

County won't pay for zoning counsel

By Cortney Langley

JAMES CITY — The Board of Zoning Appeals will not benefit from attorney representation in the fight over cell towers at Kingsmill after the supervisors voted 4-1 Tuesday night against paying for the lawyer.

The supervisors did not vote directly on the BZA's plea for representation. Instead, staff presented an alternate resolution that outlined when the county would support the BZA legally.

The resolution agreed that any representation will be through the county attorney's office and only in specific situations, such as preparing organizational documents, advising under state and federal law and when an individual BZA member is sued in his or her official capacity.

Absent from the resolution was any agreement to defend or interpret BZA decisions in court. In effect, it was a denial of the BZA's request for representation in the pending case, where two cell companies, Busch Properties, Kingsmill's homeowners' association and the county itself



WANNER WILL STAY

County administrator Sandy Wanner has agreed to stay on until the summer of 2010 after the supervisors approached him last week, citing a need for his leadership during the recession. Wanner had announced he would retire in June.

In other business:

■ Redevelopment plans for four fast food restaurants at the Stuckey's site near Barhamsville passed unanimously.

■ A disability friendly playground donated by the Leadership Historic Triangle class of 2009 gained unanimous support.

■ The supervisors agreed to amend a county ordinance to allow lawn equipment sale and repair in the general agriculture district.

are all contesting the decision to deny twin cell towers in the compound.

Berkeley supervisor Mary Jones was the only dissenting vote. She said she supported going further and providing counsel to the BZA.

The issue dominated the first public hearing of the evening, with 10 people speaking in support of the BZA, including the BZA chair Mark Wenger. Nobody publicly opposed hiring outside counsel.