

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

A. ROLL CALL

Stewart U. Taylor, Chairman, Stonehouse District
Abram Frink, Jr., Roberts District
Jack D. Edwards, Berkeley District

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

B. PUBLIC HEARINGS

1. Vacation of Plat - "The Foxes"

Mr. Oliver stated that a presentation was prepared on this matter, however, he did not feel one was necessary unless the members of the Board requested one since there was no one in attendance that wished to speak on the matter.

Mr. Taylor opened the public hearing for this matter. No one wished to speak and Mr. Taylor closed the public hearing.

There was no discussion.

Mr. Edwards moved for approval of the ordinance to vacate the common lot lines between Lots 10 and 11 of "The Foxes." The motion carried by a unanimous roll call vote.

ORDINANCE NO. 135

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED "THE FOXES, ELIZABETH N. VAIDEN, OWNER-DEVELOPER, JAMES CITY COUNTY, VIRGINIA" AND MORE PARTICULARLY DESCRIBED AS THAT COMMON LOT LINE OF LOTS 10 & 11 AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Elizabeth N. Vaiden, owner and developer of Lots 10 and 11, to vacate a certain property line 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 10th day of December, 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 10 and 11 as shown on that plat entitled "The Foxes, Elizabeth N. Vaiden, Owner-Developer, James City County, Virginia," dated November 24, 1976, prepared by Vincent A. McManus & Associates, Williamsburg, Virginia, and recorded in Plat Book 34, page 22, on December 28, 1976 in the Clerk's Office of the Circuit Court for the County of James City and the City of Williamsburg be and the same is hereby vacated.

2. That a new plat entitled, "Plat for Vacation of Line 5 Between Lots 10 & 11, "The Foxes, Owned & Developed by Elizabeth N. Vaiden, Located James City County, Virginia" and prepared by Spearman & Associates, Incorporated, Land Surveying, dated October 24, 1979, be put to record in the Clerk's Office of the Circuit Court for the County of James City and City of Williamsburg.

2. Case No. Z-11-79 - Definition of a Mobile Home Park

Mr. William C. Porter, Planning Director, presented this matter to the members of the Board stating that concern had been expressed by members of the Board, Planning Commission and citizens that multiple mobile homes on a single parcel of land is in effect establishing a mobile home park and should be controlled by the Mobile Home Park provisions of the James City County Code.

He went on to say that amending the definition of a mobile home park would require small mobile home parks to meet the same standards as large parks. Mr. Porter further stated that the Planning Commission had voted unanimously to recommend approval by the Board of Supervisors to amend the definition of mobile home parks.

A brief discussion followed Mr. Porter's presentation.

Mr. Taylor opened the public hearing for this matter. No one wished to speak and the public hearing was closed.

Mr. Edwards stated that because an emergency ordinance had been adopted for this matter at the November 15 meeting, and was in effect until January 15, 1979, the matter should be deferred to the December 27, 1979 Board meeting. There being no objection, the matter was deferred to the December 27 meeting.

C. PRESENTATION by Alan M. Voorhees and Associates' Representative--
Transit Marketing Study

Mr. Anthony Conyers, Director of Transit, introduced Mr. Jim Watt, a representative from Alan M. Voorhees Associates.

Mr. Watt began by stating that Voorhees began the Transit Marketing Study early in 1979. He summarized the study by stating that the main objectives included creating a system to provide a link between scattered residents, improving services to low income, handicap and those that have definite needs for transit services, becoming a centralized system, i.e., replacement or consolidation of services, and experimenting with a self-supporting system. He further stated that the service is efficiently operated in terms of management and operation and that the fares charged were reasonable, although an increase in fares would reduce ridership. Mr. Watt also stated that ridership has been increasing with October being the highest month thus far.

A brief question/answer period followed Mr. Watt's presentation.

D. CONSENT CALENDAR

Mr. Taylor moved for approval of the eight items on the Consent Calendar. The motion carried unanimously and the following items were approved:

1. CASE NO. Z-12-79 - Setting Public Hearing Date

The staff memorandum covering this item requested a public hearing be set for January 14, 1980 to amend Chapter 20, Article 1, Section 20-10, Conditional Use Permits. The amendment would transfer the authority to issue conditional use permits from the Board of Supervisors to the Planning Commission.

2. Pre-Budget Public Hearing - Setting Public Hearing Date for
January 14, 1980.

3. Bank Account Name

The staff memorandum covering this item requested the members of the Board to adopt a resolution changing the bank account name of the "Toano Water Construction Fund" to the "Community Development Fund", the reason being that the current name is both misleading and obsolete.

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RESOLUTION

WHEREAS, the current account title of the Toano Water Construction Fund has become both misleading and obsolete;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County does hereby authorize the County Treasurer to change the name of the "Toano Water Construction Fund" account to the "Community Development Fund" account.

4. CERTIFICATION OF WARRANTS

R E S O L U T I O N

CERTIFICATION OF WARRANTS

WHEREAS, the Board of Supervisors of James City County must certify warrants under the Code of Virginia;

THEREFORE, BE IT RESOLVED, that on a motion by Stewart U. Taylor and carried by a 3-0 roll-call vote, the Board of Supervisors of James City County hereby certifies the following warrants for the month of November, 1979:

GENERAL FUND	Checks	#8821-9089
	Totalling	\$752,299.52
GENERAL FUND PAYFOLL	Checks	#19092-19477
	Totalling	\$127,910.60
SANITARY DISTRICT NUMBER 1	Check	#80
	Totalling	\$2,900.97
SANITARY DISTRICT NUMBER 2	Checks	#118-125
	Totalling	\$2,077.95
SANITARY DISTRICT NUMBER 3	Checks	#943-963
	Totalling	\$6,629.92
SUBDIVISION ESCROW	Check	#5
	Totalling	\$2,000.00
REVENUE SHARING	Checks	#602-613
	Totalling	\$142,982.12
ANTI-RECESSION	Checks	#14-15
	Totalling	\$2,261.27
TOANO WATER CONSTRUCTION		- 0 -
JCC BOND SINKING FUND		- 0 -
REGIONAL JAIL CONSTRUCTION		- 0 -

5. Commission of the Arts Grant

The staff memorandum covering this item requested the Board adopt a resolution to accept grant funds from the Commission for the Arts for the purpose of matching the \$2000 in local contributions to the Williamsburg Players and to forward these funds to the Williamsburg Players and make adjustments to the FY 1980 budget for the purpose of matching these funds.

RESOLUTION

WHEREAS, the Board of Supervisors has received a matching grant on behalf of the Williamsburg Players from the State Commission for the Arts;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County accepts the grant funds from the State Commission for the Arts for the purpose of matching the \$2,000 in local contributions to the Williamsburg Players; and

BE IT FURTHER RESOLVED, that the County Administrator be authorized to forward such funds to the Williamsburg Players upon receipt and that the following adjustments to the FY 80 Budget, as adopted, shall be made:

Revenues	
Due from Commonwealth Commission of the Arts	+ \$2,000
Expenditures	
Contributions-Human Services Williamsburg Players	+ \$2,000

6. CUP-68-79 - Gerald B. Richardson - Conditional Use Permit Application

The staff memorandum covering this item requested the members of the Board to approve the application of a conditional use permit for Mr. Gerald B. Richardson in light of the fact that all conditions for placing a mobile home on Mr. Richardson's property in the A-1 Zoning District have been met.

RESOLUTION

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for the consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned by the applicant as described below and as detailed in the attached application and site location:

Applicant:	Gerald B. Richardson
Tax Map ID:	18-20A
District:	Powhatan
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None

7. CUP-69-79 - Fred Olivieri Construction Company, Inc. - Conditional Use Permit Application

The staff memorandum covering this item requested the members of the Board to approve the conditional use permit for the Fred Olivieri Construction Company to place an office/construction trailer on the development site for the new J. Ross Brown's Whaling Station Restaurant in the Busch Corporate Center. The permit period would be limited to the completion date of the project (6/30/80).

RESOLUTION

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for the consideration of an application for a Conditional Use Permit have been met;

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THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned by Foodmaker Inc. and developed by the applicant as described below and as detailed in the attached application and site location:

Applicant: Fred Olivieri Construction Company, Inc.
Tax Map ID: 34((1))5B
District: Roberts
Zoning: M-1, Limited Industrial
Permit Term: Completion date - June 30, 1980
Further Conditions: None

8. Community Development Agreements

The staff memorandum covering this item requested the members of the Board to adopt a resolution authorizing the County Administrator to execute agreements associated with the Carriage Road Community Development Program.

RESOLUTION

WHEREAS, the Housing and Community Development Act of 1977 provides James City County, Virginia with Federal assistance in the form of Community Development Block Grant Funds to carry out eligible community development activities under said act, and;

WHEREAS, James City County is authorized by the Department of Housing and Urban Development to spend Community Development Grant Funds for eligible Community Development activities under said Act;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute the necessary agreements to carry out eligible Community Development activities under the Housing and Community Development Act of 1977.

E. BOARD CONSIDERATIONS

1. School Boards' Proposed Computer Replacement

Mr. John E. McDonald, Assistant to the Administrator, presented this matter to the Board recommending the commitment of \$14,245 to replace the current Burrough's Computer system for the School Boards from the General Fund's Capital Replacement fund.

A brief discussion followed Mr. McDonald's presentation.

Mr. Frink moved to approve the resolution authorizing the commitment of \$14,245 for the replacement of the current Burroughs System. The motion carried by a unanimous roll-call vote.

RESOLUTION

WHEREAS, the Board of Supervisors has been requested by the Division Superintendent of the Williamsburg-James City County Public Schools to approve the commitment of \$14,245, matched by a like contribution from the City of Williamsburg, to replace and upgrade the current financial data processing system; and

WHEREAS, the County staff has evaluated the proposal and endorsed the Superintendent's recommendation;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors authorize the commitment of up to \$14,245; matched by the City of Williamsburg, to the Joint School Boards for the purpose of upgrading their data processing efforts in the manner indicated; and

BE IT FURTHER RESOLVED, that the funds be expended from the Capital Replacement Fund of the County; and

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BE IT FURTHER RESOLVED, that the County Administrator be authorized to procure such equipment as indicated in the proposal as is necessary to fulfill the terms of the agreement; and

BE IT FINALLY RESOLVED, that the County Administrator be directed to establish an appropriate agreement for the operation of a consolidated data processing operation with the Joint School Boards.

2. Solid Waste Disposal

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the members of the Board informing them that he had invited Mr. John Henson, Vice President of J. K. Timmons & Associates and Dr. Harold Matthews, President of Old Dominion Soil Consultants, Inc., to give a brief presentation on the Solid Waste Disposal operations and the Landfill. Although they were not prepared to make a recommendation at this time, they wished to make the members of the Board aware of potential problems with the current operations and let the Board know what is being done to correct these problems.

3. Firewood Cutting-County Landfill

Mr. W. L. Apperson, Chief Forest Warden, presented this matter to the Board. He requested that the County take an active part in re-opening the County Landfill for the purpose of cutting firewood. In the past, the County had unofficially permitted limited woodcutting in the County Landfill, however, the Landfill was recently closed for this purpose.

Mr. McDonald stated that the Landfill had been closed early this year for firewood cutting when a citizen of the County injured himself. Mr. McDonald pointed out that it would be difficult to approve Mr. Apperson's request for many reasons. Among these included the fact that there was no reasonable way to provide for a gate check on permits, control cutting activities, provide for road construction and maintenance, and provide first aid capabilities in case someone was injured.

Mr. Taylor stated that he felt there should be some method in which the County could allow firewood cutting for the residents.

Mr. Oliver stated that the County could work on the matter in order to allow firewood cutting, however, it would be difficult and dangerous to allow the residents to be totally on their own.

A brief discussion ensued wherein Mr. Taylor decided to defer the matter to a later date.

4. Transit Department Participation in the Peninsula Planning District Commission Metropolitan Planning Organization

Mr. Anthony Conyers, Director of Transit, presented this matter to the Board. He requested that the Board adopt a resolution authorizing membership by James City County Transit in the Metropolitan Planning Organization.

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

R E S O L U T I O N

MEMBERSHIP IN THE METROPOLITAN PLANNING ORGANIZATION

WHEREAS, James City County is affected by the long-term transportation planning now being done on the Peninsula; and

WHEREAS, James City County Transit has been invited to join the Metropolitan Planning Organization;

THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator and the Chairman of the Board of Supervisors be and that they are hereby directed to execute the attached agreement which authorizes James City County Transit to participate in the Metropolitan Planning Organization of the Peninsula Planning District Commission; also

THEREFORE, BE IT FURTHER RESOLVED that Anthony Conyers, Jr. and Richard Drumwright be appointed as representative and alternative representative to the Metropolitan Planning Organization.

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5. Assurances Required for Transit Funding

Mr. Anthony Conyers also presented this matter to the Board requesting the Board adopt a resolution authorizing the issuance of two assurances required by the Federal Government for the Special Section 13(C) Warranty and a Certification of Nondiscrimination against the Handicapped.

There was no discussion.

Mr. Edwards moved to adopt the resolution. The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

ASSURANCES FOR TRANSIT FUNDING

WHEREAS, James City County wishes to obtain funds from the Department of Transportation; and

WHEREAS, the Federal Government requires the issuance of certain assurances before funds can be made available now;

THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator be and is hereby directed to execute the attached Special Section 13(C) Warranty and the Assurance Concerning Nondiscrimination on the Basis of Handicap in Federally-Assisted Programs and Activities Receiving or Benefitting from Federal Financial Assistance.

6. Board of Supervisors Salaries

Mr. Oliver presented this matter to the Board requesting adoption of the resolution urging the General Assembly to adopt an amendment regarding the salaries of the members of the County's Board of Supervisors. This amendment would change the ceiling from \$1800 to \$5000.

Mr. Edwards moved to adopt the resolution. The motion carried by a unanimous roll-call vote.

RESOLUTION

RESOLUTION Requesting Amendment of Section 14.1-46.01 - Salaries to be fixed by board; limits; acceptance of reimbursement in lieu of salary.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 14.1-46.01 be amended by the General Assembly to permit said Board to determine its compensation up to a limit of \$5,000.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. John F. Moneymaker addressed the Board in reference to compensation for Planning Commission members. Mr. Moneymaker pointed out that the members of the Commission serve at the pleasure of the Board, at their own expense, and further suggested that consideration be given to compensation for these individuals.

Mr. Oliver stated mileage for these individuals is now allowed.

Mr. Morton indicated perhaps the Board could set some compensation, however, he would like to pursue this matter and return to the Board with a recommendation.

Mr. Oliver requested that the members of the Board adopt a resolution appropriating \$18,308 from Revenue Sharing funds for the construction of the Maintenance and Storage Building.

Mr. Edwards moved to adopt the resolution. The motion carried by a unanimous roll-call vote.

RESOLUTION

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MAINTENANCE/STORAGE BUILDING FUNDS

WHEREAS, the Board of Supervisors previously obligated approximately \$18,000 from Revenue Sharing Funds for construction of a maintenance/storage building at the Government Center;

THEREFORE BE IT RESOLVED that \$18,308 is hereby appropriated from Revenue Sharing Funds for construction of a maintenance/storage building at the Government Center;

AND BE IT FURTHER RESOLVED that the County Administrator is hereby authorized to execute a construction contract on behalf of James City County.

G. REPORTS FROM THE COUNTY ADMINISTRATOR

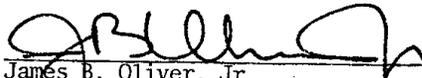
None

H. BOARD REQUESTS AND DIRECTIVES

None

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

The meeting ADJOURNED at 9:47 P.M.



James B. Oliver, Jr.
Clerk to the Board

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