

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 - February 25, 1980

Mr. Frink moved for approval of the February 25, 1980 minutes, as printed. The motion carried by a unanimous roll-call vote.

C. PRESENTATIONS

3. Resolution of Appreciation - Irene M. Douglas

Mr. Edwards read the resolution of appreciation to the public and presented same to Mrs. Douglas expressing gratitude for her efforts while associated with the County.

RESOLUTION

2. School Board - Budget

Dr. Henry Renz, Superintendent of Schools, presented the proposed FY 80-81 budget for the Williamsburg-James City County School system. He stated the major cost in operating the school system lies in funds for personnel. He pointed out the major increases in the budget, attributing the majority of these increases to inflation. He stated it was his opinion there was a need to seriously consider changing the contract in the future.

A discussion followed.

1. Community Action Agency

Mr. Larry Trumbo, Director of the Community Action Agency, addressed the Board concerning the agency's winterization program. Mr. Trumbo stated that contrary to various reports by the media, etc., there was no shortage of funds in the program, although some problems and shortcomings did exist. Mr. Trumbo said he considered the recent letter he had received from the County Administrator as a threat to withhold previously allocated funds for the CAA. Mr. Trumbo presented a report on the winterization program to the members of the Board and requested their review of the report.

A lengthy discussion followed and Mr. Edwards suggested the matter be reviewed by staff and brought up again at the next Board meeting.

It was the consensus of the Board to consider this item at the March 24, 1980 meeting.

D. PUBLIC HEARINGS

1. CASE NO. SUP-3-79 - John W. Flora

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board explaining that Mr. John W. Flora has applied for a special use permit to allow the rental of rooms in his private residence in an R-2, Limited Residential District. Mr. Porter stated that Mr. Flora had been issued a zoning violation in September 1979 for the rental of these rooms and

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subsequently told the County Attorney that he would ask his tenants to leave by January 1, 1980. Meanwhile, Mr. Flora had applied for a special use permit in November, 1979. The matter went before the Planning Commission and they recommended approval conditioned on (1) a maximum of three rooms to be rented; (2) off-street parking must be provided totalling one more parking space than the total number of rooms rented; (3) the case would expire on July 1, 1980; and (4) if a complaint should be lodged during the life of the case, the permit would be revoked within 24 hours of notification to the Planning Department.

Mr. Morton stated he would like to amend the language of Item (4) to read: "If, during the term of the permit, a complaint of disturbance is lodged with the Williamsburg/James City County Sheriff/Police Department and determined by them to be legitimate, Case NO. SUP-3-79 shall be brought forth before the Board of Supervisors for reconsideration."

A brief discussion followed.

Mr. Edwards opened the public hearing.

Mr. Roger Willetts of 106 Wickre Street addressed the Board stating his community has been disturbed for approximately 2-3 years by Mr. Flora's residents. He stated the matter was brought to the attention of the County officials over 18 months ago and the zoning ordinance had been changed after Mr. Flora had been issued his zoning violation. Therefore, the violation should have been pursued.

Mr. Flora addressed the Board stating he was completely satisfied with the recommendation before the Board.

Mr. DePue asked Mr. Willetts if he was satisfied with the resolution and the conditions set forth in it.

Mr. Willetts indicated he was not satisfied with the resolution. He stated at this time, adequate parking facilities are not available; the residents of the Flora household many times use the street for parking.

Mr. Flora responded that the five cars were parked on his property, three of these directly in the driveway. He stated that if it would please the Board, he could see to it that all five cars be parked in the driveway.

Mr. Bartlett asked Mr. Flora if he felt he could meet the conditions set forth in the resolution.

Mr. Flora stated he could indeed meet these requirements.

Mr. DePue asked if he could meet the July 1 expiration date.

Mr. Flora responded the expiration date could be changed to June 1, 1980; he would be getting married and would put the house up for sale.

Mr. Ezekiel Lee indicated support of Mr. Flora's case.

There were no further comments and Mr. Edwards closed the public hearing.

Mr. Frink stated he is familiar with the case since it is in his district. He stated that one of the citizens who had made a formal complaint on the matter, Mr. Ravenscroft, has since sold his property. He further stated a problem had been in existence for some time and moved that the Board deny the request.

Mr. DePue moved that the expiration date be changed from July 1, 1980 to June 1, 1980.

Mr. Bartlett indicated he was against the case; he feels that citizens have the right to expect the requirements of the zoning ordinance to be upheld and that they should be able to expect continuity in these decisions. He further stated this type of problem should not be tolerated.

Mr. DePue stated he would vote in favor of the resolution, however, he did have mixed feelings about the case. He stated that in the future the County should respond more quickly to such cases. He further stated the conditions appear to be quite strict and Mr. Flora had publicly stated he could abide by these conditions.

A discussion followed and, based upon Mr. DePue's motion to approve the resolution with a June 1, 1980 expiration date, the resolution was defeated, Mr. DePue solely voting in favor of the resolution.

2. CASE NO. Z-13-79 - Philip O. Richardson

Mr. Porter presented this matter to the members of the Board stating that application had been made by Philip O. Richardson to rezone .55 acres behind the Sheraton Patriot Inn, located on Route 60W, from B-1, General Business, to R-5, Multi-Family. He stated that the Planning Commission had recommended approval based on the facts that the rezoning would act as a buffer between Jamestown Academy and the tourist-oriented commercial uses fronting on Route 60 and the rezoning would not adversely impact on public services such as roads, fire, law enforcement, public utilities, and schools.

A brief discussion followed and Mr. Edwards opened the public hearing.

There were no comments and Mr. Edwards closed the public hearing.

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

R E S O L U T I O N

WHEREAS, Phillip O. Richardson has applied to rezone .55 acres behind the Sheraton Patriot Inn, Route 60-West, James City County, Virginia, from B-1, General Business, to R-5, Multi-Family;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that it hereby approves that certain rezoning case known as Z-13-79 and rezones .55 acres situate behind the Sheraton Patriot Inn, Route 60-West, from B-1, General Business, to R-5, Multi-Family.

3. Van Show/Music Festival - National Van Promotions, Inc.

Mr. Oliver presented this matter to the Board stating that application had been made by National Van Promotions, Inc. for a van show to be held at the Yogi Bear Campgrounds on April 11, 12, and 13, 1980. He stated the applicants had completed the application satisfactorily, however, he felt several conditions should be placed on this application if the Board was desirous of approving it.

Mr. Edwards opened the public hearing.

Mr. Sidney Johnston of 104 Elmwood Lane indicated discontentment with the application in that a van rally had been held by these applicants last year at the campgrounds. Mr. Johnston stated he had made several complaints about the noise which were apparently ignored. He further stated the disturbance continued as late as 4 A.M. each morning and he would request the Board deny the permit.

Mr. Carl Moulds of 200 Elmwood Lane also referenced the van show held last summer stating the park had numerous loudspeakers throughout the park. When he approached the management requesting the volume be reduced, he was told it would be turned down, however, the volume remained the same throughout the weekend. He requested that because the management could not abide by the rules, the request should be denied.

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Mr. Norman Webb of 202 Elmwood Lane also supported the denial of the application as did Mr. Robert Pittman of 108 Tanbark Lane.

Mr. Donald Rogers, President of National Van Promotions, Inc., addressed the Board. He stated that what the residents of the neighborhood had reported was indeed true, that there was a noise problem present last year due to the fact that the stage was in front of a valley which carried the music down the valley and through a culvert. Since that time, a new location has been found for the stage on the opposite side of the park which would totally alleviate the problem.

Mr. George Willis, also of National Van Promotions, Inc., stated a new sound system had been installed since last year which should also improve the problem. He concurred with the complaints of the neighbors of Yogi Bear Campgrounds, however, stated he felt the problem had been alleviated with the moving of the stage to the opposite side of the camp. He further stated tests would be made to insure the problem was corrected.

Mr. Edwards asked if the applicants would be willing to run the tests and check with the neighbors while conducting these tests to see if they are satisfied. If the tests proved positive, the Board could approve the permit at the next Board meeting.

Mr. Willis indicated two weeks could pose problems on their end in that the public should be advised several weeks in advance of the show.

Mr. Oliver stated he felt the Board should place specific conditions on the application in terms of hours and security. He suggested the applicants run the tests this week with the neighbors giving the County staff any reactions.

Mr. Edwards asked whether the applicants would consider this option, or whether they wished to have the Board vote on the matter at this meeting.

Mr. Willis stated he would like to work with the neighbors and the County staff. He stated he had received a letter of intent from the James City Rescue Squad stating they would be on the premises during the entire show.

Mrs. Louise Moulds addressed the Board stating that in addition to the music, which was intolerable, announcements were made periodically regarding events that would be coming up shortly. These announcements could be heard throughout the neighborhood and continued until late into the night.

There were no further comments and Mr. Edwards closed the public hearing.

Mr. Bartlett moved to approve the permit.

Mr. Oliver suggested the following conditions be placed on the application: emergency medical services on location 24 hours a day, musical performances terminate at 11 P.M., any out-of-pocket expenses be reimbursed the County, and a police officer of James City County be present during all performances which would be paid for by the applicants.

A discussion followed and Mr. Edwards moved to table the matter to the next meeting in order to allow the applicants time to conduct their tests. The motion carried by a 4-1 roll call vote, Mr. DePue voting against tabling the matter.

Mr. Oliver stated no presentation was needed unless the Board requested as the matter had been discussed during the meeting of the Service Authority.

Mr. Edwards opened the public hearing.

Mr. Norman Sawyer addressed the Board, stating he owned property on Ironbound Road and inquired as to how the changes would affect his charges for sewer fees.

Mr. Bass, Director of Public Works, responded that the current changes would not affect Mr. Sawyer.

Mr. Sawyer stated he felt sewage should be charged based upon volume used rather than square footage and that it should be possible to install meters.

Mr. Edwards stated this is a change that is involved in the amendments.

Mr. Oliver indicated Mr. Sawyer could contact Mr. Bass and have a meter installed for this purpose.

Mrs. Clara J. Harris stated she had a petition from the citizens of James City County Sanitary District Number Three requesting that the first part (1-1-2 Quarterly Amortization Charges) of Ordinance No. 100A-2 for sewer services be revised to eliminate service charges until service is received. The petition further requested refunds be made to those persons already having paid this bill without service. The petition was addressed to the Board of Supervisors and the Board of Directors of the Service Authority and contained 51 signatures.

Mr. Edwards stated this petition did not pertain to this case.

Mr. Oliver accepted the petition and stated he would report back to the Board on this matter.

There were no further comments and Mr. Edwards closed the public hearing.

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

A RESOLUTION TO AMEND THE RESOLUTION ADOPTING THE
OPERATING POLICY - WATER AND SEWER
UTILITIES

WHEREAS, the Board of Supervisors adopted the document entitled Operating Policy Water and Sewer Utilities which became effective January 1, 1980, for Sanitary District Number 2 and February 1, 1980, for Sanitary District Number 3; and

WHEREAS, the Board desires to have equitable rates for services and simplified policies governing the operations of water and sewer systems,

THEREFORE, BE IT RESOLVED, that the italicized statements and rates in the attached Sections 4-3.1(D), 4-3.5(A) and 4-3.5(B) are adopted and supersede previous statements and rates in the aforementioned Sections of the Operating Policy-Water and Sewer Utilities,

BE IT FURTHER RESOLVED, that the changes are retroactive to January 1, 1980, for Sanitary District Number 2 and February 1, 1980, for Sanitary District Number 3.

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Mr. Oliver stated that at this time Mr. Bass would give a presentation concerning the County landfill although not in accordance with the agenda, as it appeared many people in the audience were interested in this item.

Mr. Bass addressed the Board regarding refuse disposal at the County landfill. He outlined improvements needed to handle increasing refuse volumes, site development, environmental issues and State/Federal regulations. He indicated that a recommendation for a user charge system would be presented to the Board in the near future unless the Board indicated they would not be interested in pursuing the matter.

A lengthy discussion ensued.

Mr. Oliver stated he had contacted industrial firms and commercial haulers to make them aware of the proposed user charge system.

Mr. Frink suggested a worksession be scheduled to discuss the matter. It was the consensus of the Board that this be done.

E. CONSENT CALENDAR

Mr. DePue moved to approve the consent calendar. The motion carried by a unanimous roll-call vote and the following items were approved:

1. Sanitary District #1 Liens
2. Vacation of Plat - Griffin Subdivision - Setting Public Hearing
Date for April 14, 1980
3. Vacation of Plat - Riverview Plantation - Setting Public Hearing
Date for April 14, 1980
4. CASE NO. Z-1-80 - Gate House Farms, Section I - Setting Public
Hearing Date for April 14, 1980
5. CASE NO. SUP-2-80 - Joseph S. Terrell - Setting Public Hearing
Date for April 14, 1980

RESOLUTION

Sanitary District #1 - Liens

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City that the following list of sewer accounts in the James City County Sanitary District #1 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 are made 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 attached delinquent charges for use of the sanitary system in James City County Sanitary District #1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

SEE NEXT PAGE.....

ACCT. NO. NAME AND ADDRESS OF PROPERTY DESCRIPTION OF PROPERTY AMOUNT FEE TOTAL

ACCT. NO.	NAME AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY	AMOUNT	FEE	TOTAL
22	Roderick Darbee 905 Tyler Dr.	Lot 16, Sec. 7 James Terrace D. B. 15 P. 19	78.75	.75	79.50
109	Leslie Chalkley 806 Coleman Dr.	Lot 11, Sec. 9 James Terrace D. B. 51, P. 362 Map Book 7 P. 64	105.00	.75	105.75
121	Bryce Bankston 1203 Rt. 143	Part of M. M. Lee 1/2 Acre and being 54/456 Penniman Rd.	105.00	.75	105.75
122	Andrew Ellis 1409 Merrimac	Lot 8&9 Solomon Orange Subdivision D. B. 72, P. 55	105.00	.75	105.75
131	Lemuel B. Redcross 1231 Oak Dr.	Lot 5, Smith Subdivision D. B. 20 P. 177 P. B3 P. 12 D. B. 22, P. 374 P. B. 3 P. 35	105.00	.75	105.75
157	Hubert Paul Linton 194 Foley Dr.	Lot 28, Sec. 8 James Terrace, D. B. 117 P. 459 Map Book 7 P. 108	105.00	.75	105.75
158	Douglas Harrell 708 Mosby Dr.		130.00	.75	130.75
171	L. M. Mikkelsen 118 Coleman Dr.	Lot 1, Sec. 8 James Terrace D. B. 109 P. 398 P. B. 14 P. 108	103.75	.75	104.50
193	Vincent D. McManus 908 Coleman Dr.	Lot 6 Sec. 8 James Terrace D. B. 69, P. 498	105.00	.75	105.75
190	Winfrey Fowler 23 Wallace Rd.	Lot 50 ft. by 100 ft. Solomon Orange Sub. D. B. 89 P. 206 P. B. 7 P. 16	105.00	.75	105.75
222	Jeanette M. Crapol 115 Jackson Dr.	Lot 57 James Terrace Sec. 6 D. B. 137 P. 277 P. B. 13 P. 26	105.00	.75	105.75
267	Andy J. Vance 702 Adams Rd.		103.75	.75	104.50
325	Frank H. Hughes 1200 Merrimac	1/2 Acre Located Between Rt. 168 and C&O Railroad D. B. 92 P. 8	130.00	.75	130.75
336	James Davis 1237 Oak Dr.	Lots 1&2 Old Penniman Rd. Sub. Thomas & Hattie Kearney D. B. 56 P. 110 with Plat at P. 112.	210.00	.75	210.75

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ACCT. NO.	NAME AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY	AMOUNT	FEE	TOTAL
373	Donald Heath 909 Coleman Dr.	Lot 40 Sec. 8 James Terrace D. B. 128 P. 60 M B 7 P. 108	95.91	.75	96.66

Page _____
TOTAL

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. DePue 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 February, 1980:

GENERAL FUND	Checks	#9522-9820
	Totalling	\$1,185,507.31
GENERAL FUND PAYROLL	Checks	#20326-20776
	Totalling	\$157,211.19
SANITARY DISTRICT NUMBER 1	Checks	#83-85
	Totalling	\$8,530.74
SANITARY DISTRICT NUMBER 2	Checks	#139-153
	Totalling	\$2,271.90
SANITARY DISTRICT NUMBER 3	Checks	#995-1024
	Totalling	\$10,521.28
SUBDIVISION ESCROW		- 0 -
REVENUE SHARING	Checks	#623-636
	Totalling	\$66,211.82
ANTI-RECESSION	Check	#19
	Totalling	\$1,490.20
COMMUNITY DEVELOPMENT		- 0 -
JCC BOND SINKING FUND		- 0 -
REGIONAL JAIL CONSTRUCTION	Check	#11
	Totalling	\$16,020.80

F. BOARD CONSIDERATIONS1. Community Development Application - Forest Glen

Mr. Robert M. Murphy, Assistant to the Administrator, presented this matter to the Board recommending the Board adopt a resolution authorizing the County Administrator to file a final application for Small Cities Community Development funds and approving the Forest Glen project.

There were no comments.

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

R E S O L U T I O NCOMMUNITY DEVELOPMENT GRANT PROGRAM - FOREST GLEN

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

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7) WHEREAS, the Board of Supervisors of James City County, Virginia has caused to be prepared a Small Cities Comprehensive Community Development application for the full amount of federal funds to which the County is entitled; and

WHEREAS, the Board of Supervisors has reviewed said application and has held public hearings on the community development program to assure citizen participation and comment with regard to the development of program activities and has further provided for and encouraged citizen participation at the neighborhood level through meetings and technical assistance;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby approves:

1. The Comprehensive Community Development Program for James City County, Virginia, as represented by the community development activities set forth in the application for Small Cities Grant dated March, 1980.
2. The County Administrator is authorized and directed to file such applications, including all understandings and assurances contained therein, with the United States Department of Housing and Urban Development.
3. The County Administrator is hereby designated as the authorized representative of James City County, Virginia, and is directed to act as such representative in connection with the application and to provide such additional information as may be required.

2. Cable Television Advisory Committee

Mr. Allen A. Turnbull, Jr., Administrative Analyst, presented this matter to the Board recommending the Board approve the composition of the Cable TV Advisory Committee which would be composed of seven members and would analyze and address the various services that could be provided by a cable television system.

Mr. Oliver stated a revised resolution had been drawn showing the members of this committee.

Mr. Frink moved to approve the resolution.

Mr. DePue showed concern for the fact that the members of this committee had already been designated when the committee was initially being formed, thus not allowing the Board time to make any suggestions on appointees.

Mr. Oliver stated additional members would be welcome to the committee, however, the staff felt it was proper to try to get this committee moving as soon as possible, as the County is already behind in this matter.

A discussion followed.

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

CABLE TELEVISION ADVISORY COMMITTEE

WHEREAS, the James City County Board of Supervisors recognizes the need for a citizen's advisory committee to advise the Board on certain matters relating to the franchising and operation of a cable television system in James City County;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that a Cable Television Advisory Committee be created, composed of seven (7) members selected to represent the diverse interests of the community. The Chairperson of the committee will be the Administrative Analyst, with the remaining six members appointed by the Board of Supervisors. Members of the committee shall serve without compensation, except for reimbursable expenses, and until the final report of the committee is presented to the Board. Other members of the committee shall be:

Joseph Grebb
John Curtis
Thomas Collins
Muriel Moritz
Daniel Look
Rev. Glenwood Morgan

3. Windsor Forest Bird Sanctuary

Mr. Morton presented this matter to the Board stating the Windsor Forest Garden Club had requested the community of Windsor Forest be designated a bird sanctuary.

A brief discussion followed.

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

RESOLUTION

WHEREAS, the Windsor Forest Garden Club is desirous of establishing the Windsor Forest community as a bird sanctuary;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the area known and designated as Windsor Forest be specified as a bird sanctuary; and

BE IT FURTHER RESOLVED, that the Department of Highways and Transportation is requested to post appropriate signs at the Buford Road entrance and the Sheffield Road entrance designating Windsor Forest as a bird sanctuary.

4. CASE NO. S-5-80 - Tazewell's Hundred, Kingsmill

Mr. Porter presented this matter to the Board stating that Mr. Norman Mason, on behalf of Busch Properties, Inc., has applied for approval to subdivide 75 acres into 132 lots to be known as Tazewell's Hundred, located off Mounts Bay Road in the Kingsmill Planned Community. Mr. Porter stated the Fire Marshal, the Health Department, and the Highway Department recommended approval of the case and the Planning Commission recommended approval conditioned upon a list of requirements from the Public Works Department concerning sedimentation and erosion control and sewer and water installation requirements.

A brief discussion followed.

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

RESOLUTION

WHEREAS, Busch Properties, Inc. has applied for approval to subdivide 75 acres into 132 lots to be known as Tazewell's Hundred, located off Mounts Bay Road in the Kingsmill Planned Community:

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that approval of this subdivision, located within the R-4, Residential Planned Community District, is granted conditioned upon all agency requirements as detailed in the attached staff report.

5. Sanitary District #3 - Suburban Water Systems; State Health Department Building Permit Prohibition

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the members of the Board stating that the State Health Department currently prohibits the issuance of building permits in the following subdivisions located in Sanitary District #3: Canterbury Hills, Lakewood, The Colony, and Raleigh Square. Building permits cannot be issued in these subdivisions until the County has awarded a contract for improvements to the respective water systems in accordance with the Health Department requirements. Mr. Bass cited conditions in which the Health Department would allow the issuance of two

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72 building permits in each of the four subdivisions and recommended the adoption of a resolution citing these four conditions and requiring that the recipients of building permits be informed in writing that water service will not be available until and unless a contract is awarded for water system improvements.

Mr. Edwards inquired as to the number of building permit applications in these subdivisions.

Mr. Bass stated he was aware of only two applications at this time.

Mr. Taylor asked if more lots were available.

Mr. Porter indicated there were many vacant lots in Raleigh Square subdivision.

A brief discussion followed.

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

RESOLUTION

SANITARY DISTRICT #3 - WATER SYSTEMS IMPROVEMENTS

WHEREAS, the Board of Supervisors has appropriated \$150,000 to improve the public water systems in the following subdivisions: Canterbury Hills, Lakewood, The Colony, and Raleigh Square; and

WHEREAS, the County has submitted an engineering report and design memorandum to the State Health Department for these proposed improvements; and

WHEREAS, the State Health Department has indicated that they would permit the issuance of 2 building permits in each of the above named subdivisions if the County would agree to certain conditions as set forth below;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby agrees: (1) not to alter the resolution which appropriates \$150,000 for the improvement of water systems serving the subdivision of Canterbury Hills, Lakewood, The Colony, and Raleigh Square without notifying the State Health Department, (2) not to revise the engineering report and design memorandum without the consent of the State Health Department, (3) not to install water meters for new construction until a contract for water system improvements has been awarded, and (4) the Board hereby declares its intent to submit plans, specifications, and related data for these water system improvements to the State Health Department on or before March 31, 1980, provided such plans have been completed by the engineer preparing same;

BE IT FURTHER RESOLVED, that recipients of the 8 building permits described herein be advised, in writing, that water service will not be available until and unless a contract for water system improvements is awarded by the Board of Supervisors.

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Morton stated a notice of violation would be issued to Mr. Flora now that the case had been denied and that usually ten days is given in which to conform. Mr. Morton stated he felt this might be too strict and requested the Board extend the date to allow thirty days due to the circumstances.

It was the consensus of the Board to extend the date to allow thirty days for conformance.

H. REPORTS OF THE COUNTY ADMINISTRATOR

None

Mr. Edwards referenced a memorandum addressed to the Board members regarding smoking in the Government Center Board room. He stated he wished to refer the matter to the staff and ask for recommendations at the next meeting.

Mr. Taylor indicated he was against the policy of "no smoking" in the Board room as many of the citizens do smoke and the option should be theirs.

Mr. Bartlett indicated he found smoking offensive, however, he was not sure we could enforce such a rule.

Mr. Edwards stated he would ask the staff to make recommendations at the next meeting.

Mr. Bartlett inquired about the appointment to the Wetlands Board that had not yet been made.

Mr. Porter indicated a meeting had not yet been called for the Wetlands Board and he would wait to call a meeting until the Board had made the appointment.

Mr. Edwards stated the appointment would be made at the next Board meeting, during executive session.

There were no further comments and Mr. Taylor moved to adjourn the meeting.

The meeting ADJOURNED at 10:30 P.M.


James B. Oliver, Jr.
Clerk to the Board

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