

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
 VIRGINIA, HELD ON THE ELEVENTH DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY,  
 AT 7:30 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. MINUTES

Mr. Edwards moved to approve the minutes of the January 14, 1980 and the January 28, 1980 meetings, as printed. Mr. Edwards also moved to approve the minutes of the special meeting of the Board on January 16, 1980 with one change--the reason for adjourning into executive session on that date was to discuss "potential litigation" not "pending litigation". The motion carried by a unanimous roll-call vote.

C. PRESENTATIONS

1. Peninsula Economic Development Council

Mr. Edward Joseph from the Peninsula Economic Development Council addressed the Board regarding the creation of the Council and briefed the members of the Board on the occurrences of the PEDC since its inception. He urged that James City County join the PEDC and stated that if the County wished to make contributions in accordance with other jurisdictions, the amount would be approximately \$31,290 per year for James City County.

Mr. Edwards stated that the Board would ask the staff to make a recommendation at a later date.

2. Uniform Financial Reporting

Mr. Oliver stated that the staff memorandum covering the Uniform Financial Reporting Manual for Virginia Cities and Counties was fairly self-explanatory and did not feel a lengthy explanation was required unless there were questions regarding this matter. He stated that the staff wished to make the Board aware of the new format of the budget for this fiscal year due to the required changes.

A brief discussion followed.

D. PUBLIC HEARING

1. Secondary Road Six Year Plan, 1980-1986

Mr. William C. Porter, Director of Planning, presented this matter to the Board stating that the State Highway Department, in accordance with the Virginia Code, must hold a public hearing jointly with the Board of Supervisors on the Six-Year Plan every two years and the Secondary Road Improvement budget for each fiscal year.

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Mr. Porter gave a brief background of the Secondary Road Six Year Plan and recommended that the Board make no decisions at this meeting. He recommended the Board receive public input and subsequently, the staff and Highway Department can evaluate the suggested changes and present the Plan with these recommended changes at the meeting of February 25, 1980.

Mr. Frank Hall from the Virginia Department of Highways and Transportation reviewed the Planned Improvement Status Report at this time.

A brief discussion followed among the members of the Board.

Mr. Edwards opened the public hearing.

Mr. Lamar Jolly from Whittakers Mill Road urged that the Supervisors seriously consider improvements to Quarterpath Road. He stated that the road was in poor condition and received a great deal of use.

Ms. Alma White addressed the Board in reference to Route 631. She inquired as to when the work on this road would be done. She urged the Board to label this item high priority as work on the road had been requested for the past ten years.

Mr. Hall indicated that 40% of \$19,000 has been allocated for work on Route 631.

Mr. Taylor asked about the right-of-way acquisition for Route 631. He also asked whether this included the widening of the road.

Mr. Hall stated that the right-of-way had been acquired.

Mr. Edwards closed the public hearing on the matter and reminded the public that no action would be taken at this time; that a revised plan would be presented at the next meeting of the Board.

Mr. Hall stated the revised Six-Year Plan would include the comments made by Mr. Jolly and Mrs. White.

Mr. Taylor inquired about the dangerous situation involving the Veeco power pole in the middle of Route 610 opposite St. John's Baptist Church.

Mr. Hall indicated he was aware of the problem but was not prepared to report on the matter at this time. He stated he would report on the matter in the near future.

E. CONSENT CALENDAR

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

1. Poultry Claim - Raymond Stewart

RESOLUTION

POULTRY CLAIM

WHEREAS, the poultry claim of Mr. Raymond Stewart has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

53 laying hens at \$3.00 each = \$159.00

by the VPI & SU Extension Agent;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mr. Raymond Stewart \$159.00 for poultry destroyed.

2. Poultry Claim - Patricia Kimball

RESOLUTION

POULTRY CLAIM

WHEREAS, the poultry claim of Ms. Patricia Kimball has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

34 laying hens at \$3.00 each = \$102.00

by the VPI & SU Extension Agent;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Ms. Patricia Kimball \$102.00 for poultry destroyed.

3. Livestock Claim - Mrs. C. D. Richardson, Jr.

RESOLUTION

LIVESTOCK CLAIM

WHEREAS, the livestock claim of Mrs. C. D. Richardson, Jr. has been investigated and found to be valid; and

WHEREAS, the value of the livestock destroyed has been estimated to be:

Non-Registered Milk Goat	-	\$75.00
Non-Registered Kid	-	<u>10.00</u>
Total		\$85.00

by the VPI & SU Extension Agent;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mrs. C. D. Richardson \$85.00 for livestock destroyed.

4. Poultry Claim - James R. Hazelwood

RESOLUTION

POULTRY CLAIM

WHEREAS, the poultry claim of Mr. James R. Hazelwood has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

68 laying hens at \$3.00 each	=	\$204.00
1 rooster at \$2.50	=	<u>2.50</u>
Total		\$206.50

by the VPI & SU Extension Agent

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mr. James R. Hazelwood \$206.50 for poultry destroyed.

5. Uniform Operating Policy - Setting Public Hearing Date for March 10, 1980.

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6. CASE NO. CUP-5-80 - Roy D. Crump - Conditional Use Permit for Mobile Home

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:	Mr. Roy D. Crump
Tax Map ID:	10-38
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None

7. CASE NO. CUP-4-80 - William C. Brantley - Conditional Use Permit for Mobile Home

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:	Mr. William C. Brantley
Tax Map ID:	9C(1)6
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None

8. CASE NO. CUP-6-80 - Lacy F. Hall - Conditional Use Permit for Mobile Home

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: Mr. Lacy F. Hall  
 Tax Map ID: 8C(1)8  
 District: Stonehouse  
 Zoning: A-1, General Agriculture  
 Permit Term: N/A  
 Further Conditions: None

9. 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 Mr. Edwards and carried by a 5-0 roll-call vote, the Board of Supervisors of James City County hereby certifies the following warrants for the month of January, 1980:

GENERAL FUND	Checks #9311-9521 Totalling \$850,260.37
GENERAL FUND PAYROLL	Checks #19896-20325 Totalling \$145,871.05
SANITARY DISTRICT NUMBER 1	Check #82 Totalling \$12,030.47
SANITARY DISTRICT NUMBER 2	Checks #134-138 Totalling \$2,856.53
SANITARY DISTRICT NUMBER 3	Checks #981-994 Totalling \$7,962.89
SUBDIVISION ESCROW	- 0 -
REVENUE SHARING	Checks #617-622 Totalling \$47,022.42
ANTI-RECESSION	Checks #17-18 Totalling \$2,217.70
COMMUNITY DEVELOPMENT	- 0 -
JCC BOND SINKING FUND	- 0 -
REGIONAL JAIL CONSTRUCTION	Checks #9-10 Totalling \$23,260.17

F. BOARD CONSIDERATIONS

1. Litter Control Program

Mr. Oliver presented this matter to the Board recommending the adoption of a resolution to endorse the filing of an application for State litter control funds.

A brief discussion followed.

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

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RESOLUTION

Whereas the James City County Board of Supervisors recognizes the existence of a litter problem within the boundaries of James City County, and

Whereas the Virginia Litter Control Act of 1976 provides, through the Department of Conservation and Economic Development, Division of Litter Control, for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control programs, and

Whereas having reviewed and considered the Regulations and the Application covering administration and use of said funds

Be it resolved that the James City County Board of Supervisors:

Hereby endorses and supports such a program for James City County, and

Further accepts liability for its pro rata share of any funds not properly used or accounted for pursuant to the Regulations and the Application, and

Hereby requests the Department of Conservation and Economic Development, Division of Litter Control, to consider and approve the Application and Program, said Program being in accord with Regulations governing use and expenditure of said funds.

2. Music Festival - Blue Water Vans

Mr. Oliver stated that the applicants for this music festival were not present at this meeting and no response had been received to questions sent to the applicants. Mr. Oliver recommended the Board ask the staff to require answers to the questions prior to any action being taken.

There being no objection, the matter was deferred until answers could be received from the applicants.

A brief discussion followed.

Mr. Morton suggested the Board set a public hearing for February 25 to discuss this matter. He stated a public hearing was not required and therefore, it would be possible to advertise once, rather than the usual two required advertisements for public hearings.

It was the consensus of the Board to set a public hearing for February 25, 1980.

3. Fire Service-Auxiliary

Ms. Darlene L. Burcham, Assistant to the Administrator, presented this matter to the Board recommending the approval of a resolution authorizing the use of Auxiliary Firefighters in the James City County Fire Service and providing insurance coverage for their activities.

Mr. Bartlett asked whether these auxiliary firefighters would be put through a training program prior to going on duty.

Ms. Burcham responded that they would indeed go through the minimum training program and would be required to review the rules and regulations in order to become certified volunteer firefighters.

A brief discussion followed.

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

FIRE SERVICE-AUXILIARY

WHEREAS, the Board of Supervisors of James City County has authorized Fire Services for its citizens; and

WHEREAS, one of the key elements of this program will be volunteer manpower;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the use of Auxiliary Firefighters in its Fire Service; and

BE IT FURTHER RESOLVED, that these auxiliary shall be recognized as employees of James City County for the purpose of: 1) use and operation of County equipment; 2) insurance; and 3) control by county fire officers and shall abide by such rules and regulations as established by the Fire Chief and subject to the review of the County Administrator.

4. Contribution - Child Development Resources

Mr. Oliver presented this matter to the Board stating that the staff was recommending that the Board not honor the request for a contribution of \$1000 to Child Development Resources. Mr. Oliver recommended that the Board direct CDR to incorporate this request in the upcoming Colonial Services Board budget for consideration.

A brief discussion followed.

Mr. Edwards stated that if there were no objections, he felt no action should be taken on this item at this time and the request should be considered in the FY 1981 budget. There being no objections, the matter was not acted upon.

H. MATTERS OF SPECIAL PRIVILEGE

None

I. REPORTS FROM THE COUNTY ADMINISTRATOR

Mr. Oliver reported that the Virginia Municipal League and the Virginia Association of Counties have formed a Joint Task Force to study various land use problems facing local governments and that land use policies have a significant effect on James City County. He recommended \$1000 be appropriated from contingency to participate in the land use study to be conducted by the joint task force.

A brief discussion followed.

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

RESOLUTION

WHEREAS, the Virginia Municipal League and the Virginia Association of Counties have found a Joint Task Force for the purpose of studying or having studied the various land use problems facing local governments in the Commonwealth; and

WHEREAS, such a study, to be carried out under the auspices of the Local Government Attorney's of Virginia, is estimated to cost approximately \$19,100; and

WHEREAS, Land Use policies are deemed to have a significant effect on James City County.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that it appropriates the sum of \$1000 from the Contingency Fund for purposes of participating in the Land Use Study to be conducted by a Joint Task Force of the Virginia Municipal League and the Virginia Association of Counties.

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Mr. Oliver stated that he felt it would be appropriate at this time to resign from the Welfare Board and authorize the appointment of Darlene L. Burcham to replace him. He stated the Social Services Director and the other members of the Welfare Board had no objections.

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

### R E S O L U T I O N

#### WELFARE BOARD APPOINTMENT

WHEREAS, Ms. Darlene L. Burcham, Assistant to the Administrator for Community Services, is directly involved with the functions of the Social Services Department, and

WHEREAS, the County Administrator wishes to relinquish his appointment on the Welfare Board to Ms. Burcham and the Social Services Director and other members of the Welfare Board are in accordance with this recommendation,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it does hereby authorize the appointment of Ms. Darlene L. Burcham to fill the unexpired term of Mr. James B. Oliver, Jr. on the Welfare Board; said term ending July 1, 1983.

BE IT FURTHER RESOLVED, that Ms. Burcham shall be duly sworn in by the Clerk of the Circuit Court as a member of this Board and that she attend the regular monthly meetings of the Welfare Board on the third Wednesday of each month.

Mr. Oliver stated that the Department of Social Services had been awarded a \$100 mini-grant from the State Division of Volunteerism to be used in conjunction with the Department's adult services program. He recommended the Board adopt a resolution amending the appropriation in the Social Services Fund.

Mr. Taylor 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 previously authorized an appropriation in the Social Services Fund; and

WHEREAS, the Welfare Board has accepted a State Division of Volunteerism grant in the amount of \$100;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors amends the appropriation and revenue for the Social Services Fund to reflect this \$100 award as follows:

Revenue from Commonwealth	+ \$100
Adult Service Volunteerism	+ \$100

Mr. Oliver requested an executive session at the appropriate time to discuss potential legal matters.

#### J. BOARD REQUESTS AND DIRECTIVES

Mr. DePue stated he had received a letter from Tatti Fox from Ruth Lane regarding low-flying aircraft in the area. He stated that this was a serious concern as the aircraft sometimes fly as low as 200 feet from the ground. He turned the letter over to the staff for further investigation.

Mr. Frink stated he would like to meet with Mr. Porter regarding the changes in the Six-Year Plan. He stated he had some suggestions for priority items.

Mr. Edwards moved into executive session to discuss matters of potential litigation 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 9:10 P.M. and returned to public session at 10:25 P.M.

Mr. Bartlett moved to approve the resolution pertaining to the County-Wide Census. The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

COUNTY-WIDE CENSUS

WHEREAS, the Board of Supervisors desires a County-wide census for the purposes of providing for public services and financial planning; and

WHEREAS, a part of that census may include the Triennial School Census required by the State Board of Education,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby authorize a County-wide census and directs the County Administrator to prepare a budget and workprogram for its consideration at its next meeting; and

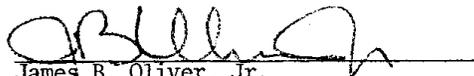
BE IT FURTHER RESOLVED, that the Board shall support the inclusion of the Triennial School Census in the proposed enumeration; and

BE IT FURTHER RESOLVED, that the following transfer of funds be authorized as start up funds:

From Contingency Account (0001184.9011)	\$2,000
To Special Census Account (0001186.9100)	\$2,000

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

The meeting ADJOURNED at 10:30 P.M.

  
 James B. Oliver, Jr.  
 Clerk to the Board

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