

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF OCTOBER, 2000, AT 4:00 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 (Absent)

John J. McGlennon, Jamestown District
Jay T. Harrison, Sr., Berkeley District (Arrived at 4:08 p.m.)
James G. Kennedy, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. WORK SESSION

Mr. Nervitt called the meeting to order.

1. Chesapeake Bay Preservation Ordinance Violation and County Property Damages (continued from October 24, 2000)

Mr. Darryl E. Cook, Environmental Director, stated that Mr. Robert Rausenberger was cited in 1991 for violating the Resource Protection Area (RPA) by removing 10-15 trees. At that time staff and Mr. Rausenberger agreed to the replanting of the removed trees and shrubbery as well as an installation of a drainage system to remedy the violation.

Mr. Kennedy inquired if the soccer field should be allowed to remain in the RPA.

Mr. Cook stated that in 1991 it was the staff's judgment to allow the soccer field to remain with the installation of a drainage system.

Mr. McGlennon requested staff begin working on a legislative option to provide the County with authority to assign greater penalties to violators.

Mr. McGlennon inquired if staff has a method to alert landowners and developers of the RPA restrictions.

Staff stated that with the new GIS system, they could give notice of restrictions due to the RPA.

Mr. Kennedy inquired as to who chooses where the replanting of trees in a violated RPA would occur.

Staff stated that specific replanting plans are determined on a case by case basis.

Mr. McGlennon made a motion to adopt the resolution.

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

RESOLUTION

ACCEPTING CIVIL CHARGE, RESTORATION PLAN, AND COMPENSATION FOR TRESPASS

WHEREAS, Robert B. Rausenberger (“Mr. Rausenberger”) is the owner of a 1.33± acre parcel of land, commonly known as 109 Elizabeth Meriwether, designated as Parcel No. (2-164) on James City County Real Estate Tax Map No. (49-2) (the “Rausenberger Property”); and

WHEREAS, the County of James City, Virginia, is the owner of a 60± acre parcel of land designated as Parcel No. (1-9) on James City County Real Estate Tax Map No. (50-1) (the “County Property”); and

WHEREAS, on or about July 11, 2000, Mr. Rausenberger cleared 9 trees in the Resource Protection Area on the Rausenberger Property and 33 trees on the County Property in the Resource Protection Area and/or the Wetlands; and

WHEREAS, Mr. Rausenberger has agreed to the Restoration Plan to replant 18 trees on the Rausenberger Property and 50 trees on the County Property in order to remedy the clearing violation under the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, Mr. Rausenberger has offered to pay \$4,000 to the County as a civil charge under the County’s Chesapeake Bay Preservation Ordinance; and

WHEREAS, Mr. Rausenberger has offered to pay \$3,262 which is the estimated value of the trees removed from the County Property; and

WHEREAS, the James City County Board of Supervisors is willing to accept the Restoration Plan, the civil charge, and the payment for damages to the County Property in full settlement of the Chesapeake Bay Preservation Ordinance violation and damages for the trespass on the County Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to enter into a settlement agreement with Robert B. Rausenberger accepting the Restoration Plan, the \$4,000 civil charge, and the \$3,262 payment for damages to the County Property.

2. Financial Policies – Davenport and Company

Ms. Carol Swindell, Assistant Manager of Financial and Management Services, introduced Mr. David Rose and Mr. Courtney Rogers of Davenport and Company, LLC.

Mr. Rose and Mr. Rogers gave an overview of the County's financial policy guidelines and provided the Board with recommendations for staff to take a more proactive stance on working with rating agencies.

The Board and staff discussed the value of minimizing the County's debt ratio, financial impact of a third high school, changing to an 800 megahertz radio system, and the upcoming budget sessions.

3. Youth Services

Mr. Anthony Conyers, Jr., Manager of Community Services, gave a brief overview of the needs of youth in the community.

Mr. Howard Mason, Human Services Specialist, introduced several members of the Youth Council who were in attendance and gave an overview of the goals of youth services.

Mr. Mason stated that youth services goals focus on the prevention of short-term impacts of substance abuse, academic failure, foster care placement, neglect, and contact with the court system; and promotion of long-term impacts such as healthy lifestyles, expansion of the horizons, and opportunities for youth in our community.

Mr. Doug Powell, Assistant Manager of Community Services, gave an overview of how services are provided to the youth in the community, as well as how the services are funded through grants, partnerships, and implementing fees.

Mr. Conyers requested the Board address youth services issues in its legislative program.

The Board and staff discussed evaluations of the youth services programs, increasing parent participation in the programs, fee assistance to youth from low-income homes, and regional youth services programs.

Mr. Nervitt requested a diagram with a list of the target population for the programs.

Mr. Harrison requested information on youth services from the youth in the community.

Mr. David Ardit, Youth Council, stated that the Council meets monthly and a goal of the Council is to have a more active voice in the community and government on issues concerning the youth.

4. Water Conservation Committee Recommendation on Outdoor Watering Restrictions and Proposed Legislation to Regulate All County Outdoor Watering

Mr. Larry Foster, General Manager of James City Service Authority, introduced members of the Water Conservation Committee, and presented the recommendations for outdoor watering restrictions as agreed upon by the Water Conservation Committee.

The Water Conservation Committee recommended that the Board request State legislation for greater regulatory power over all County water users.

The Board, staff, and Water Conservation Committee members discussed the effectiveness expected from the restricted outdoor watering times, enforcement of the restrictions, feasibility of County conservation restrictions applying to residents using Newport News water, and the education of County residents of water conservation techniques.

5. Third High School Site Selection Process

Mr. Bernard M. Farmer, Capital Projects Manager, stated that a committee appointed by the County Administrator has been identifying potential sites within the County for the third high school.

Mr. Farmer gave an overview of the site selection process and stated that the results will be provided to the Board by January 2001.

The Board and staff held a brief discussion concerning the criteria being used to determine potential sites.

Mr. Harrison made a motion to recess until 4:00 p.m. on November 14, 2000, at 6:47 p.m.

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

Sanford B. Wanner
Clerk to the Board