

June 12, 1978

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE TWELFTH DAY OF JUNE, NINETEEN HUNDRED SEVENTY-EIGHT

A. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. John E. Donaldson, Jamestown District
 Mr. Abram Frink, Jr., Roberts District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards moved the approval of the minutes of the meetings of May 22, 1978 and June 6, 1978 as printed. The motion carried by a unanimous roll call vote.

1. Jail Expansion

Mr. Oliver stated that expansion construction bids were opened Wednesday, May 17, 1978. He said there was close bidding for the expansion construction, as indicated by three bids within \$10,000. The low bid, Mr. Oliver stated, which was by Cochrane Construction Company, was in order and met all legal requirements.

Mr. Oliver called upon Mr. Bill Moseley of Moseley-Hening Associates, Inc., who exhibited a plan of the existing jail and proposed expansion. In order to budget for the increased costs, Mr. Oliver stated that it was recommended that the satellite library and part of the Fire Department Expansion Operating Budget, totalling about \$100,000, be deferred until FY1980.

Mr. Donaldson moved to approve the jail expansion with the understanding that the funds would be transferred from the sources stated.

Mr. Edwards, Chairman of the Board of Supervisors, moved for approval of the resolution. The motion carried by a three to two vote. Mr. Taylor and Mr. Ware voted no. A roll call vote was taken.

RESOLUTION

WHEREAS, James City County recognizes the need to provide adequate jail and correctional facilities; and

WHEREAS, the current facilities provide insufficient space for prisoners, staff, and administration and are antiquated and deteriorated; and

WHEREAS, Sheriff William B. Dorsey and Judges Russell M. Carneal and J. R. Zepkin have done an excellent job in working under these adverse conditions for several years; and

WHEREAS, Moseley-Hening Associates, Inc. has completed the necessary plans and specifications, and competitive bids have been received, reviewed, and found in order and acceptable.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the County share equally with the City of Williamsburg in the construction of improvements and expansion of the existing City-County jail.

BE IT FURTHER RESOLVED, that James B. Oliver, Jr., James City County Administrator, be authorized and directed to execute contracts accepting the low bids for the expansion project. Said bidders and bids being:

General Construction	Cochrane Construction Co. Newport News, Virginia	\$853,000
Smoke Evacuation System	Cochrane Construction Co. Newport News, Virginia	\$ 32,600
Food Service Equipment	Engineering Steel Equipment Co. Richmond, Virginia	\$ 28,993


 Jack D. Edwards, Chairman
 Board of Supervisors
 James City County, Virginia

ATTEST:


 James B. Oliver, Jr.
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on the 12th day of June, 1978.

C. PUBLIC HEARINGS

1. An Ordinance for Vacation of a Plat - Riverview Plantation, Section 1, lots 10, 11 and 12.

Mr. Frank Morton, County Attorney, stated that the requested vacation was filed by Samuel T. Powell, counsel for Louis F. Vosteen and Annette T. Vosteen. He stated that the vacation was necessitated as the owners of Lots 10 and 12 are going to divide in half Lot 11, which they jointly own, with a resulting two larger lots to be known as Lot 10 and Lot 12.

Mr. Taylor moved the adoption of the ordinance vacating the plat. The motion carried by a unanimous roll call vote.

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ORDINANCE NO. 118

AN ORDINANCE TO VACATE A PORTION OF THOSE CERTAIN PLATS ENTITLED, "SUBDIVISION PLAT, RIVERVIEW PLANTATION, SECTION ONE, RIVERVIEW PLANTATION, INC. - OWNERS, DEVELOPERS, LOCATED IN STONE HOUSE MAG. DIST., JAMES CITY COUNTY, VIRGINIA" A "PLAT SHOWING CORRECTED REVISION OF SECTION 1-A - BLK "A""B""C", LOTS 13, 14, 3, 9, RIVERVIEW PLANTATION, INC. - OWNERS AND DEVELOPERS, LOCATED IN STONE HOUSE MAG. DIST., JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THOSE COMMON LOT LINES DIVIDING LOTS 10 AND 11 AND LOTS 11 AND 12, AS SHOWN ON SAID PLATS.

WHEREAS, application has been made by Samuel T. Powell, counsel for Louis F. Vosteen and Annette T. Vosteen, owners of Lot 10, Robert W. Leonard and Florence M. Leonard, owners of Lot 12, and all four parties, joint owners of Lot 11, to vacate certain property lines, as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 12th day of June, 1978, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare;

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That the common lot line dividing Lots 10 and 11, as shown on that certain plat entitled, "Subdivision Plat, Riverview Plantation, Section One, Riverview Plantation, Inc. - Owners & Developers, Located in Stone House Mag. Dist., James City County, Virginia", dated June 18, 1962, and prepared by S. V. Camp III & Associate, Certified Land Surveyor, and recorded in Plat Book 20, page 14, in the Clerk's Office of the Circuit Court for Williamsburg-James City County, be and the same is hereby vacated.
2. That the common lot line dividing Lots 11 and 12, as shown on that certain plat entitled, "Plat Showing Corrected Revision of Section 1-A - Blk "A""B""C", Lots 13, 14, 3, 9, Riverview Plantation, Inc. - Owners and Developers, Located in Stone House Mag. Dist., James City County, Virginia", dated May 27, 1965 and revised June 5, 1969, and prepared by S. V. Camp III & Associates, Certified Land Surveyor, and recorded in Plat Book 26, page 56, in the Clerk's Office of the Circuit Court for Williamsburg-James City County, be and the same is hereby vacated.
3. That a new plat entitled, "Plat Showing Subdivision of Lot 11, Section Block "A", Riverview Plantation, Stonehouse Dist., James City County, Virginia", prepared by Vincent D. McManus, Jr. & Assocs., Land Surveying, and dated January 22, 1978, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.


Jack D. Edwards, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on the
12th day of June, 1978.

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2. Case No. Z-1-78 - C.T. Lewis. Application to rezone approximately one-half acre located on Longhill Road (Route 612) adjacent to the Quick Service Grocery from R-2, Limited Residential to A-1, General Agriculture.

Mr. William Porter, Jr., Director of Planning, stated that the purpose of the rezoning is to allow the construction of a small general office building on the site.

Mr. Donaldson stated that the earmarking of a store as non-residential might cause problems. Mr. Donaldson stated he preferred to defer the matter.

Mr. Porter stated that the approval was recommended based on the development and existing zoning of part of the subject parcel and the fact that the A-1 General Agriculture District permits low density residential development as recommended by the Land Use Concept Map.

A roll call vote was taken, with four members of the Board voting to defer the matter. Mr. Taylor voted against the motion to defer. The matter was deferred until the next meeting.

3. Proposed Priority List - James City County Secondary Road Budget.

Mr. Edwards, Chairman, asked if anyone present wished to speak.

Mrs. Migneault stated that she was President of the Women's Club of Williamsburg. Mrs. Migneault expressed concern about the safety of auto use on Longhill Road. Mrs. Migneault stated that traffic had increased over 900% and that if the road was to be reconstructed, it would have to be made four feet wider. Mrs. Migneault stated that the number of traffic accidents reported indicate that major improvements are needed now on Longhill Road.

Mr. Edwards asked if anyone else wished to speak. No one responded and the public hearing was closed.

Mr. Porter, Director of Planning, called upon Mr. Frank Hall, resident engineer, who stated that it was necessary to address ourselves to a lower traffic volume. Mr. Hall stated that the construction of a 12 foot left turn lane at the entrance of Lafayette High School should be given priority in connection with the Secondary Road Budget. He stated that other roads to be considered in this regard were Centerville, Ironbound, Hampton Drive and Chickahominy.

Mr. Taylor moved for a motion to have a resolution prepared for consideration at the next meeting. Mr. Oliver stated that such a resolution would be prepared. The motion carried by unanimous roll call vote.

D. SETTING PUBLIC HEARING DATE

The following cases pertaining to rezoning and special use permit were scheduled for public hearing at a later date:

1. Case No. Z-2-78.
2. Case No. Z-3-78
3. Case No. Z-5-78
4. Case No. SUP-1-78
5. Case No. SUP-2-78

Mr. Edwards moved that the above applications be scheduled for public hearings on July 10, 1978, at 7:30 P.M., at the Government Center, 101 Mounts Bay Road, James City County, Virginia. The motion carried by unanimous roll call vote.

E. BOARD CONSIDERATIONS

1. Sanitary District #1 Liens

Mr. Frank Morton, County Attorney, recommended adoption of resolution authorizing recordation of an attached list of liens.

Mr. Edwards moved for adoption of such resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

Sanitary District #1 - Liens

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid; and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems are made and for which the charge was imposed;

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 21-118.4, paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following attached delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No.1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

Jack D. Edwards

Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.

James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on the 12th day of June, 1978.

2. Insurance Program Proposal

Mr. John McDonald, Assistant to the Administrator/Finance, reviewed the current insurance policies in force and future provisions. Mr. McDonald stated that upon receipt of a proposal and proper review and evaluation by the staff, a recommendation will be made to the Board.

3. Sanitary District #1 - Sewerage System Improvements

Mr. Wayland Bass, Director of Public Works, reviewed sewerage system improvements. Mr. Bass stated that the sewerage improvement program is financially feasible.

Mr. Donaldson moved for adoption of such resolution.
The motion carried by unanimous roll call vote.

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RESOLUTION

WHEREAS, Malcolm Pirnie Engineers, Inc. has prepared a Facility Plan for the Joint Sanitary District No. 1; and

WHEREAS, this Facility Plan proposes certain improvements to the District; and

WHEREAS, the Joint Sanitary District No. 1 Board has approved this Facility Plan at its meeting on May 25, 1978; and

WHEREAS, it is required that each of the separate jurisdictions also approve the Facility Plan,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it approves the Facility Plan as prepared with the substitution thereof of the cost estimate as shown in the attached Exhibit C and the proposed project schedule as shown in the attached Exhibit B.



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, on the 12th day of
June, 1978.

4. Petty Cash Fund - Public Works Building at the Government Center

Mr. John McDonald stated that a fund of \$50.00 be authorized from contingency funds in order to make change at the Building Inspection counter at the Government Center.

Mr. Taylor moved for adoption of such fund. The motion carried by unanimous roll call vote.

5. EMS-Auxiliary

Mr. John McDonald stated that authorization was needed for the use of auxiliary personnel and control of such personnel should be delegated to the Fire Department. Mr. McDonald stated that auxiliary personnel should be covered by workman's compensation, general County liability and motor vehicle insurance. Mr. McDonald stated that a resolution authorizing coverage for this volunteer manpower was recommended.

Mr. Donaldson moved for adoption of such resolution. The motion carried by unanimous roll call vote.

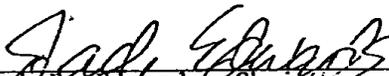
RESOLUTION

WHEREAS, the James City County Board of Supervisors has authorized an Emergency Medical Service for its citizens, and

WHEREAS, one of the key elements of this program will be volunteer manpower;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of James City County that this Board does hereby authorize the use of Auxiliary Emergency Medical Technicians in its Emergency Medical Service, and

BE IT FURTHER RESOLVED that these auxiliary shall be recognized as employees of James City County for the purposes of: 1) use and operation of County equipment; 2) insurance; and 3) control by County fire officers.



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

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12th day of June, 1978.

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6. Certification of Warrants

Mr. McDonald listed the following warrants for the month of May, 1978, calling for a motion of certification:

• General Fund	Checks #4984 through #5115 Totalling \$362,038.86
General Fund Payroll	Checks #12172 through #12506 Totalling \$99,979.44
Sanitary District No. 1	-0-
Sanitary District No. 2	Checks #296 through #303 Totalling \$954.26
Sanitary District No. 3	Checks #605 through #621 Totalling \$103,559.33
Subdivision Escrow	-0-
Revenue Sharing	Checks #404 through #409 Totalling \$28,922.72
Antic-Recession	-0-

Mr. Edwards moved for adoption of such motion. The motion carried by unanimous vote.

7. (a) Youth Services Committee

Mr. Edwards submitted the name of Mrs. Harlan Schone to serve on the Youth Services Committee.

Mr. Frink moved for such appointment. The motion carried by unanimous vote.

7. (b) Williamsburg Regional Library Board of Trustees

Mr. Edwards stated that a vacancy existed on the Board of Trustees due to the resignation of Stanley Williams, who was appointed June 16, 1977, and whose term expired May 16, 1978. The Board agreed to defer action on a new appointment until the next meeting.

8. Resolution for upgrading unimproved streets under the Rural Additions Program.

Mr. William Porter, Director of Planning, stated that the resolution of agreement for rural additions with the Department of Highways and Transportation should be extended for five years.

Mr. Ware moved for adoption of such resolution. The motion carried by unanimous vote.

RESOLUTION OF AGREEMENT

VIRGINIA DEPARTMENT OF HIGHWAYS

WHEREAS, James City County has a number of unimproved streets and roads which were built and put to record before the County had enacted a Subdivision Ordinance controlling the building and approval of streets in this County; and,

WHEREAS, the State is allowed to allocate 2% of initial allocation of its Annual Secondary Highway Budget for new additions, but will increase this allocation to a maximum of \$20,000 per year, effective in Fiscal Year 1973-74; and,

WHEREAS, the County of James City, Virginia, would like to participate in bringing these roads up to the State Standard, and is willing to do so in an amount of funds equalling to the State Highway Department's annual allocation for new additions; and,

WHEREAS, the County is willing to do this for a period not to exceed five (5) years; and,

WHEREAS, it is understood by the County and Highway Department that all utility adjustments will be borne by the County; and,

WHEREAS, all right-of-way will be the responsibility of the County (a minimum 40' unrestricted right-of-way will be required); and,

WHEREAS, it is understood that the Highway Department will not be required to spend any more than it is allotted for new additions each year; and,

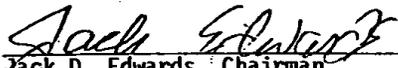
WHEREAS, a Priority List will be established by the County's Board of Supervisors; and,

WHEREAS, the County agrees to carry forward any funds that are not spent during the Fiscal Year for the purpose of assisting the Highway Department in this program; and,

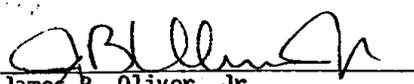
WHEREAS, the date of the County's Subdivision Ordinance is August 31, 1964, and the State Highway Department's Rural Addition Policy was adopted on November 15, 1959, the earlier date will be the cut-off for these new streets; and,

THEREFORE, BE IT RESOLVED, that this agreement will go into effect July 1, 1978.

AAC795


 Jack D. Edwards, Chairman
 Board of Supervisors

ATTEST:


 James B. Oliver, Jr.
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on the Twelfth day of June, 1978.

9. Contingency Transfers - Cost of Living.

Mr. John McDonald said funds should be transferred for salary adjustments to transfer the FY 78 cost of living awards to the departmental salary classifications and for the expenditure of June James City Service Authority salaries. The second transfer, Mr. McDonald stated, was the transfer of \$11,000 in four categories from the Contingency Account. A motion was made by Mr. Donaldson to approve both transfers at one time. The motion carried by unanimous vote.

10. Resolution regarding Owens-Illinois constructing industrial access entrance.

Mr. William Porter, Director of Planning, said the construction of an industrial access road would enable the proposed Owens-Illinois plant to set back further from U.S. Route 60 and nearby uses and develop in an environmentally sound manner. He stated it would also serve the future development of adjacent properties and reduce the number of future entrance roads on U.S. Route 60.

Mr. Edwards moved for adoption of such a resolution. The motion carried by unanimous roll call vote.

RESOLUTION

OWENS-ILLINOIS, INC. - INDUSTRIAL ACCESS ROAD

WHEREAS, Owens-Illinois, Inc. has optioned property off Route 60 near Toano in James City County and intends to construct an industrial plant thereon; and

WHEREAS, in an effort to provide significant setbacks from nearby uses and to develop the industrial plant in an environmentally sound manner, said plant site will be located a substantial distance from Route 60; and

WHEREAS, to provide safe, orderly and efficient access to said plant, an industrial access road with appropriate turn lanes on Route 60 must be constructed; and

WHEREAS, adjacent property owners and Owens-Illinois, Inc. have offered to provide any required rights-of-way at no cost to the Commonwealth; and

WHEREAS, the development of the Owens-Illinois, Inc. industrial plant will expand the tax base and provide jobs for the people of James City County and the Commonwealth of Virginia,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, Virginia:

1. That there is an urgent need for the construction of an industrial access road to the Owens-Illinois plant site from Route 60 with the necessary turn lanes and cross-over on Route 60.
2. That the aforementioned improvements should be undertaken immediately by the Virginia Department of Highways and Transportation.
3. That the County of James City agrees through the dedication by the property owners to provide necessary rights-of-way for said improvements.
4. That the Virginia Department of Highways, through the use of industrial access funds provide for the cost of road and drainage improvements, necessary engineering, advertise the contract and arrange for its construction.
5. That a copy of this resolution be forwarded to Mr. Frank N. Hall, Resident Engineer, Virginia Department of Highways and Transportation, Williamsburg, Virginia.


 Jack D. Edwards, Chairman
 Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

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on the Twelfth day of June, 1978.

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11. Emergency adoption of Sanitary District #3 User Charge Ordinance and setting a public hearing date for same.

Mr. Bass, Director of Public Works, said emergency adoption of an amendment to resolve the matter of connection fees for Old Colony Square Shopping Center was needed before the building permit is issued.

Upon consideration by members of the Board, it was decided that such amendment would be discussed at the next meeting.

12. Request to transfer tanker Fire Department surplus truck to York County.

Mr. Oliver, County Administrator, stated that the Fire Department's tanker truck had become a surplus item and that York County had a need for a tanker truck. He said that due to the truck needing extensive repair, it should be conveyed to York County where it would be available for James City County if summoned.

Mr. Ware moved to transfer said tanker truck, as requested. The motion moved by unanimous roll call vote.

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards, Chairman, brought to the Board's attention a proposal for a new voting procedure to be instituted by the School Boards. The Board of Supervisors concurred with Mr. Edwards' suggestions and authorized him to work with the City of Williamsburg towards culmination of this new procedure.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Fire Station No. 3

The architect gave an up-to-date report on the design of Fire Station No. 3 and indicated it would go to bid in the month of June, with bids being received in July.

H. BOARD REQUESTS AND DIRECTIVES

The Board briefly discussed addition of a forestry exemption for tax purposes and indicated that they would informally hear the public at their next regular meeting.

Mr. Ware moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 9:42 P.M.


James B. Oliver, Jr.
Clerk to the Board



MEMORANDUM

Date: May 12, 2015
To: Records Management
From: The Board of Supervisors
Subject: Board of Supervisors Minutes: June 12, 1978

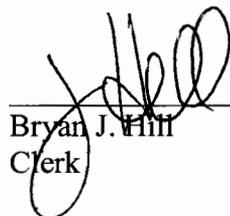
The following minutes for the Board of Supervisors of James City County dated June 12, 1978 are missing an approval date and were either never voted on or never presented for approval in the year surrounding these meetings.

These minutes, to the best of my knowledge, are the official minutes for the June 12, 1978, Board of Supervisors meeting. They were APPROVED by the current Board of Supervisors at the May 12, 2015 meeting.

Please accept these minutes as the official record for June 12, 1978.



Michael J. Hipple
Chairman



Bryan J. Hill
Clerk

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