

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 22ND 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

Mr. Rick **Capelli**, an eighth grade student at Toano Middle **School**, led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Ms. Mary **Grogan**, 157 **Allyson** Drive, stated that residents in the **Raintree** Villas have been working with the Home Owners Association (HOA) to alleviate a flooding problem in the common area that affects neighboring residents. Ms. **Grogan** requested assistance from the County to further correct the flooding problem that is originating in the common area.

D. PRESENTATIONS

1. Volunteer Recognition – International Year of the Volunteer

Mr. **McGlennon** recognized the Rev. Randy Garner, Chaplain for the Police Department, nominated by Lt. Cheryl Hinderer for providing 350 hours of service to the Police Department and citizens in 2000 by acting as the Department Chaplain to assist victims' families after suicides, homicides, and during other times of stress as well as assisting officers and their families in times of crisis.

2. Hampton Roads Partnership – Mr. James L. Eason. President and CEO

Mr. Eason provided an overview of Hampton Roads Partnership's mission, membership, operating budget funding, areas of focus for its strategic plan, and financial support.

Mr. Eason stated that Hampton Roads is only 87 percent of the national income and that one of the Partnership's goals is to bring the Hampton Road's income to the national level. Hampton Roads Partnership

provides a **forum** for regionalism to identify strategic issues and create plans with positive economic impacts regionally.

The Board and staff discussed the need for technology-related **economic** development in Hampton Roads.

3. Reports of the School Superintendent

Dr. David Martin, Superintendent of Schools, stated that the Focus Group on Secondary Education Programming will meet again before submitting its recommendations to the School Board for specific direction.

Dr. Martin stated that the PTA Council will talk about the Focus Group's findings and get feedback from the community at a meeting in June.

Dr. Martin gave an update on the effects of the School's budget adjustments on staffing, progress on staffing the Alternative Education Program, and recent changes in staffing within the School Division.

Dr. Martin invited the Board to attend the graduation celebration activities for the high schools in June.

The Board and Dr. Martin discussed changes in School staffing and the students' view of the Standards of Learning (SOL) tests this year.

E. HIGHWAY MATTERS

Mr. Jim Brewer, Engineer for the Virginia Department of Transportation (VDOT), stated that Alternate Route 5 (Monticello Avenue) and the Grove interchange will be completed by November.

Mr. Brewer stated that bids are in for the bike path along Strawberry Plains Road (Route 616), and construction on the bike path along Neck-0-Land Road to the Colonial Parkway will begin next week

Mr. Brewer stated that the shoulder grading and stump removal have been completed along Ron Springs Drive and construction improvements to the road will begin this week

Mr. **Kennedy** requested the timing of lights be checked in **Lightfoot**, along Route 60, near Route 199.

Mr. **McGlennon** thanked VDOT for the evaluation of the **signage** at the intersection of **Jamestown** Road (Route 31) and 4-H Club Road (Route 680) and requested VDOT continue to monitor the intersection.

F. CONSENT CALENDAR

Mr. Harrison made a motion to approve the 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 16, 2001. Budget Work Session

b. April 24, 2001. Regular Meeting

- c. Mav 8,2001, Regular Meeting
2. Dedication of Streets
- a. Berkeley's Green. Phase 8

RESOLUTION

DEDICATION OF STREETS IN GREENSPRLNGS 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 Reaquirements.

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.

- 3. Award of Contract – Ironbound Square Residential Revitalization Project Planning and Engineering Services

RESOLUTION

AWARD OF CONTRACT - IRONBOUND SQUARE RESIDENTIAL REVITALIZATION

PROECT 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.

G. PUBLIC HEARING

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

Mr. John Rogerson, Planner, stated that Ms. Alicia Brown Jones has applied for a special use permit to replace an existing nonconforming manufactured home with a new one, zoned R-2, General Residential, located at 143 **Clark Lane**, further identified as Parcel No. **(1-55)** on James City County Real Estate Tax Map No. (32-2).

Staff determined that the proposal would meet the administrative criteria for the placement of a manufactured home and improve the living conditions of the applicant.

Staff recommended approval of the application with conditions listed in the resolution.

The Board and staff held a brief discussion regarding the nonconforming manufactured home and use of the manufactured home as the primary residence of the applicant.

Mr. McGlennon opened the public hearing.

As no one wished to speak, 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).

R E S O L U T I O N

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.

H. PUBLIC COMMENT - None

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended that the Board recess for a James City Service Authority Board of Directors meeting following which the Board of Supervisors would reconvene into open session to go into 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

Mr. Wanner recommended that upon completion of the agenda, the Board adjourn until **4:00 p.m.** on May 23 for a work session.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Kennedy requested updated information with the number of developable lots in the County and the number of approved lots.

Mr. **McGlennon** stated that an open house was held for the dedication of Fire Station No. 5 today. The new fire station will provide high quality service and quicker response times to citizens.

Mr. **McGlennon** recessed the Board at **7:56 p.m.**

Mr. **McGlennon** reconvened the Board into open session at **8:21 p.m.**

K. CLOSED SESSION

Mr. **Goodson** made a motion to go into closed session at **8:21 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 **8:29 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 appoint Mr. James Tucker to the Regional Issues Committee to fill the unexpired term of Mr. **Al Johnson**, term to expire on January 1, 2002, and appoint Ms. Betsy **Wolin** to fill the unexpired term of Mr. Jack Edwards, term to expire July 11, 2003.

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

Mr. **Goodson** made a motion to adjourn at 8:30 p.m.

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



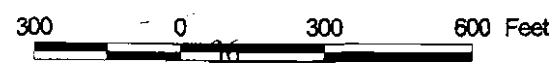
Sanford B. Wanner
Clerk to the Board

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DEDICATION OF STREETS IN BERKELEY'S GREEN, PHASE 8

 Streets Being Dedicated



In the County of James City

By resolution of the governing body adopted May 22, 2001

The following Form SR-SA is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official): Sanford B. Wanner
Sanford B. Wanner, County Administrator

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Berkeley's Green, Phase 8

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, am hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: **Addition, New subdivision street**

Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

Bent Creek Road, State Route Number 1326

Description: **From:** Rt 1306 (Fiddler's Ridge Parkway)
To: East to end of cul-de-sac
A distance of 0.06 miles.

Right of Way Record: Filed with the Land Records Office on 12/18/1995. Plat Bwk 63, Page 41. with a width of 50

Mossy Creek Drive, State Route Number 1327

Description: **From:** Rt 1306 (Fiddler's Ridge Parkway)
To: South to end of cul-de-sac
A distance of 0.10 miles.

Right of Way Record: Filed with the Land Records Office on 12/18/1995, Plat Book 63. Page 41, with a width of 50