

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 26TH DAY OF SEPTEMBER, 2000, AT 7:01 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, Absent
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Mr. Garrett Sabotka, a Junior at the Williamsburg Christian Academy, led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Mr. Ken Beacham, 7149 Church Lane, expressed his thanks to the Board and Mr. Quintin Elliott, Resident Engineer, Virginia Department of Transportation, for their response to a drainage problem on his property. Mr. Beacham further stated that the first half mile of Church Lane from Route 60 is not safe for bicyclists, pedestrians, or joggers.

2. Mr. Ed Oyer, 139 Indian Circle, requested the Board work on setting back the sheds and trailers from the fence line along Indian Circle before addressing Mainland Farm greenspace and voiced his concern about the continued increase in non-real estate taxes.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer, Virginia Department of Transportation (VDOT), was available for questions.

Mr. McGlennon requested information on the timetable for the widening of Route 199 from South Henry Street to Route 60.

Mr. Elliott stated the design project is complete for a four-lane development. The next step is to review acquisition of right-of-way easements for the development. Currently the advertisement date for the project is slated for 2002, although there is a possibility of moving it up.

Mr. Goodson requested information regarding the time frame for the installation of the light at the entrance to the James River Elementary School.

Mr. Elliott stated it is scheduled be installed by the middle or end of October.

Mr. Goodson requested information concerning the timetable for the relocation of Route 60 East through Grove.

Mr. Elliott stated the public hearing will not be held before this winter.

Mr. Nervitt requested VDOT carefully review the impacts of multi-jurisdictional road projects to ensure that property owners in adjacent jurisdictions do not suffer.

E. PRESENTATIONS

1. Introduction to Board of Supervisors

Mr. Sanford B. Wanner, County Administrator, introduced Mr. John Moorman, Library Director for the Williamsburg Regional Library System.

Mr. Moorman stated that he is pleased with the cooperation and assistance the County has given to him and looks forward to working with the Board to ensure that the library system continues to provide excellent service to all the citizens it serves.

Mr. Wanner introduced Dr. David Martin, School Superintendent for the Williamsburg/James City County Schools.

Dr. Martin stated that he looks forward "to putting everyone on the school bus" to make the school division world class.

Mr. Wanner said Dr. Martin will be appearing every other month before the City Council and Board of Supervisors to provide information about the school division.

2. Friends of the National Park Service for Green Spring, Inc. – Request for Grant

Ms. Gayle Randol, representing Green Spring Inc., gave the Board of Supervisors an overview of the expectations for the representing Green Spring National Park and requested the County provide the Green Spring, Inc., an initial seed grant of \$25,000 to assist in funding raising for the development of the Green Spring historical site.

The Board requested the organization provide a budget to the County Administrator who will then make a recommendation to the Board concerning funding.

3. Handgun Safety Awareness Class

Mr. David Daigneault, Acting Chief of Police, stated that the James City County Police Department is presenting Handgun Safety Awareness Classes to the public to promote safety in handling and maintenance of firearms in the home.

The Police Department has been providing gun locks and education on the proper usage of the gun locks to citizens at no cost.

The Board commended the department in its efforts to help citizens minimize the liability of firearms in the home, and encouraged the department to continue its program and explore opportunities to increase the availability of the program and gun locks to citizens.

F. CONSENT CALENDAR

Mr. Nervitt inquired if any Board member wished to remove an item from the consent calendar.

Mr. Harrison requested Item Number 2, Budget Amendment for Schools – Prior Year, and Item Number 5, Change to Chapter 11, Safety Program Policy, of the James City County Personnel Policies and Procedures Manual be removed.

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

On a roll call, the vote was: AYE: McGlenon, Harrison, Goodson, Nervitt (4). NAY: (0). ABSENT: Kennedy.

1. Minutes

a. September 12, 2000, Regular Meeting

3. Budget Adjustment – Sidewalk Construction

RESOLUTION

BUDGET ADJUSTMENT

SIDEWALK CONSTRUCTION

WHEREAS, the Board of Supervisors of James City County received the sum of \$5,870 from Sloan and Associates as their share of sidewalk construction costs on Jamestown Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the following amendment to the FY 2001 Budget and appropriates these funds as follows:

CAPITAL FUND

Revenues:

Sloan and Associates \$5,870

Expenditures:

Sidewalks \$5,870

4. Williamsburg Community Health Foundation Grant

RESOLUTION

WILLIAMSBURG COMMUNITY HEALTH FOUNDATION GRANT

WHEREAS, the Board of Supervisors of James City County has been requested to appropriate funds within the budget of Communications and Neighborhood Connections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the following appropriation of additional funds within the FY 2000 Budget.

Revenues:

From the Williamsburg Community Health Foundation \$15,000

Expenditures:

Block Buddies Coordinator \$ 7,425

Administrative costs and supplies 7,575

\$15,000

RESOLUTION

WILLIAMSBURG COMMUNITY HEALTH FOUNDATION GRANT

WHEREAS, the Board of Supervisors of James City County has been requested to appropriate funds within the budget of Communications and Neighborhood Connections.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the following appropriation of additional funds within the FY 2000 Budget.

Revenues:

From the Colonial Services Board \$750

Expenditures:

Training (001-034-0220) \$750

6. School Resource Officer Program

RESOLUTION

SCHOOL RESOURCE OFFICER PROGRAM

WHEREAS, during the FY 96 Budget process, James City County Board of Supervisors approved a School Resource Officer (SRO) Program between James City County and the Williamsburg/James City County (WJC) Public Schools; and

WHEREAS, the most recent agreement between James City County and the WJC Public Schools governing the operation of the SRO Program expired June 30, 2000, and must be renewed for the 2000/2001 School Year; and

WHEREAS, the agreement for 2000/2001 requires amendments to account for an increase from five to six in the number of SROs working in the middle and high schools during the 2000/2001 School Year and, pursuant to recent State legislation, to further define the role of SROs in school discipline matters.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Chairman to execute, on its behalf, revised 2000/2001 School Year agreement with the WJC Public Schools.

2. Budget Amendment for Schools – Prior Year

Mr. John E. McDonald, Manger of Financial Management Services, stated that when the FY 2000 budget was prepared, the estimate the proceeds from the State Sales Tax for Education was consistent with the estimates provided by the State Tax Department. In August 1999, the Schools conducted a census of school age children that resulted in an increased share of the total State revenue for James City County.

As a result of this increased share, staff recommended the Board approve a budget adjustment to correct the revenue and transfer to the schools the correct sales tax figures for the fiscal year that just ended. This adjustment will compensate for the State’s revenue reduction to schools.

Mr. McGlennon made a motion to adopt the resolution to amend the budget.

On a roll call vote, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). Nay: (0). ABSENT: Kennedy.

RESOLUTION

BUDGET ADJUSTMENT FOR SCHOOLS - PRIOR YEAR

WHEREAS, the Board of Supervisors of James City County has received unbudgeted additional revenue in the form of State Sales Taxes for Education in the amount of \$554,561 in the fiscal year that ended on June 30, 2000; and

WHEREAS, under the terms of the City/County School contract, these funds are due and payable to the Williamsburg/James City County public schools.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the following retroactive amendment to the FY 2000 budget and appropriates these funds as follows:

Operating Budget:

Revenues:

From Commonwealth - State Sales Taxes For Education \$554,561

Expenditures:

Transfer - Williamsburg/James City County Schools \$554,561

5. Changes to Chapter 11, Safety Program Policy, of the James City County *Personnel Policies and Procedures Manual*

Mr. Harrison stated that he was impressed with the Safety Program Policy established by those involved in its development.

Ms. Carol Luckam, Human Resources Manager, introduced Mr. Bart Johnson, a new member of the Department of Human Resource, who assisted in the revision process of the Safety Program Policy.

Mr. Harrison made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). Nay: (0). ABSENT: Kennedy.

RESOLUTION

CHANGES TO CHAPTER 11, SAFETY PROGRAM POLICY, OF THE

JAMES CITY COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, James City County has a sincere concern for the welfare and safety of our employees and our customers; and

WHEREAS, a comprehensive safety program will: provide an environment that minimizes risk of injury/illness to employees and citizens, reduce the costs associated with injury and property damage, and ensure compliance with State and Federal safety regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revision to Chapter 11, Safety Program Policy, of the James City County Personnel Policies and Procedures Manual.

G. PUBLIC HEARINGS

1. Case No. ZO-1-00. Sign Ordinance Amendment

Ms. Jill E. Schmidle, Senior Planner, stated that a request was received from the John Deere Vehicle Group to amend and reordain Chapter 24, Zoning, of the Code of the County of James City, Virginia, by amending Article II, Special Regulations, Division 3, Exterior Signs, Section 24-70, Freestanding signs. The purpose of this amendment is to increase the permitted area of freestanding signs for industrial uses in industrial parks.

In late August, John Deere submitted a revised sign permit application, but has not withdrawn its Zoning Ordinance amendment request.

Staff stated that there are several reasons to oppose this revised Ordinance request, that it is inconsistent with the Comprehensive Plan, and it would set a precedent for larger signs in the County. Staff requests the Board of Supervisors make no changes to the Sign Ordinance.

The Planning Commission concurs with staff and voted 7-0 to deny the request to revise the Sign Ordinance.

Mr. Nervitt opened the public hearing and as no one wished to speak, closed the public hearing.

The Board and staff held a discussion concerning the conformity of signs in the County, interest in reviewing the Sign Ordinance for possible changes for signs in industrial parks during the Comprehensive Plan review.

Mr. McGlennon made a motion to deny the Sign Ordinance revision.

On a roll call, the vote was: AYE: McGlennon, Goodson, Nervitt (3). NAY: Harrison (1). ABSENT: Kennedy.

2. U. S. Bureau of Justice Assistance Grant – Police

Mr. David Daigneault, Acting Chief of Police, stated that the Federal Bureau of Justice Assistance has approved a grant to be used in activities related to reducing crime and improving public safety.

The Police Department plans to spend the funds in partnership with the City of Williamsburg Police Department and the Colonial Williamsburg Police for the “Range 2000.”

Mr. Goodson made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). Nay: (0). ABSENT: Kennedy.

R E S O L U T I O N

U. S. BUREAU OF JUSTICE ASSISTANCE GRANT - POLICE

WHEREAS, the Bureau of Justice Assistance has approved a grant to provide \$18,806 to the Police Department for Law Enforcement equipment and technology; and

WHEREAS, sufficient local matching funds are available in the Police Department budget.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenue:

From Bureau of Justice Assistance	<u>\$18,806</u>
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Expenditures:

Police Department Budget	<u>\$18,806</u>
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3. Public Hearing – Real Estate Reassessment

Mr. John E. McDonald, Manager of Financial and Management Services, stated that in accordance with Section 58.1-3321 of the Code of Virginia, the public hearing on the results of the County’s July 1 reassessment has been advertised.

Mr. McDonald stated that the combination of the reassessment and other factors such a new construction and subdivisions will generate expected tax collections very close to the estimated and appropriated collections in the FY 2001 Budget.

Staff recommended the Board consider the assessment and taxation of real property at its budget work session later this fall.

Mr. Nervitt opened the public hearing.

1. Mr. Ed Oyer, 139 Indian Circle, asked the County Attorney if the Code of Virginia, when the reassessment notice is advertised, protects a piece of property from going over 100 percent.

Mr. Morton stated that it does not prevent it absolutely.

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

The Board and staff held a discussion concerning the anticipated actual tax revenue from the reassessment, and the desire to review the low- and fixed-income household exemptions from the Real Estate Tax.

Mr. Ed Oyer, 139 Indian Circle, requested the Board present to the General Assembly a proposal for allowing Counties to go beyond the exemption, for indexing for those citizens in \$20,000-\$30,000 fixed salary range to assist citizens with the Real Estate Tax.

Mr. Wanner advised the Board that there will be a work session on reassessments in October, and a budget work session in November.

H. PUBLIC COMMENT - None

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner recommended the Board recess for a James City Service Authority Board of Directors meeting, following which the Board of Directors will have a closed session pursuant to Section 2.1-344 (A)(3) to consider acquisition of a parcel of property for public use. The Board of Supervisors would then reconvene for a closed session pursuant to Section 2.1-344 (A) (1) to consider personnel matters(s), the appointment of individuals to County boards or commissions following which the Board would recess until September 27, 2000, 4:00 p.m. for a work session.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Goodson stated that a dedication ceremony will be held on October 6 at the James River Elementary School to dedicate a portion of Route 60 East in memory of Ms. Eula Radcliffe.

Mr. Harrison, on behalf of Mr. Kennedy, stated that on September 30 Chickahominy Day will be celebrated and that the festivities will begin at 8:30 a.m. with a parade.

Mr. Nervitt recessed the Board for a James City Service Authority meeting, at 8:56 p.m.

K. CLOSED SESSION

Mr. Nervitt reconvened the Board at 9:45 p.m. and made a motion to convene into closed session as recommended by the County Administrator.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). NAY: (0). ABSENT: Kennedy.

Mr. Nervitt reconvened the Board into open session at 10:50 p.m.

Mr. McGlennon made a motion to approve the closed session resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). NAY: (0). ABSENT: Kennedy.

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 Sanford B. Wanner to the Peninsula Public Sports Facility Authority for a four-year term, term expiring on December 31, 2004; and appoint, as alternate, Bruce Goodson to the Peninsula Public Sports Facility Authority for a four-year term, term expiring on December 31, 2004; and to appoint Bill Porter to the Colonial Community Criminal Justice Board for a three-year term, term expiring on September 16, 2003.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Nervitt (4). NAY: (0). ABSENT: Kennedy.

Mr. Nervitt recessed the Board until Wednesday, September 17, 2000, at 4:00 p.m.

The Board recessed at 10:51 p.m.

Sanford B. Wanner
Clerk to the Board