

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FIFTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED SEVENTY-EIGHT, AT 7:30 P.M., AT THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA

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 to the County Administrator
- Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Donaldson motioned for approval of the minutes of the meeting of October 23, 1978. The motion carried by unanimous roll call vote.

C. PRESENTATION OF A RESOLUTION OF APPRECIATION TO MR. JOHN F. MONEYMAKER

Chairman Edwards read and presented a resolution of appreciation to Mr. John F. Moneymaker for raising funds which enabled the County Department of Emergency Medical Services to purchase additional life support equipment for the ambulance.

Mr. Moneymaker thanked the Board of Supervisors and expressed his gratitude to Anheuser-Busch and the Board of Realtors for their contribution.

WHEREAS, the Board of Supervisors of James City County, Virginia, has established an Emergency Medical Services unit within the County Fire Department, the primary purpose of which is to render basic life support to victims of accident or sudden illness, and,

WHEREAS, JOHN F. MONEYMAKER, a County citizen, took upon himself the task of raising funds to enable the Emergency Medical Services unit to purchase additional life support equipment, which will permit the unit to provide advanced life support services,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board does hereby express its sincere gratitude and appreciation to JOHN F. MONEYMAKER for his unselfish and genuine concern for our community.

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PRESENTATION OF A RESOLUTION OF APPRECIATION TO LAFAYETTE HIGH SCHOOL RAMS

Chairman Edwards read a resolution commending the Lafayette High School Rams football team for its season record of nine wins and one loss. Mr. Edwards requested Mr. Oliver, County Administrator, to forward this resolution to Lafayette High School.

WHEREAS, the Lafayette Rams football team completed their 1978 season with a record of 9 wins - 1 loss, and,

WHEREAS, the Rams demonstrated the ability to improve their game as each week passed, growing continuously stronger and wiser, and,

WHEREAS, had it not been for the luck of an early schedule date with our Rams for the only team to defeat them during the season, the Rams would have probably achieved perfection, and,

WHEREAS, it is the opinion of the Board of Supervisors of James City County that the Rams are the Peninsula and State Champs, in our hearts and on the field,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that in recognition of the superb play by the Lafayette Rams football team, the Board does hereby congratulate them and their coach Barry L. Beers on an outstanding 1978 season and hopes that Lady Luck will smile on our Rams completely in 1979.

D. SETTING A PUBLIC HEARING DATE

An Ordinance to vacate property lines on that certain plat entitled, "Colonial Terrace, a plat of and division of open land situate at Toano, Virginia" involving Lots 49, 50, 51 and 52.

The Board of Supervisors concurred to set a public hearing date of December 11, 1978, for the above case.

E. PUBLIC HEARING

CASE No. Z-4-78 - Consideration of an amendment to the James City County Zoning Map to eliminate the "P", Public classification and to rezone all property presently designed "P".

Mr. William C. Porter, Jr., Planning Director, stated that at the October 8 meeting the Board of Supervisors approved rezoning of all land in the County designated "P", Public District, on the zoning map. Mr. Porter explained that the "P" district is not actually in the text of the zoning ordinance. During the public hearing on October 8, it was discovered that a property owner adjacent to Jamestown Island had not been notified and this particular rezoning was then carried over to this meeting and the adjacent property owner has been notified.

Mr. Porter requested the Board of Supervisors to approve the rezoning of Jamestown Island from "P", Public District, to "A-2", Limited Agricultural, based on three reasons: (1) The use of the subject property as a public park is a permitted use in the A-2 zone; (2) the zoning and use of adjacent land; and (3) the Land Use Concept Map designates this area as recreational.

Chairman Edwards opened the public hearing. There being no one present to speak for or against the rezoning, the Chairman closed the public hearing.

Mr. Donaldson moved to rezone Case No. 2-4-78 from "P", Public District, to "A-2", Limited Agricultural. The motion carried by unanimous roll call vote.

F. PRESENTATION ON THOMAS NESLON COMMUNITY COLLEGE BY PROFESSOR CHARLES EUGENE BUSH.

Mr. Oliver introduced Professor Bush, who addressed the Board of Supervisors regarding plans to expand college courses to the Williamsburg-James City County area.

Professor Bush introduced Mrs. Blayton, who had previously served as our area representative on the Thomas Nelson Board of Trustees and explained that the present representative, Mrs. Engle, was unable to attend the meeting. Professor Bush stated that there were presently 32 campuses in Virginia. TNCC's main campus is in Hampton. He said the main emphasis of the college is in the occupational technical study area. Professor Bush indicated that the college has determined that enrollment has not been as great as could be expected if facilities were provided in the upper end of the Peninsula. He stated that Thomas Nelson has plans to develop a second campus in the Williamsburg-James City County area. The college, he said, would build its own facilities and a large student population in this area is foreseeable in the future. At present, he said, the college provides courses at the Williamsburg Police Department, Eastern State Hospital and Toano EOC Building.

Professor Bush said this winter the college has finalized further expansion plans and will be offering at least a dozen courses at Bruton High School. He said by next September the college hopes to locate a center to offer more courses. Professor Bush said Thomas Nelson wishes the Board of Supervisors to be informed of the college's progress and hopes the Board of Supervisors and citizens will consider Thomas Nelson as part of the community. Professor Bush and Mrs. Blayton thanked the Board.

Mr. Donaldson asked Professor Bush what the site selection process would entail. Professor Bush indicated that perhaps for the next two or three years Bruton High School would be the site, as the school is under-utilized and the York County School Board has approved the use of the building. He said a great deal will depend on the response the college receives from this area.

Mr. Oliver stated that the County has previously communicated with Dr. Cannon, college president, indicating that the County would be pleased to work with the college in developing further campuses and requested Professor Bush to again convey this message.

G. BOARD CONSIDERATIONS

1. Radar Purchase

Mr. Oliver stated that in a continuing effort to improve the County's law enforcement function, the Sheriff's Department has requested the purchase of an additional radar unit.

Mr. Frink moved the approval of the resolution authorizing a transfer of \$2,222 from Contingency Account No. 1850-9011 to the Sheriff's Department Account No. 610-399 for the purchase of a radar unit. The motion carried by a unanimous roll call vote.

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R E S O L U T I O N

BE IT RESOLVED, by the Board of Supervisors of James City County that the sum of Two Thousand Two Hundred and Twenty Two Dollars (\$2,222) be transferred from contingency account number 1830-9011 to Sheriff's Department, account number 610-399 in order to purchase a radar unit.

2. Microfilm Equipment Office of the Clerk of the Circuit Court

Mr. John E. McDonald, Assistant to Administrator/Finance, stated that the Board of Supervisors had previously appropriated \$4,500 for a microfilm printer/reader for the Clerk's office. Mr. McDonald stated the figure was an estimate and has proved to be too low. He said that based upon the City of Williamsburg's usage of the equipment, it has contributed \$1,000. Mr. McDonald requested the Board of Supervisors to transfer \$319 from the Contingency Account to the Microfilm Capital Account.

Mr. Donaldson moved the approval of a resolution authorizing a contingency transfer of \$319 to the Microfilm Capital Project Account. the motion carried by a unanimous roll call vote.

R E S O L U T I O N

TRANSFER OF CONTINGENT FUNDS

WHEREAS, the Board of Supervisors of James City County has appropriated funds to purchase a microfilm reader/printer to improve the storage, security, retention and access of public records;

NOW, THEREFORE, BE IT RESOLVED that \$519.00 be transferred from the Contingency Account Number (01-01850-9011) to the Microfilm Capital Project Account Number (01-05600-6120) for the purposes of fully funding the purchase of the equipment.

3. James City County Hydrologic Test Well

Mr. Oliver stated that this was an item carried over from the Board's last meeting. He said that the County entered into a hydrology study approximately two years ago and originally the proposal had included a test well, but due to limitations of funding at the time in negotiations with the U.S. Geological Survey (U.S.G.S.) personnel, the County eliminated the test well. Now, he said, the survey has progressed to the point where U.S.G.S. is requesting the County to reconsider including the test well and in addition Dr. Jerry Johnson, Geologist at William and Mary College, as well as Mr. Rick Brower of the State Water Control Board and some engineering consultants the County has used, have indicated their endorsement of the concept.

Mr. Oliver recommended that the Board of Supervisors adopt a resolution appropriating \$72,000 for the construction of a test well and indicated that U.S.G.S. would be providing \$30,000 in management assistance to the project. Mr. Oliver indicated that the test well would be located at the site Owens-Illinois has dedicated to James City County in Toano.

Mr. Donaldson moved the approval of the resolution.

Mr. Taylor indicated that he felt many people were dissatisfied with his decisions regarding the Toano Sewer because his constituents have had to hook up to it. He stated that his constituents preferred their own individual wells and this test well may lead to a compulsory hook-up to a water system.

Mr. Oliver stated that this well would be basically an exploratory well to determine exactly what is available in the central part of the County. It would be a very deep test well, he said, and the geologists do not expect it to have any effect on the relatively shallow wells in that area. Basically this well would be for the purpose of providing the Board of Supervisors with information regarding what kind of water the County possesses.

The Board of Supervisors voted on Mr. Donaldson's motion to approve the resolution authorizing the appropriation of \$72,000 for the development of a test well. The motion carried by a vote of four to one. Mr. Taylor voted no.

RESOLUTION

WHEREAS, the Honorable Chairman and the Board of Supervisors of James City County recognize the benefits that detailed hydrologic studies provide the County, and

WHEREAS, the proposed test well will generate vital information concerning the potential for continued and expanded public supply while resolving the deficiencies in the U.S. Geologic Survey and Virginia State Water Control Board data base,

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that James B. Oliver, Jr., County Administrator, be hereby authorized and directed to review bids and award a bid for the test well and to negotiate contracts with the selected bidder,

BE IT FURTHER RESOLVED, that the James City County Board of Supervisors does authorize an appropriation for services from the Utility Development Fund, such appropriation not to exceed \$72,000 as the County's total direct involvement in the investigation.

4. S.D. #2 - Liens

Mr. Donaldson moved the adoption of two resolutions authorizing the delinquent charges for use of the S.D. #2 sewer and water systems to be entered into the Judgment Lien Docket of the Clerk's Office against Blue Ribbon Properties and G&L Corporation. The motion carried by a unanimous roll call vote.

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RESOLUTION

Sanitary District #2 - Lions

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in the James City County Sanitary District No. 2 delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems and for which the charges were 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 delinquent charges for use of the Sanitary Sewer and Water Systems in James City County Sanitary District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number 11-01-277700-6	Blue Ribbon Properties George C. Norris 1865 Airline Boulevard Portsmouth, VA 23707
Description of Property: Lot 2777 2777 Pocahontas Trail Deed Book 167, Page 618	

Amount Due:	Water	\$1,678.70
	Sewer	1,976.70
	Penalty	417.50
	Previous Lien Fee	2.00
	Lien Fee	2.00
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	Total	\$4,076.70

Account Number 11-01-278900-7	Blue Ribbon Properties Office
Description of Property: 2789 Pocahontas Trail Deed Book 170, Page 387	

Amount Due:	Water	\$ 18.50
	Sewer	26.50
	Penalty	4.50
	Previous Lien Fee	2.00
	Lien Fee	2.00
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	Total	\$ 53.50

RESOLUTION

Sanitary District No. 2 - Liens

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in the James City County Sanitary District No. 2 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 and for which the charges were 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 delinquent charges for use of the Sanitary Systems in James City County Sanitary District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

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Account Number 11-01-281100	G & L Corporation T/A Hickory Grove Trailer Park 200 Page Street Williamsburg, VA 25185
Description of Property	2811 Pocahontas Trail Williamsburg, VA 25185 Lot 2811
Period Covered:	7/1/78 - 9/30/78
Amount Due:	Water: \$ 409.75 Sewer 508.25 Penalty: 91.80 July Penalty: 107.40 Fee: 2.00 TOTAL: \$1,117.20

5. Dedication of Streets in Pineridge Subdivision

Mr. Frink moved the adoption of a resolution requesting the acceptance of Wilderness Lane and Longleaf Circle into the Virginia Department of Highways and Transportation's State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

DEDICATION OF STREETS INTO STATE SECONDARY ROAD SYSTEM

WHEREAS, the developer of Pineridge Subdivision 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 Pineridge Subdivision, James City County in the State Secondary Highway System.

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Description:

Wilderness Lane - From: Route 168	0.40 Mi.
To: 0.40 Mi. NW to End Cul-de-sac	50' R/W
Longleaf Circle - From: Wilderness Lane	0.04 Mi.
To: 0.04 Mi. NW 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 Pineridge Subdivision, Plat Book 34, Page 67 & 68.

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

6. Poultry Claim

Mr. Taylor moved the approval of a poultry claim authorizing the County to reimburse \$39 to Mr. Hampton Lee Meekins for the destruction of 13 laying hens. The motion carried by a unanimous roll call vote.

7. Case No. Z-7-78. Amendments to the A-1, A-2, R-1, R-2, and R-3 Districts

Mr. Oliver, County Administrator, stated that the Board had previously tabled this item and requested Mr. Porter to brief the Board once again.

Mr. Porter, Planning Director, stated that Case No. Z-7-78 proposes two amendments to the Zoning Ordinance. The first amendment is to decrease the minimum lot frontage requirements for lots of one acre or less without a central water or sewer system from 125 feet to 100 feet in the A-1, A-2, R-1, R-2 and R-3 Districts. The second amendment is the proposal to increase the minimum lot size in the A-1, General Agriculture District from 20,000 square feet to 30,000 square feet for lots containing individual wells and septic tanks. Mr. Porter explained the reasons for requesting the two amendments. Mr. Porter then introduced Dr. Gordon Bell, Health Department Director, to the Board.

Dr. Bell indicated that he could not consider the amendment to increase lot sizes as a critical public health hazard at the present time but considers this amendment in the realm of preventive health. Dr. Bell stated that there have been many septic tank failures and many places where the Health Department felt it unwise to establish individual septic tank drain fields due to the Health Departments placement requirements of septic tanks and wells. Dr. Bell explained to the Board the various types of soils and the life length of septic tanks located in the various soils.

Messrs. Ware, Taylor and Frink raised objections to the lot increase amendment, including the factor of economics indicating low-income people could not afford larger lots.

The Board discussed the idea of issuing permits on the basis of individual perk tests of lots rather than size. Dr. Bell indicated that the Health Department does not have the manpower to set up and process such a cumbersome procedure.

Mr. Ware moved to approve decreasing the minimum lot frontage requirements for lots of one acre or less without a central water or sewer system from 125 feet to 100 feet in the A-1, A-2, R-1, R-2, and R-3 Districts and moved to keep the minimum lot size in the A-1 District 20,000 square feet for lots containing individual wells and septic tanks.

After further Board discussion, Mr. Ware's motion carried by a three to two vote. Messrs. Donaldson and Edwards voted no.

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8. Budget Calendar - FY80 Budget

The Board accepted the proposed Budget Calendar for FY80.

9. Central Fire Station Construction Contract

Mr. Oliver, County Administrator, stated the County had re-bid the project and now has a reasonable bid.

Mr. Frink moved the approval of the contract with Norman Sawyer and authorized execution of same. Mr. Frink also moved to authorize a transfer of \$29,038 in funds currently budgeted for Fire Department salaries to the Central Fire Station Capital Budget account. The motion carried unanimously by a roll call vote.

H. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards asked if anyone in the audience would like to address the Board.

Mr. Sam M. Hazelwood stated that when the County moved the Commissioner of the Revenue office to the Government Center that office took its key to the landmap book kept in the Clerk's office. Mr. Hazelwood indicated that if you need to look up who owns property or are doing an appraisal there is not a key in the Clerk's office with which to reference the landmap.

Mr. Donaldson requested the Chairman to request the County Attorney to investigate the impact of not having a key to the landmap at the courthouse.

G.-10. TOANO SEWER CONSTRUCTION FINANCING

Mr. McDonald, Assistant to Administrator/Finance, indicated that the Board of Directors of the Service Authority has authorized him and the Chairman of the Authority to obtain short-term financing for the Toano/Route 60 West Sewer Construction Project. Mr. McDonald explained that due to market conditions and lack of experience in pricing a short-term loan without the full faith and credit of the County, he had not been able to negotiate an interest rate that appeared reasonable. Mr. McDonald requested the Board to authorize use of the County's General Fund to advance these funds with the provision that it be repaid as soon as possible.

Mr. Donaldson moved that the Board of Supervisors advance from the General Fund the sum of \$120,000 to the James City Service Authority in order for it to meet construction financing requirements, pending negotiation of acceptable financing through other sources, to be repaid to the County within six months. The motion carried by a unanimous roll call vote.

There being no further business to come before the Board, Mr. Donaldson moved to adjourn into executive session for purposes of being briefed on an industrial prospect locating in the County. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 9:24 P.M.

Prior to executive session the Board convened as the James City Service Authority Board of Directors.

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AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FIFTEEN DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-EIGHT AT 9:32 P.M.

A. ROLL CALL

As indicated above.

Mr. Donaldson moved to reconsider the previously approved motion of the Board regarding Item G-10 -- Toano Sewer Construction Financing and requested the Board to approve a resolution that the County Attorney had drawn up reflecting the action of the Board. The motion carried by a unanimous roll call vote.

RESOLUTION

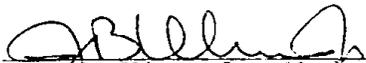
WHEREAS, the James City Service Authority is in need of funds on a short term basis to meet construction finance requirements for the Toano/Route 60 W. Sewer Construction Project, and,

WHEREAS, the Board of Supervisors of James City County is willing to loan such necessary funds in the amount of \$120,000 to be repaid within 6 months from the date here of.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes a loan to the James City Service Authority to meet construction and finance requirements for the Toano/Route 60 W. Sewer Project in the amount of \$120,000 to be repaid within a period of 6 months hereof.

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 9:50 P.M.


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