

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
VIRGINIA, HELD ON THE TWENTY-FIFTH DAY OF FEBRUARY, 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

C. MINUTES - February 11, 1980

Mr. Frink moved to approve the minutes of the February 11, 1980 meeting, as printed. The motion carried by a unanimous roll-call vote.

Mr. Oliver stated that Item F-2 of the February 11, 1980 minutes had stated a public hearing had been set for a music festival for Blue Water Vans, Inc. He wished to point out that Blue Water Vans, Inc. had withdrawn their application for the music festival, therefore the public hearing would not take place on March 10, 1980.

B. HIGHWAY MATTERS

Mr. Taylor asked Mr. Hall to check into a water problem on Route 631 between Chickahominy Church and the Reservoir. He stated that there was standing water in front of the houses (particularly at Pearl Taylor's house) and he would like to know what is causing the problem.

Mr. Hall indicated he would look into the matter.

Mr. Edwards suggested Mr. Hall get in touch with Mrs. Batchelder regarding drainage problems she is experiencing.

Mr. Hall stated he was aware of this problem and also a right-of-way problem she is having and would certainly contact her as soon as possible.

Mr. DePue inquired as to the status of the erosion problems on Rondane Place.

Mr. Hall and Mr. Porter indicated work on this problem would be underway as soon as weather permitted.

D. PRESENTATION - Uniform Financial Reporting

Mr. McDonald made a presentation on the Uniform Financial Reporting Manual for Virginia Cities and Counties. He stated that conflicts have arisen between the financial reporting guidelines of the Auditor of Public Accounts of the Commonwealth of Virginia (APA) and the National Council on Governmental Accounting which make national guidelines. Therefore, the APA has issued the Uniform Financial Reporting Manual which changes his financial and accounting requirements and localities will be required to comply beginning with FY 1981. Mr. McDonald noted the County had 2 options. We could maintain our current budget format and make the necessary changes in our year-end report to the State or we could change our budget format to conform with the new reporting requirements.

Mr. Taylor asked which format would be less costly.

Mr. McDonald replied that adoption of the new format would definitely be less costly. Rather than having two separate formats, the same format could be used for both the APA and the National Council on Governmental Accountir.

Mr. Edwards asked whether comparisons against previous years would be possible under this new format.

Mr. McDonald indicated comparisons would be possible.

Mr. DePue stated that by way of the press, the public could be informed as to the reasons for the apparent increase in budgets, i.e., having fringe benefits, etc. charged directly to a departmental budget rather than separately.

A brief discussion followed.

E. CONSENT CALENDAR

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

1. CASE NO. CUP-7-80 - Conditional Use Permit for Mobile Home - Mr. Bernard L. Rose

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 or developed by the applicant as described below and as detailed in the attached application and site location:

Applicant:	Mr. Bernard L. Rose
Tax Map ID:	10((3))4
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Terms:	N/A
Further Conditions:	Subject to a subdivision of the property to reduce the number of other mobile homes on the property to one.

2. Sanitary District #2 and #3 Liens

RESOLUTION

Sanitary District #2 - Lien

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in the James City County Sanitary District Number 2 are delinquent and unpaid; and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems and for which the charges were imposed;

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NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E, of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number 011-01-2777000

Blue Ribbon Properties
George C. Norris
1805 Airline Boulevard
Portsmouth, VA 23707

Description of Property:

Lot 2777
2777 Pocahontas Trail
Deed Book 167, Page 618

Amount Due:	Water:	\$2099.50
	Sewer:	2865.50
	Penalty:	0.00
	Lien Fee:	<u>.50</u>
	Total	\$4965.50

Account Number 011-01-2789000

Blue Ribbon Properties
Office

Description of Property:

2789 Pocahontas Trail
Deed Book 170, Page 387

Amount Due:	Water:	\$18.50
	Sewer:	26.50
	Penalty:	0.00
	Lien Fee:	<u>.50</u>
	Total:	\$45.50

RESOLUTION

Sanitary District No. 3 - Lien

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer account in James City County Sanitary District No. 3 is delinquent and unpaid; and

WHEREAS, such unpaid or delinquent charge is a lien against the real property on which the use of such system and for which the charge was imposed;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E, of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charge for use of the Sanitary District No. 3 system be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number 015-67-0122000

William W. Bryant
122 Albermarle Drive
Williamsburg, VA 23185

Description of Property:

122 Albermarle Drive
Williamsburg, VA 23185

Amount Due:	Sewer:	\$25.50
	Penalty:	0.00
	Lien Fee:	<u>.50</u>
	Total:	\$26.00

3. "Van-In" - Setting Public Hearing Date for March 10, 1980

F. BOARD CONSIDERATIONS

1. Secondary Road Six Year Plan

Mr. William C. Porter, Director of Planning, presented this matter to the Board stating that action had been tabled at the February 11 public hearing so evaluations could be made on the recommendations and comments made by Board members and citizens. Mr. Porter stated that after evaluations had been made, it was recommended that the first two priority items remain the same (construction of a left-turn lane at Lafayette High School and the widening of Route 631 between Route 60 and Route 632), however, a recommendation was being made to shift priority number 3. The widening and surface improvements for Route 614 (Centerville Road) between Route 60 and 613 (News Road) would replace the widening and resurfacing of Route 614 between Routes 613 and 5 if the Board approved the recommendation.

A lengthy discussion ensued among the Board members, Mr. Porter, and Mr. Hall from the Virginia Department of Highways & Transportation.

Mr. DePue moved to adopt the resolution approving the Six-Year Plan as revised. The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the Department of Highways and Transportation's Six Year Plan-James City County Secondary Road System for Fiscal Years 1980-1986.

2. Proposed Contract with Municipal Code Corporation

Mr. Oliver presented this matter to the Board recommending the adoption of a resolution authorizing the Chairman and Clerk to execute a contract for the publication of the looseleaf Code Supplements. Mr. Oliver stated the Municipal Code Corporation has given excellent service in the past.

Mr. DePue moved to approve the resolution.

Mr. Bartlett inquired as to whether paragraph 14 of the contract was operative or non-operative (the review of Offenses and Traffic chapters by the Corporation).

Mr. Morton responded that it was non-operative; he would come before the Board for approval prior to putting this in effect.

The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that it hereby authorizes and directs the Chairman and Clerk to execute that certain contract entitled "Contract for the Looseleaf Supplement Service for the Code of James City County, Virginia, by the Municipal Code Corporation, Tallahassee, Florida", dated March 21, 1980.

3. School Administration Building Lease

Mr. Oliver presented this matter to the Board stating that the lease contained no apparent controversies and recommended the approval of the lease.

Mr. Morton pointed out several highlights of the lease and suggested the Board members review the lease if they so desired.

A brief discussion followed.

Mr. Frink moved to approve the resolution directing the Chairman and Clerk to execute the lease. The motion carried by a unanimous roll-call vote.

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RESOLUTION

BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that it hereby authorizes and directs the Chairman and the Clerk to the Board to execute that certain lease dated February 11, 1980, by and between James City County, the James City County School Board, and the City of Williamsburg School Board pertaining to the school administration building located at the James City County Government Center.

4. VEPCO Contract

Mr. McDonald presented this item to the Board stating that the proposed contract for electrical services offers a rate that is better than commercial rates would be and is generally quite favorable to localities. He further stated the contract is consistent with that negotiated with the VML-VACO joint committee of Virginia Counties.

A brief discussion followed.

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

RESOLUTION

WHEREAS, the Board of Supervisors of James City County has been presented a contract for services with the Virginia Electric and Power Company (VEPCO) for services for the period July 1, 1979 through June 30, 1982; and

WHEREAS, the proposed contract is consistent with that negotiated with the VML-VACO joint committee for Virginia Counties;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County authorizes the County Administrator to execute the proposed contract with VEPCO; and

BE IT FURTHER RESOLVED, that the following transfer of funds is hereby authorized:

From Contingency (0001184.9011)	\$48,260
To Building and Grounds (0001141.0207)	\$25,940
Public Works (0001101.0207)	\$22,320

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Oliver stated that Mr. Conyers, Director of Transit, would at this time present the matter of funding and construction for the Central Garage to the Board members.

Mr. Conyers addressed the Board stating that ten bids had been received recently for the construction of the Central Garage on Tewning Road and the low bid had been submitted by Industrial Construction Company, Inc. Mr. Conyers recommended the adoption of the resolution which would authorize the County Administrator to execute an agreement with VDH&T for the utilization of VDH&T funds, execute a construction contract with the low bidder and proceed with the work included in the project.

A discussion followed wherein Mr. Bartlett asked whether these funds would cover anything other than construction, i.e., operating costs, etc.

Mr. Conyers responded that only construction costs would be covered.

Mr. Bartlett stated he would like to meet with Mr. Conyers and/or Mr. Bass to find out what the capacity of the garage would be and what the scope would be from an operational and budgetary standpoint.

Mr. Oliver stated the garage had been designed to handle work on fire-trucks and buses.

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

R E S O L U T I O N

CENTRAL GARAGE FUNDING AND CONSTRUCTION

WHEREAS, the Virginia Department of Highways and Transportation has appropriated \$65,700 in discretionary grant funds to James City County for the purpose of constructing a vehicle maintenance garage facility; and

WHEREAS, the Board of Supervisors has previously allocated \$17,274 in Revenue Sharing Funds for this purpose; and

WHEREAS, Industrial Construction Company, Inc. has submitted a low bid of \$49,340;

THEREFORE, BE IT RESOLVED that the County Administrator is hereby authorized and instructed to execute a contract with the Virginia Department of Highways and Transportation for the receipt and expenditure of discretionary grant funds, to execute a construction contract with Industrial Construction Company, Inc. for the construction of the garage building, and to proceed with other site improvements and equipment purchases within the funds appropriated herein; and

BE IT FURTHER RESOLVED that \$65,700 in VDE&T discretionary grant funds is hereby appropriated for the purposes described herein. These funds will be allocated to and expended from account #0013034.6180.

H. REPORTS OF THE COUNTY ADMINISTRATOR

James Terrace Water Quality Study

Mr. Oliver stated that an interim report had been prepared regarding the high sodium content in the water in the James Terrace neighborhood. He pointed out that the water for this neighborhood was served by a private water system rather than by the County and the Board might want to consider whether this is a County issue. He further said that Mr. Bass would give a brief presentation of the study that had been conducted and that Mr. Walt Ragan, engineer from the State Health Department and Dr. Gordon Bell from the Williamsburg-James City County Health Department were present to answer questions.

Mr. Bass briefed the Board members on the results of the study and stated the main points of the study included the fact that the James Terrace Water System is owned by Sydnor Hydrodynamics, Inc. and serves also the subdivisions of Nelson Park, York Terrace, and Charleston Heights in York County, the water supplied by this system exceeds secondary contaminant levels established by the State Health Department for sodium and chloride, the water distribution system consists of small diameter pipes that do not meet the County's standards, and a source of good quality water was not found in the area. Mr. Bass stated that the James City County water plan indicates that the County water system should be extended into this area in approximately 1990.

Mr. Edwards asked whether it was correct that Newport News was not a feasible solution due to the fact that the County would have to build new water mains throughout the subdivision to meet the standards set by Newport News.

Mr. Bass confirmed this fact.

Mr. Taylor asked how long this problem had been going on.

Mr. Bass indicated he had heard of the problem 20 years ago when trying to purchase a house.

Mr. DePue inquired as to whether Sydnor had been granted exemption from the State for chloride level requirements.

Mr. Ragan stated Sydnor had not been granted exemption, however, these requirements were not at this time being strictly enforced. He further stated that the only way Sydnor could be required to abide by these requirements

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would be if a substantial number of complaints were made to the State Health Department. Mr. Ragan stated this problem would, in his opinion, eventually end in a court battle.

Mr. Edwards asked whether Mr. Ragan felt they could win the case if it went to Court.

Mr. Ragan stated he felt the State would have a strong case.

A discussion followed and Mr. Edwards asked what alternatives Sydnor would have in correcting the problem.

Mr. Ragan stated that sinking new wells would be the most favorable alternative. All four wells had been tested and found to have the same problem. Other alternatives included purchasing water from other areas or getting the water from other wells.

Mr. Edwards asked whether Sydnor had a monopoly on the system or whether others could serve the area.

Mr. Morton stated he would look into the matter and report back.

Mr. Bartlett suggested Mr. Morton provide the Board with an outline of the franchise requirements and what exemptions Sydnor has received from the State so the Board can see what actions may be taken.

Mr. Ragan pointed out that the only exemption Sydnor had been granted from the State Health Department was for fluoride levels.

Mr. Bartlett asked what the Board's rights were in requiring Sydnor to comply with chloride levels.

Mr. Ragan suggested a petition be drawn asking the State Health Department to enforce this requirement. A substantial number of signatures would be necessary.

Mr. Bartlett asked how many signatures constituted "substantial".

Mr. Ragan responded that 20% of the 760 households in the area should suffice.

Mr. Edwards suggested the Board hold any recommendations until the next Board meeting.

Mr. Frink recommended the staff draw up a petition for the public.

Mr. DePue inquired as to the health hazards of the excess salt in the water.

Dr. Bell responded that unless one had high blood pressure, there was no serious hazard involved.

Mr. Edwards stated the matter would be brought up again at the next meeting.

County-Wide Census

Mr. McDonald presented this matter to the members of the Board.

A brief discussion followed.

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

RESOLUTION

COUNTY-WIDE CENSUS

WHEREAS, the Board of Supervisors considers it necessary to conduct a County-wide Census for the purpose of providing for public services and financial planning; and

WHEREAS, the Board of Supervisors and the Williamsburg-James City County School Division agree that the Triennial School Census required by the State Board of Education shall be included in the enumeration; and

WHEREAS, the Board of Supervisors authorized said Census at the meeting of February 11, 1980; and

WHEREAS, the Board of Supervisors authorized the transfer of \$2000 from the Contingency Account to the Special Census Account as start-up funds at the meeting of February 11, 1980, at the same time directing the County Administrator to submit a budget and Workprogram for its consideration;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County does hereby approve the Workprogram submitted; and

BE IT FURTHER RESOLVED, that the Board authorizes the following transfer of funds to support the field work:

From Contingency Account (0001184.9011)	\$28,000
To Special Census Account (0001186.9100)	\$28,000

Mr. Oliver reported that in following up on a statement made by one of the residents of the James Terrace neighborhood regarding cancer deaths due to the high level of chloride, a letter was sent to the State Health Department inquiring as to the validity of this comment. The State Health Department had responded to the inquiry by stating that during the four-year period 1975-1978, two deaths were attributed to cancer in this area.

Mr. Oliver also reported that the staff had responded to the letter from Badische regarding the items being deposited at the landfill.

Mr. Oliver stated there were two items at present that required public worksessions, the Comprehensive Plan and Economic Development. He suggested the Board decide on dates for which meetings could be planned.

A discussion followed and it was the consensus of the Board to meet on Monday, March 3 at 4:00 P.M. with the Planning Commission to discuss the Comprehensive Plan, and Monday, March 10 at 5:00 P.M. to discuss Economic Development with the Planning Commission, Industrial Development Authority and Economic Development Advisory Committee.

Mr. DePue asked what restrictions were placed on public worksessions.

A brief discussion followed.

Mr. Edwards stated no votes should be taken at the time of the worksessions.

I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue asked whether members of the Board would be interested in holding a worksession to discuss the staff's report regarding compensation for members of boards, commissions, and committees.

Mr. Edwards indicated he would be interested in such a worksession, however, he felt Mr. Oliver's items regarding the Comprehensive Plan and Economic Development would take precedence. He indicated perhaps this could be the third topic of concern for the worksessions.

Mr. Bartlett asked what the status of the contract of the Community Action Agency was on the Carriage Road Development Project.

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Mr. Oliver stated the Community Action Agency had voted on the contract.

Mr. DePue moved to adjourn into executive session to discuss potential legal matters. The motion carried by a unanimous roll-call vote.

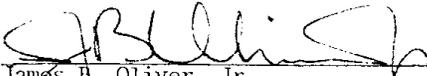
The Board convened into executive session at 5:00 P.M., pursuant to Section 2.1-344(a) (6) of the Code of Virginia, 1950, as amended, and returned to public session at 5:45 P.M.

Mr. Edwards designated Rev. Junious Moody as his delegate to the Community Action Agency.

Mr. Edwards moved to recess the meeting until 4:00 P.M. on March 3, 1980 at which time the meeting would continue as a worksession involving the Comprehensive Plan.

The motion carried by a unanimous roll-call vote.

The meeting ADJOURNED at 5:50 P.M.


James B. Oliver, Jr.
Clerk to the Board