

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 24TH DAY OF FEBRUARY 2009, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

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

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

C. PLEDGE OF ALLEGIANCE – Angela Mantel, Katherine Hobe, and Delaney Quigley, fourth-grade students at Stonehouse Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PRESENTATIONS

1. James City County Efficiency Study – Municipal and Financial Services Group

Mr. John McDonald, Manager of Financial and Management Services introduced Mr. Steven Kai-Ziegler who would present the findings of Municipal Financial Services Group (MFSG) on the James City County Efficiency Study. Mr. McDonald stated that the complete report was available online on the County's website.

Mr. Steven Kai-Ziegler, Senior Manager of MFSG, gave background on the County's efficiency study, serving as Project Manager. He presented a summary of the project, including staff and Board interviews, questionnaires, and other methods. He stated that his group did not identify any system, procedure, business process or organizational structure where major changes are warranted, or where major savings could occur for the County, which was primarily a result of the very high level of efficiency at which the County is operating. He stated that the techniques used to perform the study including evaluating documentation, performing interviews, and assessing functions of the organization, followed by reporting. He stated that a benchmarking procedure was implemented based on similar localities. He highlighted the six highest recommendations based on the study's findings, including organizational changes, including a citizen services department under the Assistant County Administrator; maintain Community Services outside of the Citizen Services department; and move Stormwater to Development Management. He next discussed funding for staff positions, including filling two vacant Groundskeeping I positions; two positions in the Police Department and Fire Department; one position with Emergency Communications; two additional civilian administrative staff for the Police Department and Fire Department; and one additional Programmer/Analyst for IRM. He suggested IT improvements; including 20 laptops for field work for inspectors and required IT updates to implement these.

He also suggested an organized, facilitated Board Retreat. He recommended reconsideration of the Stormwater Utility fee and development of a detailed implementation plan.

Mr. Kai-Ziegler also stated that if the recommendations presented by the study were implemented, the net cost savings would be approximately \$176,000.

Mr. McGlennon thanked Mr. Kai-Ziegler for the report and stated that he agreed with the suggested findings, particularly the laptops for inspectors. He commented on the findings related to relocating the Stormwater Division under the James City Service Authority (JCSA) and asked if this was something other communities were doing.

Mr. Kai-Ziegler stated that it was not within the scope of the study to evaluate Stormwater in this way, but in general, the JCSA would be a good home for Stormwater as a utility. He stated that as a General Fund item, this change did not make sense.

Mr. McGlennon stated that the JCSA could be asked to amend the Request for Proposals to include that evaluation.

Mr. Kai-Ziegler stated that was correct. He thanked the Board for the opportunity to speak.

2. James City County Citizens' Coalition (J4C) Comprehensive Plan Presentation

Mr. Chuck Buell, 112 Killington, on behalf of the J4C, presented the J4Cs evaluation of the 2003 Comprehensive Plan and addressed the 2009 Comprehensive Plan Update based on the findings. He discussed increased population and the implications of growth on the County.

Mr. Goodson stated that he was unaware of any of the projects that were inconsistent with the Comprehensive Plan.

Mr. Buell stated the Comprehensive Plan strived to slow development.

Mr. Goodson stated that the Comprehensive Plan was written with citizen input and each development was evaluated based on the Comprehensive Plan.

Mr. Buell stated that the overall point of the presentation was that cumulative decisions did not control growth.

Mr. Goodson stated that the Comprehensive Plan was an overall document for the entire County. He stated that the by-right developments were not evaluated by the Board. He asked about the comment that the County is becoming a depressed area.

Mr. Buell stated that this was based on the empty storefronts.

Mr. Goodson stated that New Town was a new area and the storefronts were new. He stated that he was unaware of it being depressed.

Mr. Buell stated that he felt the County was depressed rather than New Town specifically.

Mr. Goodson asked if this was an official report from J4C.

Mr. Buell stated that it was.

Mr. McGlennon stated that he understood from the presentation that both the Comprehensive Plan processes received comments that growth was occurring too rapidly. He stated that the survey indicating that the citizens did not feel that growth was being effectively controlled was very apparent.

E. PUBLIC COMMENT

1. Mr. Ed Way, 116 Godspeed Lane, presented a petition objecting to “No Wake” restrictions on Powhatan Creek.

2. Mr. Brett Trimbath, 106 Godspeed Lane, objected to the “No Wake” restrictions on Powhatan Creek.

3. Mr. Frank Boyer, 110 Discovery Lane, stated his objections to the “No Wake” restrictions on Powhatan Creek.

4. Mr. Bryan Clagett, 4304 Landfall Drive, stated his objections to the “No Wake” restrictions on Powhatan Creek.

5. Mr. Greg Smith, 155 Marston Lane, commented on proposed changes to the Virginia Department of Transportation (VDOT) Residency. He stated his objection to the changes and stated that the citizens and elected officials should show objection. He stated the VDOT equipment shop would also be moved, which would possibly create more delays to address maintenance needs on the Peninsula. He stated productivity would be significantly cut for citizens on the Peninsula. He asked the Board to question the Commissioner about why no Public Hearing was being held on the Peninsula.

6. Mr. Michael Richardson, 2701 Jolly Pond Road, commented on new school construction expenditures by the County. He stated that the cost was not justified. He stated that the majority of those employed by the contractors were not from James City County. He stated that the construction needed to be more thoroughly evaluated.

7. Mr. Ed Oyer, 139 Indian Circle, commented on the real estate market in Pocahontas Square; water supply requirements and shortages.

F. HIGHWAY MATTERS

Mr. Todd Halacy, VDOT Williamsburg Resident Administrator, updated the Board on the speed of a turn westbound on Route 5 at Route 615. He also noted debris removal as previously requested. He gave an update on the Transportation Budget and noted that the VDOT Blueprint could be found on the VDOT website. He stated that five major areas would be reduced, including eliminating rest areas, reducing ferry services, reducing roadside safety services, reducing interstate maintenance contracts including reducing mowing and brush cutting, and the elimination of 15 of the 44 residencies. He stated that the Williamsburg Residency office and equipment shop would be consolidated with the Waverly office. He stated that a public information meeting regarding the closure of the Williamsburg Residency would be held on March 16, 2009, in Norfolk and that a public information meeting regarding the Jamestown-Scotland Ferry would be held on March 17 in Dendron.

Mr. McGlennon stated that this would be a devastating decision for the Williamsburg area and the Peninsula if the Williamsburg Residency were to close. He stated that Mr. Halacy and his predecessors have strived to maintain the highest level of service in this area. He stated the areas most affected would not have an opportunity to have a public hearing. He stated that he would like to add language to the Board's resolution to request a public hearing in this area to allow for public comment. He thanked Mr. Halacy for his responsiveness to his requests.

Mr. Goodson stated that he understood there would be an emergency plan as there would be no equipment stationed on the north side of the waterways during an emergency situation. He commented on signal timing on Route 60 at the I-64 interchange.

Mr. Halacy stated that the field reviews have been completed and that he should have the completed study within the next few weeks.

Mr. Kennedy stated that signal timings on Route 60 were an issue at Monticello Avenue and the creation of stop-and-go traffic due to these timings. He commented on the speed limits on Route 60 westbound which are prone to speed traps due to many changes in speed limits through Toano.

Mr. Halacy stated that he sent a report late this afternoon which included increasing the speed limit in the segment reviewed to 55 miles per hour (mph) and the spacing of the other signs.

Mr. Kennedy asked if there would be a consistent speed.

Mr. Halacy stated that the request came forward in the past to make a more consistent speed throughout the corridor. He stated that they were looking into making a more consistent speed.

Mr. Kennedy stated that the slower speeds were not necessarily an issue, but a consistent speed was requested.

G. CONSENT CALENDAR

Mr. Goodson made a motion of the Consent Calendar.

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

1. Minutes – February 10, 2009, Regular Meeting
2. Grant Award – FM Global Foundation of Massachusetts – \$600

RESOLUTION

GRANT AWARD – FM GLOBAL FOUNDATION OF MASSACHUSETTS – \$600

WHEREAS, the James City County Fire Department has been awarded a grant in the amount of \$600 from FM Global Foundation of Massachusetts Inc.; and

WHEREAS, the funds are to be used toward the purchase of the Rainbow Valley Fire Safety DVD series for use in the Departments fire education efforts; and

WHEREAS, the grant requires no match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants fund:

Revenue:

FM Global \$600

Expenditure:

FM Global \$600

3. Appointment of Animal Control Officer

RESOLUTION

APPOINTMENT OF ANIMAL CONTROL OFFICER

WHEREAS, the Board of Supervisors of James City County is authorized to appoint Animal Control Officers; and

WHEREAS, the Animal Control Officers are vested with the authority to enforce the animal laws in the County pursuant to Virginia Code Sections 3.2-5900, et. seq., and James City County Code Section 3-2.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Amanda Marroquin is hereby appointed Animal Control Officer for James City County, Virginia.

4. Appropriation of Insurance Proceeds – \$55,804

RESOLUTION

APPROPRIATION OF INSURANCE PROCEEDS - \$55,804

WHEREAS, James City County is committed to protecting County assets and replacing destroyed assets in an efficient manner; and

WHEREAS, on July 6, 2008, a storm caused damages to the Vermillion House at Jamestown Beach Campground; and

WHEREAS, insurance recovery in the amount of \$55,804 has been received from the Virginia Association of Counties Insurance Pool.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriations of recovered funds.

Revenue:

Insurance Recovery \$55,804

Expenditure:

Vermillion House Repairs \$55,804

- 5. Grant Appropriation Increase – Indoor Plumbing Rehabilitation Program – \$60,000

RESOLUTION

GRANT APPROPRIATION INCREASE –

INDOOR PLUMBING REHABILITATION PROGRAM – \$60,000

WHEREAS, the James City County Office of Housing and Community Development has been designated as the local administrator of the Indoor Plumbing Rehabilitation Program (IPR) within James City County and has entered into an agreement with the Virginia Department of Housing and Community Development to submit individual project setups, undertake approved individual projects, and drawdown State and federal funds to reimburse for approved project expenses; and

WHEREAS, the total amount of the approved IPR setups plus IPR setups projected to be approved for the remainder of Fiscal Year 2009, exceeds the IPR grant funds appropriated by the Board of Supervisors in the adopted Community Development Fund budget for Fiscal Year 2009.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following amendment to the Community Development Fund budget:

Federal and State Grant Revenue Increase:

Indoor Plumbing Rehabilitation \$60,000

Expenditure Increase:

Indoor Plumbing Rehabilitation Loan Program \$60,000

H. PUBLIC HEARINGS

1. Case Nos. SUP-0001-2009. Lafayette High School Temporary Classroom Trailers
SUP-0002-2009. D.J. Montague Elementary School Temporary Classroom Trailers
SUP-0003-2009. Rawls Byrd Elementary School Temporary Classroom Trailer

Mr. Jose Ribeiro, Planner, stated that Mr. Bruce Abbott has applied for three Special Use Permits (SUPs) on behalf of Williamsburg-James City County (W-JCC) Public Schools to extend the SUP for six classroom trailers located at Lafayette High School, D.J. Montague Elementary, and Rawls Byrd Elementary Schools.

Staff found the proposal to be compatible with surrounding land uses and the Comprehensive Plan.

Staff recommended that the Board of Supervisors approve the resolutions.

Mr. Icenhour asked about trailers at Jamestown High School being used for office space. He asked if an SUP was only required in order to serve as classrooms.

Mr. Ribeiro stated that he believed the SUP was required for school functions.

Mr. Icenhour asked if using the trailer next to a school as an office did not require an SUP.

Mr. Leo Rogers stated that he would need to confirm, but that he believed that the SUP was required for the installation of a trailer regardless of its use.

Mr. Icenhour asked the County Attorney to see if an SUP was required to continue to use these trailers.

Mr. Kennedy opened the Public Hearing.

Mr. Icenhour asked Mr. Bob Becker, W-JCC Schools Assistant Superintendent for Operations, to confirm that when the new schools were opened and the redistricting was done, the need for the trailers would go away and the School Board has built into its redistricting plan an internal early childhood education plan that would not require trailers.

Mr. Becker stated that was correct.

Mr. Icenhour stated that the CDR trailers have been at Lafayette High School for an extended period of time and asked what the long-range plan would be for a permanent CDR facility.

Mr. Becker stated that he does not speak for the School Board, but that he has spoken with the principal of Lafayette High School to determine where the children can go within the building. He stated that a potential location has been identified. He stated that an estimate for renovation costs has been initiated and a meeting has been set with the schools and CDR to determine if the location is feasible. He stated that if space was identified, he was anticipating moving the program inside the school from the trailers.

Mr. Icenhour asked that he share that information with the Board. He asked if the deadline of July 1, 2011, would be adequate.

Mr. Becker stated that the only prohibitive factor would be funding.

Mr. Goodson stated that the program was inside Jamestown High School, but there was a policy decision by the School Board to move it outside of the high school. He stated that the trailer was a compromise at the time. He stated that the School Board may need to decide its perspective of this program for a long-term solution.

Mr. Becker stated that he would investigate the past decisions on this matter.

1. Mr. Paul Scott, Executive Director of CDR, stated that he recalled that a space was needed and there were safety issues. He stated that CDR had adopted a new strategic plan to meet the needs of children. He stated that CDR had communicated with larger businesses in the area, to reserve some space at Thomas Nelson Community College, and other prospects for facility spaces.

Mr. Icenhour stated that he wanted to ensure a good long-term plan for CDR.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

CASE NO. SUP-0001-2009. LAFAYETTE HIGH SCHOOL

CASE NO. SUP-0002-2009. D.J. MONTAGUE ELEMENTARY SCHOOL

CASE NO. SUP-0003-2009. RAWLS BYRD ELEMENTARY SCHOOL

TEMPORARY CLASSROOM TRAILERS

WHEREAS, in accordance with § 15.2-2204 of the Code of Virginia, 1950, as amended, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled on SUP Case Nos.: SUP-0001-2009, SUP-0002-2009, and SUP-0003-2009; and

WHEREAS, temporary classroom trailers accessory to an existing school may be permitted upon the issuance of a Special Use Permit (SUP) by the Board of Supervisors; and

WHEREAS, the Williamsburg-James City County School Board has applied for an SUP to extend the permit period for two existing temporary classroom trailers at Lafayette High School on property owned and developed by the applicant located at 4460 Longhill Road and further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (32-3); and

WHEREAS, the Williamsburg-James City County School Board has applied for an SUP to extend the permit period for three existing temporary classroom trailers at D.J. Montague Elementary School on property owned and developed by the applicant located at 5380 Centerville Road and further identified as Parcel No. (1-49) on James City County Real Estate Tax Map No. (31-3); and

WHEREAS, the Williamsburg-James City County School Board has applied for an SUP to extend the permit period for one existing temporary classroom trailer at Rawls Byrd Elementary School on property owned and developed by the applicant located at 112 Laurel Lane and further identified as Parcel No. (6-171A) on James City County Real Estate Tax Map No. (48-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUPs for the extension of temporary classroom trailers permits as described above and shown on the attached site location maps with the following conditions:

1. The conditions listed below shall replace and supersede the conditions for approval for the following previously approved temporary classroom trailers for Lafayette High School, D.J. Montague Elementary School, and Rawls Byrd Elementary School: SUP-0006-2007, SUP-0008-2007, and SUP-0010-2007.
2. No more than two classroom trailers shall be permitted at Lafayette High School.
3. No more than three classroom trailers shall be permitted at D.J. Montague Elementary School.
4. No more than one classroom trailer shall be permitted at Rawls Byrd Elementary School.
5. The SUP for D.J. Montague and Rawls Byrd Elementary Schools shall expire on July 1, 2010. The SUP for Lafayette High School shall expire on July 1, 2011.
6. This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

Mr. Kennedy recognized Mr. George Billups, Planning Commissioner, in attendance.

2. Conveyance of Real Property – 3328 Pinecrest Circle, Toano, Virginia

Mr. Rick Hanson, Director of the Office of Housing and Community Development, stated that in 1992, the Board of Supervisors approved development of surplus County-owned property behind Toano Middle School for the Toano Trace affordable cluster subdivision. He stated that the subdivision included 60 clustered residential lots, as well as a central recreation area and 16 acres of open space. Builders were selected, and all but one of the residential lots were developed and sold to homebuyers in accordance with the adopted Lot Sales and Development Plan. Lot No. 37, 3328 Pinecrest Circle, was not improved because the participating builders were concerned about the high cost to build on this lot. Mr. Hanson said that Wayne Harbin Builders, Inc. (“Harbin”) has submitted a proposal to the Office of Housing and Community Development (OHCD) to build a home on this lot for a client in the County’s Affordable Housing Incentive Program.

Mr. Hanson stated that Harbin was experienced in building on difficult lots and has built affordable and EarthCraft certified houses in the Ironbound subdivision. He said that Harbin proposed to build a 1,164-square-foot EarthCraft certified house to be sold for a base price \$184,365. He noted that the proposed house will be suitable for the lot and the neighborhood.

Mr. Hanson stated that the assessed value of the unimproved lot is \$40,100. The County will receive \$30,100 in cash and a \$10,000 15-year forgivable note from the sale of the property. Harbin will receive the balance of the sales price. He said proceeds from the sale of this property are proposed to be used through the Capital Improvements Program for infrastructure improvements required to develop lots for affordable homes in the Ironbound Square Redevelopment Project area.

Staff recommended approval of the resolution.

Mr. Icenhour asked what the original price restrictions were for the original houses.

Mr. Hanson stated that the original prices were between \$61,000 to \$85,000 in the 1990s.

Mr. Icenhour asked how this price was adjusted for inflation.

Mr. Hanson stated that the assessments of the surrounding homes were similar.

Ms. Jones asked if it was consistent with the market value and existing market conditions.

Mr. Hanson stated that was correct. He said the homes in the area have sold for the upper \$100,000s and lower \$200,000s.

Mr. Icenhour stated that he viewed the lot and the way it is structured, it was difficult to build due to drainage on the property.

Mr. Hanson stated that Harbin Builders has looked at the property and infill and drainage improvements would be required. He stated that the builder was comfortable with the ability to build the house on that lot.

Mr. Goodson asked if there were any constraints on the \$10,000 forgivable loan.

Mr. Hanson stated that if the house is sold within the 15-year period, the \$10,000 would have to be paid back.

Mr. Goodson asked if it was a decreased portion.

Mr. Hanson stated that the previous ones were deferred overall, so he anticipated doing it as Toano Trace had done previously.

Mr. Kennedy stated his concern for affordable housing prices escalating. He commented that there was discussion about capping a percentage of the rate of inflation. He asked to look at affordable housing as a definition through the Comprehensive Plan update.

Mr. Hanson stated that this house will be sold to a first-time home buyer with a reduced-rate mortgage. He stated that additional constraints in the Deeds of Trust would be evaluated through the Comprehensive Plan and further presentations.

Mr. Kennedy opened the Public Hearing.

1. Ms. Annette Ranger, 3323 Pinecrest Circle, stated concern about the number of cars in the cul-de-sac, particularly in the event of an emergency.

Mr. Kennedy asked Ms. Ranger if the neighborhood was having issues with school buses.

Ms. Ranger stated that was not currently an issue since there was no place to put a large vehicle in the cul-de-sac.

Ms. Jones asked if there was an active homeowners association.

Ms. Ranger stated that it was difficult to organize homeowners for meetings.

As no one else wished to speak to this matter, Mr. Kennedy closed the Public Hearing.

Mr. McGlennon asked if this property would have a driveway.

Mr. Doug Harbin, Harbin Builders, stated that there would be a shared driveway as required by VDOT. He stated that the house to the left added additional driveway in the common area of this lot. He stated that they talked to the neighbor and compromised to use the first section of that driveway as an entry and build parking for additional vehicles.

Ms. Jones asked how multiple cars would affect the new home owner.

Mr. Harbin stated that there was a shared driveway with room for about four cars.

Mr. Kennedy stated that there were parking issues in Toano Trace and stated that he would discuss the matter with the County Administrator and residents.

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

CONVEYANCE OF REAL PROPERTY – 3328 PINECREST CIRCLE, TOANO, VIRGINIA

WHEREAS, James City County owns certain real property in the Toano Trace subdivision, identified on James City County Real Estate Tax Map Parcel No. 22207000378, more commonly known as 3328 Pinecrest Circle, Toano, Virginia, and being .12 acres (“Property”); and

WHEREAS, the James City County Office of Housing and Community Development (“OHCD”) desires Wayne Harbin Builders, Inc. (“Harbin”) to construct a home for sale to an OHCD client; and

WHEREAS, after a public hearing, the Board of Supervisors is of the opinion that the County should permit Harbin to construct a home on the Lot and convey this property to a qualified homebuyer on the waiting list of the County’s Affordable Housing Incentive Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute any and all documents necessary to permit Wayne Harbin Builders, Inc. to construct a home on 3328 Pinecrest Circle and to convey the same to a qualified homebuyer through the County’s Affordable Housing Incentive Program.

I. PUBLIC COMMENT

1. Mr. Greg Smith, 155 Marston Lane, stated that the VDOT Residency closing was significant, but the closing of the equipment shop should be protected.

2. Mr. Michael Richardson, 2701 Jolly Pond Road, commented on the joint work session among the City of Williamsburg, the School Board, and the Board of Supervisors regarding James Blair Middle School. He commented on the funding for teachers of the new schools. He commented that the Board should supervise the School Board's fiduciary actions more closely.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that when the Board completed its business, it should adjourn to 7 p.m. on March 10, 2009. He stated that a JCSA Board of Directors meeting needed to be held following the Board's agenda. He noted that two resolutions have been prepared by staff for the Board's consideration. He said one resolution supported retaining the VDOT Williamsburg Residency and repair facilities and the other expressed its objection to limiting the hours and operation of the Jamestown-Scotland Ferry. He stated that he would be attending both VDOT meetings to discuss each of these items in Norfolk and Dendron respectively.

He stated that staff would be evaluating the efficiency study for not only the upcoming FY 2010 budget, but also the FY 2011-2012 budgets. He asked that the Board keep the recommendations in mind during the budget process in April. Mr. Wanner noted that he recently accepted a reproduction of the Bartmann jug from the Association for the Preservation of Virginia Antiquities (APVA) on behalf of the Board in recognition of the County's financial and public support of APVA and Historic Jamestowne.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson made a motion to adopt the resolution for the Williamsburg Residency and the resolution for the Ferry Operation.

Mr. McGlennon made a motion to amend the resolution on the VDOT Williamsburg Residency to add language requesting a public hearing in the Williamsburg area to allow affected citizens to express their views on the issue.

Mr. Wanner called the roll on both resolutions with the amendment to the VDOT Williamsburg Residency resolution.

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

RESOLUTION

JAMESTOWN-SCOTLAND FERRY HOURS OF OPERATION

WHEREAS, the James City County Board of Supervisors understands that the Virginia Department of Transportation (VDOT) is considering reducing the hours of the Jamestown-Scotland Ferry (the Ferry) from 24 hours per day to 16 hours per day and reducing to a "two boat only" service; and

WHEREAS, the Ferry carries approximately 936,000 vehicles and 2,340,000 passengers annually; and

WHEREAS, James City County and the Williamsburg area are dependent on the Ferry to move people and goods; and

WHEREAS, the Ferry's operation positively impacts the local economy; and

WHEREAS, reducing the Ferry's hours of operation would have an especially negative impact on the tourism industry that relies on employees who work non-traditional hours.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia hereby calls upon the Governor, the Commonwealth Transportation Board, and the Secretary of Transportation to refrain from reducing the Ferry's service.

RESOLUTION

SUPPORT FOR THE VIRGINIA DEPARTMENT OF TRANSPORTATION

WILLIAMSBURG RESIDENCY

WHEREAS, the Board of Supervisors of James City County was informed that the Resident Administrator functions and the maintenance repair facilities of the Williamsburg residency for the Virginia Department of Transportation (VDOT) may be eliminated due to budget considerations; and

WHEREAS, responsibilities, currently handled locally, may be transferred to Suffolk and/or Waverly, Virginia; and

WHEREAS, the Williamsburg VDOT residency has a long history and invaluable institutional knowledge in serving the Greater Williamsburg Area and the Peninsula's citizens; and

WHEREAS, the Williamsburg VDOT residency has used this institutional knowledge to deal with many of the unique transportation-related issues for this fast-growing, tourism-oriented area on the Peninsula; and

WHEREAS, the Board of Supervisors of James City County believes it is in the best interest of the Williamsburg Area's continued economic development, community character, high quality of life, and the Peninsula's continued success in dealing with transportation-related issues that the Williamsburg residency of VDOT continue its Resident Administrator operations and retain maintenance capability at current levels. .

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby urge the Commissioner of VDOT and the Commonwealth Transportation Board to retain the Resident Administrator functions of the Williamsburg VDOT residency and retain maintenance capability at current levels and to schedule a public hearing in the Williamsburg area to allow our community to express its views on the issue.

Mr. Icenhour stated that he found that a road in the Villages at Westminster was not properly accepted in the VDOT highway system which is now in need of repair. He asked that staff thoroughly evaluate the process to ensure this was an isolated incident and to prohibit this from happening in the future.

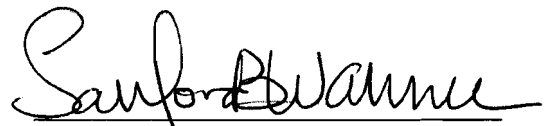
Mr. Icenhour noted that County staff was working with the owner of the property near the Villages at Westminster about the recent solicitation incident in the neighborhood.

L. **ADJOURNMENT** to 7 p.m. on March 10, 2009.

Mr. Icenhour made a motion to adjourn.

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

At 8:56 p.m. Mr. Kennedy adjourned the Board to 7 p.m. on March 10, 2009.



Sanford B. Wanner
Clerk to the Board