

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 28TH DAY OF FEBRUARY 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 the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Michael Wallace, a senior at Walsingham Academy, led the Board and citizens in the Pledge of Allegiance.

D. HIGHWAY MATTERS

Mr. Jim Brewer, Virginia Department of Transportation (VDOT) Residency Administrator, stated that the Greensprings Trail is 20 percent completed; the Virginia Capital Trail is on schedule for completion in May of 2007; and stated that the work on Richmond Road is 50 percent complete.

Mr. Brewer stated that maintenance work continues on building up low shoulders throughout the County.

Mr. Icenhour requested VDOT review the speed limit on News Road because concerns have been raised by Powhatan Secondary residents about vehicles entering and exiting the flow of traffic.

Mr. Brewer stated that he would have the site looked at.

Mr. McGlennon thanked Mr. Brewer for the work on Settler's Landing Road.

Mr. McGlennon stated that the Commonwealth is not adequately funding roadway projects and the real cost for maintaining roads now will escalate over time.

Mr. McGlennon requested the ditches off Ironbound Road along the Brookhaven neighborhood be maintained.

Mr. Bradshaw thanked Mr. Brewer for the repaving work at Chickahominy Haven and inquired when the stone work along the repaved road would take place.

Mr. Brewer stated that he would look into that.

E. PRESENTATIONS

1. Historic Triangle Corridor Improvement Program

Mr. Bill Frymoyer, 3136 Parkside Lane, gave a presentation on the progress and future plans of the Historic Triangle Corridor Improvement Program and commended Scott Whyte, Landscape Planner, on his expertise and ability to work well with others in accomplishing a landscaping vision.

Mr. Goodson thanked Mr. Frymoyer for the presentation and for providing this spotlight to citizens of the possibilities of public-private partnerships.

Mr. Bradshaw commented on the success of the public-private partnership and the model it has become for other projects such as the recent Village of Toano Study.

2. Norge Train Depot Relocating Update

Mr. Shawn Gordon, Capital Projects Coordinator, made a presentation on the background of the Norge Train Depot and gave a progress report on the relocation of the Norge Train Depot.

Mr. Goodson thanked those involved in the relocation and preservation of the Norge Train Depot.

Mr. Bradshaw commented on the relocation events.

F. PUBLIC COMMENT

1. Mr. Bill Bryant spoke on behalf of Ray Basley of 4650 Riverside Drive regarding the population growth in the County; commented on the straight-line projections that indicated that by 2010 the population will be 60,000 and that a fourth high school will be required by 2010 and a fifth by 2020 – presuming no expansion of the PSA or the additional availability of public land for development; and thanked the Board members for their service to the citizens of the community.

Mr. Goodson requested Mr. Bryant provide Mr. Basley with the Board's best wishes.

2. Mr. David Brown, 1502 Bush Neck Road, commented on the assessment level on his property this year and commented that the power to tax is the power to destroy.

3. Mr. Ed Oyer, 139 Indian Circle, stated that the railroad tracks on Route 60 East have not been completely removed; stated concern that Indian Circle has one car parked on the street at all times and another vehicle parks on the curb close to an intersection which requires traffic to cross lanes to clear the vehicle; and stated appreciation for the preservation of the Norge Depot.

Mr. McGlennon stated that John Hall is concerned about the transit system and stated that he will

share the comments and suggestions provided by Mr. Hall to the Board and staff.

G. CONSENT CALENDAR

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

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

1. Minutes -
 - a. February 9, 2006, Retreat – VACO/VML Legislative Day
 - b. February 14, 2006, Regular Meeting
2. Support of the Captain John Smith Chesapeake National Historic Water Trail Feasibility Study

RESOLUTION

SUPPORT FOR THE CAPTAIN JOHN SMITH

CHESAPEAKE NATIONAL HISTORIC WATER TRAIL FEASIBILITY STUDY

WHEREAS, James City County, Virginia, desires to commemorate the 400th anniversary of the founding of America's first permanent English settlement and Captain John Smith's voyages of exploration in the Chesapeake Bay; and

WHEREAS, Captain Smith's exploration of the Lower Chesapeake Bay and tributaries comprised a significant portion of his voyages in 1608, and at the time of Captain Smith's arrival the Lower Chesapeake Bay was home to a substantial population of Virginia Indians whose knowledge and trade goods were essential to the survival of the English settlement at Jamestowne; and

WHEREAS, the U.S. Congress passed legislation authorizing the National Park Service to study the feasibility of establishing the Captain John Smith Chesapeake National Historic Water Trail as a unit of the National Trail System; and

WHEREAS, the National Park Service is currently conducting the trail feasibility study; and

WHEREAS, our community's historic and recreational resources generate economic revenue from heritage tourism and the Captain John Smith Chesapeake National Historic Water Trail would provide an excellent opportunity for the public to learn about Virginia's Indian history, early English settlement, as well as the tributary rivers to the Chesapeake Bay.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, expresses its support for the National Park Service's Captain John Smith Chesapeake National Historic Water Trail feasibility study.

3. Budget Amendment – Emergency Equipment Replacement - \$34,000

RESOLUTION

BUDGET AMENDMENT - EMERGENCY EQUIPMENT REPLACEMENT - \$34,000

WHEREAS, on or about January 31, 2006, the James City County General Services Department encountered an unforeseen equipment failure that impacted the operation of the James City/Williamsburg Community Center; and

WHEREAS, an emergency purchase order was obtained to employ the services of a contractor to replace the failed equipment; and

WHEREAS, final replacement cost of the equipment was \$34,000 that depleted the funds in the Facilities Management Equipment Maintenance Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby transfers \$34,000 from the Operating Contingency to the Facilities Management Operating Budget.

4. Award of Payment to the Williamsburg Indoor Sports, LLC for County Parking Expansion

RESOLUTION

AWARD OF PAYMENT TO THE WILLIAMSBURG INDOOR SPORTS, LLC, FOR

COUNTY PARKING EXPANSION AT THE WARHILL SPORTS COMPLEX

WHEREAS, James City County had previously designed and advertised a parking expansion at the Warhill Sports Complex; and

WHEREAS, the bids were received but were for a significantly over the budgeted amount; and

WHEREAS, the County was able to negotiate an agreement with Williamsburg Indoor Sports, LLC (WIS) to incorporate the parking addition into the expansion of its facility project at a reduced cost to the County; and

WHEREAS, the negotiated amount is within the capital budget allocated for the Warhill Sports Complex parking improvements.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary documents to reimburse the Williamsburg Indoor Sports, LLC, in the amount of \$100,000 for parking improvements to the Warhill Sports Complex.

5. Award of Bid – Warhill Sports Complex Basketball Facility IFB 06-0061

RESOLUTION

AWARD OF BID, WARHILL SPORTS COMPLEX BASKETBALL FACILITY, IFB 06-0061

WHEREAS, competitive bids were advertised for the basketball facility to be constructed on the Warhill Sports Complex; and

WHEREAS, bids were received with the low bidder being Toano Contractors, Inc., with a bid of \$206,000; and

WHEREAS, previously authorized Capital Improvements Program (CIP) budgeted funds and Department of Conservation Grant Funding are available to fund this contract bid award and construction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator or his designee to execute the necessary contract documents for the Warhill Sports Complex Basketball Facility in the total amount of \$206,000.

6. Grant Award – Jamestown 2007 Commemoration - \$20,000

RESOLUTION

GRANT AWARD - JAMESTOWN 2007 COMMEMORATION - \$20,000

WHEREAS, the James City County Police and Fire Departments have received a grant from the Virginia Department of Emergency Management’s 2005 State Homeland Security Program (SHSP) in the amount of \$20,000; and

WHEREAS, the funds are to be used for first-responder planning for the Jamestown 2007 Commemoration; and

WHEREAS, the grant expires on January 31, 2007, thus allowing any unexpended funds to be carried forward to the County’s next fiscal year budget; and

WHEREAS, the grant requires no matching funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of the grant and the following budget appropriation to the Special Projects/Grants Fund:

Revenue:

SHSP – Jamestown 2007 \$20,000

Expenditure:

SHSP – Jamestown 2007 \$20,000

7. Contingency Transfer – Pool Resurfacing

RESOLUTION

CONTINGENCY TRANSFER - POOL RESURFACING

WHEREAS, the James City County Division of Parks and Recreation owns and operates swimming pools in the summers at both Upper County Park and at the Chickahominy Riverfront Park; and

WHEREAS, budget submittals for the FY 2007 Capital Budget include proposals to resurface the pools; and

WHEREAS, it is preferred, if these projects are expected to be approved for funding, that funds be made available now in order to get as much of the work done as possible before the pools open for the summer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the previously adopted capital budget for the fiscal year ending June 30, 2006, and authorizes the following funds transfer:

FY 2006 Capital Budget

Expenditures:

Pool Resurfacing	\$110,000
Capital Contingency	(\$110,000)

H. BOARD CONSIDERATION

1. Business Climate Task Force

Ms. Virginia Hartmann, Chair of the Economic Development Authority of James City County, provided an overview of the membership recommendations for the Business Climate Task Force, the Task Force charter and mission; and expected outcomes of the Task Force's efforts.

Mr. McGlennon requested clarification on the term of the Task Force.

Ms. Hartmann stated that the volunteer group would be a specific task oriented group and the term would end when the task was completed.

Mr. McGlennon requested clarification of the purpose of the Task Force.

Ms. Hartmann stated that a lot of long-term businesses speak with customers and other business connections and the County needs to have a conversation with them to make sure their needs are being met and that partnership opportunities are not being missed.

Mr. Harrison inquired if the small businesses, in addition to long-term businesses, will be identified for recommendations on ways to strengthen the relationship and business in the County.

Ms. Hartmann stated that that Task Force will identify all businesses in the County and how they fit into the puzzle.

Mr. McGlennon requested additional conversation with the parties before movement from Phase I to Phase II takes place.

Ms. Hartmann stated that communication is important and it is expected that it will continue.

Mr. Harrison inquired who will carry the responsibility when the Task Force is dissolved.

Ms. Hartmann stated that the Task Force would identify those opportunities and individuals.

Mr. Icenhour inquired what funding has been set aside for this.

Mr. Wanner stated that funds have not be put aside by the County for the Task Force, and such a request for funding would have to come from the Office of Economic Development for consideration by the Board of Supervisors or the Economic Development Authority will have to use some of its money.

Mr. Harrison stated that the County pays dues to the Peninsula Council for Workforce Development and inquired if the Council and other similar organizations that the County funds will put efforts back into the County for this type of activity.

Mr. Wanner stated that he expects Mr. Keith Taylor, Director of the Office of Economic Development, to contact regional economic development organizations for assistance.

Mr. Bradshaw 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

BUSINESS CLIMATE TASK FORCE

WHEREAS, the Board of Supervisors and its Economic Development Authority recognize the value of the role the business community plays in James City County; and

WHEREAS, at the September 27, 2005, Board of Supervisors/Economic Development Authority Joint Work Session, both bodies agreed that a Task Force be established to review the climate for business retention and expansion of existing businesses in the County, in addition to recruiting outside businesses; and

WHEREAS, the charter of this Task Force will be to identify how James City County can be a more value-added partner to the business and industrial community; and

WHEREAS, the mission, goals, and potential partners/targets of the Task Force will be established by the Task Force in accordance with the guidelines offered in the Economic Development Authority's February 28, 2006, memorandum to the Board of Supervisors; and

WHEREAS, inclusion of additional disciplines/specialties in the Task Force may be needed in the future as the result of the Task Force's initial studies; and

WHEREAS, the Board of Supervisors acknowledges that the Task Force may determine the need to request specific funding and manpower support from the Board of Supervisors to accomplish its program of work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County Virginia, does hereby establish a Business Climate Task Force to address the charter set forth above.

BE IT FURTHER RESOLVED that the Board of Supervisors will make its initial appointments to the Business Climate Task Force in a timely fashion.

I. PUBLIC COMMENT

1. Mr. Charlie Crawford, 7849 Church Lane, owner of Charlie's Antiques, requested that local business concerns are listened to and taken into consideration; currently his business of 30-years is not getting support for expansion and he would like to see the County work to keep businesses in the community and support the existing businesses.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner thanked the Board for support in the Norge Depot Relocation project and stated that a grant for the restoration of the Depot is going before the Commonwealth Transportation Board this month.

Mr. Wanner recommended the Board recess for a brief James City Service Authority Board of Directors meeting then reconvene to go into Closed Session for consideration of personnel matters, the appointment of individuals to County boards and/or commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia and for consideration of the acquisition of parcels of property for public use pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour requested staff look at Powhatan Creek Watershed Plan for the three criteria not adopted previously that were deferred subject to further review and stated that he would like this matter brought back before the Board for further consideration in a work session.

Mr. Wanner stated that due to the upcoming Budget process it would come before the Board during the May Work Session.

Mr. Goodson requested staff contact Constitutional Officers for feedback on the elimination of vehicle decals.

Mr. Wanner stated that in the Fiscal Year 2007 budget, vehicle decals is included but funds associated with a vehicle decal are not included in the Fiscal Year 2008 Budget.

Mr. Goodson recessed the James City Service Authority Board of Directors meeting at 8:12 p.m.

Mr. Goodson reconvened the Board at 8:14 p.m.

L. CLOSED SESSION

Mr. Harrison made a motion to go into Closed Session for consideration of personnel matters, the appointment of individuals to County boards and/or commissions, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia and for consideration of the acquisition of parcels of property for public use pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.

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

At 8:15 p.m. Mr. Goodson convened the Board into Closed Session.

At 9:22 p.m. Mr. Goodson 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: Harrison, Icenhour, McGlennon, Bradshaw, Goodson (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 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, Section 2.2-3711(A)(1), to consider personnel matters, the appointment of individuals to County boards and/or commissions; and Section 2.2-3711(A)(3), to consider the acquisition of a parcel/parcels of property for public use.

Mr. McGlennon made a motion to appoint Paul G. Tongue to a three-year term on the Williamsburg Area Arts Commission, term to expire on June 30, 2009; to appoint Mark Wenger to a three-year term on the Historical Commission, term to expire on August 31, 2009; and to reappoint Dwight Dansby to a three-year term on the Peninsula Alcohol Safety Action Program, term to expire on June 30, 2009.

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

Mr. McGlennon provided a brief update on the Williamsburg Area Performing Arts Center.

M. ADJOURNMENT

Mr. Harrison made a motion to adjourn to 7 p.m. on March 14, 2006.

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

At 9:25 p.m. Mr. Goodson adjourned the Board to 7 p.m. on March 14, 2006.

Sanford B. Wanner
Clerk to the Board

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