

July 24, 1978

Mr. Donaldson, in response to Mr. Frink's observation that the resolution adopted at the July 10th meeting was by unanimous vote, stated that at that meeting he had made it clear that he favored construction of the Route 60 East project as quickly as funds became available, and that the July 10th resolution was so worded as to be difficult to support and difficult to oppose. In response to a comment from a member of the audience questioning his support for the project, Mr. Donaldson stated that for many years residents of Grove had been complaining about the unsafe condition of Route 60 East as it goes through Grove and that the project under consideration would promote increased highway safety in the area. He added that the four-laning project was not intended to meet James City needs only but was instead a component part of a program to improve highway service between this area and Newport News and thereby meet regional needs. He also stated that although the average daily vehicular count was under 5,000 vehicles on an annual basis, the count exceeded 5,000 during some periods of the year, and that as a consequence the road may be needed now. He questioned whether the Supervisors, who are not engineers, should substitute their judgment of need for that of the highway department. Mr. Donaldson asked Mr. Hall whether the construction of the proposed fly-over would eliminate the need to four-lane Route 60 and Mr. Hall said that it would not. Mr. Donaldson emphasized that the question of whether Route 60 should be four-laned was unrelated to the fly-over project, which addressed a different need. He also stated that as to the meaning of the term "protect the corridor" as used in the July 10 resolution, that he understood it to mean use of eminent domain to acquire right-of-way now.

Mr. Edwards moved that it was the consensus of the Board of Supervisors that property should not be purchased by the Highway Department if there is any other satisfactory way of protecting the corridor.

Mr. Frink stated that Mr. Edwards' motion was unsatisfactory and that he wanted to meet with Messrs. Roos, Hodge and a member of the Board of Supervisors.

Mr. Edwards stated that he felt it should be on record as to the wants of the Board of Supervisors and the clarification of the misunderstanding which took place.

Mr. Frink stated that nothing else should be done except to set up the aforementioned meeting.

Mr. Edwards withdrew the motion and Mr. Oliver stated that he would arrange the proposed meeting.

D. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

The following certificates of service and appreciation were presented by Mr. Edwards to employees present in person:

Carolyn W. Albergotti - 3 years
Karen D. Roth - 3 years

Certificates were also awarded to employees not present at the meeting, as follows:

Kenneth R. McGinley - 5 years
Jerald R. Lapham - 5 years
Carol M. Moore - 5 years
Sandra M. Hazelwood - 3 years
Susan M. Hutchens - 3 years
William W. Stewart - 3 years

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E. BOARD CONSIDERATIONS

1. Case No. SUP-2-78 - St. George Grinnan Property

Mr. William C. Porter, Jr., Director of Planning, stated that a special use permit had been applied for by Mr. William J. Bull, as agent for the owners of the St. George Grinnan property, to place professional offices, including an optician's office, on part of the frontage of their property, which is zoned R-5, multi-family residential.

Mr. Vernon Geddy, counsel for applicants, stated that this rezoning would allow the placement of professional offices, while having the entire property remain zoned R-5, multi-family residential. Mr. Geddy said the hours were generally 8:30 A.M. to 6:00 P.M., which should not interfere with anyone locally.

Rev. James B. Tabb, Sr., stated that he felt the rezoning was unfair in a small business area. Rev. Tabb said the Highway Department should evaluate the safety of the roads in the area, particularly from the school near Strawberry Plains Road, which he said should be double lined.

Mr. Frink said he concurred with Rev. Tabb's statement, that the people living in that area should hold on to their property and perhaps form a coalition, but he said he did not see doctors' offices as being objectionable.

Mr. Donaldson motioned for approval of the issuance of the special use permit. The motion carried by unanimous roll call vote.

2. Conditional Use Permit - Little Creek Reservoir

Mr. Oliver stated that negotiations had been going on regarding the conditional use permit for Little Creek Reservoir and submitted a letter from Mayor Ritchie dated July 12, 1978 stating that the City Council of Newport News had accepted the amended conditions associated with the use permit for Little Creek Reservoir.

Mr. Donaldson moved for approval of the amended conditional use permit. The motion carried by unanimous roll call vote.

3. State Water Control Board Observation Wells

Mr. Oliver stated that this resolution proposed that James City County should arrange to lease sites for observation wells and access thereto for 99 years.

Mr. Donaldson motioned for approval of the resolution. The motion carried by unanimous roll call vote.

RESOLUTION

WHEREAS, James City County desires to determine the quality and quantity of groundwaters native to James City County; and

WHEREAS, test wells will provide information required to complete the United States Geologic Survey Study of the County's hydrologic resources; and

WHEREAS, the Virginia State Water Control Board proposes to drill several observation wells in James City County; and

WHEREAS, the Virginia State Water Control Board desires to utilize lands owned by James City County;

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that James B. Oliver, Jr., County Administrator of James City County, be authorized and directed to execute the necessary contracts to deed the necessary easements to the Virginia State Water Control Board.

Jack D. Edwards
Jack D. Edwards
Chairman

ATTEST:

James B. Oliver, Jr.
James B. Oliver, Jr.
Secretary

Adopted by the Board of Supervisors, James City County, on the 24th day of July, 1978.

4. Localization of Tidewater Mental Health Clinic

Mr. Oliver called upon a representative of the Colonial Mental Health and Mental Retardation Board, Mr. Brad Hammer, who stated that authorization was needed for the transfer of the clinic to local Chapter 10 Board control.

Mr. Frink motioned for approval of the resolution. The motion carried by unanimous roll call vote.

RESOLUTION

Localization of Tidewater Mental Health Clinic -
Colonial Mental Health and Mental Retardation Services Board

WHEREAS, the Virginia State Board of Mental Health and Mental Retardation established a policy at its July 1973 meeting that all Mental Hygiene Clinics operated by the Department of Mental Health and Mental Retardation will be transferred to local Community Mental Health and Mental Retardation Services Boards as those local boards make requests for this transfer but no later than July 1, 1978, and

WHEREAS, the Colonial Mental Health and Mental Retardation Services Board has voted unanimously to make such a request for transfer of the Tidewater Mental Health Clinic, and

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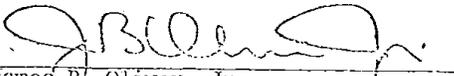
WHEREAS, the Department of Mental Health and Mental Retardation has established departmental policy that, inter alia, the level of funding by the Department will not be decreased--nor automatically increased as a result of transfer, and

WHEREAS, the Department of Mental Health and Mental Retardation requires approval for transfer from the local governing bodies;

NOW, THEREFORE, BE IT RESOLVED, that the James City County Board of Supervisors hereby approves of the transfer of the Tidewater Mental Health Clinic from the Department of Mental Health and Mental Retardation to the Colonial Mental Health and Mental Retardation Services Board.


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

ATTEST:



James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James
City County, on the 24th day of July, 1978.

5. State-Approved Social Services Budget

Mr. Frink moved for approval of the budget, which was less than the funds requested. The motion passed by unanimous roll call vote.

6. Save Harmless Agreement-Peninsula Transportation District Commission.

Mr. Donaldson moved for approval of agreement which would immunize the Peninsula Transportation District Commission from legal liability for work performed by them for James City County Transit. The motion passed by unanimous roll call vote.

AAC795

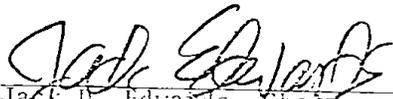
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RESOLUTION

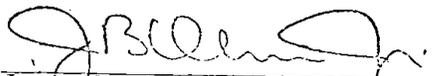
A RESOLUTION AUTHORIZING EXECUTION OF A SAVE HARMLESS AGREEMENT WITH PENINSULA TRANSPORTATION DISTRICT COMMISSION (PENTRAN) FOR MAINTENANCE AND/OR REPAIRS TO PUBLIC TRANSIT VEHICLES OF JAMES CITY COUNTY.

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

1. That it hereby approves the Save Harmless Agreement, dated October 1, 1977, by and between Peninsula Transportation District Commission (Pentran) and James City County under the terms and conditions contained in that certain agreement, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs James B. Oliver Jr., County Administrator, to execute same on behalf of James City County.


 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 24th day of July, 1978.

7. Renewal of Williamsburg Lions Club Bingo Permit

Mr. Ware moved for renewal of the bingo permit. The motion carried by unanimous roll call vote.

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RESOLUTION

WHEREAS, Williamsburg Lions Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Lions Club has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Williamsburg Lions Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

JAMES CITY COUNTY

By Jack Edwards
Chairman of the Board of
Supervisors

ATTEST:

J. B. [Signature]
Clerk and County Administrator

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of July, 1978.

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July 24, 1978

RESOLUTION

WHEREAS, Williamsburg Lions Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Lions Club has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Williamsburg Lions Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

JAMES CITY COUNTY

By Jack Edwards
Chairman of the Board of Supervisors

ATTEST:

J. Blum
Clerk and County Administrator

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of July, 1978.

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8. Appointments

Appointment to the Welfare Board was deferred to Executive Session, immediately following the Board of Supervisors Meeting.

9. Sanitary District #3 Anticipation Notes

Mr. Oliver stated that this resolution would authorize the issuance and sale of bond anticipation notes of Sanitary District #3.

Mr. Donaldson motioned for approval of the resolution. The motion passed by unanimous roll call vote.

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 24th day of July, 1978, at which the following members were present:

PRESENT

Jack D. Edwards, Chairman
Stewart U. Taylor
John E. Donaldson
Abram Frink, Jr.

the following resolution was adopted by a majority of all members of the Board of Supervisors by a roll call vote, the ayes and nays being recorded in the minutes of the meeting as follows:

<u>MEMBER</u>	<u>VOTE</u>
Jack D. Edwards	aye
Stewart U. Taylor	aye
John E. Donaldson	aye
Abram Frink, Jr.	aye

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,120,000 BOND ANTICIPATION NOTES OF THE JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3

WHEREAS, the Board of Supervisors on July 23, 1975, adopted a resolution authorizing the issuance and sale of \$2,120,000 Sewer Bonds, Series of 197__, of the James City County Sanitary District Number 3 (the District) which were authorized at an election held in the District on June 6, 1972, and further authorized the Chairman or Vice Chairman and Clerk to the Board to borrow money in anticipation of the issuance and sale of such bonds; and

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WHEREAS, pursuant to such resolution the Chairman and Clerk have borrowed \$2,120,000 from the United Virginia Bank evidenced by the District's \$2,120,000 Sewer Bond Anticipation Note No. 28 dated October 31, 1977; and

WHEREAS, it is now necessary and expedient to issue notes in the authorized amount of \$2,120,000 in anticipation of the issuance and sale of such sewer bonds in order to retire the \$2,120,000 Bond Anticipation Note No. 28 and for the purpose for which such bonds have been authorized; and

WHEREAS, there has been submitted to this meeting a proposal from the United Virginia Bank, Williamsburg, Virginia, to purchase a \$2,120,000 note to be dated July 31, 1978, to mature October 30, 1978, with right of prior redemption and to bear interest at the rate of 4.70 percent, payable at maturity.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA:

1. It is hereby determined to be in the best interest of James City County Sanitary District Number 3 to accept the aforesaid proposal of the United Virginia Bank and to issue and sell a bond anticipation note in the amount of \$2,120,000 under the terms and conditions set forth in such proposal which proposal is hereby accepted.

2. The Chairman or Vice Chairman and Clerk are hereby authorized to see to the preparation of such note, to execute and deliver such note to the United Virginia Bank upon receipt of \$2,120,000, and to use the entire proceeds to retire Bond Anticipation Note No. 28.

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The undersigned Clerk to the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct excerpt from the minutes of a regular meeting of the Board of Supervisors held on the 24th day of July, 1978, and of the whole thereof so far as applicable to the matters referred to in such excerpt.

WITNESS my hand and the seal of the Board of Supervisors of James City County, Virginia, this 24th day of July, 1978.

James B. Oliver, Jr.
Clerk to the Board
James City County, Virginia

Adopted by the Board of Supervisors,
James City County, on the 24th day of July,
1978.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Oliver stated that the meeting scheduled for August 14 could be deferred to August 28, in accordance with summer schedules. Mr. Oliver said zoning cases scheduled for August 14 could be set for August 28 and newspapers advertising the schedules would be so informed.

The Board concurred to cancel its meeting of August 14 and set the next meeting for August 28, 1978, at 7:30 P.M.

Mr. Donaldson motioned to adjourn to Executive Session. The motion carried by unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING ADJOURNED TO EXECUTIVE SESSION AT 4:24 P.M.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY COUNTY, VIRGINIA, HELD IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE TWENTY-FOURTH DAY OF JULY, NINETEEN HUNDRED SEVENTY-EIGHT AT 4:26 P.M.

A. ROLL CALL

Same as above.

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B. APPOINTMENTS

James City County Welfare Board

Mr. Edwards made a motion to appoint Mrs. Ann Yankovich for a term of three years. The motion passed by unanimous roll call vote.

Mr. Donaldson motioned for adjournment of the meeting. The motion passed by unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 4:29 P.M.



James B. Oliver, Jr., Clerk
Board of Supervisors

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