

September 25, 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 TWENTY-FIFTH DAY OF SEPTEMBER, 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 (absent)  
 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 to the County Administrator  
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware motioned for approval of the minutes of the meeting of September 11, 1978. The motion carried by unanimous roll call vote.

EARL M. HEISLER RESOLUTION OF SYMPATHY AND APPRECIATION

Mr. Edwards extended sympathy to the family of EARL M. HEISLER on behalf of all of the citizens of James City County and ordered a resolution of sympathy and appreciation in his honor be spread across the minutes of this meeting of the Board of Supervisors. Mr. Edwards said Mr. John W. Watkins will present the original framed resolution to the family of the late EARL M. HEISLER.



## RESOLUTION

WHEREAS, the citizens of James City County were deeply saddened by the tragic death of Sergeant EARL M. HEISLER on Wednesday, September 20, 1978; and

WHEREAS, EARL M. HEISLER served James City County as Deputy Sheriff from November 1, 1971 to December 1, 1977, at which time he was promoted to rank of Sergeant and served in this capacity until his untimely death on September 20, 1978; and

WHEREAS, during the seven years of his service to the citizens of the County, Sergeant EARL M. HEISLER distinguished himself as a loyal, conscientious and unselfish public servant reflecting the high ideals which reside in such a position of public trust.

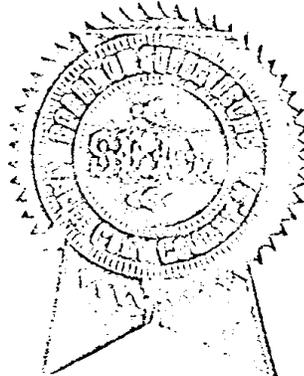
NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Board extend its sincere expression of sympathy to the family of Sergeant EARL M. HEISLER and that a copy of this Resolution be spread across the minutes of this meeting of the Board of Supervisors.

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to Sergeant EARL M. HEISLER's family.

*Jack D. Edwards*  
\_\_\_\_\_  
Jack D. Edwards, Chairman  
Board of Supervisors

ATTEST:

*James B. Oliver, Jr.*  
\_\_\_\_\_  
James B. Oliver, Jr.  
Clerk to the Board



C. PRESENTATION OF CERTIFICATE OF SERVICE AND APPRECIATION

Mr. Edwards awarded a certificate of service and appreciation to Carolyn E. Hensley for three years' service in Social Services.

D. HIGHWAY MATTERS

Mr. Oliver called upon Mr. Frank Hall, Resident Engineer.

Mr. Taylor inquired about drainage problems on the road to Croaker. Mr. Hall indicated that they are currently working on their road drainage maintenance and that the Croaker area was on their list.

As matters of information, Mr. Hall advised:

(1) That Route 5 is being overlaid, but it was anticipated the work would be finished this week, from the end of the four lane at Route 199 to the bridge;

(2) A survey is underway for the Owens-Illinois access road;  
and

(3) The closing of Route 602 for work on the bridge has been postponed.

Mr. Oliver expressed appreciation for this information, particularly since the bridge is important to the Fire Department.

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1. Amendments to Chapter 11, Motor Vehicles and Traffic, of the Code of the County of James City, Virginia.

It was the consensus of opinion of the Board of Supervisors that this matter be set for public hearing on October 23, 1978.

2. Amendments to Chapter 9, Licenses and Chapter 18, Taxation, of the Code of the County of James City, Virginia.

3. Amendment to Chapter 18, Taxation, Section 18-7.1, Subparagraph 1, of the Code of the County of James City, Virginia.

It was the consensus of opinion of the Board of Supervisors that the above two matters be set for public hearing on November 13, 1978.

F. BOARD CONSIDERATIONS

1. Proclamation regarding United Fund Month

Mr. Edwards read a proclamation declaring the month of October as United Fund Month in James City County.

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

P R O C L A M A T I O N

WHEREAS, the GREATER WILLIAMSBURG UNITED FUND has been serving our community for twenty-nine years by raising funds for various civic agencies, and

WHEREAS, through the United Fund Drive and the generosity of our citizens, countless dollars have been raised to aid those less fortunate, and

WHEREAS, this year's United Fund Drive will be held during the month of October, and

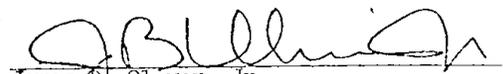
WHEREAS, we are desirous of expressing our support for this most worthwhile endeavor;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the month of October is proclaimed UNITED FUND MONTH in James City County, and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that all of the citizens of James City County are urged to give generously to this year's UNITED FUND DRIVE, as they have done in the past.

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

ATTEST:

  
James B. Oliver, Jr.  
Clerk to the Board

2. Lease of EOC Office Space

Mr. Oliver stated that a lease had been prepared for the occupation of office space by the James City County ASC Committee in the EOC Building in Toano from September 1, 1978 through August 31, 1978. Mr. Oliver said all conditions were the same as previous years except for a 10% increase in rent, from \$5 a square foot to \$5.50, and recommended execution of the lease and resolution of authorization.

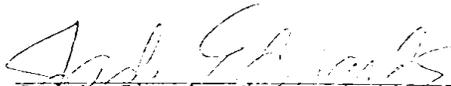
Mr. Taylor motioned for approval of the resolution. The motion carried by unanimous roll call vote.

R E S O L U T I O N

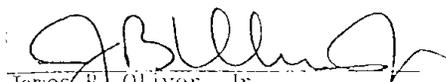
A RESOLUTION to authorize JACK D. EDWARDS, Chairman of the Board of Supervisors, and JAMES B. OLIVER, JR., Clerk, to execute that certain lease dated September 1, 1978, by and between the James City County Board of Supervisors, Lessor, and the James City County Agricultural Stabilization and Conservation Service Committee, Lessee, providing for the rental of office space in the EOC Building on Forge Road in Toano.

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

1. That it hereby approves the lease providing for the occupation of office space by the James City County Agricultural Stabilization and Conservation Service Committee in the EOC Building on Forge Road in Toano, under the terms and conditions contained in that certain lease dated September 1, 1978, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs Jack D. Edwards, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, 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

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3. Delinquent Taxes

Mr. John E. McDonald, Assistant to the Administrator/Finance, presented the 1977 Delinquent Levies on Real Estate and Personal Property Report. Mr. McDonald stated that the list should be published for the 1977 taxes outstanding as of October 15, 1978 and that properties owing over three years' delinquent taxes should be advertised for sale. Mr. McDonald requested authorization to transfer \$1,500 from the contingency account to the advertising account so that the proper advertisement could be made.

Mr. Edwards moved the above recommendations. The motion carried by unanimous roll call vote.

4. Bank Resolution - Old Colony Bank and Trust Company

Mr. McDonald presented a resolution and list of accounts authorizing Old Colony Bank and Trust Company to be designated as a depository of James City County.

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

## OLD COLONY BANK AND TRUST COMPANY

## JAMES CITY COUNTY

WHEREAS, the Board of Supervisors of James City County desires to deposit public funds in banks with branches within the boundaries of James City County.

NOW, THEREFORE, BE IT RESOLVED, that Old Colony Bank and Trust Company, Williamsburg, Virginia, be and it is, hereby, designated a depository of James City County and that funds so deposited may be withdrawn upon a check, draft, note or order on the following accounts:

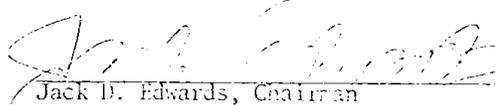
<u>Account Name</u>	<u>Account Type</u>	<u>Account Number</u>
Quarterly Revenue	Checking	02-0462-8
Anti-Recession	Checking	02-0465-6
Payroll Deduction	Checking	02-0464-4
Sanitary District No. 2	Checking	02-0465-2
Subdivision Escrow	Checking	02-0465-0
Williamsburg-James City County Regional Jail Construction	Checking	02-0467-9
Anti-Recession	Savings	5-751
Sanitary District No. 2	Savings	5-766

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against the above accounts be signed by the following:

- Jack D. Edwards Chairman
- OR
- Stewart U. Taylor Vice-Chairman
- AND
- James B. Oliver, Jr. County Administrator
- OR
- John W. Watkins Assistant to the Administrator
- AND
- Frances B. Whitaker Treasurer
- OR
- Betty S. Pettengill Deputy Treasurer

whose signature shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed, and

BE IT FURTHER RESOLVED, that said Old Colony Bank and Trust Company is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such person signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the certificate of the Clerk or Assistant Clerk, accompanying a copy of this resolution when delivered to said bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said bank.

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

ATTEST:

  
 James B. Oliver, Jr.  
 Clerk to the Board

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Mr. Oliver presented a resolution requesting acceptance of seven streets into the State Secondary Road System in Powhatan Shores.

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

RESOLUTION:

DEDICATION OF STREETS INTO STATE SECONDARY ROAD SYSTEM

WHEREAS, the developer of Powhatan Shores Subdivision, Section I has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Powhatan Shores Subdivision, Section I, James City County in the State Secondary Highway System.

Description:

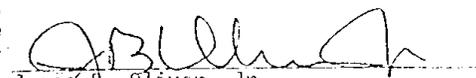
- Constance Avenue - From: Route 682 0.36 Mi.  
To: 0.36 Mi. NW to Lands-End Drive 50' R/W
- Discovery Lane - From: Constance Avenue 0.23 Mi.  
To: 0.23 Mi. NE to Morgan Drive 50' R/W
- Morgan Drive - From: Route 682 0.03 Mi.  
To: 0.03 Mi. NW to Discovery Lane 50' R/W
- Godspeed Lane - From: Constance Avenue 0.21 Mi.  
To: 0.21 Mi. NE to Lavelle Court 50' R/W
- Lavelle Court - From: End of Godspeed Lane 0.03 Mi.  
To: 0.04 Mi. N to End Cul-de-sac 50' R/W  
To: 0.04 Mi. NE to End Cul-de-sac
- Lands-End Drive - From: Constance Avenue 0.22 Mi.  
To: 0.22 Mi. NE to End Cul-de-sac 50' R/W
- Hiawatha Court - From: Lands-End Drive 0.09 Mi.  
To: 0.09 Mi. W to End Cul-de-sac 50' R/W

A right-of-way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Powhatan Shores Subdivision, Section I, Plat Book 135, Pages 514 to 518 and Plat Book 35, Page 39.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Powhatan Shores Subdivision, Section I and the Resident Engineer of the Department of Highways and Transportation.

  
Jack D. Edwards, Chairman  
Board of Supervisors

ATTEST:

  
James H. Oliver, Jr.  
Clerk to the Board

6. School Board Voting Procedure Amendment

Mr. Morton presented revised language of the school board voting procedure amendment.

Mr. Edwards motioned for approval of the amendment. The motion carried by unanimous roll call vote.

AMENDMENT

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Walter J. Scruggs said he had been advised by numerous telephone calls that people have difficulty finding the Government Center at 101 Mount's Bay Road, as the signs are not large enough. Mr. Scruggs said some people who have never been to the complex get confused and end up in Busch Corporate Center.

Mr. Scruggs said it will be a hardship for some people to travel the distance to the Government Center to obtain a license, get information or pay a bill. Mr. Scruggs suggested that a treasurer's sub-office be located somewhere closer to Toano to eliminate the hardship of a long travel.

Mr. Oliver said signs are being prepared to assist in reaching the Government Center and a directory of the offices in the three buildings will be installed near the main parking lot.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver directed the Board's attention to the matter of the Sanitary District construction loan for the purpose of prefinancing E.P.A. construction grants. Mr. Oliver said the note expired on September 23, 1977 with a balance due of \$87,500 and by resolution the note could be extended for a period not to exceed three months.

Mr. Frink motioned to approve the resolution. The motion carried by unanimous roll call vote.

RESOLUTION

SANITARY DISTRICT NUMBER 5  
CONSTRUCTION LOAN

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 25th day of September, 1978, at which the following members were present and absent:

PRESENT: Jack D. Edwards, Chairman, Berkeley District  
Stewart U. Taylor, Vice Chairman, Stonehouse District  
Abram Frink, Jr., Roberts District  
David W. Ware, Jr., Powhatan District

ABSENT: John E. Donaldson, Jamestown District

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>
David W. Ware, Jr.	Aye
Abram Frink, Jr.	Aye
Stewart U. Taylor	Aye
Jack D. Edwards	Aye

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RESOLUTION AUTHORIZING RENEWAL OF A LOAN TO BE  
MADE BY JAMES CITY COUNTY IN THE MAXIMUM AMOUNT  
OF \$500,000.00 FOR JAMES CITY COUNTY SANITARY  
DISTRICT No. 3

WHEREAS, the Board of Supervisors of James City County by resolution adopted September 25, 1977, authorized a loan in the maximum amount of \$500,000.00 for James City County Sanitary District No. 3 in anticipation of the payment of federal and state grants to said District and the collection of connection fees and other income by said District; and

WHEREAS, this loan matured on September 23, 1978; and

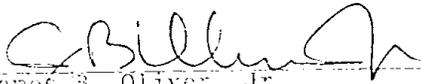
WHEREAS, United Virginia Bank of Williamsburg, Williamsburg, Virginia, is prepared to renew the note in the maximum amount of \$500,000.00 by promissory note to be dated September 25, 1978 and to mature December 23, 1978, to bear interest at the rate of 4.7% per annum on the amounts so drawn and paid to the County within the period of three months.

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

1. That it is hereby determined to be in the best interests of James City County and James City County Sanitary District No. 3 to accept the aforesaid proposal of United Virginia Bank of Williamsburg and to renew said loan and issue the promissory note in the amount of \$500,000.00 under the terms and conditions set forth in such proposal.
2. The Chairman or Vice-Chairman and Clerk or Assistant to the Administrator are hereby authorized to execute and deliver such note to the United Virginia Bank of Williamsburg.
3. All resolutions or parts thereof in conflict herewith are hereby repealed.
4. An emergency existing, this resolution shall take effect immediately.

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 25th day of September, 1978, and of the whole thereof so far as applicable to the matters referred to in such excerpt.

WITNESS my hand and seal of the Board of Supervisors of James City County, Virginia, this 25th day of September, 1978.

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

I. BOARD REQUESTS AND DIRECTIVES

None

Mr. Edwards made a motion to adjourn to Executive Session to discuss a legal matter. The motion carried by unanimous roll call vote.

THE MEETING ADJOURNED TO EXECUTIVE SESSION AT 3:55 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 MOUNT'S BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE TWENTY-FIFTH DAY OF SEPTEMBER, NINETEEN HUNDRED SEVENTY-EIGHT.

A. ROLL CALL

Same as above.

Mr. Frink 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 4:25 P.M.

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

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