

**AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
VIRGINIA, HELD ON THE 24TH DAY OF MAY 2011, AT 4:00 P.M. IN THE COUNTY  
GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY,  
VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

Mary K. Jones, Chairman, Berkeley District  
Bruce C. Goodson, Vice Chair, Roberts District  
James G. Kennedy, Stonehouse District  
James O. Icenhour, Jr., Powhatan District  
John J. McGlennon, Jamestown District

Robert C. Middaugh, County Administrator  
Leo P. Rogers, County Attorney

**C. BOARD DISCUSSION**

Mr. Rogers introduced the new Assistant County Attorney, Ms. Lola Rodriguez Perkins.

The Board took a break for a work session of the James City Service Authority Board of Directors.

At 4:45 p.m., Ms. Jones reconvened the Board.

**1. Greenspace**

Mr. John Horne, General Services Manager, gave a brief overview and background of the Greenspace program operating in the County. He discussed the funding available including bond issues for property that could be acquired for Greenspace and conservation areas designated by the County. Mr. Horne discussed various methods of acquiring and preserving Greenspace. He discussed areas which drive priorities including the status of the parcel's ownership, significance of the parcel and its location, and opportunities for other means of acquisition such as historic preservation. He explained that planning documents have contributed to the parcel prioritization including the Comprehensive Plan, Greenways Master Plan, Parks and Recreation Master Plan, historical and archaeological studies, Watershed Management Plans, and specific recommendations from the Board, Planning Commission, and citizens. He reviewed the Board's success in preserving parcels and reviewed the status of parcels recommended for conservation based on the Powhatan Creek and Yarmouth Creek Watershed Management Plans. Mr. Horne reviewed administrative issues related to the program, including staffing during the acquisition process. The Board indicated that more information was required before guidance could be provided on additional resources for the program.

Discussion was held about staff's current activity related to acquisition of conservation easements and greenspace. The Board and staff discussed language related to condemnation of properties in the process of acquisition and the complexity of the process. Mr. Rogers explained that the caveat related to condemnation indicated that the property owner could not be paid the full value of the property if an easement or portion of

the property was condemned for a road or other project. Mr. Rogers explained that this enabled the County to be named as a party in the event that there was a condemnation on the property in the future. Mr. Kennedy indicated that he felt that the process should be discussed and evaluated with property owners who were in discussion with the County for property acquisition. Mr. Rogers explained that it was often difficult to have family members consistently agree to sell the property rights and that other times it was difficult to get a clear title to the property being purchased.

Discussion was held on conservation easements on environmentally sensitive properties. Mr. Horne explained that staff had been in contact with some property owners and that often these properties were tied to larger conservation areas.

Mr. Horne discussed monitoring the parcels after acquisition and exploring other means of conservation and preservation. He noted that staff was working to continue monitoring the properties to ensure that the condition of the property right that was purchased did not change. Discussion was held on maintenance costs for conservation properties, which varied depending on the property. Mr. Horne explained that some properties required more intensive maintenance, such as those properties used as parks and recreational facilities. Discussion was held on preference for James City County farms.

Mr. McGlennon asked about preservation criteria related to decreasing the risk of flooding in an area. Mr. Horne stated that he was unaware if this was a direct reason for acquisition, though some parcels adjacent to Powhatan Creek have been acquired that contributed to reducing runoff. He stated that some of the recommendations from the watershed management plans are driven toward maintaining forested areas to reduce runoff. Mr. Middaugh stated that adding that criteria could allow for additional funding for the program.

Ms. Jones noted that additional information was needed prior to discussing additional staffing and that utilization of volunteers was a critical component to the programs. She asked for the costs associated with maintaining the current greenspace properties.

Mr. Goodson noted that it was critical to maintain these properties in the future, and future Boards would need an inventory of the descriptions and needs of the greenspace properties.

Mr. McGlennon suggested developing a maintenance system and awareness program for the public. He indicated that these increased efforts could require additional staff resources.

Mr. Horne stated that the Board's guidance to Mr. Middaugh would be critical in that respect.

#### **D. CLOSED SESSION**

Mr. Goodson made a motion to go into Closed Session for consideration of the acquisition of parcel(s) of property for public use pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.

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

At 5:24 p.m., the Board recessed into Closed Session.

At 6:17 p.m., Ms. Jones reconvened the Board.

Mr. McGlennon made a motion to adopt the Closed Session Resolution.

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

**RESOLUTION**

**CERTIFICATION OF CLOSED MEETING**

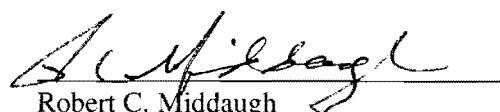
WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 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 2.2-3711(A)(3) of the Code of Virginia, to consider the acquisition of parcels of property for public use.

**D. BREAK**

At 6:18 p.m., the Board took a break.



Robert C. Middaugh  
Clerk to the Board

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