

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 13TH DAY OF JUNE, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Mr. Glen Carter, an 8th grade student at James Blair Middle School, led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Mr. Morgan D. Galbreath, III, 113 Deerwood Drive, read passages from a book entitled *The Miracle of Philadelphia* and the Book of James in the *Bible* emphasizing his interest in the Board beginning all its public meetings with an invocation in addition to the Pledge of Allegiance.
2. Mr. Don Kimball, 6151 South Mayfair Circle, supported Mr. Galbreath's position and requested that the Board hold an invocation at the beginning of its meetings.
3. Mr. Ed Oyer, 139 Indian Circle, presented information from the Comparative Expenditure Report published by the State; spoke to his concern for well owners who will not benefit from shared regional water sources; and Route 60 traffic.

D. PRESENTATION

1. Employee and Volunteer Outstanding Service Awards

Mr. Nervitt presented Outstanding Service Awards to the following: Volunteers – Audra Mills, David Arditi, Brandon Brown, Lee Cooley, Christopher Fried, Leah Grobluskey, Dominique Hundley, April Johnson, Annabelle Ombac, Kelvin Pressey, Jr., Termaine Ruttlely, Vincent Zangardi, Lisa Cooley, Dottie Locker, Don Locker, Reba Friedrich, Courtney Smith, Ann Baker, Kathy Armstrong, Mary Hawthorne, Darin Swedenborg, Windy McIlvain, in absentia; Employees – Michael Culhane, Walter Elliott, Brian Staton, Allen McDowell; Employees and Volunteers – John Black, Charles Braman, Mel Bryant, Todd Driscoll, Brian Harriss, Cliff

Martin, Pat Martin, Darin Swedenborg, Robert Washington; Employees – Bernie Farmer, Rick Hanson, in absentia, Sue Mellen, in absentia, Allen Murphy, Mark Rogers, Jr., in absentia, Howard Anby, Bruce Capps, Garland Dalton, Chris Dawson, Carla Brittle, John Carnifax, Nancy Ellis, Phil Mease, and Larry Walker.

E. CONSENT CALENDAR

Mr. Nervitt inquired if any Board member wished to have an item pulled from the Consent Calendar.

Mr. Nervitt pulled Item No. 5, Award of Contract – Watershed Management Planning – Powhatan Creek and Yarmouth Creek

Mr. McGlennon made a motion to approve the remaining items on the Consent Calendar.

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

1. Minutes of May 23, 2000, Regular Meeting; May 24, 2000, Work Session; and May 24, 2000, Joint Work Session
2. Carry Forward funds – Marketing CD

RESOLUTION

CARRY FORWARD FUNDS - MARKETING CD

WHEREAS, Virginia Power traditionally provides customized community profiles, community videos, and other economic development marketing materials at little or no cost to the communities within its service region; and

WHEREAS, the present trend in marketing materials is toward the use of CD ROM products, which are more expensive than Virginia Power can support entirely on its own; and

WHEREAS, communities can contribute additional funds to augment Virginia Power's resources in order to achieve an enhanced and more effective product; and

WHEREAS, the Board of Supervisors has approved an operating expenditure of \$10,000 in FY 2000 for this economic development expense.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, declare \$10,000 as a continuing appropriation from the FY 2000 operating budget of the Office of Economic Development to be carried forward to the FY 2001 operating budget for the purpose of pursuing production of a marketing CD-ROM.

3. Budget Amendment – Emergency Services

a. Virginia Department of Emergency Services Appropriation

RESOLUTION

BUDGET AMENDMENT – EMERGENCY SERVICES

WHEREAS, James City County has been granted \$17,117 by the Virginia Department of Emergency Services for Surry Nuclear Power Station emergency response.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 2000 Operating Budget as follows:

Revenue:

Virginia Department of Emergency Services \$17,117

Expenditures:

Emergency Services - 001-073-0318 \$17,117

b. Rehabilitative Services Incentive Fund Grant Appropriation

RESOLUTION

BUDGET AMENDMENT – EMERGENCY MEDICAL SERVICES

WHEREAS, James City County has been granted \$9,668.75 by the Virginia Department of Rehabilitative Services for the purchase of residential emergency generators.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 2000 Operating Budget as follows:

Revenue:

Department of Rehabilitative Services \$9,668.75

Expenditures:

Emergency Services - 001-073-0318 \$9,668.75

4. Addendum to the Intergovernmental Cooperative Agreement for Workforce Development Services

5. Award of Contract – Watershed Management Planning – Powhatan and Yarmouth Creeks

Mr. Wayland N. Bass, County Engineer, stated that a Request for Proposal was advertised and based on the proposals received, staff interviewed two firms and identified the Center for Watershed Protection as the most qualified firm. A contract in the amount of \$200,000 was negotiated with the preferred vendor.

Staff recommended adoption of resolution awarding the contract to The Center for Watershed Protection.

A brief discussion between the Board and staff followed concerning the expected outcome of the watershed management plans for the Powhatan Creek and Yarmouth Creek Watersheds.

Mr. Morton gave the Board a brief overview of the process for securing professional services as outlined in the Procurement Act.

Mr. Nervitt made a motion to adopt the resolution.

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

RESOLUTION

AWARD OF CONTRACT - WATERSHED MANAGEMENT PLANNING -

POWHATAN CREEK AND YARMOUTH CREEK

WHEREAS, proposals have been received for preparation of watershed management plans for the Powhatan Creek and Yarmouth Creek watersheds; and

WHEREAS, these two watershed management plans were recommended in the 1998 Stormwater Policy Framework and funds are available in the CIP Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator be authorized and directed to execute a contract with the Center for Watershed Protection in an amount not to exceed \$200,000 for the development of watershed management plans for Powhatan and Yarmouth Creeks.

F. PUBLIC HEARING

1. Ordinance Amendment, Chapter 2, Administration, Article III, Board of Supervisors' Salaries

Mr. Wanner stated that the ordinance incorporated a salary increase for the members of the Board of Supervisors and an additional increase for the Chairman and Vice Chairman.

The additional time requirements now imposed on each Board member merit additional compensation. Members of the Board of Supervisors last received a raise in 1984, when the salary was raised from \$1,800 to \$4,000 a year.

Staff recommended approval of the ordinance amendment and a motion to increase the Planning Commission members' pay to \$2,000 per year with the Planning Commission Chairman receiving an additional \$500.

Mr. Nervitt opened the public hearing.

1. Mr. Grant Olsen, Roberts District, complimented the Board members on their service to the citizens and supported the ordinance amendment.

2. Mr. Ed Oyer, 139 Indian Circle, expressed his support for the increase as a reflection of the increased duties and time commitment, but did not feel the increase would influence the number of citizens able to sit on the Board.

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

A brief Board discussion followed.

Mr. Wanner advised the Board to make two motions: one concerning the ordinance amendment, and the second concerning the Planning Commission stipend.

Mr. Harrison made a motion to approve the ordinance amendment.

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

Mr. Harrison made a motion to increase the Planning Commission's salaries to \$2,000 per year with the Chairman receiving an additional \$500.

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

Mr. Wanner introduced a resolution for a budget amendment to allow for the adopted increases in the Board and Planning Commission stipends.

Mr. Goodson made a motion to adopt the budget amendment.

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

RESOLUTION

BUDGET AMENDMENT - FY 2001 - BOARD SALARIES

WHEREAS, the Board of Supervisors of James City County has approved a resolution that changes the salaries for members of the Board and for members of the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the following budget and appropriation amendments to the FY 2001 Budget to accommodate those changes:

General Fund:

Expenditures:

Board of Supervisors	\$18,700
Planning Department	<u>6,300</u>
Operating Contingency	<u>\$(25,000)</u>

G. PUBLIC COMMENT

1. Mr. M. O. Smith, 617 Treasure Island Road, spoke about the County's development, the Comp Plan, and apparent lack of planning that considers the future. Mr. Smith encouraged the County to consider steps to prepare for a depression and the future.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner presented the Board with a memorandum addressing the County library soil treatment for termites that was raised by a citizen at the May 23 Board meeting.

Mr. Wanner suggested the Board go into a closed session pursuant to Section 2.1-344(A)(1) to consider a personnel matter(s), the appointment of individuals to County boards and/or commissions.

Mr. Wanner recommended that following the closed session the Board adjourn until the June 27, 2000, regularly scheduled Board of Supervisors meeting.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson commented on the recently held public meetings on the realignment of Route 60 East as well as citizens' concerns about the traffic signal at James River Elementary School and the additional realignment options presented by VDOT.

Mr. Goodson requested VDOT look at an option for Route 60 East relocation to use the 220-foot utility easement adjacent to the CSX railroad rather than displace citizens from their homes as well as a western option.

Mr. Harrison encouraged the Board to consider an invocation before its meetings in addition to the Pledge of Allegiance.

Mr. McGlennon invited citizens to a public meeting to be held June 15, Williamsburg Community Building, for input regarding the Route 199/Jamestown Road intersection.

Mr. Kennedy invited citizens to an open meeting on June 21, at the Croaker Road library for Stonehouse citizens to meet with Mr. Kennedy and provide input or ask questions.

Mr. Wanner suggested the Board take a brief recess before going into the closed session.

Mr. Nervitt recessed the Board at 8:37 p.m. The Board reconvened at 8:41 p.m.

J. CLOSED SESSION

Mr. Nervitt made a motion to go into closed session as recommended by the County Administrator, at 8:42 p.m.

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

Mr. Nervitt reconvened the Board into open session at 8:49 p.m., and made a motion to approve the closed session resolution.

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

Mr. Harrison made a motion to reappoint Robert J. Cowling to the Board of Adjustments and Appeals for a five-year term, term expiring on June 13, 2005; to reappoint Carl R. Pearson and Marsha Kinnamon to the Cable Television Advisory Committee for four-year terms, terms to expire on June 13, 2004; to reappoint Anthony Conyers, Jr. to the Williamsburg Area Medical Assistance Corporation (WAMAC) for a one-year term, term to expire on June 13, 2001; and appoint Betty Costa to the Williamsburg Arts Commission for a three-year term, term to expire on June 13, 2003.

Mr. Harrison made a motion to adjourn until June 27, 7:00 p.m.

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

The Board adjourned at 9:01 p.m.

Sanford B. Wanner
Clerk to the Board