

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
 VIRGINIA, HELD ON THE TWENTY-EIGHTH DAY OF JANUARY, NINETEEN HUNDRED EIGHTY,  
 AT 3:00 P.M., IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY,  
 VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District  
 Abram Frink, Jr., Vice-Chairman, Roberts District  
 Stewart U. Taylor, Stonehouse District  
 Gilbert A. Bartlett, Jamestown District  
 Perry M. DePue, Powhatan 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 Virginia Department of Highways and Transportation, reported that the Croaker Road speed study requested by the Board was under way and he would bring the results to the Board in the near future.

Mr. Bartlett expressed his appreciation to the Highway Department for the efforts in snow removal during the recent snow storm.

Mr. DePue inquired as to how priorities are set in determining which roads to clear first, second, etc. He also asked whether the Highway Department hires private contractors to assist in snow removal.

Mr. Hall responded by saying there is no specific priority listing on roads to be cleared, however, the major roads would, of course, be cleared prior to the secondary roads. He further stated that the Highway Department does hire private contractors, and for this reason, some roads are not cleared as quickly as others. He stated that during this last storm, the Highway Department had equipment coming from as far as Norfolk to assist in snow removal.

Mr. DePue stated that the Highway Department had been very cooperative and pleasant when he contacted them. He asked who citizens in the County should contact when requesting service for snow removal on specific roadways.

Mr. Hall suggested calling the Area Supervisor.

Mr. Frink requested that a street light be installed on Oak Drive where it turns onto Penniman Road, next to Redcross Garage. He also reminded Mr. Hall of the petition that had been circulated to rename Log Cabin Beach Road. Mr. Frink stated he would like to have the improvements made to Log Cabin Beach Road prior to the renaming of the road.

Mr. Oliver announced that a public hearing was scheduled for the February 11, 1980 meeting on the 1980-1986 Six Year Plan. This public hearing had been set at the January 14, 1980 meeting.

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C. MINUTES

Mr. Frink moved for approval of the Minutes of the December 10, 1979 and December 27, 1979 meetings, as printed. The motion carried by a unanimous roll-call vote.

D. PRESENTATIONS1. School Board

Dr. Henry Renz, Superintendent of Williamsburg-James City County Schools, addressed the members of the Board regarding the renovation of the Matthew Whaley School. He reported that a feasibility study had been done by Highfill-Smith Associates, Inc. and pointed out the many items the architects had listed for renovation of the school. He stated that funding for the project was estimated at approximately \$720,000.

Mr. Oliver stated that at the present time, the Board was being requested to endorse the concept of the architects' study. Once the school boards provided the Board members with an estimate of actual expenditures and time schedules, funds could be appropriated in the County's five-year Capital Improvement Program. Mr. Oliver then read the resolution requesting the endorsement of the renovation concept identified by the architect's report as "alternative five" which prepares the building for air conditioning but does not provide air conditioning per se.

Mr. Edwards asked whether the capacity of the school would change.

Dr. Renz indicated there would be no change in the size of the school; only repairs and improvements would be made.

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

RESOLUTIONMATTHEW WHALEY RENOVATION

WHEREAS, the Board of Supervisors of James City County endorses the renovation of Matthew Whaley School; and

WHEREAS, the Joint School Boards have prepared a proposal to the governing bodies regarding such renovation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby approves the proposal for renovation as incorporated in the December, 1979 report of Highfill-Smith Associates, Inc. and in acceptance of their recommendations of Environmental System Option Number Five as the most acceptable direction in which to proceed.

BE IT FURTHER RESOLVED that the Joint School Boards be directed to include an estimate of actual expenditures, by fiscal year, in its five-year capital improvement program prior to a request of the Board of Supervisors for the appropriation of funds.

2. Fire Service

Mr. Garland Wooddy, Fire Chief, addressed the Board regarding questions posed by Mr. DePue at the last Board meeting. He first reported on the Public Information Program that is now in effect on wood stoves. He stated that the Fire Department has given four seminars in cooperation with the Virginia Division of Forestry and the County Extension Office on uses of wood stoves. He further stated he has been working with Danny Waltrip, Building Official, on compiling an information fact sheet that would be useful to citizens with wood-burning appliances.

Mr. Wooddy then responded to Mr. DePue's inquiries regarding the Fire Service Contract. He stated that the 1/1/80 termination of the Fire Service Contract between the County and the City of Williamsburg did not affect the Mutual Aid Agreement between the two jurisdictions. The Mutual Aid Agreement presently in effect calls for the response and distribution of equipment and manpower when required; he may request backup from the City Fire Department to fight fires in the County.

A brief discussion followed and Mr. DePue asked whether the department was fully staffed at this point and voiced concern over terminating the contract prematurely.

Mr. Woody assured Mr. DePue that the department was prepared to handle the demands and that the last of 49 new employees would report for work on February 4, 1980.

Mr. Edwards suggested Item F-2 of BOARD CONSIDERATIONS be addressed at this time to permit adequate time for the item. There were no objections.

F. - 2. Conditional Use Permit - Albert Durant

Mr. Morton addressed the Board regarding Mr. Durant's request for a conditional use permit. He explained that under the new definition of a Mobile Home Park, Mr. Durant is the owner of a non-conforming mobile home park and cannot be issued a permit to replace one mobile home; his only recourse would be to the Board of Zoning Appeals.

Mr. Durant expressed his disapproval and discontent in that he felt it was unfair to be required to pay a \$50 fee to the Board of Zoning Appeals.

Mr. Edwards indicated the Board was not authorized to address the matter.

At this time, Mr. Edwards suggested Mr. McQuillen from Powhatan District be allowed to address the Board as a MATTER OF SPECIAL PRIVILEGE. There were no objections.

Mr. Gary McQuillen from 102 Pembroke Lane criticized the County staff and Administrator for not following through on an assurance that his property be repaired after damages occurred when the Route 60-Toano Sewer project was routed through his front yard.

Mr. Edwards asked the staff to look into the matter and report back to the Board on this issue.

E. CONSENT CALENDAR

Mr. Frink moved for the approval of the three items listed on the Consent Calendar. The motion carried by a unanimous roll-call vote and the following items were approved:

1. CASE NO. CUP-3-80 - Lester Shenk, Jr. - Conditional Use Permit for Mobile Home

The staff memorandum covering this item recommended the issuance of a conditional use permit to place a temporary mobile home in which Mr. Shenk will reside on his property until construction is completed on his home. The permit date would be limited to the completion date of construction - January 21, 1981.

RESOLUTION

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for 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 and developed by the applicant as described below and as detailed in the attached application and site location:

|                     |                                     |
|---------------------|-------------------------------------|
| Applicant:          | Lester Shenk, Jr.                   |
| Tax Map ID:         | (13-2) (2-20)                       |
| District:           | Stonehouse                          |
| Zoning:             | A-1, General Agriculture            |
| Permit Term:        | Completion date<br>January 21, 1981 |
| Further Conditions: | None                                |

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2. CASE NO. Z-13-79 - Setting Public Hearing Date for March 10, 1980

3. CASE NO. SUP-3-79 - Setting Public Hearing Date for March 10, 1980

F. BOARD CONSIDERATIONS

1. Capital Equipment Request for Police Department

Ms. Darlene Burcham, Assistant to the Administrator, presented this matter to the Board stating that two additional radio-equipped vehicles are required to support increased patrol activity. She recommended the Board adopt a resolution authorizing the transfer of \$18,400 from Contingency to Police Department Capital Equipment-New. She pointed out that these vehicles would be required regardless of the creation of the police department.

A brief discussion followed.

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

TRANSFER OF CONTINGENCY FUNDS

WHEREAS, the Board of Supervisors of James City County has previously authorized a police department to effect improved law enforcement operations; and

WHEREAS, the policy of increased patrol of the County requires two additional vehicles;

THEREFORE, BE IT RESOLVED that a transfer of \$18,400 be authorized as follows:

|   |          |
|---|----------|
| Transfer of funds from:                           |          |
| General Fund Contingency (184.9011)               | \$18,400 |
| Transfer of funds to:                             |          |
| Police Department Capital<br>Equipment (062.0420) | \$18,400 |

3. Board and Commission Appointments

Mr. Edwards suggested this matter be discussed in executive session. There being no objections, the matter was deferred until the Board met for their second executive session of the day.

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Oliver stated that, following a request from the Chairman of the Board, a resolution was being offered which would request the General Assembly to fully review the school budget for FY 81 in the hopes that the original amount requested could be approved.

Mr. Edwards indicated doubt as to whether the full amount would be restored, however, he felt that the request may raise the amount formerly approved.

Mr. Edwards 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

FY 81 SCHOOL BUDGET

WHEREAS, the State Board of Education has presented to the Governor a budget for the next bi-ennium that appears to address the inflationary pressures as to the cost of education in the Commonwealth and the Governor of the Commonwealth has not included in his request to the General Assembly sufficient funding to fully address educational needs; and

WHEREAS, the citizens of the Commonwealth of Virginia have mandated a State Educational System with a foundation of minimum standards of quality; and

WHEREAS, the problems of equitable compensation for instructional personnel; maintenance of plant and pupil transportation efforts in the face of escalating fuel costs; and the increasing costs in operations of all instructional programs have not been considered in the Governor's budget request; and

WHEREAS, the resulting pressures on local governments for additional funding may seriously damage the ability of Virginia's school systems to continue the level of excellence mandated by the citizens of the Commonwealth;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County respectfully requests that the General Assembly include, as part of its deliberations, a full review of the Budget submitted by the Department of Education; and

BE IT FURTHER RESOLVED that all interested citizens in James City County be requested to advise their delegates and senator of their interest and sincere concern on this issue.

#### H. REPORTS FROM THE COUNTY ADMINISTRATOR

Mr. Oliver requested an executive session to meet with the City of Williamsburg and a second executive session following the meeting to discuss pending personnel and legal matters.

#### I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue stated he wished to further address the concerns of Mr. McQuillen.

A brief discussion followed wherein Mr. Wayland N. Bass, Director of Public Works, stated that it was indeed the County's responsibility to see that the contractor fully meets the requirements of the contract.

Mr. Edwards moved to adjourn into executive session, pursuant to Section 2.1-344 (a) (3) and (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 4:00 P.M. and returned to public session at 5:45 P.M.

Mr. Edwards moved to reappoint Mr. Norman Sawyer to the Board of Adjustments and Appeals. The motion carried by a unanimous roll-call vote.

Mr. Edwards moved to appoint Darlene Burcham to the Mental Health and Mental Retardation Board. The motion carried by a unanimous roll-call vote.

Mr. Edwards moved to appoint Mr. Bartlett, Mr. Frink, and himself to the Community Action Agency Board of Directors. The motion carried by a unanimous roll-call vote. Mr. Edwards designated Mr. Harold Poulsen as his representative, and Mr. Frink designated Darlene Burcham as his representative.

Mr. DePue moved to adopt the resolution requesting the 1980 session of the General Assembly to amend the appropriate section of the Code of Virginia so as to permit the Board of Supervisors of James City County to appoint the Sheriff of the County as its Chief of Police, and that the amendment be adopted in the form of an emergency. The motion carried by a unanimous roll-call vote.

#### RESOLUTION

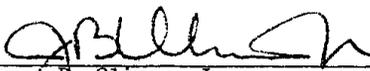
BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that it requests the 1980 session of the General Assembly to amend the appropriate section of the Code of Virginia, 1950, as amended, so as to permit the Board of Supervisors of James City County to appoint the sheriff of such county as its Chief of Police;

BE IT FURTHER RESOLVED, that such amendment be adopted in the form of an emergency act so as to make it effective immediately.

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

The meeting ADJOURNED at 6:00 P.M.

  
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James B. Oliver, Jr.  
Clerk to the Board