

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 22ND DAY OF JULY, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Jay T. Harrison, Sr., Chairman, Berkeley District  
Bruce C. Goodson, Vice Chairman, Roberts District  
John J. McGlennon, Jamestown District  
Michael J. Brown, Powhatan District  
James G. Kennedy, Stonehouse District

Sanford B. Wanner, County Administrator  
Frank M. Morton, III, County Attorney

**B. MOMENT OF SILENCE**

Mr. Harrison requested the Board and citizens observe a moment of silence.

**C. PLEDGE OF ALLEGIANCE**

Dustin Lindsay and Reed Pogonis, of Boy Scout Troop 155, led the Board and citizens in the Pledge of Allegiance.

Mr. Harrison recognized Peggy Wildman, Planning Commission and Comprehensive Plan Steering Committee member, in the audience.

**D. HIGHWAY MATTERS**

Mr. Steve Hicks, Resident Engineer, Virginia Department of Transportation (VDOT), stated that the drainage issue along Ironbound Road has been addressed, and that VDOT is going to modify the intersection at the entrance to Monticello Marketplace off Monticello Avenue (Route 321) to improve traffic flow.

Mr. Harrison commended Mr. Hicks for this innovative approach and outstanding job in serving the community.

Mr. McGlennon thanked Mr. Hicks for his attention to and VDOT's work in cutting the weeds along Brookwood Drive (Route 700) as well as addressing issues at the Settler's Mill neighborhood.

**E. PUBLIC COMMENT**

1. Mr. Ed Oyer, 139 Indian Circle, stated concern that VDOT and the James City County Police were unwilling to assist in providing emergency access to the residents of Indian Circle until July 21 after a tree fell across Plantation Drive on July 19; stated that the expansion of private schools in the region will take up some of the students from the public school system and thereby reduce some of the anticipated

increase of student enrollment projections; and inquired about having a partnership with Thomas Nelson Community College for a vocational school rather than a third high school.

**F. CONSENT CALENDAR**

Mr. Goodson made a motion to adopt the items on the Consent Calendar.

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

1. Minutes –

- a. June 24, 2003, Joint Work Session, Board of Supervisors and the Planning Commission
- b. July 8, 2003, Regular Meeting

2. Award of Bid – Little Creek Reservoir Park, Phase III

**RESOLUTION**

**AWARD OF CONTRACT - LITTLE CREEK RESERVOIR PARK, PHASE III**

WHEREAS, bids have been received for construction of the Little Creek Reservoir Park, Phase III; and

WHEREAS, staff has reviewed all bids and determined that Dobson Construction, is the lowest responsible and responsive bidder and is qualified to complete project; and

WHEREAS, the bid is within the Capital Budget allocated for this project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary contract documents for award of bid to Dobson Construction, in the amount of \$415,272.

3. Request for Change to Inspector Position

**RESOLUTION**

**REQUEST FOR CHANGE TO INSPECTOR POSITION**

WHEREAS, the Division of Code Compliance is charged with providing cost-effective and timely inspection services and enforcement of the Virginia Uniform Statewide Building Code; and

WHEREAS, increased work load and efficiency of training requirements have caused the need for the conversion of an existing part-time permanent position to a full-time permanent position.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the conversion of an existing part-time permanent (32 hours) position Inspector position in the Division of Code Compliance to a full-time permanent (40 hours) position.

BE IT FURTHER RESOLVED that \$15,000 be transferred from Operating Contingency to the Division of Code Compliance.

4. Dissolution of Joint Sanitary District

**RESOLUTION**

**DISSOLUTION OF JOINT SANITARY DISTRICT**

WHEREAS, by agreement dated October 22, 1962, the Board of Supervisors of James City and York Counties entered into an agreement establishing a Joint Sanitary Board to provide sewer services in the James Terrace and York Terrace areas of their respective County; and

WHEREAS, each County has been operating the sewer facilities located within its county for several years and the Joint Sanitary Board is no longer needed; and

WHEREAS, the James City Service Authority operates a sewerage pumping station known as Pump Station B that receives wastewater from the York Terrace area of York County; and

WHEREAS, York County has agreed to compensate the James City Service Authority \$8,500 per year, increasing by three percent per year for the operation and maintenance of the facility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, in cooperation with the York County Board of Supervisors authorizes the County Administrator to execute all documents necessary to dissolve the Joint Sanitary Board and require York County to pay the James City Service Authority for the jointly used sewerage pumping station.

**G. PUBLIC COMMENT - None**

**H. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner recommended that the Board recess while the James City Service Authority Board of Directors held a brief meeting, and then the Board should reconvene into Open Session to go into Closed Session pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia for the annual performance evaluation of the County Administrator.

Mr. Wanner recommended that at the conclusion of the Board's agenda, the Board recess to 4 p.m. on August 12, 2003.

**I. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon stated that the 2003 Cal Ripken Baseball World Series will be held in Williamsburg August 2 – 9.

Mr. Goodson requested that Police Chief Daigneault follow up on Mr. Oyer’s comment regarding emergency access to Indian Circle.

Mr. Harrison stated that the 26th Annual County Fair would be held August 8 – 9 at the Upper County Park in Toano.

The Board recessed at 7:15 p.m. for a meeting of the James City Service Authority Board of Directors.

At 7:17 p.m. Mr. Harrison called the Board back into session.

**J. CLOSED SESSION**

Mr. Goodson made a motion to go into Closed Session pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia for the annual performance evaluation of the County Administrator.

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

At 7:19 p.m. Mr. Harrison convened the Board into Closed Session.

At 9:45 p.m. Mr. Harrison reconvened the Board into Open Session.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (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 2.2-3711.1 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 2.2-3711(A)(1) to consider personnel matter involving the annual performance review of the County Administrator.

Mr. McGlennon made a motion to approve a salary increase of 4.5 percent for the County Administrator, effective August 1, 2003.

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

Mr. McGlennon made a motion for an additional five percent contribution to deferred compensation for the County Administrator.

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

**K. RECESS**

Mr. Brown made a motion to recess until 4 p.m. on August 12, 2003.

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

At 9:46 p.m. Mr. Harrison recessed the Board until 4 p.m. on August 12, 2003.

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Sanford B. Wanner  
Clerk to the Board