

**A G E N D A**

**JAMES CITY COUNTY BOARD OF SUPERVISORS**

**County Government Center Board Room**

**May 22, 2001**

**7:00 P.M.**

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**A. ROLL CALL**

**B. PLEDGE OF ALLEGIANCE** - Mr. Rick Capelli, an 8th grade student at Toano Middle School

**C. PUBLIC COMMENT**

**D. PRESENTATIONS**

1. Volunteer Recognition - International Year of the Volunteer
2. Hampton Roads Partnership - Mr. James L. Eason, President and CEO
3. Reports of the School Superintendent

**E. HIGHWAY MATTERS**

**F. CONSENT CALENDAR**

1. Minutes
  - a. April 16, 2001, Budget Work Session
  - b. April 24, 2001, Regular Meeting
  - c. May 8, 2001, Regular Meeting
2. Dedication of Streets in Berkeley's Green, Phase 8
3. Award of Contract - Ironbound Square Residential Revitalization Project Planning and Engineering Services

**G. PUBLIC HEARING**

1. Case No. SUP-04-01. Alicia Brown Jones Manufactured Home

**H. PUBLIC COMMENT**

**I. REPORTS OF THE COUNTY ADMINISTRATOR**

**J. BOARD REQUESTS AND DIRECTIVES**

**K. CLOSED SESSION**

1. Appointment of Individuals to County Boards and/or Commissions, Section 2.1-344(A)(1) of the Code of Virginia.
  - a. Regional Issues Committee

**M E M O R A N D U M**

DATE: May 22, 2001  
TO: The Board of Supervisors  
FROM: Caroline M. Rhodes, Volunteer Services Coordinator  
SUBJECT: Volunteer Recognition International Year of the Volunteer

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2001 has been designated International Year of Volunteers by the United Nations General Assembly. To celebrate, the Office of Volunteer Services is highlighting outstanding volunteers and the County department they work with each month for the next year. This month, we are recognizing Rev. Randy Garner, Chaplain for the Police Department, and Lt. Cheryl Hinderer.

Upon completing the Citizen's Police Academy, Rev. Garner approached the Police Department about becoming the Department Chaplain. He believed that it would be beneficial, not only to the Police officers, but also to the citizens.

Randy has been there for victim's families after suicides, homicides, and other times of stress. Rev. Garner fills the need for a confidant and counsels with officers about personal or job related issues and family crises. In 2000, the first year of the program, he provided 350 hours of service to the Police Department and citizens.

Even though Rev. Garner's main role has been to assist officers, their families, and citizens in time of crisis, he has made himself available any time he is needed. He has welcomed officers and their families into his home and also plays on the Department softball team. He is considered a valuable part of the Police family and is an asset to the community.

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Caroline M. Rhodes

CONCUR:

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Carol M. Luckam

CMR/tlc  
volyear 501.mem

**AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF APRIL, 2001, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

Mr. McGlennon reconvened the Board

**B. 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

**C. BUDGET WORK SESSION**

With Board agreement, Mr. McGlennon suggested a process for examining the operating budget.

1. Library Board

Mr. McGlennon welcomed Mr. Michael Fox, Chair of the Williamsburg Regional Library (WRL) Board of Trustees, and Mr. John Moorman, Library Director.

Mr. Fox introduced members of the Williamsburg Regional Library Board in attendance, and introduced Mr. Moorman for an overview of the WRL Budget.

Mr. Moorman provided an overview of the WRL Budget.

Discussion of the Library Board Budget followed.

2. Williamsburg-James City County School Board

Mr. McGlennon welcomed the Williamsburg-James City County School Board (School Board) and Dr. David Martin, Superintendent of Schools.

The School Board members gave an overview of the School Budget.

Discussion of the Williamsburg-James City County School Budget, Cooley Field improvements, employee compensation, and possible areas of consolidated support services followed.

3. Continued Review of the FY 2002 Proposed Budget

The Board went through a presentation of Section D (Capital Projects) and Section F (Other Funds). They agreed to a presentation of the JCSA budget at the next work session on April 19. In addition, the Board of Supervisors agreed to use the April 19 work session to make final decisions on the following:

1. Real Estate Tax Rate and the possibility of reducing it by one cent;
2. E-911 Tax and the possible replacement of that tax by a consumer utility tax;
3. Funding of School Operating Budget;
4. Transportation Improvement District tax rate; and
5. Outside Agency Funding.

Mr. McGlennon made a motion to recess until 7:00 p.m. on April 19, 2001, for a Budget Work Session.

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

The board recessed at 10:47 p.m.

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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 24TH DAY OF APRIL, 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

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. Michael Key, a Junior at Lafayette High School, led the Board and citizens in the Pledge of Allegiance.

**C. PUBLIC COMMENT**

1. 2001 Redistricting Plan - None

2. Ms. Peggy Abbott Miller, 105 Dogwood Drive, requested the Board enact a code to protect against trashed, abandoned properties. Ms. Miller stated that the overgrown, trashed, and abandoned parcel at 103 Redbud Lane needs to be cleaned up and maintained. Ms. Miller stated that although a vehicle has been removed from this site, it was transferred to another abandoned site at 2951 Lake Powell Road that is adjacent to her property and can be clearly seen from her home.

Ms. Miller stated that County property owners are good stewards of their property; that she is concerned for the welfare and safety of neighbors and their properties; they keep their property in good clean condition and want to be protected from negligent property owners who allow a parcel to become overgrown, infested with rodents and snakes, and lend to an ugly landscape.

3. Ms. Irene Manning, 108 Redbud Lane, stated that she has been at this address since 1988 and supports Ms. Miller's statement and stated the neighbors will support the Board in getting the property cleaned up.

Mr. McGlennon stated that a letter to the property owner requesting the parcel be cleaned up will be sent and that staff will ensure this issue is addressed.

4. Mr. Richard Bradshaw, Commissioner of Revenue, informed citizens of upcoming tax filing deadlines.

5. Mr. Ed Oyer, 139 Indian Circle, read an assessment increase notice that was published in the paper by Charles City County, stated that the County has budgeted a 7 percent increase to the School's Budget despite a \$1,000,000 surplus this fiscal year in the School's Budget and asked if the increased allocation is a result of a 7 percent increase in the student population. Mr. Oyer inquired as to what measure should citizens gauge how students are doing if not to be compared to the State average, and stated that James City County Schools are 43 percent above the State average in administrative staff.

Mr. McDonald stated that the State Code outlines the text and size of assessment ads for local jurisdictions and in August the County will be placing a similar ad in the paper regarding assessments.

#### **D. PRESENTATION**

##### 1. Volunteer Recognition – International Year of the Volunteer

Mr. McGlennon recognized Alan Bennett of the Clean County Commission and Jennifer Privette, Recycling Coordinator, for their efforts in educating the public about recycling, beautification, and litter control. Mr. Bennett was also recognized for his initiative in creating a Waste Chase program for County residents.

#### **E. HIGHWAY MATTERS**

Mr. Quintin Elliott, Resident Engineer for the Virginia Department of Transportation (VDOT), offered to answer questions from the Board.

Mr. Kennedy requested an explanation of the proposed plans to relocate I-64 W truck scales to James City County.

Mr. Elliott stated that James City County is one possible location for the relocation of the truck scales. The State is concerned about the number of trucks bypassing the scales at the current location, and is looking at other possible locations for the truck scales to minimize truck bypasses.

Mr. Harrison requested VDOT clean up the debris from construction on Stanley Drive off Route 5.

Mr. Harrison requested VDOT perform a speed limit study on News Road in Powhatan Secondary area for the increased pedestrian traffic near the neighborhood pool.

Mr. Goodson requested additional signage on Interstate 64 East and on Route 199 to route Busch Gardens traffic to the new Busch Gardens interchange on Interstate 64 East.

Mr. Elliott stated that Busch Gardens has radio signs alerting travelers of traffic patterns to Busch Gardens and will look at additional signage to assist travelers.

Mr. McGlennon requested information on the estimated completion date of the Route 60 East Busch Gardens interchange.

Mr. Elliott stated that VDOT is taking the necessary steps to ensure the project is completed by September 2001.

Mr. McGlennon thanked VDOT for the striping and lane alignment for the left-turn lane into Heritage Landing from Route 5.

Mr. McGlennon requested information concerning the report on signage for the intersection of 4-H Club Road (Route 680) and Jamestown Road (Route 31).

Mr. Horne stated the report has been issued and the Department of Development Management will forward the Board a copy of that report.

## **F. RECOGNITION**

Mr. McGlennon thanked the students of Ms. Mary Ann Benthall, Art Teacher at Norge Elementary School, for the use of their artwork for display on the walls of the Board Room.

## **G. CONSENT CALENDAR**

Mr. McGlennon asked if anyone wished to remove an item from the consent calendar.

Mr. Goodson requested Item Number 5, Resolution of Support for King William Reservoir, be removed for further consideration.

Mr. Harrison requested Item Number 3, Appropriation to the Police Department, be removed for further consideration.

Mr. McGlennon made a motion to approve the remaining items on the consent calendar.

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

1. Minutes
  - a. April 10, 2001, Regular Meeting
  - b. April 12, 2001, Budget Work Session
2. Dedication of Streets in Scott's Pond, Sections 1A and 1B

## **RESOLUTION**

### **DEDICATION OF STREETS IN SCOTT'S POND, SECTIONS 1A AND 1B**

WHEREAS, the streets 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 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 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 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.

4. Virginia Department of Transportation Revenue Sharing Program – Additional Allocations

**RESOLUTION**

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

**REVENUE SHARING PROGRAM - ADDITIONAL ALLOCATIONS**

WHEREAS, the Revenue Sharing Program, administered by the State of Virginia, provides valuable matching funds on a one to one basis for construction of needed roadway projects in James City County; and

WHEREAS, the Board has been notified by the Virginia Department of Transportation that an additional allocation of up to \$100,000 may be requested for FY 2000/01; and

WHEREAS, the Monticello Avenue project can productively utilize additional Revenue Sharing Program funding.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the request to the Virginia Department of Transportation for \$100,000 in additional Revenue Sharing Program funds.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes a transfer of \$100,000 from Operating Contingency to the Road Match CIP account.



6. Appropriation of Funds from the City of Williamsburg to James City County Cooperative Extension Service

**RESOLUTION**

APPROPRIATION OF FUNDS FROM THE CITY OF WILLIAMSBURG TO

JAMES CITY COUNTY COOPERATIVE EXTENSION SERVICE

WHEREAS, the Cooperative Extension Service received a \$3,000 contribution from the City of Williamsburg; and

WHEREAS, the funds will be used to pay the wages of two part-time, temporary Urban Nutrient Management Program Technicians who have responsibility for planning, implementing, and evaluating Water Quality Improvement educational programs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the following appropriation amendments within the General Fund:

Revenues:

City of Williamsburg                      \$3,000

Expenditures:

Cooperative Extension Service              \$3,000

3. Appropriation to the Police Department

Mr. Harrison inquired if a funding match is required for this grant.

Mr. David Daigneault, Police Chief, stated that no match is required for this grant.

Mr. Harrison made a motion to adopt the resolution.

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

**RESOLUTION**

APPROPRIATION TO THE POLICE DEPARTMENT

WHEREAS, the Department of Motor Vehicles has approved a grant to provide \$9,000 to the Police Department for equipment and selective enforcement overtime to combat the problem of Driving Under the Influence; and

WHEREAS, the grant will not require additional spending by the Police Department, excluding court overtime and equipment maintenance; and

WHEREAS, the grant is administered by the Department of Motor Vehicles according to the Federal Government Fiscal Year which runs from October 1-September 30, thus causing any unspent funds as of June 30, 2001, to be carried forward to James City County's next Fiscal Year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenue:

Department of Motor Vehicles \$9,000

Expenditure:

Appropriation to Police Department Budget \$9,000

5. Resolution of Support for King William Resolution

Mr. Wanner stated that the "Record of Decision" for the permit application to build the King William Reservoir recommends that the permit be denied. The public comment period for the permit application ends on May 4 after which, the application and "Record of Decision" will be forwarded to the North Atlantic Division of the U.S. Army Corps of Engineers for consideration.

Staff recommends the Board again express its support for the project that will provide a long-term, dependable water supply to the peninsula by approving the Resolution of Support of the permit to build the King William Reservoir.

The Board and staff held a brief discussion regarding the decision and invited citizens to voice their support for the permit.

Mr. Goodson made a motion to adopt the Resolution of Support.

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

**H. PUBLIC HEARINGS**

1. An Ordinance to Amend Chapter 4, Building Regulations, Article I, Virginia Uniform Statewide Building Code, Division I, Generally, Section 4-3, Adoption; Amendments; and Section 4-4, When and Where Copies May Be Obtained

Mr. Douglas H. Murrow, Director of Code Compliance, presented the Board with changes to Section 4-3 and 4-4 of the James City County Code pertaining to Building Code adoption, and when and where copies of the Building Code may be obtained. These changes will bring the County's Code into compliance with State requirements.

Mr. Murrow stated that there was a connection that needed to be made in Section 2d. Strike "The Words" and "shall be inserted in the third line of Section P-304.3 on page 13 of the BOCA Basic Plumbing Code, 1993 edition."

Mr. McGlennon opened the public hearing.

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

The Board and staff briefly discussed the changes and meeting the State mandate.

Mr. Goodson made a motion to adopt the Ordinance.

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

2. Property Exchange with James City Service Authority

Mr. Larry Foster, General Manager of the James City Service Authority, stated that the James City Service Authority (JCSA), owns a 13.103-acre parcel of property at the James City-Williamsburg Community Center that the JCSA has no use planned for the property, and James City County owns an 18.64-acre parcel of property at 3123 Ironbound Road that the County has no use planned for the property.

The County is interested in acquiring 13.103 acres from JCSA to complement the Community Center facilities and build a skate park on a portion of the parcel. JCSA is interested in acquiring the County's 18.64-acre parcel to locate a Brackish Groundwater Treatment Facility to help meet the County's long-term water needs.

The County's Real Estate Assessment Office has appraised the property and determined that the two parcels are of equal values.

Staff recommends that Board invite public comment on the exchange of property following which the Board approve the resolution authorizing the property exchange.

The Board and staff held a brief discussion concerning the preservation of the water tank site at the James City/Williamsburg Community Center (JCWCC), appraised values of the parcels, proposed skate park, and preservation of trees on the tower site parcel.

Mr. McGlennon opened the public hearing.

1. Mr. Ed Oyer, 139 Indian Circle, inquired if the parcel obtained by the James City Service Authority will be utilized for a groundwater treatment facility.

Mr. Foster stated that was the case.

Mr. McGlennon closed the public hearing.

Mr. Harrison made a motion to adopt the resolution.

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

**RESOLUTION**

**PROPERTY EXCHANGE WITH**

**JAMES CITY COUNTY**

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WHEREAS, James City County currently owns an 18.64-acre parcel at 3123 Ironbound Road, behind the Clara Byrd Baker Elementary School, and shown as Parcel No. (46-2)(1-34) on the James City County Real Estate Tax Map; and

WHEREAS, the James City Service Authority (JCSA) currently owns a 13.103-acre parcel at 5231 Longhill Road, adjacent to the James City-Williamsburg Community Center, and shown as Parcel No. (38-2)(1-2) on the James City County Real Estate Tax Map; and

WHEREAS, the County believes that the property currently owned by the JCSA could enhance the recreational offerings of the Community Center; and

WHEREAS, the JCSA desires to construct a Brackish Groundwater Treatment Facility on the parcel currently owned by the County; and

WHEREAS, it is to be the mutual benefit of both the County and the JCSA to exchange these properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator and the James City Service Authority General Manager to execute deeds and any other documents needed to exchange the above-referenced properties.

**I. BOARD CONSIDERATION**

1. Ms. Carol O. Swindell, Assistant Manager of Financial and Management Services, presented the Board with an overview of the Appropriation Resolution and Ordinance changes for the FY 02 Budget.

Mr. Nervitt stated support for the addition of \$1,000,000 seed money for the Purchase of Development Rights.

Mr. McGlennon inquired if the Route 5 Transportation Improvement District Commission vote to set the tax rate is apart of the Appropriation Resolution.

Ms. Swindell stated that that figure has been factored into the Appropriation Resolution before the Board for adoption.

The Board and staff discussed the Ordinance increase for the E-911 Tax to \$2.20 per month per line.

The Board directed staff to research the utilization of the Consumer Utility Tax that will tax phone lines and cellular phones.

The Board discussed support for the funding of Purchase of Development Rights, housing partnerships, . and competitive wages; discussed concerns regarding the School Budget's lack of measures to develop partnerships and sharing resources; and the E-911 Tax transferring to the Consumer Utility Tax.

Mr. Harrison requested the Community Services portion of the Appropriation Resolution be pulled for a separate vote.

The Board and staff held a discussion regarding the potential funding support from the State for schools, the impact of retail sales on State funding to schools, the County's 7 percent funding increase over FY 01 for the schools, and the budgeting of fuel costs into the School and County budgets.

Mr. Morton advised Mr. Harrison that it would be appropriate to request that the Outside Agencies portion of the Appropriation Resolution be pulled for a separate vote too.

Mr. Harrison requested that the Outside Agencies portion of the Appropriation Resolution be pulled for a separate vote.

Mr. McGlennon stated that there are no hidden taxes in assessments and that 75 percent of County properties did not increase this year.

The Board discussed the impact of the Route 5 Transportation Improvement District in housing costs, proffer impacts, and contributions of the businesses such as the Monticello Marketplace; and that as the School's number one financial supporter, the County expects accountability for the resources provided.

Mr. Nervitt made a motion to approve the Appropriation Resolution without the Community Services or Outside Agency Funding portions.

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

Mr. Goodson made a motion to approve the Community Services and Outside Agencies portion of the Appropriation Resolution.

On a roll call, the vote was: AYE: Nervitt, Goodson, McGlennon (3). NAY: (0). ABSTAIN: Harrison, Kennedy.

## **RESOLUTION**

### **RESOLUTION OF APPROPRIATION**

WHEREAS, the County Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 2001, and ending June 30, 2002, along with a five-year Capital Improvements Program, and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein for the fiscal year beginning July 1, 2001, and ending June 30, 2002, and to set tax rates on real estate, tangible personal property, and machinery and tools, to provide certain revenue in support of those appropriations.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that:

1. The following amounts are hereby appropriated in the FY 2001-2002 General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND EXPENDITURES

	<u>FY 2002</u>
Administrative	\$ 1,203,088
Elections	245,135
Human Resource	1,136,403
Financial Administration	2,633,598
Public Works	3,511,509
Information Resource Management	1,339,417
Development Management	3,142,767
Judicial	1,928,011
Public Safety	11,883,267
Community Services	5,576,141
Nondepartmental	5,162,878
WJCC Schools	53,662,308
Library and Arts Center	3,181,673
Regional Jail	860,429
Mental Health	557,839
Social Services	1,083,746
Public Health	534,490
Contributions - Other	<u>383,805</u>
TOTAL EXPENDITURES	<u>\$98,026,504</u>

The appropriation for education includes \$47,715,465 as a local contribution to the Williamsburg-James City County Schools operations and debt service, and a pass-through of State Sales Tax revenue estimated at \$5,946,843. Whatever is actually received from State Sales Tax for Education will be forwarded to the schools.

GENERAL FUND REVENUES

	<u>FY 2002</u>
General Property Taxes	\$54,762,267
Other Local Taxes	14,312,652
Licenses, Permits and Fees	4,950,181
Fines and Forfeitures	170,000
Revenue from Use of Money and Property	1,815,890
Revenue from the Commonwealth	19,619,084
Revenue from the Federal Government	4,645
Charges for Current Services	2,268,065
Miscellaneous Revenues	<u>123,720</u>
TOTAL REVENUES	<u>\$98,026,504</u>

GENERAL FUND TRANSFERS:

Transfer In - Fund Balance	<u>\$4,004,000</u>
Transfer Out - Capital Project Fund	<u>\$4,004,000</u>

2. That the tax rates be set for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 assessed value	\$0.87
Tangible Personal Property on each \$100 assessed value	\$4.00
Machinery and tools on each \$100 assessed value	\$4.00
Enhanced E-911	\$2.20/Month
Real Estate on each \$100 assessed value	
Route 5 Transportation Improvement District	\$0.10

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PROPOSED CAPITAL BUDGET:

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Revenues:

Transfer In - Estimated Prior Year Fund Balance	\$ 4,004,000
Contribution - General Fund	2,875,000
Other Revenue	<u>1,162,650</u>
	<u>\$ 8,041,650</u>

Expenditures:

Public Safety	\$ 795,000
Education	989,650
Community Development	3,531,000
General Services	1,925,000
Parks and Recreation	<u>801,000</u>
	<u>\$ 8,041,650</u>

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DEBT SERVICE FUND

Revenues:

From General Fund - Schools	\$ 7,605,144
From General Fund - Other	1,590,152
Transfer from Capital Reserve Fund	<u>959,926</u>
Total Debt Service Fund Revenues	<u>\$10,155,222</u>
Current Year Expenditures	<u>\$10,155,222</u>
Debt Service Fund Disbursements	<u>\$10,155,222</u>

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VIRGINIA PUBLIC ASSISTANCE FUND

Revenues:

From the Federal Government/Commonwealth	\$ 2,917,098
From the General Fund	1,083,746
Comprehensive Services Act	174,050
Other	<u>144,988</u>
Total Virginia Public Assistance Fund Revenues	<u>\$ 4,319,882</u>

Expenditures:

Administration and Assistance	\$ 4,319,882
Total Virginia Public Assistance Fund Expenditures	<u>\$ 4,319,882</u>

COMMUNITY DEVELOPMENT FUND

Revenues:

General Fund	\$ 292,741
Grants	584,705
Generated Program Income	<u>202,021</u>
Total Community Development Fund Revenues	<u>\$ 1,079,467</u>

Expenditures:

Administration and Programs	\$ 1,079,467
Total Community Development Fund Expenditures	<u>\$ 1,079,467</u>

3. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
4. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors. There will be a salary increase with variable increases based on performance and funded at an average of 4.5 percent, granted to employees in FY 2002.

Mr. Goodson made a motion to adopt the E-911 Tax Ordinance.

On a roll call, the vote was: AYE: Kennedy, Nervitt, Goodson, McGlennon (4). NAY: Harrison (1).

3. Resolution Expressing Intent of Board of Supervisors to Pay the Annual Obligation of the Route 5 Transportation Improvement District Beginning in Year 2003

Mr. Goodson made a motion to adopt the resolution.

Mr. Kennedy requested information on the numbers and cost to the County for the TID.

Mr. McDonald stated that the County has contributed \$2,000,000 to date and in FY 03 will contribute another million. Mr. McDonald stated that proffers are expected for contribution over the next six to seven years and that the total cost of the Transportation Improvement District will be \$13,000,000. Thus far the Route 5 Transportation District has contributed \$1,000,000.



Mr. McDonald recommended the Board payoff the Transportation Improvement District over the next seven years as there is no interest associated with this.

Mr. McGlennon made a motion that the Statement of Intent eliminate the Route 5 Transportation Improvement District be stricken from the Resolution.

The Board and staff discussed the proposed amendment to the resolution.

Mr. McGlennon withdrew his motion to amend the resolution.

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

**RESOLUTION**

**EXPRESSING INTENT OF BOARD OF SUPERVISORS TO PAY THE ANNUAL**

**OBLIGATIONS OF THE ROUTE 5 TRANSPORTATION IMPROVEMENT DISTRICT**

**BEGINNING IN FISCAL YEAR 2003**

WHEREAS, the Board of Supervisors of James City County, Virginia ("County") created the Route 5 Transportation Improvement District ("District") by resolution dated February 1, 1993; and

WHEREAS, by Agreement between the Commonwealth Transportation Board ("CTB"), the County and the District dated September 15, 1993, the parties undertook certain financing and construction obligations for the project known as Alternate Route 5 or Monticello Avenue Extended; and

WHEREAS, the District is obligated to reimburse the CTB for \$ 1,000,000 of secondary road funds in eight equal installments of \$125,000 each; and

WHEREAS, the District is obligated to repay a Promissory Note dated June 23, 1999, payable to Governor's Land Associates in the original principal amount of \$1,300,000 with interest at the rate of 8 percent per year; and

WHEREAS, the County is currently imposing an annual special improvements tax of \$0.10 per \$100.00 of assessed value of taxable real property within the District; and

WHEREAS, it is the intent of the Board of Supervisors to eliminate the special improvements tax in Fiscal Year 2003 and pay the District's debt with other funds available to the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, declares its intent to eliminate the special improvements tax on taxable real estate within the District and to pay the then outstanding debts of the District with other funds available to the County beginning in Fiscal Year 2003.

2. **FY 2002 Strategic Management Plan**

Mr. Wanner recommended approval of the resolution adopting the FY 02 Strategic Management Plan.

The Board and staff held a brief discussion to clarify the adjusted baseline numbers in the FY 02 Strategic Management Plan.

Mr. Nervitt made a motion to adopt the resolution.

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

## **RESOLUTION**

### **FY 2002 STRATEGIC MANAGEMENT PLAN**

WHEREAS, the County's Strategic Management Plan sets forth the mission, vision, values, goals, objectives, targets, and measure; and

WHEREAS, the FY 2002 Strategic Management Plan has been reviewed to assure that it reflects our priorities and is consistent with resources in the FY 2002 Budget; and

WHEREAS, the Strategic Management Plan is an essential tool for identifying, communicating, and tracking the critical areas we need to address to meet the needs of our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the FY 2002 Strategic Management Plan.

#### **I. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139 Indian Circle, stated that he is satisfied with the Fleet Maintenance Administrator's assurance to have Penske do the maintenance on buses and that the County and citizens should not have excessive expenditures associated with Penske's service to the County, and expressed concern that only one individual will be working on the buses.

Mr. Wanner stated that Penske will have two individuals working on the buses as a safety precaution.

2. Mr. Bill Smaller, Governor's Land, stated support for the Board's intent to take responsibility for the Route 5 Transportation Improvement District.

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

Mr. Wanner recommended that following the Board Requests and Directives, the Board recess for a James City Service Authority Board of Directors meeting. Following the Director's meeting the Board of Supervisors will reconvene for a closed session pursuant to Section 2.1-344 (A) (1) of the Code of Virginia for appointments of individuals to County Boards and/or Commissions.

#### **K. BOARD REQUESTS AND DIRECTIVES**

The Board discussed having the staff study the enactment of a property maintenance code.

Mr. Nervitt requested staff review the County ordinances regarding shooting near neighborhoods to tighten up the restrictions to prevent damage to homes and possible injury to citizens.

The Board discussed parcels used for hunting, target practice, and the impacts of the zoning designation for individuals hunting or target practicing.

Mr. McGlennon recessed the Board at 8:37 p.m.

Mr. McGlennon reconvened the Board at 8:46 p.m.

**L. CLOSED SESSION**

Mr. Goodson made a motion to go into closed session at 8:47 p.m. as recommended by the County Administrator.

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

Mr. McGlennon called the Board into open session at 9:01 p.m.

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

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

Mr. Harrison made a motion to recommend Mr. David A. Nice to the Circuit Court Judge for reappointment to the Board of Zoning Appeals.

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

Mr. Harrison made a motion to appoint Mr. Nervitt and Mr. McGlennon to the School Contract Negotiators Team.

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

Mr. Goodson made a motion to adjourn at 9:10 p.m.

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

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Sanford B. Wanner  
Clerk to the Board

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**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF MAY, 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

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**

Ms. Ashley Bangan, an eight grade student at James Blair Middle School led the Board and citizens in the Pledge of Allegiance.

**C. PUBLIC COMMENT - None**

**D. PRESENTATION**

1. Employee and Volunteer Outstanding Service Award

Mr. McGlennon read and presented Outstanding Service Awards to the following: Volunteers - Don Vaden, Drew Mulhare, Taylor Horne; Volunteer Team - Anthony Mark, Shawn Lewis, Albert Randolph, Glenn Radcliffe, in absentia; Volunteers and Employees - Michael Brown, Daniel Foley, Madelynn Hermann, Pat Lewis, Terry O'Connor, in absentia, Earlene Robinson, Vicki Sprigg, and Cathie Upton, in absentia; Employee Teams - Sandy Hale, Marie Hopkins, Hershel Kries, in absentia, Linda Odell, Doug Powell, Jody Puckett, Vicki Sprigg, Jane Townsend, in absentia, James Wilson; Stephanie Ahrendt, Don Breland, in absentia, Donna Christian, in absentia, Ann Davis, Jeff Hicklin, Willie Howlett, Pat Lewis, Carol Luckam, Sue Mellen, Debbie Meritt, in absentia, Tara Moore, Bill Porter, Doug Powell, Jill Schmidle, Bob Smith, in absentia, Carol Swindell, in absentia, Rona Vrooman, in absentia, Larry Walker, and Brigitte White; Mary Hubbard and Iris Street; and Employees - Norm Engel and Alisa Fox.

**E. CONSENT CALENDAR**

Mr. McGlennon asked if a member wished to pull an item from the consent calendar.

Mr. Goodson requested Item Numbers 4, Award of Contract – Skate Park, 6, Award of Contract – Reconstruction of Red Oak Landing Road to Virginia Department of Transportation (VDOT) Standards, and

7, Award of Contract – Pocahontas Trail Turn Lanes and Traffic Signal at Greenmount Parkway be pulled for a separate vote.

Mr. Harrison requested Item Number 5, Award of Contract – Upper County Park, be pulled for further discussion.

Mr. Goodson made a motion to approve the remaining items on the consent calendar.

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

1. Minutes
  - a. April 16, 2001, Work Session
  - b. April 19, 2001 Budget Work Session
  - c. April 25, 2001, Work Session
2. Business Appreciation Week – May 13-19, 2001

## **RESOLUTION**

### **BUSINESS APPRECIATION WEEK**

**MAY 13-19, 2001**

WHEREAS, James City County is pleased to have a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses provide essential employment opportunities, provide local tax revenues, and make other significant contributions in our community that promote both educational opportunities for our children and a variety of activities which increase the quality of life.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing businesses and by virtue of this proclamation, gives notice to our citizens that we wish to recognize their importance.

BE IT FURTHER RESOLVED that the Week of May 13-19, 2001, is Business Appreciation Week in James City County.

3. Mental health Awareness Month

## **RESOLUTION**

### **MENTAL HEALTH AWARENESS MONTH**

WHEREAS, mental illness will strike one in four Americans in a given year without regard to age, gender, race, ethnicity, religion, or economic status; and

WHEREAS, one in five children will suffer from a diagnosable mental illness, emotional, or behavioral disorder, and one in ten have a serious disorder, which if left untreated can lead to school failure, substance abuse, and even suicide; and

WHEREAS, the causes of brain disorders are not fully understood, but the illnesses are treatable and recovery is possible if those affected receive treatment, advocacy, and support; and

WHEREAS, the Colonial Services Board, serving the citizens of James City County, celebrates National Mental Health Month each year in May to raise awareness of mental health, mental illness, and discrimination against people with mental illness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, proclaims May as Mental Health Awareness Month.

8. Emergency Preemption Equipment Agreement

**RESOLUTION**

**EMERGENCY PREEMPTION EQUIPMENT AGREEMENT**

WHEREAS, James City County has embarked on a program of installing emergency preemption equipment at existing signalized intersections; and

WHEREAS, Virginia Department of Transportation has agreed to install and maintain such equipment on existing signalized intersections and to purchase, install, and maintain such equipment for future signalized intersections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Chairman of the Board to enter into such an agreement with the Virginia Department of Transportation.

9. Petty Cash – Office of Code Compliance and James City-Williamsburg Community Center

**RESOLUTION**

**PETTY CASH - OFFICE OF CODE COMPLIANCE AND JAMES CITY-WILLIAMSBURG**

**COMMUNITY CENTER**

WHEREAS, the Board of Supervisors of James City County has been requested to authorize petty cash of \$50 for the Office of Code Compliance and an increase of \$100 at the James City-Williamsburg Community Center (JCWCC).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the Treasurer to create petty cash of \$50 for the Office of Code Compliance and to increase petty cash at the JCWCC in the amount of \$100.

10. Challenge Grant – Friends of Green Spring

**RESOLUTION**

**CHALLENGE GRANT - FRIENDS OF GREEN SPRING**

WHEREAS, the Board of Supervisors of James City County has received a request for funding, in the amount of \$25,000, from the Friends of the National Park Service for Green Spring, Inc. (Friends of Green Spring); and

WHEREAS, the requested funds would be matched with \$25,000 from other sources and the combined \$50,000 would be used to hire a fund-raiser to assist the Park Service in opening Green Spring as a public park by the year 2007.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the request for funds and authorizes the County Administrator to release \$25,000 when the Friends of Green Spring has documented that a matching amount of \$25,000 has been raised from other sources and set aside for fund-raising.

BE IT FURTHER RESOLVED that the following amendment to the FY 2001 General Fund budget be approved, and made a continuing appropriation, allowing it to extend beyond the end of the FY 2001 fiscal year:

General Fund Expenditures:

From: Operating Contingency	<u>\$25,000</u>
To: Contributions - Outside Agencies - Friends of Green Spring	<u>\$25,000</u>

4. Award of Contract – Skate Park

Mr. Harrison made a motion to adopt the resolution awarding the construction of a skate park.

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

**RESOLUTION**

**AWARD OF CONTRACT - SKATE PARK**

WHEREAS, bids have been received for construction of a skate park; and

WHEREAS, staff has reviewed all bids and determined that M.K. Taylor, Jr., Contractors, Inc., is the lowest responsible and responsive bidder and is qualified to complete the project; and

WHEREAS, the bid is within the capital budget allocated for the Division of Parks and Recreation.



NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary contract documents for award of bid to M.K. Taylor, Jr., Contractors, Inc. in the amount of \$168,988.

5. Award of Contract – Upper County Park

Mr. Harrison inquired about the use of the existing basketball court and the new basketball court. Mr. Harrison suggested that citizens may utilize another court more, such as tennis, and inquired if the proposed basketball court could be modified to construct tennis courts.

Mr. Needham S. Cheely, III, Director of Parks and Recreation, stated that the court could be modified and stated that the basketball court is proposed in response to citizen input received at meetings held regarding the redesign plans of Upper County Park.

Mr. Kennedy inquired if the construction will impact the County Fair operations.

Mr. Cheely stated that staff has worked out an agreement with the contractor to avoid impacting the County Fair.

Mr. Kennedy made a motion to adopt the resolution awarding the contract for construction.

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

**RESOLUTION**

**AWARD OF CONTRACT - UPPER COUNTY PARK**

WHEREAS, bids have been received for the construction of improvements to Upper County Park; and

WHEREAS, staff has reviewed all bids and determined that David Nice and Sons, Inc., is the lowest responsible and responsive bidder and is qualified to complete the project; and

WHEREAS, the bid is within the capital budget allocated for the Division of Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary contract documents for award of bid to David Nice and Sons, Inc., in the amount of \$189,670.

6. & 7. Award of Contract – Reconstruction of Red Oak Landing Road to Virginia Department of Transportation (VDOT) Standards and Award of Contract – Pocahontas Trail Turn Lanes and Traffic Signal at Greenmount Parkway

Mr. Kennedy made a motion to adopt the resolutions to award construction contracts.

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

**RESOLUTION**

**AWARD OF CONTRACT - RECONSTRUCTION OF RED OAK LANDING ROAD TO**

**VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) STANDARDS**

WHEREAS, bids have been received for reconstruction of Red Oak Landing Road as part of the dirt street program; and

WHEREAS, these drainage and paving improvements are required to include Red Oak Landing Road in the VDOT Secondary Road System for State maintenance and money is available in the Capital Improvements Project (CIP) Budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with the lowest responsive bidder, M. K. Taylor, Inc., in the amount of \$103,595 for reconstruction of Red Oak Landing Road.

**RESOLUTION**

**AWARD OF CONTRACT - POCAHONTAS TRAIL TURN LANES AND**

**A TRAFFIC SIGNAL AT GREENMOUNT PARKWAY**

WHEREAS, bids have been received for construction of turn lanes and a traffic signal on Pocahontas Trail at Greenmount Parkway; and

WHEREAS, these traffic safety and capacity improvements are required to serve the Wal-Mart iMPORT Distribution Facility, other parts of the Greenmount development, and the traveling public; and

WHEREAS, \$300,000 is available from the Virginia Department of Transportation Industrial Access program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with the lowest responsive bidder, Jack L. Massie Contractor, Inc., in the amount of \$259,180 for the construction of turn lanes and a traffic signal on Pocahontas Trail.

**F. PUBLIC HEARINGS**

1. 2001 Redistricting Plan Ordinance

Mr. John T. P. Horne, Manager of Development Management, gave an overview of the proposed redistricting boundaries for the James City County Board of Supervisors and County School Board Election Districts and voting precincts. Mr. Horne stated that the Ordinance, if approved by the Board of Supervisors, will be submitted to the United States Department of Justice for preclearance.

Mr. McGlennon opened the public hearing.

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

Mr. Goodson made a motion to approve the Ordinance.

The Board recognized the Citizen Committee and staff for their hard work in preparing the proposed redistricting plan.

Mr. Goodson amended his motion to include the adoption of the 2001 Redistricting resolution.

Mr. Kennedy and Mr. McGlennon voiced concerns regarding the moving of the Vineyards into the Roberts District and the possibility of inconvenience for citizens affected by this shift.

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

## **RESOLUTION**

### **2001 REDISTRICTING**

WHEREAS, the Board of Supervisors of James City County has received the recommendation of the Redistricting Advisory Committee; and

WHEREAS, that Committee conducted meetings open to the public and considered a number of options; and

WHEREAS, the Board conducted one work session open to the public and two public comment sessions to discuss redistricting options.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the attached ordinance establishing new boundaries for election districts in James City County.

#### 2. Case No. SUP-18-99. Olde Towne Road Timeshares (deferred from September 12, 2000)

Ms. Jill E. Schmidle, Planner, stated that Mr. Richard Costello, AES Consulting Engineers, on behalf of Mr. Philip Richardson and Phil Richardson Company, Inc., has revised the application for a special use permit to allow 365 timeshares within a residential cluster and one single-family lot, density 2.80 dwelling units per acre, on 130.40 acres, zoned R-2, General Residential, located at 5295, 5350, and 5380 Olde Towne Road, 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).

Ms. Schmidle stated that on July 5, 2000, the Planning Commission voted 4-3 to approve the application with the attached conditions.

The Board and staff held a discussion regarding the adequacy of the proposed BMP's as a source for irrigation, proposed number of dwelling units, water source, traffic impacts, impact of the project on the Powhatan Creek Watershed, adequacy of the proposed buffers, and environmental impact of the proposed multiuse trail.

Mr. McGlennon opened the public hearing.

1. Mr. Vernon Geddy, III, representing the applicant and land owners, gave an overview of the project and its development, surrounding zoning and land uses, reviewed the changes proposed by the applicant,

provided alternate development options of the property, and gave an overview of benefits of the project to the County including revenues with generated revenues through sales and taxes.

The Board and Mr. Geddy discussed the comparison of water consumption of the proposed timeshare versus the by-right single-family housing development, adequacy of the BMP's to manage stormwater run off, number of proposed dwelling units, traffic impact on Olde Towne Road, employment opportunities and benefits, buffering of adjacent development, and the proposed condition to permit building a well for irrigation water with County Engineer's approval.

2. Mr. Norm Larkin, 5303 Aden Court, voiced concern regarding interruption of water supply and service to existing developments with the building of the proposed development, stormwater run off into Chisel Run, duration of operating hours of construction work, phased build out, access of citizens to trail, if timeshares fail what happens to property, need for mosquito control, and property tax impacts.

3. Ms. Sharyn Simpson, 4949 Westmoreland Drive, stated concern regarding the impact this proposed project will have on Olde Towne Road traffic with existing development plus construction projects already in the pipeline, inadequate condition of Olde Towne Road to handle current traffic, and lack of notice to citizens concerning this public hearing.

4. Mr. Allan Clark, 615 Beechwood Drive, City of Williamsburg, voiced concern about permitting tree removal for a wide multiuse trail and suggested alternate trail locations.

5. Mr. Bob Stowers, 619 Beechwood Drive, City of Williamsburg, voiced opposition to the timeshare proposal, voiced concern that the traffic problems on Olde Towne Road have not been addressed, water usage has not been adequately addressed, and requested the Board deny the application.

6. Ms. Rita Lopez, 5128 Ginger Court, stated that a adequate notice had not been given regarding the public hearing of the timeshare before the Board, voiced concern that the County is asking residents to conserve water yet the County continues to approve water-consuming development projects, existing traffic problems on Olde Towne Road, inquired about who will maintain the trail after timeshare is built out, affordable housing for employees of the timeshare, and stated concern for the safety of children in the surrounding neighborhoods.

7. Mr. Norm Larkin, 5303 Aden Court, inquired as to which citizens received notice by mail of the public hearing.

8. Mr. Mark Sexton, 8 Prestwick, stated that traffic on Olde Towne Road as well as the water supply and usage are existing problems in the County and voiced concern that the County is adding to these problems; voiced concern about the environmental impact the trail and timeshares will have on the Powhatan Creek Watershed and requested the Board defer action on this matter until after the results of the Powhatan Watershed Study have been released and reviewed.

Mr. McGlennon closed the public hearing.

The Board and staff discussed the impact the Powhatan Creek Watershed Study findings may have on the desirability to develop the property in the proposed manner, alternate development options for the property, notification of public hearing to citizens for this proposal, connection of the proposed development into the water system and its impact on existing consumers, multiuse path access and width, and the time of day for construction activity for the anticipated five-year build out period.

Mr. Harrison made a motion to defer the case for 120 days to await the findings of the Powhatan Creek Watershed Study.

The Board and staff discussed the feasibility of waiting for the Powhatan Creek Watershed Study findings prior to taking action on the application.

The Board, Frank Eck, applicant's attorney, and staff also discussed the process by which timeshares are sold and what would happen if the timeshares went bankrupt, the trail as part of the greenways system linking the James City/Williamsburg Community Center to the District Park Sports Complex, width of the trail, security and safety of users and neighbors of the trail, and expectation of receiving updated traffic counts for Olde Towne Road in July.

Mr. Harrison amended his motion to defer the case for 60 days.

Mr. Wanner recommended the motion be amended to defer the case to July 10, 2001.

Mr. Harrison amended his motion to defer the case until July 10, 2001.

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

Mr. McGlennon recessed the Board for a break at 9:57 p.m.

Mr. McGlennon reconvened the Board at 10:07 p.m.

3. Case No. SUP-5-01. Bruce's Super Body Shops

Ms. Jill E. Schmidle, Planner, stated that Mr. Vernon Geddy, III, has applied for a special use permit on behalf of WWB Partners to construct a 24,150-square foot automobile repair facility on 5.28 acres, zoned B-1, General Business, located at 5521 Richmond Road, further identified as Parcel No. (1-5-A) on James City County Real Estate Tax Map No. (33-3).

Ms. Schmidle stated that the property was designated Neighborhood Commercial on the Comprehensive Plan Land Use Map. She stated that the project is consistent with the Neighborhood Commercial designation, as it would not adversely impact residential neighborhoods and is consistent with the commercial character of the area.

The Planning Commission unanimously voted to recommend approval of this project and staff recommends approval of the project with the conditions outlined in the resolution.

The Board and staff discussed the impact of additional traffic making a left-turn off Olde Towne Road near the intersection of Richmond Road, controlled access to the site, landscaping, and the upgrade of the stormwater pond.

Mr. McGlennon opened the public hearing.

1. Mr. Vernon Geddy, III, gave an overview of the existing businesses surrounding the site, proposed project, and its benefits to the County.

The Board and applicant discussed hours of operation of the business, storage and disposal of chemicals, landscaping, access to the site, as well as salary ranges and benefits for employees.

2. Mr. Ed Oyer, 139 Indian Circle, voiced support for the project.

3. Ms. Nancye Smither, 5124 Ginger Court, stated concern regarding existing traffic problems with vehicles turning left across Olde Towne Road and the impact this additional site will add to the problem.

4. Mr. Earl Smithson, Jr., 105 Pebble Beach, stated support for the project and requested the Board adopt the resolution permitting the special use permit.

Mr. McGlennon closed the public hearing.

The Board, applicant, and staff discussed anticipated traffic trips to and from the site, traffic patterns for vehicle access to the site, addition of signage at the entrance off Olde Towne Road for service vehicles only.

Mr. Nervitt made a motion to adopt the resolution.

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

## **RESOLUTION**

### **CASE NO. SUP-5-01. BRUCE'S SUPER BODY SHOPS**

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. Vernon Geddy, III, has applied on behalf of WWB Partners for a commercial special use permit for a structure greater than 10,000 square feet and for a special use permit to allow a vehicle repair and service shop at 5521 Richmond Road; and

WHEREAS, the proposed vehicle repair and service shop is shown on the Master Plan "Conceptual Plan for Bruce's Super Body Shops" prepared by LandMark Design Group, dated February 5, 2001; and

WHEREAS, the property is located on land zoned B-1, General Business District, and can be further identified as Parcel No. (1-5-A) on James City County Real Estate Tax Map No. (33-3); and

WHEREAS, the Planning Commission, following its public hearing on April 2, 2001, voted 7-0 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-5-01, as described herein with the following conditions:

1. Development of the site shall be generally in accordance with the "Conceptual Plan for Bruce's Super Body Shops" prepared by LandMark Design Group, dated February 5, 2001, with such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development. Shared access easements on Olde Towne Road and Richmond Road shall be provided and approved by the Director of Planning prior to final site plan approval.
2. A land-disturbing permit shall be issued by the County for this project within 36 months from the date of approval of this special use permit or the permit shall become void.
3. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to, and approved by, the Planning Director or his

designee prior to final site plan approval, which indicates no glare 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 the adjoining properties.

4. An erosion and sediment control and runoff management plan shall be approved by the Environmental Director prior to final site plan approval.
5. All traffic improvements required by the Virginia Department of Transportation (VDOT) shall be installed or bonded prior to issuance of a certificate of occupancy for any structure on the site. A security gate shall be installed at the Olde Towne Road entrance prior to issuance of a certificate of occupancy for any structure on the site. The location of the security gate shall be approved by the Director of Planning prior to final site plan approval.
6. The applicant shall provide to the James City Service Authority (JCSA) documentation showing measures for legally disposing any chemicals, paint products, oils, and/or grease. These items shall not be permitted to be discharged into the sanitary sewer system. The disposal documents shall be approved by JCSA prior to final site plan approval.
7. A landscaping plan shall be approved by the Planning Director or his designee prior to final site plan approval. The landscaping plan shall include enhanced landscaping, containing 125 percent of the minimum ordinance planting requirements, for the Olde Towne Road and Richmond Road right-of-way.
8. All dumpsters shall be screened by landscaping and fencing. Landscaping and fencing shall be approved by the Planning Director or his designee prior to final site plan approval. Work area bay doors and HVAC equipment shall be screened from external roads and shall to be approved by the Planning Director or his designee prior to final site plan approval.
9. The applicant shall dedicate right-of-way for a five-foot VDOT standard shoulder bike lane along the property's Olde Towne Road frontage prior to final site plan approval. If turn lanes, drainage or utility improvements are required along the Olde Towne Road frontage, the improvements shall be designed in such a manner to allow an unimpeded bikeway path through the right-of-way dedicated for such purposes.
10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

4. Case No. ZO-1-01. Zoning Ordinance Amendment Buffer, Greenbelt, and Setback Requirements for Timbering Activities

Mr. O. Marvin Sowers, Jr., Planning Director, stated that in accordance with the Board's request, staff has prepared several amendments to the Zoning Ordinance pertaining to timbering buffers to discourage unauthorized timbering within required buffers, to improve enforcement activities in the event of violations, and maximize the public benefits of required replanting.

The Planning Commission unanimously recommended approval of the Ordinance, and staff recommends approval of the Ordinance as amended.

The Board and staff discussed compensation to landowners where buffering is required and is of no benefit to the landowner such as in agriculturally zoned property, and timbering internal portions of the buffer.

Mr. William Apperson, State Forester, stated that generally speaking older trees fall faster than young trees, and large-canopy trees fall faster than small-canopy trees. This is considered when reviewing requests to timber internal portions of buffers.

Mr. Nervitt inquired if there have been tax assessment adjustments for property with buffers.

Mr. Morton stated that courts uphold buffering on property, and stated that adjustments to tax assessments for the buffered portion of land is a minute amount of an adjustment for the amount of staff time involved to adjust the tax assessment.

Mr. McGlennon opened the public hearing.

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

Mr. Nervitt made a motion to adopt the Ordinance.

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

5. Case No. ZO-2-01. Mixed Use District – Private Street Amendments

Mr. Allen J. Murphy, Jr., Zoning Administrator/Principal Planner, stated that proposed amendments to the Ordinance establish a process for the review and approval of private streets in the Mixed Use zoning district. The amendments provide standards for review of construction and design of private streets and an exception process from VDOT standards.

The Planning Commission unanimously recommended approval of the amended Ordinance, and staff recommends approval of the Ordinance amendments.

The Board and staff discussed applications of the amendments to gated communities, New Town, and possible taxing district implications.

Mr. Morton stated that the amendments provide standards and attempts to structure permitting of private streets.

Mr. McGlennon opened the public hearing.

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

Mr. Goodson made a motion to adopt the Ordinance.

On a roll call, the vote was: AYE: Kennedy, Nervitt, Goodson, McGlennon (4). NAY: Harrison (1).

**G. PUBLIC COMMENT - None**

**H. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner recommended that upon completion of the meeting, the Board adjourn until May 22, 2001, at 7:00 p.m.



Mr. Wanner recommended the James City Service Authority convene following the Board of Supervisors' meeting for a closed session pursuant to Section 2.1-344 (A) (7) of the Code of Virginia to consider acquisition of a parcel of property for public use.

## **I. BOARD REQUESTS AND DIRECTIVES**

Mr. Goodson stated that he had the opportunity to represent the County in a visit to Ipswich, England, and presented Ipswich with a proclamation recognizing the historic and growing links between the Borough of Ipswich, England, and the County of James City, Virginia.

Mr. Harrison inquired if action has been taken to post no parking signs on Ingram Road and what measures the County can take to limit the number of vehicles parked on private property for sale.

Mr. Wanner stated that he had requested VDOT have signs posted on the public right-of-way portion of Ingram Road. The staff will look into the Zoning Ordinances regarding limits in the number of for-sale vehicle permitted to be parked in a private lot.

Mr. McGlennon made a motion to adjourn until May 22, 2001, at 7:00 p.m.

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

The Board adjourned at 11:13 p.m.

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Sanford B. Wanner  
Clerk to the Board

**MEMORANDUM**

DATE: May 22, 2001  
TO: The Board of Supervisors  
FROM: Darryl E. Cook, Environmental Director  
SUBJECT: Dedication of Streets in Berkeley's Green, Phase 8

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Attached is a resolution requesting acceptance of certain streets in Berkeley's Green, Phase 8, 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 the Board adopt the attached resolution.

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Darryl E. Cook

DEC/gs  
dedofstrberk.mem

Attachments

**RESOLUTION**

**DEDICATION OF STREETS IN BERKELEY'S GREEN, PHASE 8**

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 that 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, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, 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 22nd day of May, 2001.

dedofstr.res

**M E M O R A N D U M**

DATE: May 22, 2001

TO: The Board of Supervisors

FROM: Richard B. Hanson, Community Development Administrator

SUBJECT: Award of Contract - Ironbound Square Residential Revitalization Project Planning and Engineering Services

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In accordance with County purchasing requirements a contract has been negotiated with AES Consulting Engineers for essential planning and engineering services to accomplish residential redevelopment within the Ironbound Square neighborhood. In February of 2000, the County entered into a multiyear Community Development Block Grant (CDBG) Agreement with the Virginia Department of Housing and Community Development to undertake the Ironbound Square Residential Revitalization CDBG Project. This project is designed to improve housing conditions, eliminate blight, and to preserve Ironbound Square as a viable residential neighborhood. One million dollars in CDBG funds along with \$2,122,975 of local, private, and other State and Federal funds are budgeted for the following activities specified in the CDBG Agreement:

1. Rehabilitation of 26 homes to Housing Quality Standards;
2. Substantial reconstruction (demolish and replace) of eight homes;
3. Relocation of ten households whose property is acquired for redevelopment to standard affordable housing;
4. Establishment of Individual Development Accounts for six households providing CDBG funds to match savings for home purchase or maintenance;
5. Demolition of eight vacant dilapidated dwellings plus 18 substandard dwellings whose occupants are provided substantial reconstruction or relocation assistance;
6. Acquisition of 9.25 acres within a 12-acre redevelopment area and resubdivision of the redevelopment area into approximately 64 lots;
7. Construction of interior access roads in the redevelopment area eliminating curb cuts on Ironbound Road;
8. Neighborhood improvements including reconstruction of Watford Lane including curb, gutter and sidewalk and 350 linear feet of curb, gutter, and sidewalk on Carriage Road;
9. Storm drainage improvements in conjunction with street improvements and redevelopment;
10. Upgrade of facilities in the neighborhood park and installation of a school bus shelter on Ironbound Road; and
11. Clearance of junk, debris, derelict structures, inoperable vehicles, and overgrown vegetation from the CDBG Project area.

Under the CDBG Agreement, \$482,000 of CDBG funds were awarded for the first phase of the Ironbound Square Residential Revitalization Project with an additional \$500,000 to be provided after the County meets specified threshold requirements. Another \$18,000 of CDBG funds have been designated for the Ironbound Square project from the County's CDBG funding for the Home Purchase and Home Maintenance Savings Program.

Accomplishments to date on the Ironbound Square Revitalization Project include: completion of the rehabilitation of 13 homes, purchase and clearance of a blighted property, clearance of a dilapidated structure, and establishment of Individual Development Accounts by several homeowners, and potential purchasers of homes within the neighborhood.

Ironbound Square Residential Revitalization Planning and Engineering Contract

May 22, 2001

Page 2

In order to complete the threshold actions required to receive the second \$500,000 CDBG, it is necessary to undertake planning activities that are in the Conceptual Design Phase of the proposed contract with AES. A key component of the Conceptual Design Phase is a two-day design charrette (workshop) involving the consultant, an architect subconsultant, County citizens, County staff, and other key stakeholders. The engineering and services contract negotiated with AES includes four separate phases from conceptual design through construction of internal streets, water and sewer extension, stormwater management, other required site improvements, and lot stake out. The cost of the planning and engineering services described in the contract is \$224,475. Capital Improvement Program funds allocated to the Housing Development Fund will be used to pay for planning and engineering services.

Staff recommends approval of the attached Resolution to authorize award of the Ironbound Square Residential Revitalization Planning and Engineering Services Contract to AES Consulting Engineers in the amount of \$224,475.

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Richard B. Hanson

CONCUR:

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Anthony Conyers, Jr.

RBH/tlc  
ibsplan.mem

Attachment

**RESOLUTION**

**AWARD OF CONTRACT - IRONBOUND SQUARE RESIDENTIAL REVITALIZATION**

**PROJECT PLANNING AND ENGINEERING SERVICES**

WHEREAS, in December 1999 the James City County Board of Supervisors authorized the County Administrator to sign the Community Development Block Grant (CDBG) Agreement for the Ironbound Square Residential Revitalization Project with the Virginia Department of Housing and Community Development (VDHCD); and

WHEREAS, under this Agreement, VDHCD awarded a grant of \$482,000 of CDBG funds, committed to award a second grant contract of \$500,000 in CDBG funds upon successful completion of specified threshold activities, and James City County committed to expend \$2,122,975 of other resources to complete the project activities; and

WHEREAS, planning and engineering services are required to successfully complete the phase one threshold activities as well as undertake phase two contract activities; and

WHEREAS, in accordance with County purchasing requirements proposals were solicited and a four-phase planning and engineering services contract for the Ironbound Square Revitalization Project has been negotiated with AES Consulting Engineers with a total cost for completion of all four phases of \$224,475; and

WHEREAS, Capital Improvement Program funds are available in the Housing Development Fund to pay for the Ironbound Square Revitalization Project planning and engineering services contract cost.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the Ironbound Square Revitalization Project planning, architectural, and engineering services contract to AES Consulting Engineers in an amount of \$224,475.

\_\_\_\_\_  
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 22nd day of May, 2001.

**SPECIAL USE PERMIT-04-01. Alicia Brown Jones Manufactured Home  
Staff Report for May 22, 2001, 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; James City County Government Complex  
Board of Supervisors:        May 22, 2001, 7:00 p.m.

**SUMMARY FACTS**

Applicant:                        Ms. Alicia Brown Jones

Proposed Use:                    Manufactured Home

Location:                         143 Clark Lane

Tax Map and Parcel No.:        (32-2)(1-55)

Primary Service Area:         Inside

Parcel Size:                      .214 acres approximately

Existing Zoning:                R-2, General Residential

Comprehensive Plan:         Low Density Residential

Surrounding Zoning:         All adjacent properties are zoned R-2, General Residential

Staff Contact:                  John Rogerson - Phone 253-6685

**STAFF RECOMMENDATION:**

While this application represents a continuation of a nonconforming situation with respect to the placement of a manufactured home in the R-2, General Residential Zoning District, staff supports the proposal of replacing the existing nonconforming manufactured home with a new one. The proposed manufactured home, with conditions, will meet the administrative criteria for the placement of a manufactured home and will improve the living conditions of the applicant. Staff recommends the Board of Supervisors approve this special use permit with the attached conditions.

## **History**

The applicant is requesting permission to replace the 1976 Castle manufactured home, which is 14-feet by 60-feet with a new Oakwood 2001 model. The existing manufactured home is nonconforming because it is located in a residential Zoning District within the Primary Service Area. The applicant received a four-foot variance to the required 35-foot rear yard setback on May 3, 2001, from the Board of Zoning Appeals for the new manufactured home. This variance was needed due to the unusually shallow building depth of the parcel. With the approval from the Board of Zoning Appeals, the proposed manufactured home now fits on the parcel and meets the newly established setback requirements.

## **Description of Project**

The proposed manufactured home is an Oakwood Series Model Number 2034. This unit is 28-feet wide and 56-feet long. It is a three bedroom model with two bathrooms.

## **Surrounding Zoning**

Adjacent properties are zoned R-2, General Residential. The immediate area is surrounded with single-family dwellings.

## **Surrounding Area**

There are at least seven manufactured homes within 2,000 feet. The nearest manufactured home is approximately 100 yards from the property in question.

## **Access**

The property fronts on Clark Lane, which is a publicly maintained road.

## **Public Utilities**

The manufactured home is located inside the Primary Service Area (PSA) and will be served by public water and sewer.

## **Screening**

The existing vegetation screening on-site is sufficient in the rear of the property; however, the front of the property will require additional landscaping to meet the County's landscape standards for manufactured homes. Staff recommends the applicant place three flowering trees four to five feet high and 15 feet from the manufactured home (example: Dogwood, Redbud, Crepe Myrtle, or Crabapple) in the front to provide additional landscaping along the street.

## **RECOMMENDATION:**

The proposed manufactured home, with conditions, meets the administrative guidelines for the placement of new manufactured homes. While this application represents a continuation of a nonconforming use with respect to placement of manufactured homes in the R-2, General Residential Zoning District, it does



provide an improvement in living conditions for the applicant. Staff recommends the Board of Supervisors approve this special use permit with the conditions listed below:

1. This permit shall be valid only for the 2001 Oakwood Series Model No. 2034 double-wide unit applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
3. The existing mobile home shall be removed prior to the placement of the new manufactured home.
4. The applicant shall place three flowering trees four- to five-feet high and 15 feet from the manufactured home (example: Dogwood, Redbud, Crepe Myrtle, or Crabapple) in the front to provide additional landscaping along the street.
5. This special use permit is not severable; invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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John C. Rogerson

CONCUR:

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O. Marvin Sowers, Jr.

JCR/gs  
Sup-04-01.wpd

Attachments:

1. Map
2. Resolution

**RESOLUTION**

**CASE NO. SUP-04-01. ALICIA BROWN JONES MANUFACTURED HOME**

WHEREAS, all requirements for the consideration of an application for a special use permit for the placement of a manufactured home have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a special use permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below:

Applicant: Alicia Brown Jones

Real Estate Tax Map ID: (32-2)

Parcel No.: (1-55)

Address: 143 Clark Lane

District: Powhatan

Zoning: R-2, General Residential

- Conditions:
1. This permit shall be valid only for the 2001 Oakwood Series Model No. 2034, double-wide unit applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
  2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
  3. The existing mobile home shall be removed prior to the placement of the new manufactured home.
  4. The applicant shall plant three flowering trees four- to five-feet in height in the front yard at least 15-feet from the manufactured home (example: Dogwood, Redbud, Crepe Myrtle, or Crabapple trees).
  5. This special use permit is not severable; invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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John J. McGlennon  
Chairman, Board of Supervisors

ATTEST:

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Sanford B. Wanner  
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of May,  
2001.

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