

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 24TH DAY OF JANUARY 2006, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. ROLL CALL**

Bruce C. Goodson, Chairman, Roberts District  
John J. McGlennon, Vice Chairman, Jamestown District  
Jay T. Harrison, Sr., Berkeley District  
James O. Icenhour, Jr., Powhatan District  
M. Anderson Bradshaw, Stonehouse District

Sanford B. Wanner, County Administrator  
Adam R. Kinsman, Assistant County Attorney

**B. MOMENT OF SILENCE**

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

**C. PLEDGE OF ALLEGIANCE**

Keneesha Johnson, a tenth-grade student at Jamestown High School, led the Board and citizens in the Pledge of Allegiance.

**D. HIGHWAY MATTERS**

Mr. Brewer stated that the Greensprings Trail is 14 percent completed; that the Virginia Capital Trail along Route 5 has begun and it is anticipated it will be completed by May 2007; that the completion date for the work on Richmond Road will be December 2006; and that road maintenance and pothole repair projects are continuing.

Mr. Harrison stated that he appreciated the attention to potholes in Governor's Land and inquired when the Governor's Land roadways will be resurfaced to prevent further deterioration and increased expenses to maintain the roadways.

Mr. Brewer stated that he would look into the recommendation.

Mr. Icenhour stated that Old News Road is becoming a thoroughfare for increasing volumes of traffic which is resulting in road deterioration and traffic flow congestion; and inquired what is being done to address the situation.

Mr. Brewer stated that County and VDOT staff are looking into the arrangements to remedy the situation.

Mr. McGlennon stated that the fence at the intersection of Route 199 and Jamestown Road has fallen over, inquired how the fence fell over and if it would be reinstalled.

Mr. Brewer stated that the fence fell during the recent windstorm and VDOT is looking into hiring a contractor to get the fence back up.

Mr. Bradshaw thanked Mr. Brewer and VDOT staff for following up on roadway issues in the Stonehouse District.

## **E. PUBLIC COMMENT**

1. Mr. John Hall, 117 Olde Jamestown Court, commented on an article in the Daily Press regarding assessment in York County and the impacts to senior citizens; stated that the senior citizens and other citizens on fixed incomes cannot afford assessment increases as experienced in York County; and that the senior citizen and fixed-income community members support the School Division but do not feel that the burden of funding its needs should fall excessively on their shoulders.

2. Mr. David Brown, 1502 Bush Neck Road, stated concern about the inability of the Board of Equalization's members to fairly consider assessment appeals.

3. Mr. Randy O'Neill, 109 Sheffield Road, offered services of his business to improve the health and wellness of the School Divisions students; and stated concern that funds are being allocated out of the area for services available in the area.

4. Mr. Ed Oyer, 139 Indian Circle, stated that Route 60 E was congested again and recommended turn lanes be installed to alleviate traffic; commented on an article in the paper regarding treatment plant sludge disposal; stated concern that the School Division cannot build an elementary school at a reasonable cost level when York County is demonstrating that a build-out elementary school will only cost it \$15 million; and stated concern that the School Division may be spending funds on visiting a failed school site out of State to research a project for implementation here.

Mr. Bradshaw stated that he looked into the concerns stated by Mr. Brown about the Board of Equalization and assessment values; concurred with Mr. Brown that land use should not be utilized in determining reasonable assessment levels; stated that the Board of Equalization members are appointed by the Circuit Court Judge and not the Board of Supervisors; and that if a citizen is not satisfied with the decision of the Board of Equalization, he/she can appeal to the Circuit Court.

## **F. CONSENT CALENDAR**

Mr. Bradshaw requested Item Nos. 4, Resolution Regarding the Development of a Regional Plan to Address Homelessness, and 5, Appropriation from the Virginia Public Assistance Fund for Subsidized Child Care Services - \$120,000, be pulled for separate votes.

Mr. Harrison made a motion to adopt the remaining items on the Consent Calendar including the amended minutes of January 10, 2006.

On a roll call vote, the vote was AYE; Harrison, Icenhour, McGlennon, Bradshaw, Goodson (5). NAY: (0).

1. Minutes
  - a. December 13, 2005, Regular Meeting
  - b. January 3, 2006, Organizational Meeting
  - c. January 10, 2006, Regular Meeting, as amended
2. Dedication of Streets in Stonehouse, Phase 1, Section 6C

### **RESOLUTION**

#### **DEDICATION OF STREETS IN STONEHOUSE, PHASE 1, SECTION 6C**

WHEREAS, the streets described on the attached Additions Form LA-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form AM-4.3 to the secondary system of State highways, pursuant to § 33.1-229 of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

3. Erosion and Sediment Control Ordinance Violation – Civil Charge – 9215 and 9227 Richmond Road

### **RESOLUTION**

#### **EROSION AND SEDIMENT CONTROL ORDINANCE VIOLATION - CIVIL CHARGE -**

#### **9215 & 9227 RICHMOND ROAD**

WHEREAS, on or about December 12, 2005, Donald L. Hazelwood, Inc., Owner, violated or caused a violation of the County's Erosion and Sediment Control Ordinance by disturbing land without a permit at 9215 and 9227 Richmond Road, Lanexa, Virginia, designated as Parcel Nos. (4-1) and (4-2) on James City County Real Estate Tax Map No. (10-2) and hereinafter referred to as (the "Property"); and

WHEREAS, Donald L. Hazelwood, Inc., has agreed to abate the violation at the Property; and

WHEREAS, Donald L. Hazelwood, Inc., has agreed to pay \$1,000 to the County as a civil charge under the County's Erosion and Sediment Control Ordinance; and

WHEREAS, the James City County Board of Supervisors is willing to accept the civil charge in full settlement of the Erosion and Sediment Control Ordinance violation, in accordance with Section 8-7(f) of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$1,000 civil charge from Donald L. Hazelwood, Inc., as full settlement of the Erosion and Sediment Control Ordinance violation at the Property.

6. Budget Transfer – Graphic Designer

**RESOLUTION**

**BUDGET TRANSFER – GRAPHIC DESIGNER**

WHEREAS, the position of Graphic Designer has previously been accounted for in Information Resources Management (IRM) and the Board of Supervisors of James City County has been requested to change that, effective January 1, 2006, and assign that position to Communications.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, amends the adopted budget for FY 2006 by transferring the position of Graphics Designer and \$37,248 from IRM to Communications, effective January 1, 2006.

7. Award of Contract – Historic Triangle Wayfinding Signs

**RESOLUTION**

**AWARD OF CONTRACT – HISTORIC TRIANGLE WAYFINDING SIGNS**

WHEREAS, bids were advertised for the fabrication and installation of Wayfinding signs in the Historic Triangle area of Virginia; and

WHEREAS, bids were received and Dagan Electric was the lowest responsive and responsible bidder with a bid of \$132,523 for the fabrication and installation of Wayfinding signs in James City County; and

WHEREAS, funds are available in the current operating budget for funding Phase 1 of the project in the amount of \$95,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract in the amount of \$95,000 with Dagan Electric for Phase 1 of the fabrication and installation of Wayfinding signs in James City County.

8. Lease and Purchase Capital Agreement and Budget Appropriation with York County for Purchase of Bus Trolley

**RESOLUTION**

**LEASE AND PURCHASE CAPITAL AGREEMENT AND BUDGET APPROPRIATION WITH YORK COUNTY FOR PURCHASE OF BUS TROLLEY**

WHEREAS, James City County has available through Statewide Flexible Surface Transportation Program revenues of \$229,600 to purchase one bus trolley; and

WHEREAS, these Federal funds must be directed to an existing recipient of Federal funds; and

WHEREAS, Williamsburg Area Transport will serve as a pass-through entity to receive the grant, purchase the bus trolley, and lease it to York County; and

WHEREAS, James City County will act as the administrative, fiscal, and purchasing agent for the project; and

WHEREAS, York County, with the assistance of the Virginia Department of Rail and Public Transportation, will fund the cost to purchase the bus trolley; and

WHEREAS, York County is committed to operating and maintaining this bus according to Federal laws; and

WHEREAS, this bus is critical for efforts to continue public transportation to support the needs of increased visitation to Yorktown and complement Historic Triangle transportation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute the Lease and Purchase Agreement with York County and appropriate funds to Williamsburg Area Transport budget as follows:

Revenues:

Federal	\$229,600
State	45,920
York County (local)	<u>11,480</u>
	<u>\$287,000</u>

Expenditure:

One Bus Trolley	<u>\$287,000</u>
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4. Resolution Regarding the Development of a Regional Plan to Address Homelessness

Mr. Doug Powell, Manager of Community Services, requested that the Board adopt the resolution in support of the joint efforts to develop, support, implement, and sustain a regional plan to address homelessness on the Virginia Peninsula.

Mr. Harrison made a motion to adopt the resolution.

On a roll call vote, the vote was AYE; Harrison, Icenhour, McGlennon, Bradshaw, Goodson (5).  
NAY: (0).

## RESOLUTION

### RESOLUTION REGARDING THE DEVELOPMENT OF A REGIONAL PLAN TO

#### ADDRESS HOMELESSNESS

WHEREAS, the US. Conference of Mayors have signed a Covenant of Partnership agreeing to collaborate with the United States Interagency Council on Homelessness and work towards the national initiative to end Homelessness; and

WHEREAS, the representatives to the Virginia Peninsula Mayors and Chairs have agreed to deliberately address the issues related to individuals and families who are homeless in our region; and

WHEREAS, on a single night count in January 2005, in excess of 1,000 individuals including adults, children, and families experienced the deleterious effects of chronic and episodic homelessness; and

WHEREAS, no single community among the Virginia Peninsula is immune from managing the burden of responding to individuals who, for a myriad of reasons, are homeless as the result of economics, mental illness, substance abuse, or domestic violence; and

WHEREAS, appointed and elected officials from the Cities of Newport News, Hampton, Williamsburg, Poquoson, and the Counties of York, James City, Gloucester, and New Kent have met over the past eight months to analyze the scope, depth, and breadth of the challenge of responding to the issue of homelessness on the Virginia Peninsula; and

WHEREAS, these same local officials have created a Mayors and Chairs Commission on Homelessness, which crafted the vision, objectives, and framework for the development of a regional action plan to address the homeless population in our communities; and

WHEREAS, current technology is available to respond effectively to those in our communities with both chronic and episodic experiences of homelessness, even as the resources available require more deliberate and focused application.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to fully collaborate with the chief executives of adjacent localities on the Virginia Peninsula to jointly adopt and implement the recommendations for the development of a Regional Plan to End Homelessness contained in the Framework for Building a Successful Regional Plan to End Homelessness.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, will maintain its individual and joint efforts to strategically apply professional expertise and various existing and required resources to effectively end homelessness for adults, children, and families who reside in our communities.

5. Appropriation from the Virginia Public Assistance Fund for Subsidized Child Care Services - \$120,000

Ms. Diana F. Hutchens, Director of Social Services, stated that the Virginia Department of Social Services (VDSS) is reducing this year’s funding for subsidized child care services to James City County by approximately \$134,000 in order to shift funding to those localities with rising Temporary Assistance for Needy Families caseloads.

Ms. Hutchens stated that VDSS has made another funding stream available to the County in order for the program to be continued without interruption of services. The County has been asked to match 50 percent of the funds.

Ms. Hutchens requested the Board adopt the resolution to appropriate \$60,000 in local funds to match the other 50 percent offered by VDSS to continue the child care subsidy program for the current fiscal year.

Mr. Bradshaw made a motion to adopt the resolution.

On a roll call vote, the vote was AYE; Icenhour, McGlennon, Bradshaw, Goodson (4). NAY: (0). ABSTAIN: Harrison.

**RESOLUTION**

**APPROPRIATION FROM THE VIRGINIA PUBLIC ASSISTANCE FUND FOR**

**SUBSIDIZED CHILD CARE SERVICES - \$120,000**

WHEREAS, the James City County Division of Social Services administers subsidized child care services; and

WHEREAS, there has been a reduction of an estimated \$134,000 from State and Federal funding for these services; and

WHEREAS, the State Department of Social Services has made \$120,000 in Federal Pass Through funding available; and

WHEREAS, the 50 percent local match of \$60,000 is currently available in the Virginia Public Assistance Fund; and

WHEREAS, James City County wishes to continue to provide subsidized child care services to 114 children.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Division of Social Services budget:

Revenues:

Virginia Public Assistance Fund	\$ 60,000
Federal Child Care Pass Through Funds	<u>60,000</u>

Total \$120,000

Expenditure:

Child Care Subsidy Programs \$120,000

**G. PUBLIC HEARING**

1. Transfer of Property, Zion Baptist Church

Mr. William C. Porter, Jr., Assistant County Administrator, requested that the Board approve the transfer of 1.14 acres from the Warhill Tract to Zion Baptist Church in exchange for the necessary right-of-way for improvements to the intersection of Route 60 and Centerville Road.

Mr. Porter stated that The Virginia Community College System and Thomas Nelson Community College do not object to the transfer of the property to the Church.

Mr. McGlennon thanked the applicant for the civil-mindedness of the considerations made in connection with the proposal.

Mr. Bradshaw stated that the buffering of the cemetery will preserve the quality of a beautiful park-like site.

Mr. Goodson opened the Public Hearing.

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

Mr. Harrison made a motion to adopt the resolution.

On a roll call vote, the vote was AYE; Harrison, Icenhour, McGlennon, Bradshaw, Goodson (5). NAY: (0).

**RESOLUTION**

**TRANSFER OF PROPERTY, ZION BAPTIST CHURCH**

WHEREAS, James City County is developing the Warhill Tract for the third High School and the Historic Triangle Campus of Thomas Nelson Community College; and

WHEREAS, as a part of the Warhill Tract development the County must make improvements to Centerville Road that requires obtaining right-of-way from Zion Baptist Church; and

WHEREAS, Zion Baptist Church has donated the necessary right-of-way for the improvements to Centerville Road in exchange for 1.14 acres adjacent to Zion Baptist Church.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to sign all documents necessary to transfer 1.14 acres shown on the plat entitled "Plat Showing Property Line Extinguishment Between Parcel 2, Warhill Tract and the Property of Zion Baptist Church" dated 10/28/05 to Zion Baptist Church.

**H. PUBLIC COMMENT - None**

**I. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Wanner recommended at the conclusion of the Board's meeting that the Board recess to 10 a.m.

on February 9, 2006, for VACo/VML Legislative Day to be held in Richmond, Virginia.

**J. BOARD REQUESTS AND DIRECTIVES**

Mr. Icenhour requested the development of a Gordon Creek Watershed Protection Plan to protect Gordon Creek from the development along Centerville Road and that staff ensure that funding be available for the plan's development.

Mr. McGlennon commented on the recent passing of Alan Voorhees who had a great affection for James City County and stated that his role in the Association for the Preservation of Virginia Antiquities and his fiscal contributions will have lasting impact on the community.

Mr. Bradshaw thanked The Virginia Gazette and Daily Press reporters on informative and balanced articles in the papers regarding the Budget Retreat meeting held by the Board on January 20 and the series of articles on rural lands.

Mr. Bradshaw encouraged citizens to review the Annual Report from the Child Development Resources.

Mr. Harrison requested that staff look into and report back on a sidewalk initiative through a Public/Private Partnership for the Five Forks area for safer pedestrian traffic.

**K. RECESS**

Mr. Harrison made a motion to recess to 10 a.m. on February 9, 2006.

On a roll call vote, the vote was AYE; Harrison, Icenhour, McGlennon, Bradshaw, Goodson (5). NAY: (0).

At 7:37 p.m., Mr. Goodson recessed the Board to 10 a.m. on February 9, 2006, for VACo/VML Legislative Day to be held in Richmond, Virginia.

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Sanford B. Wanner  
Clerk to the Board