

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

March 13, 2001

7:00 P.M.

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AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 21ST DAY OF FEBRUARY, 2001, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

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

B. WORK SESSION

1. Purchase of Development Rights (PDR)

Mr. Donald Davis, Principal Planner, introduced the members of the Rural Lands Committee and Planning Commission who assisted in the development of the draft for the James City County Purchase of Development Rights (PDR) Program.

Mr. Ben Thompson gave an overview of the draft. He explained that the purpose of the Program is to preserve the County's farms, forest lands, the rural character, and to prevent residential development from disrupting the open-space and community character elements of the Comprehensive Plan. He outlined the structure of the Program:

- The Program Administrator would handle the day-to-day operation of the Program which would include program marketing, property ranking, and coordination between County departments.
- The PDR Committee, made up of seven citizens appointed by the Board of Supervisors, would review, rank, and make recommendations to the Board of Supervisors on all applications.
- The Board of Supervisors would annually rank applications, authorize negotiations with property owners, and approve the expenditure of funds for the PDR Program.

Mr. Thompson explained the recommended administrative process, property ranking criteria, and funding sources.

Following Mr. Thompson's presentation, the Board and staff discussed program administration, administrative process, ranking criteria, and funding.

Mr. Melvin Atkinson, Agricultural Reserve Program Coordinator, Virginia Beach Department of Agriculture, explained the Virginia Beach PDR Program. Mr. Atkinson stated that the program started in 1995 with its first purchase of development rights in 1997. The program now has 5,200 acres under PDRs. The annual budget for the program is \$300,000 per year. Mr. Atkinson stated he believes the program has been very successful because it has been kept simple and they have worked with the Federal Farmland Trust and Farm Bureau to ensure success.

The Board and Mr. Atkinson discussed Virginia Beach's administrative set up, educational components, financial mechanisms, area of the City covered by the program, and the total amount of acreage eligible for the PDR program.

The Board and staff discussed policy issues associated with a PDR program and the administration of the program. Based on the discussion, the Board directed staff to move forward in the development of a PDR program, based on Virginia Beach's, which would:

- Purchase development rights and not property;
- Include both farm and open space;
- Include any development rights associated with the construction or maintenance of billboards;
- Include ranking criteria that evaluates land inside and outside the Primary Service Area (PSA) that would give more weight to property outside the PSA; and
- Use the Greenspace Fund as a financing mechanism.

2. Financial Trends and Five-Year Forecast

Ms. Carol Swindell, Assistant Manager of Financial and Management Services, presented the County's five-year Financial Trends Analysis. Ms. Swindell presented the following conclusion:

- Operating expenditures are tied to capital investments and population growth;
- The County will experience sustained steady revenue growth; and
- The projections do not take into account any other new major initiatives, except for those included in the adopted biennial budget.

Following Ms. Swindell's presentation, Dr. David Martin, Superintendent of Williamsburg-James City County Public Schools, was invited to join the discussion.

The Board and Dr. Martin discussed the State budget impacts and related school items.

C. CLOSED SESSION

1. County Administrator's Six-Month Evaluation, Section 2.1-344(A)(1) of the Code of Virginia

Mr. Kennedy made a motion to convene into closed session at 6:00 p.m.

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

Mr. Nervitt had to leave the meeting at 6:30 p.m.

Mr. McGlennon reconvened the Board into open session at 6:35 p.m.

Mr. Harrison made a motion to adopt the Closed Session resolution.

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 involving the semiannual performance review of the County Administrator.

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

Mr. Harrison made a motion to adjourn at 6:36 p.m.

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

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 27TH DAY OF FEBRUARY, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

John J. McGlennon, Chairman, Jamestown District
Bruce C. Goodson, Vice Chairman, Roberts District (Absent)

Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Ronald A. Nervitt, Powhatan District

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

B. PLEDGE OF ALLEGIANCE

Mr. James Kennedy led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Ms. Donna Dittman Hale, 99 Castle Lane, Vice President of the St. George's Hundred Neighborhood Homeowners Association, brought to the Board's attention her concerns about the large sink hole that occurred last week at the Route 5 bridge over Powhatan Creek. She stated the Virginia Department of Transportation (VDOT) made repairs but she would like this road area added to the drainage study the County is doing for Jamestown Road.

2. Mr. Ed Oyer, 139 Indian Circle, requested the Plantation Road street sign, which has disappeared for the fourth time, be placed on the stop light signal pole rather than on the street sign pole; and that he has a concern with the County having six registered lobbyists in Richmond.

Mr. Wanner said Mr. Oyer's lobbyist comment needed a response so as not to be misinterpreted by the public. Mr. Morton stated the County's six lobbyists are members of the staff or Board who contact our legislators to let them know the County's position on various bills before the General Assembly. The State requires the staff members to be registered as lobbyists. Mr. Morton stated that the County has no paid lobbyist.

D. HIGHWAY MATTERS

Mr. Jim Brewer of VDOT said he would like to respond to the Route 5 matter Ms. Hale brought up earlier. Mr. Brewer explained the repairs VDOT had made to the sink hole and that VDOT would continue to monitor the situation.

Mr. McGlennon asked Mr. Brewer about testing for additional sink holes. Mr. Brewer said VDOT checked for additional sink holes and that Hampton Roads District engineers will continue to monitor the situation. Mr. McGlennon requested that VDOT keep the Board informed.

Mr. Horne stated that the report on the Jamestown Road bridge over Powhatan Creek drainage study would be available in one or two months. There are no targeted studies for Route 5 but if the Board requested a study, it could be done.

Mr. McGlennon complimented County public safety officers on their quick response to the Route 5 sink hole situation.

Mr. Kennedy requested the Croaker Road culvert be cleaned; the potholes on Bush Springs Road be repaired; and the lines at the I-64 Exit 227 to Toano be repainted.

Mr. Harrison said the drainage problem in Brookhaven still exists and further work needed to be done.

Mr. McGlennon inquired if the I-64 Grove Interchange exit to Route 60 E would be open before the entire Interchange. Mr. Brewer stated a portion is scheduled to open March 15, 2001.

E. PRESENTATIONS

1. International Year of Volunteers

Mr. McGlennon announced 2001 has been designated International Year of Volunteers by the United Nations General Assembly. To celebrate the County will be highlighting outstanding volunteer achievements each month. This month the County recognizes Adrienne Cohen and Janet Parsons for their work with Family and Consumer Sciences Extension Agent, Doris Heath. Mr. McGlennon and Caroline Rhodes, Volunteer Services Coordinator, thanked Ms. Cohen and Ms. Parsons for their contribution to the community and presented each of them a plaque.

2. 2000 Historic Preservation Awards

Mr. McGlennon called Mr. John G. Labanish, Chairman of the Historical Commission, forward to present two awards.

Mr. Labanish asked Mr. Nervitt to assist with the presentations since Mr. Nervitt was last year's Board liaison to the Historical Commission. Mr. Labanish thanked the Board for giving him time to present the awards; acknowledged Mr. McGlennon, current Board liaison, and Christopher Johnston, staff representative to the Historical Commission; gave a brief summary of the work the Commission does; and introduced the members present. Mr. Labanish read the resolutions honoring Will Molineaux and Henry Stephens and presented each honoree with a copy.

Mr. Labanish stated the President's Award is an ongoing program and nominations from the community are welcomed. Nomination forms are available in the Planning Department.

3. Williamsburg Area Bicyclists Award - O. Marvin Sowers

Mr. McGlennon asked Mr. Larry Summers, Williamsburg Area Bicyclist, to present the Certificate of Appreciation to Marvin Sowers on behalf of the Williamsburg Area Bicyclists.

Mr. Summers stated the Board of the Williamsburg Area Bicyclists annually recognizes someone who has made an important contribution to cycling. This year the Board selected Marvin Sowers for the work he has done in advancing the Regional Bikeway Plan. Mr. Summers thanked Mr. Sowers on behalf of area cyclists and the Historic Triangle Bicycle Advisory Committee. Mr. Summers also recognized members of the Williamsburg Area Bicyclists present.

4. Lott Cary Day

Mr. McGlennon stated the Board had a consent calendar item that he wanted to move to the presentation part of the meeting. Mr. McGlennon noted that in concurrence with the James City County Historical Commission, James City County joins with Charles City County, in proclaiming March 4, 2001, as Lott Cary Day. Mr. McGlennon read the Resolution to the Board and citizens concerning the life of the Reverend Lott Cary. Lott Cary's great, great, great grandson, the Reverend Ned Cary, Pastor of the Morning Star Baptist Church, accepted the resolution.

F. CONSENT CALENDAR

Mr. McGlennon asked if a member wished to pull any items from the consent calendar.

Mr. Nervitt made a motion to approve the consent calendar.

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

1. Minutes - February 13, 2001

2. Lott Cary Day

RESOLUTION

LOTT CARY DAY

WHEREAS, the Reverend Lott Cary was born a slave and rose to become America's first Missionary to Africa; and

WHEREAS, the Reverend Lott Cary founded the First Missionary Baptist Church in Africa and is also considered one of the founders of Liberia; and

WHEREAS, the Reverend Lott Cary's work is being carried on today by the Lott Cary Missionary Society and the Lott Cary Historical Foundation; and

WHEREAS, descendants of the Reverend Lott Cary live and work in James City County today.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, declares March 4, 2001, as Lott Cary Day in the County.

3. Grant-in-Aid Program

RESOLUTION

GRANT-IN-AID PROGRAM

WHEREAS, funding is available for the Grant-in-Aid Program in FY 2001 for community park projects; and

WHEREAS, three organizations to include the Kiwanis Club of Williamsburg, Kristiansand Homeowners Association, and Friends of Williamsburg Rowing applied for funds for program supported recreation project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the matching grant awards to the above-mentioned 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)

Kiwanis Club of Williamsburg	\$10,000
Kristiansand Homeowners Association	645
Friends of Williamsburg Rowing	<u>15,000</u>
Total	<u>\$25,645</u>

4. FTA Section 5311 Grant Application Request Federal Matching Funds - FY 02

RESOLUTION

FTA SECTION 5311 GRANT APPLICATION

REQUEST FOR FEDERAL MATCHING FUNDS - FY 02

WHEREAS, the Federal government has made funds available for nonurban public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit Company's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to execute and file application to the Virginia Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant of

Federal public transportation assistance under Section 5311 of the Transportation Efficiency Act of 1998. The amount requested for Section 5311 Federal Assistance is \$60,265 to assist in administrative and operating expenses. The County Administrator shall be authorized to accept grant funds awarded and to furnish the Virginia Department of Rail and Public Transportation documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of FTA Section 5311 Program and that James City County may be subject to audit by the Virginia Department of Rail and Public Transportation and by the State Auditor of Public Accounts.

5. Destruction of Paid Tax Tickets; Other Tax Tickets; Records

RESOLUTION

DESTRUCTION OF PAID TAX TICKETS; OTHER TAX TICKETS; RECORDS

WHEREAS, the Code of Virginia § 58.1-3129 states that the Treasurer may, with the consent of the governing body, destroy all paid tax tickets at any time after five years from the end of the fiscal year during which taxes represented by such tickets were paid, in accordance with the retention regulations pursuant to the Virginia Public Records Act (§ 42.1-76 et seq.); and

WHEREAS, the tax tickets hereby referred to are paid personal property tax records from 1992 and 1993.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approve the destruction of the paid personal property tax records from 1992 and 1993.

6. Authorization for Two Fire and Two Dispatch Overhires

RESOLUTION

AUTHORIZATION FOR TWO FIRE AND TWO DISPATCH OVERHIRES

WHEREAS, the insufficient staffing in the Fire Department and Central Dispatch adversely affects public safety service delivery and places additional stress on employees already working in dangerous and stressful occupations; and

WHEREAS, the Central Dispatch has averaged 1.4 vacancies per year in the previous four years, and the fire department in the past year has been short two staff members due to long-term illness or injury; and

WHEREAS, when vacancies occur, recruitment, hiring, and training can take up to a full year before the employee has reached minimal performance standards, and

WHEREAS, overhire positions are an efficient and effective way to provide staffing and continuity of service during recruitment and training periods.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby establish two full-time permanent Firefighter Recruit overhire positions and two Telecommunications Trainee positions.

7. Dedication of Streets in Vass Meadows (Mason's Grant)

RESOLUTION

DEDICATION OF STREET IN VASS MEADOWS (MASON'S GRANT)

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 advised the 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 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.

G. PUBLIC HEARINGS

1. E-911 Tax Increase

Mr. John E. McDonald, Manager of Financial and Management Services, stated that the proposed ordinance amendment would increase the E-911 tax from \$1.70 per month to \$2.20 per month effective July 1, 2001. The increase is consistent with the rate adopted by the Board for planning purposes for the upcoming FY 02 Budget. The State Code requires the County to give telephone companies 120 days notice of any change in the rate.

Additional funds from the tax increase would go directly into funding Central Dispatch for additional staffing, equipment, and training.

Mr. Nervitt said he supported the increase last year to support a 6 percent teacher's raise but felt this increase would have more impact on lower income families than other families.

Mr. McDonald said \$160,000 is the amount projected to be raised and would offset Central Dispatch costs for equipment and software improvements. Without the increase, the County will have to find the money elsewhere.

Mr. McDonald agreed the increase does affect lower income families and families with more than one phone line, but does not apply to cellular phones. The funds raised can only be used for Central Dispatch expenses, and the County certifies the expenses were restricted to Central Dispatch for audit purposes.

Mr. Nervitt stated it would be more logical to look at the E-911 tax rate amendment when the Board reviews the proposed budget.

Mr. Wanner stated the Board could still hold the public hearing tonight, defer a action until the adoption of the budget.

Mr. McGlennon inquired if Central Dispatch has had any significant increase in operating expenses.

Mr. McDonald stated the Board approved two overhires tonight and there will be the introduction of wireless E-911 calls to Central Dispatch in FY 02.

Mr. Richard Miller, Fire Chief, said the cost of equipment, labor, and increased workload all contribute to the higher cost of operating Central Dispatch.

Mr. Wanner explained that the E-911 tax revenue collected does not in any way cover the cost of operating E-911 service.

Mr. McGlennon opened the public hearing.

1. Edwin Oyer, 139 Indian Circle, stated the State Code says the County can increase cost but the County doesn't have to, that according to a recent newspaper article the County can afford to absorb the additional costs without increasing the tax, and that E-911 is a public service and the County should underwrite it.

No one else wished to speak, Mr. McGlennon closed the public hearing.

Mr. McGlennon said E-911 is a public service and the citizens do pay for it in some form of taxation.

Mr. Kennedy made a motion to defer the ordinance amendment until the full Board was present and the Board had more budget data before them.

The Board agreed to defer action until the April 24, 2001, Board meeting.

2. Tax Exemptions for the Elderly and Permanently Disabled

Mr. McDonald explained the proposed ordinance amendment would increase access to the County's program providing tax exemptions to those over 65 years old or permanently disabled. The maximum qualifying income is proposed to be increased from the current \$22,500 to the State Code maximum of \$30,000. The maximum net combined financial worth, excluding the value of the taxpayer's home and up to an acre of land, is proposed to be increased from the current \$75,000 to the State Code maximum of \$100,000.

Mr. McGlennon stated some localities defer taxes to a later date when the taxpayer sells his home. The County exempts taxes on the first \$75,000. Mr. McDonald stated that there are over 200 participants in the tax exemption program.

Mr. Richard Bradshaw, Commissioner of the Revenue, stated there were 221 applicants last year, 16 missed the application deadline and were rejected, four of the 16 rejected did not meet qualifications, and 205 applications were processed and approved resulting in \$95,000 in taxes being exempted.

Mr. Harrison asked when the rejected applicants could reapply.

Mr. Bradshaw stated the deadline is May 1 and all applicants are automatically mailed applications each year.

Mr. McGlennon asked how did the citizens get notification about the program.

Mr. Bradshaw stated through newspaper advertising and with the real estate tax bills.

The Board discussed the program as being helpful to lower-income citizens.

Mr. McGlennon opened the public hearing.

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

Mr. Kennedy stated tax exemptions for the elderly and permanently disabled is a step in the right direction. He made a motion to adopt the ordinance.

Mr. McGlennon and Mr. Harrison also agreed the ordinance is beneficial to those citizens who need tax relief.

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

3. Lease of 2,500 Square Feet of County Property to American Tower, L.P.

Mr. Paul Holt, Senior Planner, stated this case was deferred by the Board at the December 19, 2000, and January 23, 2001, meetings. At the May 24, 2000, Board of Supervisors Work Session, staff provided information and details regarding a proposal to lease a portion of the Government Center Site to telecommunications companies for the purpose of erecting wireless communication facilities.

Mr. Nervitt ask if there are multiple carriers associated with the tower.

Mr. Holt stated there are three.

Mr. McGlennon opened the public hearing.

No one wished to speak. The public hearing was closed.

Mr. Nervitt made a motion to approve the resolution.

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

RESOLUTION

AUTHORIZING LEASE OF TOWER SITE TO

AMERICAN TOWER, L.P.

WHEREAS, James City County owns a 60± acre site commonly known as the Government Center, 101 Mounts Bay Road, and designated as Parcel No. (1-9) on James City County Real Estate Tax Map No. (50-1) (the “Property”); and

WHEREAS, American Tower, L.P., wishes to lease approximately 2,500-square feet of the Property; and

WHEREAS, after a public hearing, the Board of Supervisors is of the opinion that the County should lease a portion of the Property to American Tower, L.P., on the terms and condition contained in the Lease Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the Lease Agreement between James City County and American Tower, L.P., for a 2,500-square foot portion of the Property and such other memoranda, agreements, or other documents as may be necessary to effectuate the Lease.

H. BOARD CONSIDERATION

1. The 2001 Greenways Master Plan Review Methodology

Mr. John Carnifax, Superintendent of Parks, explained the Greenways Master Plan would establish a framework for a network of greenway and trail connections within the County. Greenways are defined as linear open spaces that are managed for conservation, and/or alternative transportation uses. Greenways often follow natural features such as ridgelines, stream valleys, and rivers; and cultural features such as canals, utility corridors, abandoned rail lines, zoning buffers, roadways, and others.

In the County, the greenway plan would be dedicated to protecting and linking the many critical open spaces, cultural sites, and historic and recreational areas. The Greenways Master Plan would help reduce citizen concerns about loss of open space and community aesthetics as growth occurs.

Mr. Carnifax explained the Greenways Master Plan Methodology and the formation of a Greenways Steering Committee.

The Board inquired about the cost of the study, cost to develop the plan, the need to get community involved, how other localities have developed greenways plans, if greenways areas attract crime, liability issues, how Greenways Master Plan methodology fits in with the Comprehensive Plan, and the need for Planning Department involvement.

Mr. Horne stated the Board asked staff to delay the Comprehensive Plan until a citizens survey could be conducted. Staff plans to bring a citizens survey recommendation to the Board in April. The greenways plan is a general plan that is very flexible. If the Board approves the survey, it will be completed in this calendar year.

Mr. Nervitt made a motion to adopt the resolution.

Mr. Kennedy stated the Board should defer action to look at data on the cost, crime statistics, and eminent domain issues.

Mr. McGlennon said some of these are policy decisions that would be brought before the Board as part of the recommended plan.

Mr. Home responded that all of these issues would be in the greenways plan. If staff can't provide answers to the Board, the citizens would not approve the plan either.

Mr. Wanner stated staff would address these issues in the report.

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

RESOLUTION

GREENWAYS MASTER PLAN METHODOLOGY

AND THE CREATION OF THE GREENWAYS STEERING COMMITTEE

WHEREAS, the Board of Supervisors of James City County is interested in developing strategies and a system to address issues related to County-wide greenways in accordance with the Comprehensive Plan and the Parks and Recreation Master Plan; and

WHEREAS, the Parks and Recreation Division has recommended the formation of a Greenways Steering Committee as an appropriate way to examine greenway issues and develop a Greenways Master Plan for formal action.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the Greenways Master Plan Methodology and endorse the formation of a Greenways Steering Committee as described herein.

I. PUBLIC COMMENT

1. Mr. Michael Heikes, GreyAbbey Circle, explained he wanted to comment on the sale of a parcel of surplus property which was on the James City Service Authority (JCSA) agenda. Mr. Heikes said the Mill Creek Landing Homeowners Association oppose the sale of the property as a buildable parcel. They would like to see it sold to the adjacent property owners or to the homeowners association so it can be preserved as a green area.

Mr. Wanner informed the Board that Mr. Larry Foster, General Manager of the JCSA, planned to address the Board of Directors on this matter during the County Administrator's report tonight. However, that it would be appropriate now to have Mr. Foster speak.

Mr. Foster stated that on July 20, 2000, the Board transferred several parcels of property to the JCSA. The property had been purchased with proceeds from the JCSA as part of the Ware Creek Reservoir project and the Sydnor Water System purchase. The resolution included a condition that limited the sale to adjoining property owners. This condition limited potential buyers and significantly reduced the value of two of the parcels.

That same evening, the Board of Directors approved a resolution authorizing the sale of parcels for at least 90 percent of the market value of the property. This provision is in conflict with the direction given by the Board of Supervisors when they authorized the sale of the property.

Mr. Foster stated at the time the Board didn't think any of the parcels were buildable. At their meeting, the Board of Directors determined the value of property to be sold at 90 percent of its value. Mr. Foster asked the Board to clarify if the lots should be marketed as buildable or not.

The Board discussed whether restrictions could be placed on the lots, the value of the property, and their decision last July. The Board agreed they intended for the lots to be sold as unbuildable lots.

Mr. Morton advised the Board they needed to set policy and not price. He recommended the Board sell the lots with a deed condition that they could not be built on.

2. Tony Delasano, Chairman of the Mill Creek Landing Homeowners Association, stated the Homeowners Association would like to see the lot conveyed to them to be used as a common greenspace area. If the Board is not willing to convey to the homeowners association, they would be willing to pay a small fee for the lot but not \$30,000.

Mr. Nervitt said the Board has a fiduciary responsibility to taxpayers and can't give the lot away. If the lot is sold to an adjacent property owner, it would certainly increase the value of the adjacent property owner's parcel.

Mr. Foster stated the First Colony Homeowners Association bought a similar lot and paid market price for it. Mr. Foster said once the Board clarified if the lots were to be sold as buildable or not buildable the market value could be established.

Mr. Nervitt said the Board needs to be consistent with what was said before.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated the James City Service Authority needs to hold a meeting, then a closed session is requested.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison requested that the Planning Department contact the Point of Jamestown Homeowners Association regarding their concerns that the developer was not keeping his agreements with them and was not honoring the proffer provisions.

Mr. Harrison inquired if the County has a blight ordinance to deal with some properties on Powhatan Springs Road off Ironbound Road. There were some buildings that needed to be inspected.

Mr. McGlennon stated he participated in the groundbreaking ceremony today for the new post office to be constructed on Monticello Avenue.

The Board recessed at 9:04 p.m. for a James City Service Authority meeting.

Mr. McGlennon reconvened the Board into open session at 9:24 p.m.

L. CLOSED SESSION

Mr. McGlennon made a motion to go into closed session at 9:25 p.m., as recommended by the County Administrator, pursuant to Section 2.1-344(A)(1) to consider a personnel mater(s), the appointment of individuals to County boards and/or commissions.

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

Mr. McGlennon reconvened the Board into open session at 9:35 p.m.

Mr. Kennedy made a motion to adopt the Closed Session resolution.

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

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; and Section 2.1-344(A)(3) to consider acquisition of parcels of property for public use.

Mr. Harrison made a motion to reappoint Lawrence Beamer and Philip Smead to a one-year term on the Route 5 Transportation Improvement District Advisory Board, terms to expire on March 12, 2002.

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

The Board authorized the County staff to apply for a Farm Land Preservation Grant to acquire a perpetual conservation easement over Mainland Farm. The grant must ensure the County receives at least \$900,000 in order for the County to go forward with the grant.

Mr. Kennedy made a motion to adjourn at 9:52 p.m.

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

Sanford B. Wanner
Clerk to the Board

022701bs.min

MEMORANDUM

DATE: March 13, 2001
TO: The Board of Supervisors
FROM: Darryl E. Cook, Environmental Division
SUBJECT: Dedication of Streets at Greensprings Plantation, Phases 1 and 2

Attached is a resolution requesting acceptance of certain streets in Greensprings Plantation, Phases 1 and 2, 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.

Staff recommends adoption of the attached resolution.

Darryl E. Cook

DEC/adw
landfall.mem

Attachments

RESOLUTION

DEDICATION OF STREETS IN GREENSPRINGS PLANTATION PHASES 1 AND 2

WHEREAS, the street(s) described on the attached Report of Changes 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 advised the Board that street(s) 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 entered 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(s) described on the attached Report of Changes Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED that the 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.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March, 2001.

MEMORANDUM

DATE: March 13, 2001
TO: The Board of Supervisors
FROM: John T. P. Horne, Development Manager
SUBJECT: James City County Road Construction Revenue Sharing

The County has been informed by the Virginia Department of Transportation (VDOT) that VDOT must receive a letter of notification by March 30, 2001, notifying VDOT of the County's intentions in relation to participation in the Revenue Sharing Program. In the past several years, the County has participated in the Program with its participation in the current fiscal year being \$596,402. The Board originally requested \$600,000. The final amount was reduced by VDOT because total State requests exceeded funding. Funding for this program appears as a line item in the Capital Improvements Program. The County must apply to VDOT for revenue sharing funds on an annual basis. The purpose of this memorandum is to request Board authorization to participate in the Revenue Sharing Program for an amount not to exceed \$500,000. Attached is a detailed sheet showing recommended projects to be funded.

Staff recommends the following projects:

- \$250,000 - Ironbound Road - Sandy Bay Road to Jamestown Road
- \$100,000 - Racefield Road - Paving
- \$150,000 - Monticello Avenue Landscaping

The funds can be shifted, if needed, after VDOT funding approval. In the past, the State has had to reduce final allocations to this program on a pro rata basis due to over subscription.

Attached for the Board of Supervisors information is a draft letter that would need to be submitted to the State Secondary Roads Engineer. Staff recommends adoption of the attached resolution authorizing the Chairman of the Board of Supervisors to sign such a letter indicating the intention of James City County to participate in the Revenue Sharing Program for an amount not to exceed \$500,000.

John T. P. Horne

JTPH/tlc
rdconst.mem

Attachments

RESOLUTION

JAMES CITY COUNTY ROAD CONSTRUCTION REVENUE SHARING

WHEREAS, the James City County Board of Supervisors has decided to participate in the Virginia Department of Transportation (VDOT) Revenue Sharing Program for FY 01-02; and

WHEREAS, VDOT required written notification of the County's intent to participate by March 30, 2001.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Chairman is authorized to notify VDOT of the County's intention to participate in the Revenue Sharing Program for FY 01-02, for an amount not to exceed \$500,000.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March, 2001.

rdconst.res

MEMORANDUM

DATE: March 13, 2001
TO: The Board of Supervisors
FROM: Richard M. Miller, Fire Chief
SUBJECT: Award of Standby Generator Contract

The FY01 Capital Improvement Budget for Replacement Stand-by Generators at Fire Stations 2, 3, 4, and Fleet Maintenance was approved by the Board of Supervisors for \$123,000. Seven proposals were received and evaluated by County staff.

The proposals are:

<u>Firm</u>	<u>Amount</u>
PowerPro, LLC.	\$107,050.00
E.G. Middleton, Inc.	112,087.00
Ireland Electric Co.	133,484.85
Waco, Inc.	148,500.00
Systems East, Inc.	149,831.00
Hamilton Electric, Inc.	155,850.00
CCS Services of Va., Inc.	198,306.77

The proposal which best met the project requirements and offered the most qualified firm was prepared by E.G. Middleton, Inc. Power Pro's proposal offered a little known brand of equipment and the firm has less experience than E. G. Middleton, Inc., installing and servicing the kind of generators required. E. G. Middleton, Inc., was chosen based on the firms qualifications and experience, subcontractor's experience, reliability of the equipment proposed and cost.

Staff recommends approval of the attached resolution awarding the contract to E.G. Middleton, Inc., in the amount of \$112,087.00.

Richard M. Miller

RMM/tlc
stndbygen.mem

Attachment

RESOLUTION

AWARD OF STANDBY GENERATOR CONTRACT

WHEREAS, funds are available in the Capital Improvement Program Budget for purchase and installation of standby generators at Fire Stations 2, 3, 4, and Fleet Maintenance; and

WHEREAS, proposals for purchase and installation of standby generators were received on November 22, 2000, with E.G. Middleton, Inc., submitting the lowest and most responsive proposal of \$112,087.00.

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 E.G. Middleton, Inc., in the amount of \$112,087.00.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of March 2001.

stndbygen.res