.wpd

Attachments:

1. General location map
2. Withdrawal Criteria established by the Board of Supervisors
3. Development Plat (separate)
4. Aerial Photograph of the Site (separate)
5. Ordinance

ORDINANCE NO. _____

GOSPEL SPREADING CHURCH (GILLEY ADDITION)

AGRICULTURAL AND FORESTAL DISTRICT (AFD-13-86)

2000 REES PROPERTY WITHDRAWAL

WHEREAS, a request to withdraw approximately 81.88 acres owned by Francis Rees, identified as Parcel Nos. (25-1), (25-3), (25-4), and (25-5) on the James City County Real Estate Tax Map No. (47-3), has been filed with the James City County Board of Supervisors; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its July 17, 2000, meeting recommended the property be withdrawn by a vote of 7-0, with three absences; and

WHEREAS, in accordance with Section 15.2-4314 of the Code of Virginia, a public hearing was advertised and held by the Board of Supervisors of James City County, Virginia; and

WHEREAS, the Board finds that the withdrawal request meets the criteria set forth in the Board of Supervisors' Withdrawal Policy for Agricultural and Forestal District Parcels Within the Primary Service Area, dated September 24, 1996.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby removes that 81.88 acres owned by Francis Rees, as referenced herein from the 280.993 acre Gospel Spreading Church (Gilley Addition) Agricultural and Forestal District.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

afd13-86.res

**SPECIAL USE PERMIT-18-99. Olde Towne Road Timeshares
Staff Report for August 8, 2000, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Building C Board Room; County Government Complex
 Planning Commission: August 2, 1999, 7:00 p.m. (Deferred)
 September 8, 1999, 7:00 p.m. (Denied)
 July 5, 2000, 7:00 p.m. (Approved)
 Board of Supervisors: November 23, 1999 7:00 p.m. (Deferred)
 August 8, 2000 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Richard Costello, AES Consulting Engineers
 Land Owner: Mr. Philip Richardson and Philip Richardson Company, Inc.
 Proposed Use: 365 timeshares within a residential cluster and one single-family lot, at a density of 2.80 dwelling units per acre. Residential clusters with a density greater than one dwelling unit per acre require a special use permit in the R-2, General Residential District.
 Location: 5295, 5350, and 5380 Olde Towne Road, adjacent to Route 199, Berkeley District
 Tax Map and Parcel No.: (32-4) (1-26); (32-4) (1-26-A); (32-4) (1-36); (33-3) (1-30)
 Primary Service Area: Inside
 Parcel Size: 130.40 acres
 Existing Zoning: R-2, General Residential District
 Comprehensive Plan: Low-Density Residential
 Surrounding Zoning: North, West: R-2, General Residential
 South: R-5, Multifamily Residential (The Mews)
 East (JCC): R-2; R-5 (Chisel Run)
 East (Williamsburg): RM-1 and RM-2, Multifamily Dwelling Districts; RS2, Single-Family Dwelling District (Piney Creek Estates)
 Staff Contact: Jill E. Schmidle - Phone: 253-6685

STAFF RECOMMENDATION:

The applicant requests deferral of this case and staff concurs with this request.

Jill E. Schmidle

CONCUR:

O. Marvin Sowers, Jr.

JES/tlc
timeshar2.wpd

Attachments:

1. Applicant's deferral letter

RESOLUTION

CASE NO. SUP-18-99 OLDE TOWNE ROAD TIMESHARES

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and
- WHEREAS, Mr. Richard Costello has applied on behalf of Mr. Philip Richardson and Philip Richardson Company, Inc., for a special use permit to allow 365 timeshares in a residential cluster; and
- WHEREAS, the proposed residential cluster is shown on the master plan prepared by AES Consulting Engineers, dated May 10, 2000, and entitled "Olde Towne Road Timeshares;" and
- WHEREAS, the property is located on land zoned R-2, General Residential District, and can be further identified as Parcel Nos. (1-26), (1-26A), and (1-36) on James City County Real Estate Tax Map No. (32-4) and Parcel No. (1-30) on James City County Real Estate Tax Map No. (33-3); and
- WHEREAS, the Planning Commission, following its public hearing on July 5, 2000, voted 4-3 to approve this application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia does hereby approve the issuance of Special Use Permit No. SUP-18-99 as described herein with the following conditions:

1. Construction on this project shall commence within 36 months from the date of approval of this special use permit or this permit shall be void. Construction shall be defined as the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation. Construction does not include land preparation, such as clearing, grading or filling.
2. The Master Plan of development required under Section 24-554 of the zoning ordinance shall be generally consistent with the Conceptual Plan "Olde Towne Road Timeshares" prepared by AES Consulting Engineers, August 23, 1999, as determined by the Director of Planning. Development of the site shall be generally in accordance with the Master Plan, with such minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
3. The property shall be developed as a timeshare project. There shall be not more than 365 timeshare units in addition to associated recreation facilities on the property and one single-family residential lot, its location identified on the Master Plan.
4. The applicant shall implement the road improvements recommended by the traffic study "Traffic Analysis for Olde Towne Road Timeshares on Olde Towne Road" prepared by DRW Consultants, Inc., September 9, 1998, prior to issuance of the first Certificate of Occupancy for any structure on the site.

5. Prior to preliminary site plan approval, an engineering study shall be submitted to and approved by the James City Service Authority confirming the sanitary sewer system capacity.
6. All dumpsters and heating and cooling units shall be screened by landscaping or fencing approved by the Planning Director prior to final site plan approval.
7. Free-standing signs shall be ground-mounted, monument style and shall be approved by the Planning Director prior to final site plan approval.
8. The landscape plan shall be approved by the Planning Director prior to final site plan approval for any section or phase of this project and shall include enhanced landscaping around the perimeter of each timeshare building, so that the required number of plants equals at least 133 percent of the County's Landscaping Ordinance requirements with a minimum of 33 percent of the required number of trees being evergreen. The landscape plan shall also contain landscape screening and berms with a minimum eight-foot height along the Olde Towne Road and Route 199 frontage, at the location shown on the Master Plan.
9. Four-foot Class II bikeways shall be provided on both sides of Olde Towne Road at the location shown on the Master Plan prior to the issuance of the first Certificate of Occupancy for any structure on this site. A four-foot sidewalk shall be provided at the location shown on the Master Plan on the eastern side of Olde Towne Road prior to the issuance of the first Certificate of Occupancy for any structure on this site.
10. All exterior light fixtures on the property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. A lighting plan shall be submitted to, and approved by, the Planning Director which indicates the fixture type and that no glare will occur outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from a public street or adjoining residentially designated property.
11. A 12-foot wide paved public use path with four-foot wide mulched shoulders and a six-foot wide mulched path shall be provided as shown generally on the Master Plan and constructed prior to site plan approval for any timeshare unit adjoining the trail, as approved by the Director of Planning. The applicant shall fully maintain the paths and bridge during the period of time the developer is constructing the timeshare units.
12. The applicant shall work out an arrangement with the Virginia Department of Transportation to address traffic issues and safety concerns on Olde Towne Road. The applicant shall provide documentation of the agreed upon arrangement prior to final site plan approval.
13. The applicant shall dedicate to the County, by conservation easement for the purpose of providing public access to the public-use paths, 44.94 acres of the Chisel Run Swamp, identified on the master plan as "Protected and Preserved Natural Area, RMA Wetlands, and Buffers," in a form approved by the County Attorney prior to final site plan approval for any structure on the site.

14. The applicant shall provide water for irrigation utilizing surface water collection from the two surface water impoundments as shown on the master plan and shall not use JCSA water or well water for irrigation purposes. This irrigation system shall be included with the site plan for the project and shall be approved by the Director of Planning. The system shall be in place and operational prior to issuance of a certificate of occupancy for any structure on the site. This requirement prohibiting the use of well water may be waived by the County Engineer if the applicant demonstrates to the County Engineer that there is insufficient water for irrigation in the surface water impoundments, and the applicant may apply for a waiver for a shallow (less than 100 feet) well only.
15. In order to mitigate the fiscal impact of the road improvements on Olde Towne Road caused in part by this project, for a period of 15 years from the issuance of this special use permit, the area shown on the Master Plan as "Reserved Lot" may be used as one residential lot if needed by the County or the Virginia Department of Transportation ("VDOT") to relocate a family displaced due to the Olde Towne Road improvements. A subdivision creating the "Reserved Lot" shall be permitted only in connection with a conveyance to the County or VDOT for the purpose identified in this paragraph. In the event the "Reserved Lot" is not used for the purpose allowed in this paragraph, the "Reserved Lot" shall remain open space.
16. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

timeshar.res

M E M O R A N D U M

DATE: August 8, 2000

TO: The Board of Supervisors

FROM: William C. Porter, Jr., Assistant County Administrator
John E. McDonald, Manager of Financial and Management Services
Bernard M. Farmer, Capital Projects Administrator

SUBJECT: Court Support Services Space

County staff has been pursuing leased space for several regional agencies that provide support services to the courts. In every case these agencies rent office space in the Williamsburg area and all provide services that would be better done if located near the new Courthouse.

A list of the five agencies and information about existing rental space are attached:

9th Judicial District Court Services - Rental costs shared equally by 11 jurisdictions within the 9th District, currently located at McLaws Circle.

Williamsburg-James City County Court Services Unit and Colonial Group Home Commission - Juvenile and domestic parole and supervision, electronic monitoring, and community service, rent paid by City and County, located at McLaws Circle.

Adult Parole and Probation - Current offices are in leased space on Merrimac Trail in the City, rent costs paid by the State.

Colonial Community Corrections - Current office space rented in the Historic Triangle office building in York County, rent costs paid by the State.

Space for these offices was not considered in planning the Courthouse. These are active offices, often with evening and/or weekend activity, serving people that have been previously been involved in the judicial process. A conscious effort was made to create space outside the Courthouse for these agencies.

Working with local builders, we have received two proposals, within walking distance of the Courthouse, to build and lease 12,000 square feet to the County. With the active support of the five agencies and Judges Powell and Fairbanks, the County would sublease that space. At 12,000 square feet, the proposed buildings are larger than the 8,500 square feet now occupied by these offices. Based on projections for the five agencies, the 12,000 square feet will be fully leased. Should we not reach agreement on sublease terms with one of the State agencies, we propose to relocate one of the two County offices (Housing/Community Development and Communications/Neighborhood Connections) that are renting space in other locations.

A review of the two proposals, one from Morton Thalheimer for space at the Courthouse Green Office Park at the rear of the Courthouse parking lot, and one from David Holland for new space near the Garden of Children on Strawberry Plains Road in the City of Williamsburg, has concluded that both first year costs and a discounted 15-year cost projection favor the Morton Thalheimer proposal.

Court Support Services Space

August 8, 2000

Page 2

The attached resolution authorizes the County Administrator to negotiate a lease with Morton Thalhimer for 12,000 square feet of office space for the purpose of subleasing that space to the court supported agencies previously identified. The property is properly zoned and the building is expected to be ready for occupancy some time prior to December 2001. The exact schedule depends on Master Plan approval.

Your approval of the attached resolution is recommended.

William C. Porter, Jr.

John E. McDonald

Bernard M. Farmer

WCP/tlc
crtspace.mem

Attachment

RESOLUTION

COURT SUPPORT SERVICES SPACE

WHEREAS, a proposal to build a building to lease space to the County, submitted by Morton Thalhimer, has been received; and

WHEREAS, Court support agencies to include the District and Local Court Services Units, Adult Probation, Community Corrections, and the Group Home Commission have expressed an interest to relocate near the Courthouse.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to negotiate the lease of approximately 12,000 square feet of office space near the Courthouse.

Ronald A. Nervitt
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of August, 2000.

crtspace.res