

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 5TH DAY OF JANUARY 2009, AT 7:01 P.M. IN THE CAFETERIA OF D.J. MONTAGUE ELEMENTARY SCHOOL, 5380 CENTERVILLE ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

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

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

C. WELCOME

Mr. Goodson welcomed the citizens to the Special Meeting of the Board of Supervisors regarding Jolly Pond Dam.

Mr. Icenhour thanked the citizens for attending and stated his appreciation for their support while the County worked with the Department of Conservation and Recreation (DCR) and the Virginia Department of Transportation (VDOT) to come to a resolution on the dam. He also thanked the other Board members for attending. Mr. Icenhour introduced Senator Thomas Norment, Delegate Brenda Pogge, and the representatives from DCR and VDOT.

Mr. Icenhour introduced Mr. Andrew Gould of the Timmons Group who gave an overview of the Alternatives Analysis for Jolly Pond dam.

D. PRESENTATION

Mr. Andrew Gould, P.E., of the Timmons Group gave a presentation of the analysis of Jolly Pond dam. The presentation consisted of Jolly Pond Dam's Introduction, the Virginia Impounding Structure Regulations, Conditional Operation and Maintenance Certificate history, the Engineering Analysis, possible upgrade and repair actions, the current status of the dam, and possible outcomes.

E. PUBLIC COMMENT

1. Mr. Jim Patrick commented on the County purchasing the lake, new dam regulations, and State interest.

2. Ms. Mary Lou Clark, 2035 Bush Neck Road, commented on discussions with the DCR regarding flexibility; potential harm from seepage; traffic limitations including eliminating school buses; and using alternate access roads. She questioned how many dams in the State currently meet regulations and the removal of woody vegetation from a Resource Protection Area. She asked the total cost of repairs and if a decision regarding closure of the road has been made.

3. Mr. Mike Richardson, 2701 Jolly Pond Road, commented on the safety issues related to the dam and road closure; and emergency response as a result of the closure. He commented that this was a money issue and the Governor has not intervened.

4. Mr. Ed Warburton, III, 2626 Jolly Pond Road, provided written comments read by Ms. Mary Lou Clark stating that as a 45-year resident of Jolly Pond Road, the weight limits should be reduced and buses should be rerouted to keep the road open.

5. Mr. David Brown, 1502 Bush Neck Road, stated that the dam had a good record over more than 200 years and that rules were being considered over the safety of citizens and asked for an effort from the members of the General Assembly.

6. Mr. John Hogge, 2669 Jolly Pond Road, stated that VDOT has withdrawn from the issue and should pay for the repairs to the dam.

7. An unidentified speaker stated that emergency access was important for citizens.

8. Mr. Roy Witchower requested that school bus routes and pickup locations for children should be changed so that they would not be put in danger while walking along the road.

9. Mr. Lee Mershon, 500 Thompson Lane, spoke about his difficulty in getting his dam repaired and that he had gotten the necessary permissions except from James City County.

10. An unidentified speaker spoke about the County using its powers of eminent domain to acquire the dam and the lake in order to make the necessary repairs.

At 8:10 p.m. Mr. McGlennon left the meeting.

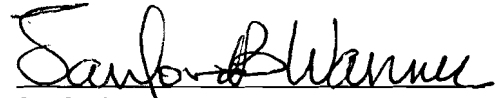
F. BOARD REQUESTS AND DIRECTIVES - None

G. ADJOURNMENT to 4 p.m. on January 6, 2009

Mr. Kennedy made a motion to adjourn.

On a roll call vote, the vote was: AYE: Icenhour, Kennedy, Goodson (3). NAY: (0). ABSENT: McGlennon, Jones (2).

At 8:30 p.m. Mr. Goodson adjourned the Board to 4 p.m. on January 6, 2009.

A handwritten signature in black ink, appearing to read "Sanford B. Wanner". The signature is written in a cursive style with a horizontal line underneath it.

Sanford B. Wanner
Clerk to the Board

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