

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF AUGUST 2008, AT 4:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

Bruce C. Goodson, Chairman, Roberts District
James G. Kennedy, Vice Chairman, Stonehouse District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District
Mary Jones, Berkeley District

Sanford B. Wanner, County Administrator
Leo P. Rogers, County Attorney

C. BOARD DISCUSSIONS

1. James City County Code of Ethics

Mr. Leo Rogers, County Attorney, gave an overview of the Board-adopted Code of Ethics and input received from members of Boards, Commissions, Committees, and staff members. Discussion was held on ethical self-governance and limitations of the Code on personal conduct.

The Board and staff discussed how to apply the Code of Ethics and self-enforcement. Discussion was held about citizen awareness and potential enforcement methods by the Board. The Board and staff discussed modifications to the document to modify the means of enforcement to make the Code regulated by the individual.

Discussion was held about Board or Commission members speaking on behalf of his or her Board, and the requirement for each appointee to sign the Code of Ethics. The Board and staff discussed times to revisit the Code and biennial review, removal of the requirement to sign the Code, and removal of the enforcement language.

Discussion was held on other language changes as recommended by staff and other Boards including disclosure and material financial matters, the Conflict of Interests Act, representation of private interests, and speaking on behalf of a third party as an elected or appointed Board member.

The Board asked staff to bring back suggested language to be adopted and to give information on the codes used by other localities including the City of Suffolk, and Loudoun County in relation to disclosure and campaign finance.

2. Comprehensive Plan Update Steering Committee Appointments

Mr. Kennedy suggested an expansion of the Comprehensive Plan Steering Committee to add an Economic Development Authority (EDA) member who was on the Business Climate Task Force (BCTF), specifically Mr. Tom Tingle, a member of the Parks and Recreation Advisory Committee, an individual with interests in the schools, a citizen representative of an interested group, and Mr. Bill Porter as a citizen-at-large.

Discussion was held about the merits of broadening the Steering Committee in relation to how special interests would be represented equally. Mr. McGlennon stated that his position of keeping the Steering Committee unchanged. Mr. Goodson asked for a consensus on the addition of an EDA member. Discussion was held on what positions could be added as a compromise. The Board requested a slate of appointees to be voted on at a later time by the Board.

At 5:31 the Board took a break.

At 5:41 p.m. Mr. Goodson reconvened the Board.

D. CLOSED SESSION

Mr. McGlennon made a motion to go into closed session pursuant to 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)(1), to consider personnel matters, and the annual performance evaluation of the County Attorney.

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

At 5:42 p.m. Mr. Goodson recessed the Board into closed session.

At 6:40 p.m. Mr. Goodson reconvened the Board.

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

On a roll call vote, the vote was: AYE: Icenhour, McGlennon, Jones, Kennedy, 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)(1), to consider personnel matters, the annual performance evaluation of the County Attorney.

Mr. McGlennon made a motion to reappoint Betty Cutts, Bernice Dorman, Donna Garrett, Edith Harris-Bernard, Lafayette Jones, John Labanish, and Alain Outlaw to three-year terms on the Historical Commission, terms to expire on August 31, 2011.

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

Mr. McGlennon made a motion to award the County Attorney a four-percent pay raise effective August 1, 2008.

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

E. BREAK

At 6:41 p.m. the Board took a break.

Sanford B. Wanner
Clerk to the Board