

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

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A. ROLL CALL

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

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

B. MINUTES - May 14, 1979

Mr. Frink moved to approve the minutes of May 14, 1979, as printed. The motion carried by unanimous roll call vote.

C. PRESENTATION

1. Presentation By County School Board

Mr. Bob Hunt, speaking on behalf of the School Board, stated the purpose of the School Board addressing the Board of Supervisors at this time was to reaffirm their position and recommendation in reference to the proposed Matthew Whaley renovations. Mr. Hunt said there had been some confusion generated as to whether the School Board was in favor of their original proposal for total renovation of the Matthew Whaley School or of a revised and somewhat more limited in scope proposal which had been presented at the request of a specific City Board member, following the May 8th meeting of the Joint School Boards. Mr. Hunt concluded his remarks by again stating that both School Boards favored their original position of complete renovation of Matthew Whaley School and their request for funding for the same.

Dr. Henry Renz, Superintendent of Schools, spoke in reference to the funding for the project, stating that very little funding would be necessary this fiscal year, with most of the money being required during the next two fiscal years. Dr. Renz explained that the initial proposal was for complete renovation, in order to extend the useful life of the school for 25 years. For this total renovation, the cost would be approximately 1.3 or 1.4 million dollars. This is the proposal both School Boards endorsed in January and again in May. The second proposal was the outgrowth of a meeting with City Council in which there had been some reservations expressed. At that time the School Boards were requested (by a single member of the City Board) to submit a scaled-down proposal. The proposal was prepared by the architect and presented to the School Boards at their last meeting and at that time they voted not to endorse the scaled-down proposal but instead to reaffirm the original \$1.4 million proposal for total renovation of the school.

A brief discussion followed Dr. Renz's comments.

Mr. Sam Powell asked if a specific time frame could be set for the School Board to return to present their views to the Board of Supervisors after the staff has had time to make a recommendation.

Mr. Oliver responded that the staff would talk to the Board of Supervisors regarding this issue in Executive Session, at which time the funding issues with the City would be considered; and the School Boards would, of course, be kept informed of all developments.

2. Presentation by Lamar Jolly, President of Lamar Jolly Associates, on Industrial Bond Issue.

Mr. Lamar Jolly made a brief presentation to the Board members, wherein he requested James City County to ask Virginia Peninsula Industrial Council to help finance through Industrial Revenue bonds, a 120-room Howard Johnson's motor hotel and restaurant to be located on Rt. 60. Mr. Jolly said this proposed facility would employ 45-50 people, the payroll would average \$350,000 per year and would add to the economic base of the County. He stated he would like to start construction this summer and open in the spring. In summary, Mr. Jolly stated he would like to have the Virginia Ports Authority consider his request this Friday, June 15.

A brief discussion followed Mr. Jolly's presentation.

Mr. Ware moved to have the County Administrator write a letter for the Chairman of the Board's signature stating support of the Virginia Ports Authority financing the project through Industrial Revenue bonds. The motion carried by a unanimous roll call vote.

3. Presentation by Representative of Alan M. Voorhees and Associates, Inc., Regarding Transit Marketing Study.

Mr. Tony Conyers, Transit Director, introduced Mr. Jim Watt of Alan M. Voorhees and Associates, Inc., who presented a brief up-date of the Transit Marketing Study.

Mr. Watt briefly outlined the workprogram and schedule of events involved with the study. To date, his firm has made a rider survey, telephone survey and done other preliminary data collection and market evaluation. Mr. Watt concluded his comments by saying a draft report would be presented in July, setting forth the scope of reasonable improvements and associated costs for the transit system.

D. PUBLIC HEARINGS

1. Ordinance - Vacation of Plat - Smith Subdivision, Lots 1, 2 and 3

Mr. William Porter, Planning Director, presented this item to the Board.

Mr. Taylor opened the public hearing on this case. No one wished to speak and Mr. Taylor closed the public hearing.

Mr. Donaldson moved to approve the ordinance for the vacation of common lot lines between lots 1, 2 and 3 of Smith Subdivision.

The motion carried by a unanimous roll call vote.

ORDINANCE NO. 129

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT SHOWING SUBDIVISION OF PROPERTY OF SCHUYLER AND TROY SMITH, (BEING A PART OF SARAH WALLACE ESTATE) JAMESTOWN DISTRICT, JAMES CITY COUNTY, VIRGINIA" AND MORE PARTICULARLY DESCRIBED AS THAT COMMON LOT LINE OF LOTS 1 AND 2 AND THAT COMMON LOT LINE OF LOTS 2 AND 3 AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Alvin P. Anderson, Esquire, on behalf of Dr. James S. Ellis, purchaser of lots 1, 2 and 3, 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 14.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended, and

WHEREAS, the Board of Supervisors did consider such application on the 11th day of June, 1979, 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 of lots 1 and 2 and that common lot line of lots 2 and 3 as shown on that plat entitled, "Plat Showing Subdivision of Property of Schuyler and Troy Smith (Being a Part of Sarah Wallace Estate) Jamestown District, James City County, Virginia," prepared by A. H. Andrew, Engineer & Associate, and recorded in Plat Book 19, page 47, on April 19, 1962, in the Clerk's office of the Circuit Court for the City of Williamsburg and County of James City County be and the same is hereby vacated.
2. That a new plat entitled, "Survey for Conveyance a Parcel Containing 0.631 acres being lot 1, 2 and 3 of Smith Subdivision owned by Bank of Virginia Peninsula to Dr. James Ellis, Jamestown District, James City County, Virginia," dated February 21, 1979, and prepared by G. T. Wilson, Jr., Certified Land Surveyor, be put to record in the Clerk's office of the Circuit Court for the City of Williamsburg and the County of James City, Virginia.

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

2. (a) CASE NO. Z-17-78 - An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 9, Industrial Limited, District M-1, by repealing it in its entirety and replacing it with a new Division 9.

2. (b) CASE NO. Z-16-78 - An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 10, Industrial, General District M-2, by repealing it in its entirety and replacing it with a new Division 10.

Mr. William Porter, Planning Director, presented this item to the Board.

Mr. Taylor opened the public hearing on Case No. Z-16-78 (M-2 District). No one wished to speak and Mr. Taylor closed the public hearing.

A brief discussion followed Mr. Porter's presentation.

Mr. Taylor opened the public hearing on Case Z-17-78 (M-1 District) no one wished to speak and Mr. Taylor closed the public hearing.

A brief discussion followed during which Mr. Frink stated although he had no specific directives in reference to these amendments, he would prefer more time to study them. Mr. Edwards had some concern regarding the fact that the commercial uses had been removed from the list of permitted uses, but then had been reinstated. He felt that a few current businesses will be protected but at the expense of future industries. He further stated it did not seem to be very sound to have a manufacturing district with so many commercial uses.

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Mr. Frink moved to table Case No. Z-16-78 and Z-17-78 until the June 25 meeting. The motion carried by a unanimous roll call vote.

Mr. Taylor called attention to the fact that there were a number of people in the audience in respect to the Community Development Grant Application and rather than have them wait for such a long period of time -- there being no objection -- he moved Item H-1 forward on the agenda.

H. REPORTS OF THE COUNTY ADMINISTRATOR

1. Community Development Application Briefing

Mr. Robert Murphy presented each Board member a draft copy of the Community Development Application. Mr. Murphy briefly outlined the status of the grant application and asked that the Board members review the draft before the public hearing on June 25th. He also commented the application has to be filed with HUD by July 1st. Mr. Murphy concluded his remarks by stating the administration of this program will be rather complex, with a Housing Rehabilitation program being the most complex.

Mr. Oliver asked Mr. Trumbo to introduce the members of the Citizens Advisory Committee for the Community Development area; those present were introduced.

E. CONSENT CALENDAR

Mr. Taylor moved for approval of both Consent Calendar items. The motion carried by unanimous roll call vote, and the following items were approved:

1. Certification of Warrants

CERTIFICATION OF WARRANTS

May, 1979

On a motion of Mr. Taylor and carried by unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia hereby certifies the following warrants for the month of May, 1979.

GENERAL FUND	Checks	#7352 - 7595
	Totalling	\$388,436.71
GENERAL FUND PAYROLL	Checks	#16814 - 17181
	Totalling	\$115,584.02
SANITARY DISTRICT NUMBER 1	Checks	#68 - 71
	Totalling	\$9,013.28
SANITARY DISTRICT NUMBER 2	Checks	#46 - 57
	Totalling	\$5,412.03
SANITARY DISTRICT NUMBER 3	Checks	#831 - 854
	Totalling	\$15,060.69
SUBDIVISION ESCROW	Check	#4
	Totalling	\$15,000.00
REVENUE SHARING	Checks	#555 - 557
	Totalling	\$3,474.10
ANTI-RECESSION	Checks	#6 - 7
	Totalling	\$1,514.31

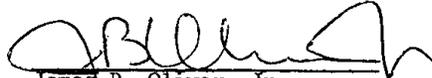
TOANO WATER CONSTRUCTION - 0 -

JCC BOND SINKING FUND - 0 -

REGIONAL JAIL CONSTRUCTION Check #8
Totalling #25,000.00

Certified a true excerpt of the minutes of the James City County Board of Supervisors' meeting held on 11th day of June, 1979.

ATTEST:


James B. Oliver, Jr.
County Administrator

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2. Setting Public Hearing Date of July 9, 1979 - Vacation of Plat - Jacobs Road

F. BOARD CONSIDERATIONS

1. CASE NO. CUP-13-79 - VEPCO Toano-Substation

Mr. William Porter, Planning Director, presented this item to the Board.

A brief discussion followed and Mr. Taylor moved for issuance of a Conditional Use Permit for the VEPCO Toano-Substation. The motion carried by unanimous roll call vote.

2. Resolution - County Affirmative Action Plan

Mr. Tony Conyers presented this matter to the Board.

A brief discussion followed and Mr. Edwards moved for approval of the resolution adopting a revised Affirmative Action Plan. The motion carried by unanimous roll call vote.

RESOLUTION

AFFIRMATIVE ACTION PLAN

WHEREAS, The James City County Board of Supervisors adopted by resolution on April 26, 1976 an Affirmative Action program and

WHEREAS, The Board of Supervisors now deem it in the best interest of James City County to repeal the resolution dated April 26, 1976 and in its stead adopt a revised Affirmative Action Plan.

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

- (1) It hereby repeals the resolution dated April 26, 1976 adopting an Affirmative Action policy.
- (2) It hereby adopts that document entitled "Proposed Affirmative Action Plan" for Equal Employment Opportunity, James City County, Virginia, dated June 1979.

3. Boards and Commissions Appointments

This item was deferred until after an Executive Session later on the agenda.

4. Shellbank Woods Water System

Mr. Taylor relayed a request by Mr. Bill Bull to defer action on this matter until the next meeting due to the fact that Shellbank Woods Corporation had not had time to work out all details with Sydnor Hydrodynamics.

Mr. Donaldson moved to table this item until the next regularly scheduled meeting on June 25. The motion carried by unanimous roll call vote.

5. Consideration of an Industrial Development Authority

Mr. Oliver presented this item to the Board, summarizing some of the issues regarding reactivation of the Industrial Development Authority.

Mr. Morton pointed out that the proposed amended ordinance for the Industrial Development Authority would have to be advertised for public hearing.

Mr. Donaldson stated he would be in favor of reactivating the Industrial Development Authority and moved to advertise the changes in the Industrial Development Ordinance in time to be considered during the July 9th meeting.

There was a brief discussion. The motion carried by a 4-1 majority roll call vote. Mr. Edwards voted no.

Mr. Donaldson also stated that during Executive Session consideration could be given to making appointments to the Industrial Development Authority.

G. MATTERS OF SPECIAL PRIVILEGE

None.

H. REPORTS OF THE COUNTY ADMINISTRATOR

1. Community Development Application Briefing

This item had been acted upon previously during this meeting.
(See item No. F-4)

Mr. Oliver reported an Executive Session would be necessary in order to discuss appointments and two legal matters.

I. BOARD REQUESTS AND DIRECTIVES

None.

Mr. Wilford Kale, representing the Times-Dispatch, asked if the Board intended to discuss anything related to the question concerning the Matthew Whaley school renovations during Executive Session. It was stated that this matter would not be considered tonight.

Mr. Donaldson moved to adjourn into Executive Session for the purpose of discussing personnel and legal matters. The motion carried by a unanimous roll call vote. The Board members convened in Executive Session at 9:16 P.M. and returned at 10:07 P.M.

Mr. Donaldson moved to appoint the following individuals to the respective boards:

Virginia Carey	-	Wetlands Board	-	unexpired term of Ross Davis
Charles M. Quittmeyer	-	Peninsula Airport Commission	-	4 years
Dorothy Healy	-	Eastern Virginia Health Systems Agency	-	3 years
Rev. Thomas Shields	-	Thomas Nelson Community College Board	-	4 years

The motion carried by a unanimous roll call vote.

The JAMES CITY SERVICE AUTHORITY convened with the BOARD OF SUPERVISORS in order to act jointly upon a resolution covering connection fees in Sanitary District No. 2.

Mr. Donaldson moved to approve a resolution levying certain connection fees in Project Area No. 4 in Sanitary District No. 2. The motion passed by unanimous vote of the BOARD OF SUPERVISORS and JAMES CITY SERVICE AUTHORITY.

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JOINT RESOLUTION OF
 JAMES CITY COUNTY BOARD OF SUPERVISORS
 AND
 JAMES CITY SERVICE AUTHORITY

WHEREAS, by resolution adopted January 13, 1975, the James City Service Authority requested James City County Sanitary District No. 2 to provide water service to Building #96 (Administration) situate in Project Area No. 4 adjacent to Sanitary District No. 2, and

WHEREAS, Project Area No. 4 rates were to be charged for the availability and amortization charges, and

WHEREAS, the James City Service Authority is of the opinion that the best interests of the Authority and County would be served by charging availability rates for said Building #96 computed on then existing Sanitary District No. 2 rates, and

WHEREAS, the Board of Supervisors concurs in the opinion of the James City Service Authority,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of James City Service Authority that it hereby amends its resolution dated January 13, 1975, and requests James City County Sanitary District No. 2 to provide service to the Busch Gardens Administration Building (Building #96) and further that a Sanitary District No. 2 availability rate based on the schedule in effect January 13, 1975 be charged while amortization charges based on Project Area No. 4 rates continue to be levied.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County does hereby agree to provide such service to Building #96 and to levy rates in accordance with the above request of the James City Service Authority.

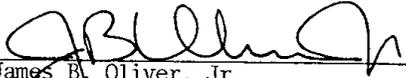
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There were no further matters to come before the Board and Mr. Ware moved to adjourn.

The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 10:13 P.M.


James B. Oliver, Jr.
Clerk to the Board