

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-SEVENTH DAY OF DECEMBER, NINETEEN HUNDRED SEVENTY-NINE, AT 3:00 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, Roberts District
Jack D. Edwards, Berkeley District
David W. Ware, Jr., Powhatan District
John E. Donaldson, Jamestown District

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

B. HIGHWAY MATTERS

Mr. Frank Hall from the VDH&T made a brief presentation to the members of the Board reporting that approval had been received for the Grove Interchange. He further stated that VDH&T would petition the Highway Administration for funding for this project.

Mr. Taylor announced that citizens from the Croaker Road Civic Association were present at this meeting and a representative from the Association wished to address the Board members.

Mr. Frink stated he had received a copy of a letter regarding the service road to Poplar Hall Plantation and the many accidents that had occurred on that road.

Mr. Hall reported that shoulder repair work had been accomplished since the letter was written but that nothing further had been done.

1. Croaker Road Civic Association

Mrs. Burton, a representative from the Croaker Road Civic Association, addressed the Board. She stated that the Association would like assistance from the Board in several areas of Croaker Road. The requests included having ditches cleaned on Croaker Road, having a lower speed limit set on Route 607, having a marker or post placed on the road showing where the pavement ends, and having one or more traffic lights placed at various points on Route 607.

Mr. Hall responded to Mrs. Burton's requests by stating that he would look into each of the matters and report back to the Board.

Mr. Taylor read a letter addressed to Mr. Hall from himself requesting a speed study of the road and requesting a recommendation for signing Route 607 as a result of that study. Mr. Taylor provided Ms. Burton with a copy of the letter.

Mr. Donaldson moved for approval of the November 15, 1979 Minutes as printed. The motion carried by a unanimous roll-call vote.

D. PRESENTATIONS

1. Annual Audit

Mr. John E. McDonald made a brief presentation on the annual audit for James City County.

There was no discussion.

2. Fuel Assistance Program

Mr. John Holdren, Director of Social Services, made a presentation on the fuel assistance program in James City County. He explained that this program is used to assist low income families during the winter months in obtaining fuel when such families run out of fuel. This program, reported Mr. Holdren, was designed to assist between 500-800 families. At the present time, the Social Services Department does not have an accurate figure on how many families are currently involved in the program, however, they receive approximately 50-75 applications for fuel assistance per week and 37 households had been denied assistance thus far because they did not qualify. Mr. Holdren stated that the applicant must bring paycheck stubs to verify wages, checking or savings passbooks, any other income verification, copies of unpaid fuel bills, and type of fuel used, size of tank and name of supplier. The program is set up to pay the supplier directly.

A brief discussion followed Mr. Holdren's presentation and Mr. Holdren passed out to the members of the Board a list of items that would be required from citizens applying for this program.

E. BOARD CONSIDERATIONS

1. Publication of Property Maps

Mr. John E. McDonald presented this matter to the members of the Board recommending that the current property and tax maps be reduced in size to produce map books to be made available to the public. Mr. McDonald stated that the advantage of these books include wider distribution, portability and more effective use of the maps.

A brief discussion followed.

Mr. Edwards moved for approval of the resolution authorizing the reduction of the maps for producing the map books. The motion carried by a unanimous roll-call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County has previously authorized the complete updating of property and tax maps and does desire to more fully utilize the maps in a form convenient for both public and private utilization;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the printing of 200 map books for distribution to County commissions, departments, and agencies, and for sale to the public; and

BE IT FURTHER RESOLVED, that a transfer of \$7,800 be authorized as follows:

From General Fund Contingency	\$7,800
To Real Estate Assessments, Special Services	7,800

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2. Uniform Operating Policies - Sanitary District #3

John E. McDonald also presented this matter to the Board, explaining that the Board of Supervisors had supported the staff recommendation that the uniform water and sewer operating policies and rates be implemented as of January 1, 1980. He continued by telling the Board that because of a staggered billing schedule for Sanitary District #3, which would cause a manual proration and adjustment of 1300 utility bills for Sanitary District #3 customers, he recommended that in order to avoid this, the effective date of the new rates be changed from January 1, 1980 to February 1, 1980.

Mr. Donaldson asked whether a public hearing was required to change these dates.

Mr. Morton responded that a public hearing was not necessary in this instance.

There was no further discussion.

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

RESOLUTION

WHEREAS, the Board of Supervisors of James City County has been requested to change the effective date of the Uniform Water and Sewer Utility Operating Policy and Rate Schedule for Sanitary District Number 3;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby authorizes the County Administrator to delay the implementation of the Uniform Water and Sewer Utility Operating Policy and Rate Schedule for Sanitary District Number 3 from January 1, 1980, as previously adopted, to February 1, 1980.

3. FY 1979 - Year End Surplus

Mr. McDonald presented this item to the Board reporting a \$278,109 unappropriated surplus as of June 30, 1979. He recommended that the Board adopt a resolution to appropriate these funds to the Contingency account.

There was no discussion.

Mr. Donaldson moved for approval of the resolution authorizing the appropriation of \$278,109 to Contingency. The motion carried by a unanimous roll-call vote.

RESOLUTION

WHEREAS, the year-end surplus as of June 30, 1979, as previously estimated, has not been recognized and appropriated in the amount of \$278,109;

NOW, THEREFORE, BE IT RESOLVED, that the James City County Board of Supervisors shall appropriate \$278,109 in year-end surplus as follows:

Unappropriated Year-End Surplus	+ \$278,109
General Fund Contingency	+ \$278,109

4. Landfill - Public Access to Firewood

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the Board in response to the interest by the Board in this matter at the last Board meeting. He reported that firewood would be made available to the public at the Landfill under a program set up by the Public Works Department. He stated that woodcutting permits would be required, only specified trees would be available for firewood, and certain schedules would be set up wherein personnel from the Public Works Department would contact citizens with permits when wood was available. Mr. Bass recommended that \$1500 be appropriated

from general fund contingency to the landfill account for seasonal and part-time employees to fund administration of the program for the remainder of FY 80. Mr. Bass also stated that persons receiving permits must release the County from any liability and no one under the age of 18 would be permitted on the site.

Mr. Donaldson asked whether the staff was actually behind this recommendation.

Mr. Oliver responded by saying that the County was uneasy about providing firewood cutting because many people are inexperienced and do not realize the dangers involved.

Mr. Apperson mentioned he had checked with nearby counties and found that these counties allowed unrestricted woodcutting to citizens.

A brief discussion followed and Mr. Oliver indicated that the staff would report on a monthly basis to the members of the Board as to the progress of the program.

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

RESOLUTION

LANDFILL - PUBLIC ACCESS TO FIREWOOD

WHEREAS, it is desirable to make firewood available to the public at the James City County Landfill;

THEREFORE, BE IT RESOLVED that \$1,500.00 is hereby appropriated from general fund contingency to the landfill account for seasonal and part-time employees to fund administration of the public firewood program for the remainder of FY 80.

5. Sidewalk Construction

Mr. Robert M. Murphy, Assistant to the Administrator, addressed the Board concerning this matter. He recommended the approval of a resolution authorizing the expenditure of \$3500 from Contingency for the construction of a sidewalk at the intersection of Routes 31 and 199.

A brief discussion ensued and Mr. Edwards moved for approval of the resolution. The motion carried by a unanimous roll-call vote.

RESOLUTION

WHEREAS, for reasons of traffic and pedestrian safety, the need for a policy governing the placement of sidewalks in James City County has been established;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors establishes the following standards by which requests for sidewalk construction will be judged:

- 1) Population density in the area surrounding the proposed sidewalk shall be at a minimum, 1000 persons per square mile.
- 2) The area in which the sidewalk is to be placed shall be characterized by diverse land use and high traffic flow.

BE IT FURTHER RESOLVED, that since the conditions at the intersection of Routes 31 and 199 meet these above standards, the Board of Supervisors authorizes the construction of a 400-foot extension of sidewalk on the eastern side of Route 31 and that the 1980 General Fund Budget be amended as follows:

Transfer from Contingency	\$3,500
Transfer to Other Expenditures	3,500

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6. Utility Development Expansion

Mr. Oliver presented this matter to the Board stating that approximately \$170,000 remained in the County budget to be designated by the Board for utility development. Mr. Oliver recommended \$70,000 be appropriated for County expansion of the Federally-funded Carriage Road water system and the remaining \$100,000 be appropriated to engage engineers to do the detail work to engineer trunk line expansion along Route 60-West from Lightfoot to Toano.

A brief discussion followed.

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

RESOLUTION

WHEREAS, the Board of Supervisors has appropriated funds in the 1979-80 Budget for Utility Development purposes; and

WHEREAS, it is deemed appropriate and consistent with County Utility plans;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors:

1. Appropriates \$70,000 for the expansion of the Carriage Road Water System to include extension to Tewning Road and Roland Road, and authorizes the County Administrator to execute agreements for the engineering and construction of such work.
2. Appropriates \$100,000 for engineering design of the Route 60-West 16-inch water trunk line between Olde Towne Road and Toano and authorizes the County Administrator to seek proposals for such work.

7. Variance from State Health Department Fluoride Requirements

Mr. Oliver commented that since a presentation on this matter had been made earlier at the meeting of the Service Authority, he felt another presentation was not necessary unless the members of the Board so requested.

Mr. Donaldson 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

FLUORIDE VARIANCE

WHEREAS, the James City County Master Water Plan anticipates that the public water system at Powhatan Shores will be supplied with water containing fluoride within state and federal limits by 1986; and

WHEREAS, the State Health Department is not aware of any risks to public health from fluoride;

THEREFORE, BE IT RESOLVED that the County Administrator is authorized to request a variance from the State Health Department regulations requiring immediate reduction of fluoride levels.

8. Sanitary District #3 - Suburban Water System Improvements

Mr. Bass presented this matter to the Board stating that the staff had solicited proposals from engineering firms for engineering services required to upgrade the four water systems recently purchased from Suburban Water Company. It was recommended that Small Engineering receive the contract on behalf of Sanitary District #3 for the design and construction of the water system improvements.

A brief discussion followed.

Mr. Ware 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

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SANITARY DISTRICT #3 - WATER SYSTEM IMPROVEMENTS - ENGINEERING PROPOSAL

WHEREAS, it is necessary to improve the following community water systems operated by Sanitary District #3: (1) Canterbury Hills, (2) Lakewood, (3) The Colony, and (4) Raleigh Square; and

WHEREAS, Small Engineering, Inc. has submitted an acceptable proposal for engineering services;

THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors and the Clerk to the Board are authorized and directed to execute an agreement with Small Engineering, Inc. on behalf of Sanitary District #3 for engineering services required for design and construction of water system improvements for the above water systems.

9. MICA Consulting Proposal

Mr. John E. McDonald presented this matter to the Board recommending the acceptance of a proposal from the Management Improvement Corporation of America to conduct a study of the following County operations:

- 1) Cash Management
- 2) Public Works Operations
- 3) Purchasing and Warehousing
- 4) Sick Pay Exclusion/Payroll Reporting

There was no discussion.

Mr. Frink moved for approval of the resolution authorizing the acceptance of the proposal from MICA to conduct this study. The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

WHEREAS, the James City County Board of Supervisors has been contacted by the Management Improvement Corporation of America (M.I.C.A.) under terms and conditions deemed to be favorable to the County;

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is hereby empowered to enter into a contract with M.I.C.A. under the general terms and conditions of the attached proposal.

10. Proposed Vehicle Maintenance Facility

Mr. Oliver presented this matter to the Board recommending the County apply for assistance from the VDH&T's Transportation Discretionary Fund to fund the construction of a 3-bay garage. VDH&T may fund 95% of the cost of this project, stated Mr. Oliver.

A brief discussion followed.

Mr. Donaldson 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

PROPOSED VEHICLE MAINTENANCE FACILITY

WHEREAS, the Board of Supervisors of James City County desires to construct a vehicle maintenance facility; and

WHEREAS, The Virginia Department of Highways and Transportation has discretionary funds available to support worthy Transportation related projects;

THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that it does hereby authorize the County Administrator to apply for State discretionary funds in the amount of \$65,700 for the purpose of constructing a vehicle maintenance facility for James City County.

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THEREFORE, BE IT FURTHER RESOLVED that the County Administrator is also authorized to enter into the agreement with Virginia Department of Highways and Transportation necessary for use of the said funds if they are received.

11. CASE NO. Z-11-79 - Definition of a Mobile Home Park

Mr. William C. Porter, Director of Planning, presented this matter to the members of the Board, pointing out that this matter had been deferred at the December 10 meeting. Mr. Porter stated that the Planning Commission, during its October 1, 1979 meeting, had voted unanimously to recommend approval by the Board of Supervisors of Case No. Z-11-79, amending the definition to include three or more mobile homes rather than twenty-five.

A brief discussion followed and Mr. Donaldson moved for approval of the ordinance. The motion carried by a unanimous roll-call vote.

ORDINANCE NO. 31A-65

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS, BY AMENDING THE DEFINITION OF "MOBILE HOME PARK OR SUBDIVISION."

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, Section 20-2, Definitions, be and the same is hereby, amended and reordained by amending the definition of "Mobile home park or subdivision."

CHAPTER 20

ZONING

Article I. In General

Section 20-2. Definitions

Mobile home park. A lot or parcel, not part of a mobile home subdivision, on which are located or which are arranged or equipped for the accommodation of three or more mobile homes occupied as single-family dwellings.

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

12. Transfer of Water System/Colony Subdivision

Mr. Morton presented this matter to the members of the Board stating that residents of the upper Colony requested the County take over the water lines and appurtenances serving the area which was formerly served by Suburban Water System. Mr. Morton recommended the County assume ownership of the currently unused well lots and appurtenant lines.

There was no discussion.

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

RESOLUTION

WHEREAS, the James City County Sanitary District Number Three recently acquired the Suburban Water Company, Inc. systems including that serving the lower Colony; and

WHEREAS, those 14 lots consisting of what is known as the upper Colony is desirous of continuing to be served by that system serving the lower Colony.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby accepts on behalf of the James City County Sanitary District Number 3 that certain water system including a well lot and improvements, pumping station, rights of ingress and egress, water lines and other rights of way and easements as set forth in a deed dated December 18, 1979, by and between the Colony Subdivision, Inc., and the James City County Sanitary District Number Three, which deed is attached hereto and made a part hereof.

13. Board and Commission Appointments

It was the general consensus that this item would be discussed in executive session.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards made a short speech regarding the excellence of Msrs. Donaldson's and Ware's performance during the past years as members of the Board and stated that their services would be missed.

Mr. Taylor presented Mr. Donaldson and Mr. Ware with their nameplates as a reminder of the positions they had held on the Board.

G. REPORTS FROM THE COUNTY ADMINISTRATOR

Mr. Oliver mentioned that the Commerce Department had for the time being turned down the proposed merger of the Hampton and Norfolk SMSA's. He stated that as the County prepares for the 1980 census, the effect of such a merger of James City County will be considered. A recommendation on the matter will be offered once all the issues related thereto have been reviewed.

Mr. Oliver introduced Mrs. Darlene L. Burcham, the new Assistant to the Administrator that had joined the staff recently.

H. BOARD REQUESTS AND DIRECTIVES

None

Mr. Donaldson moved to go into executive session for the purpose of discussing a pending legal matter, pursuant to Section 2.1-344 (a) (6) of the Code of Virginia, 1950, as amended. The motion carried by a unanimous roll-call vote.

The Board convened into Executive Session at 4:50 P.M. and returned to Public Session at 5:13 P.M.

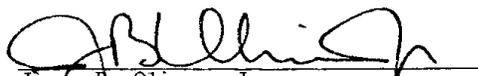
Mr. Ware moved to transfer \$25,000 from Contingency to Consulting. The motion carried by a unanimous roll-call vote.

Mr. Frink inquired as to whether the County could, by ordinance, require public buildings such as 7-Elevens to provide restroom facilities.

Mr. Morton responded that he would investigate and report back on the matter.

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

The meeting ADJOURNED at 5:20 P.M.


James B. Oliver, Jr.
Clerk to the Board

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