

85 AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTEENTH DAY OF APRIL, 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

Mr. Edwards asked Mr. Oliver to review the dates and times of the various budget worksessions and public hearings for the benefit of the public.

B. MINUTES - March 24, 1980

Mr. DePue moved to approve the minutes of the March 24, 1980 meeting, as printed. The motion carried by a unanimous roll-call vote.

C. PUBLIC HEARINGS

1. Bank Franchise Tax Ordinance

Mr. John McDonald presented this item to the Board explaining that this ordinance would amend Sections 18-5 and 18-6 of the County Code to institute a bank franchise tax in lieu of a bank stock tax pursuant to Sections 58-485.012 and 58-485.06 of the Code of Virginia.

Mr. Morton stated he had revised the amended ordinance to replace that which Mr. McDonald had written, changing the language to include the specific sections referred to in the Code of Virginia.

Mr. McDonald stated that this ordinance should be adopted before September 1, 1980 in order to make it retroactive to January 1, 1980.

Mrs. Frances Waltrip, Commissioner of Revenue, stated she had received information from the Department of Taxation indicating the taxes could be assessed under the new ordinance in FY1980 if the ordinance was adopted prior to May 1, 1980.

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

A brief discussion followed.

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

ORDINANCE NO. 156

AN ORDINANCE TO AMEND CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY REPEALING SECTIONS 18-5, 18-6 AND 18-7, PERTAINING TO BANK STOCK TAX, AND SUBSTITUTING THEREFORE A NEW SECTION 18-5, ENTITLED BANK FRANCHISE TAX ORDINANCE.

BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia that Chapter 18, Taxation, of the Code of the County of James City, Article I, In General, be amended by repealing Section 18-5, 18-6 and 18-7, all of which pertain to Bank Stock Tax and substituting therefore a new section, Section 18-5, entitled Bank Franchise Tax Ordinance, as follows.

Article I
In General

Section 18-5. Tax on bank net capital.

(a) Definitions. For the purposes of this ordinance, the following words shall have the meanings ascribed to them by this section:

- (1) "Bank" shall be as defined in Section 58-485.01 of the Code of Virginia.
- (2) "Net Capital" shall mean a bank's net capital computed pursuant to Section 58-485.07 of the Code of Virginia.

(b) Imposition of County Bank Franchise Tax.

- (1) Pursuant to the provisions of Chapter 10.01 of Title 58 of the Code of Virginia, there is hereby imposed upon each bank located within the boundaries of this county, a tax on net capital equalling 80% of the state rate of franchise tax set forth in Section 58-485.06 of the Code of Virginia.
- (2) In the event that any bank located within the boundaries of this county also has offices that are located outside the boundaries of the county, the tax shall be apportioned as provided by Section 58-485.012 of the Code of Virginia.

(c) Filing of Return and Payment of Tax.

- (1) On or after the first day of January of each year, but not later than March 1 of any such year, all banks whose principal offices are located within this county shall prepare and file with the Commissioner of the Revenue a return as provided by Section 58-485.013 of the Code of Virginia, in duplicate, which shall set forth the tax on net capital computed pursuant to Chapter 10.01 of Title 58 of the Code of Virginia. The Commissioner of the Revenue shall certify a copy of such filing of the bank's return and schedule and shall forthwith transmit such certified copy to the State Department of Taxation.
- (2) In the event that the principal office of a bank is located outside the boundaries of this county and such bank has branch offices located within this county, in addition to filing requirements set forth in (c)(1) above, any bank conducting such branch business shall file with the Commissioner of the Revenue a copy of the real estate deduction schedule apportionment and other items which are required by Sections 58-485.012, 58-485.013 and 58-485.014 of the Code of Virginia.
- (3) Each bank, on or before the first day of June of each year, shall pay all taxes imposed pursuant to this ordinance.

(d) Effective Date of Ordinance. The provisions of this ordinance shall be effective for the year beginning January 1, 1980.

(e) Penalty Upon Bank for Failure to Comply with Ordinance. Any bank which shall fail or neglect to comply with any provision of this ordinance shall be fined not less than one hundred nor more than five hundred dollars, which fine shall be recovered upon motion, after five days' notice in the circuit court of this county. The motion shall be in the name of the Commonwealth and shall be presented by the attorney for the Commonwealth of this locality.

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

2. CASE NO. Z-1-80 - Gate House Farms Subdivision, Section I

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the members of the Board stating that Small Engineering, Inc., on behalf of United Virginia Development Corporation, has applied to rezone 28.22 acres known as Gate House Farms Subdivision, Section I (presently under construction), from A-2, Limited Agricultural, to R-1, Limited Residential District. Mr. Porter further stated that the Planning Commission was recommending approval of the case due to the fact that the subject rezoning was in conformance with

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the recommendations of the Land Use Concept Map and the rezoning was compatible with the existing zoning and development in the area. The Planning Commission had, however, stated that the case represented piecemeal zoning of a large tract of land to be developed as a single unit, and would, therefore, not look favorably upon further piecemeal rezonings of the subject property.

A brief discussion followed.

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

Mr. Frink moved to approve CASE NO. Z-1-80.

Mr. DePue asked whether the owner of the remainder of the tract had any objections to the rezoning.

Mr. Porter indicated the present owner had been notified in writing two times, however, had not responded to the letters.

The motion carried by a unanimous roll-call vote.

3. CASE NO. SUP-2-80 - Joseph S. Terrell - Office Building in the A-2 District

Mr. Porter presented this item to the Board explaining that Mr. Terrell had applied for a special use permit to allow the construction of a small office building within the A-2, Limited Agricultural District. He stated that the property on which the office is proposed is located on Strawberry Plains Road (Route 616) between Ironbound Road (Route 615) and Route 5. Mr. Porter stated that the Planning Commission recommended approval of the special use permit subject to the following conditions:

1. That the special use permit be limited to the northeast corner of the property identified as Parcel (1-29) on the James City County Real Estate Tax Map (38-4).
2. That development be limited to a low density office building with a maximum height of 35 feet and located on the property such that it is on an individual lot meeting all the requirements of the A-2 District. This lot does not have to be recorded as a subdivision, but all setbacks required in the A-2 District are to be respected whether it is recorded or not. The aforementioned lot will measure 125 feet fronting along Strawberry Plains Road by 200 feet deep.
3. That access to Route 616 be limited to one common access point for the development of the proposed office building and future projects on this property identified as Parcels (1-29) and (1-36) on James City County Real Estate Tax Map (38-4). Also, that this access be located along the southern edge of the area (lot) covered by this permit.
4. That a site plan for development of the office building upon the area designated by the special use permit be submitted and approved in accordance with Section 20-16 of the Zoning Ordinance.

A brief discussion followed.

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

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

4. Vacation of Plat - Riverview Plantation

Mr. Morton presented this matter to the Board and recommended approval of the ordinance with a change in language to reflect Mrs. Elizabeth Vaiden as Agent for Yorkview Plantation rather than owner-developer.

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

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

ORDINANCE NO. 137

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED "RIVERVIEW PLANTATION, SECTION 3, BLOCK E, PART TWO, YORKVIEW PLANTATION, INC., OWNERS AND DEVELOPERS, LOCATED JAMES CITY COUNTY, VIRGINIA" AND MORE PARTICULARLY DESCRIBED AS THE PROPERTY LINE BETWEEN LOTS 11 AND 12 AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Elizabeth N. Vaiden, agent for Yorkview Plantation, to vacate a certain property line as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 14.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 14th day of April, 1980, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia:

1. That the property line between lots 11 and 12 of Section 3, Block E, Part 2 of Riverview Plantation as shown on that plat entitled, "Riverview Plantation, Section 3, Block E, Part Two, Yorkview Plantation, Inc., Owners and Developers, Located James City County, Virginia," prepared by Spearman and Associates, Inc., Land Surveying, Williamsburg, Virginia, and recorded in Plat Book 35, page 71, on February 21, 1979, in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City be and the same is hereby vacated.
2. That a new plat entitled, "Plat to Accompany Partial Vacation of Line Between and Resubdivision of Lot 11 and Lot 12 of Section 3, Block E, Part Two, Riverview Plantation, Located James City County, Virginia," dated January 29, 1980, and prepared by Spearman and Associates, Inc., Land Surveying, Williamsburg, Virginia, establishing a revised property line between lots 11 and 12 of Section 3, Block E, Part 2, be put to record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia.

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

5. Vacation of Plat - Griffin Subdivision

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

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

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

ORDINANCE NO. 138

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED "PLAT SHOWING SURVEY OF TWO PARCELS OF LAND FOR GLADYS E. A. GILLEY, THE PROPERTY IS SITUATED IN JAMES CITY COUNTY, VIRGINIA, SURVEYED FEBRUARY 1949", AND MORE PARTICULARLY DESCRIBED AS THE COMMON LOT LINE FOR LOTS 1 AND 2.

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WHEREAS, application has been made by Architects and Engineers, Inc., on behalf of Forrest D. and Frances D. Griffin to vacate a certain property line as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County, Virginia, would consider such application has been given pursuant to Section 14.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 14th day of April, 1980, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County Virginia:

1. That the common lot line of Lots 1 and 2 as shown on that plat entitled "Plat Showing Survey of Two Parcels of Land for Gladys E. A. Gilley, the Property is Situated in James City County, Virginia, Surveyed February 1949", recorded in Plat Book 11, page 30, on March 6, 1949, in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City and the same is hereby vacated.
2. That a new plat entitled, "Plat of Griffin Subdivision Lying in Berkeley District, James City County, Virginia", dated January 23, 1980, and prepared by B. D. Littlepage, Architects and Engineers, Inc., be put to record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City.

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

Mr. Oliver stated he wished to apologize to Mr. Terrell on behalf of the County for the inconvenience he had experienced with his Raleigh Square rental units and assured Mr. Terrell that every effort was being made to correct the sewage problems.

D. CONSENT CALENDAR

Mr. Edwards moved to approve the items listed under the Consent Calendar. The motion carried by a unanimous roll-call vote and the following items were approved:

1. Vacation of Plat - North County Subdivision, Setting Public Hearing Date for May 12, 1980
2. Investment of Bicentennial Fund Cash Balances

R E S O L U T I O N

INVESTMENT OF BICENTENNIAL FUND CASH BALANCES

WHEREAS, the Board of Supervisors has previously approved the placement of funds originally totalling \$1,500 in a savings account designated the Bicentennial Trust Fund; and

WHEREAS, the Board of Supervisors has previously authorized the County Treasurer to invest such funds in a savings account;

THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors authorize the withdrawal of some or all of the funds currently on deposit in the savings account designated the Bicentennial Fund for purposes of investing such funds in legal instruments; and

BE IT FURTHER RESOLVED that such funds may be invested and reinvested by the County Treasurer for any term not to exceed two years at any one time.

The staff memorandum covering this item stated that in 1978 the School Boards and the Board of Supervisors had both adopted resolutions requesting the Virginia Department of Highways and Transportation to include the school bus entrances at Lafayette High School in the State Secondary Road System. The original resolutions did not meet the VDH&T requirements and a new resolution was recommended for approval.

R E S O L U T I O N

LAFAYETTE HIGH SCHOOL - ENTRANCE-WAY

- WHEREAS, the Williamsburg-James City County School Boards have constructed Lafayette High School, on Route 612 in James City County; and
 - WHEREAS, this school is served by a drive-way or entrance-way for the convenience of the school buses and patrons attending school; and
 - WHEREAS, this school has been constructed with the specifications for school entrances, required by the State Highway Commission; and
 - WHEREAS, the Williamsburg-James City County School Boards have, by resolution, requested the Board of Supervisors to have this entrance-way or drive-way included in the State Secondary Highway System for maintenance;
- THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Department of Highways and Transportation be and it hereby is respectfully requested to include said drive-way or entrance-way at Lafayette High School, as described below, in the State Secondary Highway System:

(Entrance located: 0.08 Mi. N.W. Int. Rte. 612 and Rte. 1530)

Section A - Entrance Loop

From: Route 612
 To: 0.15 Mi. N.W. to Route 612
 Length: 0.15 Mi.
 R/W Width: 30'

Section B

From: Entrance Loop
 To: 0.31 Mi. N.
 Length: 0.31 Mi.
 R/W Width: 30' and 40'

A right-of-way of thirty feet and forty feet is guaranteed as evidenced by attached sketch dated March 6, 1980; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways and Transportation.

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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 March, 1980:

GENERAL FUND	Checks	#9821-10035
	Totalling	\$681,222.98
GENERAL FUND PAYROLL	Checks	#20777-21231
	Totalling	\$160,658.20
SANITARY DISTRICT NUMBER 1	Check	#86
	Totalling	\$7.50
SANITARY DISTRICT NUMBER 2	Checks	#154-160
	Totalling	\$2,212.60
SANITARY DISTRICT NUMBER 3	Checks	#1025-1043
	Totalling	\$8,777.13
SUBDIVISION ESCROW		- 0 -
REVENUE SHARING	Checks	#637-647
	Totalling	\$92,966.25
ANTI-RECESSION	Check	#20
	Totalling	\$1,490.20
COMMUNITY DEVELOPMENT	Checks	#101-105
	Totalling	\$51,989.32
JCC BOND SINKING FUND		- 0 -
REGIONAL JAIL CONSTRUCTION	Check	#12-13
	Totalling	\$10,877.17

5. CASE NO. CUP-12-80 - Conditional Use Permit for Mobile Home -
Mr. W. J. Scruggs on Behalf of Dr. George G. Hankins

R E S O L U T I O N

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. W. J. Scruggs
Tax Map ID:	(12-4)(1-113)
District:	Stonehouse
Zoning:	M-2, Industrial, General
Permit Terms:	180 days
Further Conditions:	An extension may be granted; not to exceed 180 days.

6. CASE NO. CUP-13-80 - William C. Bull, Conditional Use Permit
for Mobile Home

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RESOLUTION
CONDITIONAL USE PERMIT

CUP-13-80

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

Applicant:	Mr. William C. Bull
Tax Map ID:	(13-2)(1-19)
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Terms:	N/A
Further Conditions:	None

7. CASE NO. CUP-14-80 - William C. Bull - Conditional Use Permit for Mobile Home

RESOLUTION
CONDITIONAL USE PERMIT

CUP-14-80

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

Applicant:	Mr. William C. Bull
Tax Map ID:	(13-2)(1-19)
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Terms:	N/A
Further Conditions:	None

8. CASE NO. CUP-10-80 and CUP-11-80 - Conditional Use Permits for Mobile Homes - Mr. H. E. Walls

RESOLUTION
CONDITIONAL USE PERMITS

WHEREAS, it is understood that all conditions for consideration of two applications for Conditional Use Permits have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that two Conditional Use Permits be granted for the placement of two mobile homes on property owned or developed by the applicant as described below and as detailed in the attached application and site location:

Applicant:	Mr. H. E. Walls
Tax Map ID:	(11-1)(1-5B)

District: Stonehouse
Zoning: A-1, General Agricultural
Permit Terms: N/A
Further Conditions: Installation of an all weather road to site of Unit A.

E. BOARD CONSIDERATIONS

1. Utility Connection Fee and Quarterly Charge Refunds

Mr. Oliver stated that this item had been discussed at length during the meeting of the Service Authority and would, therefore, require no presentation unless the Board requested such.

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

R E S O L U T I O N

A RESOLUTION AUTHORIZING REFUNDS OF OVERPAYMENTS
OF QUARTERLY CHARGES AND AVAILABILITY FEES

WHEREAS, the Board of Supervisors of James City County realizes that some error occur in the collection of quarterly charges and availability fees in Sanitary District Number 2 and Sanitary District Number 3; and

WHEREAS, the Board desires to make refunds for overpayments to the utility system customers in an expedient manner;

THEREFORE, BE IT RESOLVED, that the Finance Department is authorized and directed to make refunds for overpayments of quarterly charges and connection fees when approved in writing by the County Administrator or the Director of Public Works.

BE IT FURTHER RESOLVED, that the Finance Department be directed to furnish periodic reports of all refunds to the Board.

2. Selection of Engineering Firm for Design of 16" Water Main Extension

Mr. Craig W. Lea, Civil Engineer, presented this matter to the Board stating that in December, 1979, the Board had appropriated funds for engineering services to include design, working drawings and specifications for a sixteen-inch water main on Route 60 to connect the existing Longhill Road and Toano Water systems. The Department of Public Works had received fifteen engineering proposals and recommended the selection of the firm of McGaughy, Marshall & McMillan. Mr. Lea recommended the Board adopt a resolution authorizing the execution of this agreement with McGaughy, Marshall & McMillan.

A brief discussion followed.

Mr. Taylor moved to adopt the resolution.

Mr. DePue asked if this would involve only the engineering work.

Mr. Oliver stated that it would include only the engineering work. He further stated that the proposals received had dropped considerably since initial estimates had been received due to the economy and thus appears to be an excellent time to select the engineering firm.

The motion carried by a unanimous roll-call vote.

RESOLUTION

ENGINEERING FIRM - WATER MAIN EXTENSION

WHEREAS, the Board of Supervisors has previously appropriated funds from the Utility Development Account in the FY 80 Capital Improvement Projects Budget for the purpose of designing a 16" water main extension along Route 60 from Olde Towne Road to Toano as recommended in the County Water Plan; and

WHEREAS, the County has requested engineering proposals for the design of this water system; and

WHEREAS, McGaughy, Marshall & McMillan is qualified to do the work;

THEREFORE, BE IT RESOLVED that the County Administrator is authorized and directed to execute an agreement with McGaughy, Marshall & McMillan for engineering services for the design of the 16" water main extension along Route 60 from Olde Towne Road to Toano. The cost for this design work is shown below:

1. Basic Engineering Contract	\$24,960.00
2. Maximum Cost for Additional Plats	3,500.00
3. Contingency/Soil Investigation	<u>4,040.00</u>
TOTAL	\$32,500.00

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3. Section 8 Rent Subsidy Program

Mr. Jerome Harrington, Director of Community Development, presented this matter to the Board stating that Mr. Minor of the Virginia Housing Development Authority was in the audience to answer any questions the Board may have.

Mr. Frink asked whether this program could be used throughout the County or whether it was required to be tied to the Forest Glen and Carriage Road areas at this time.

Mr. Harrington responded that the recommendation would be to initially work on the Forest Glen and Carriage Road areas, however, units could be placed elsewhere in the County.

Mr. Edwards asked what guidelines would be used in reviewing and approving applications.

Mr. Harrington stated that basic criteria must be met such as income and ability to meet the specific housing requirements.

Mr. Frink asked whether this was a voluntary program.

Mr. Harrington stated it was a voluntary program.

Mr. Bartlett asked what impact the program would have on the private rental market.

Mr. Harrington responded that the program would be beneficial to the private rental market in that it would encourage lessors to improve their property recognizing the financial security of renting at the fair market value.

Mr. Edwards inquired as to what the cost to the County would be for this program.

Mr. Harrington stated that it would not cost the County anything at this time. The VHDA would pay \$8,500 to the County to administer the program. Mr. Harrington stated that part of this money would be used to hire a staff person to administer the program.

Mr. Taylor indicated discontentment with the idea of hiring an additional employee to administer the program.

Mr. Harrington responded that at present the office of Community Development is operating with a staff of two persons and it would be difficult to maintain the paperwork involved and update reports as would be necessary.

A discussion continued and Mr. DePue stated he has had dealings in the past with VHDA and highly recommends any program VHDA would sponsor.

Mr. DePue moved to approve the resolution and stated he would like to receive a report from the staff as to the distribution and expenditure of the \$8,500 from VHDA. Mr. DePue further commented that he did not wish to see the addition of another employee and suggested perhaps the hiring of a temporary employee for the first six months of the program to get the program underway and allow the current staff to continue after that time.

Mr. Oliver stated that the need for an additional position in the department may be necessary in the future but that a planner position still exists in the department which has been unfilled. He further stated that the position under discussion would possibly merge with the planner position if such a position was determined to be needed, and would be a para-professional position.

Mr. Frink stated he did not feel an additional person was necessary solely to process the 25 units, but might be more justified as a combined position.

The motion carried by a unanimous roll-call vote.

R E S O L U T I O N

SECTION 8 - FEDERAL RENTAL ASSISTANCE PROGRAM

WHEREAS, the U.S. Department of Housing and Urban Development through the Virginia Housing and Development Authority provides James City County, Virginia, with Federal assistance in the form of rental assistance to an income-eligible family which then seeks out rental housing in the private market; and

WHEREAS, the Board of Supervisors of James City County, Virginia has caused to be prepared a Section 8 Rental Assistance Memorandum of Understanding for Housing Assistance on behalf of low-income families residing in James City County subject to HUD approval; and

WHEREAS, the Board of Supervisors has reviewed said Memorandum of Understanding;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that:

1. The County Administrator is authorized to execute a Memorandum of Understanding by and between James City County and the Virginia Housing Development Authority with respect to the Section 8 Housing Assistance Program.
2. The County Administrator is authorized and directed to file such agreements, including all understandings and assurances, with the Virginia Housing Development Authority.
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 Memorandum of Understanding and to provide such additional information as may be required.

4. Petty Cash Fund - Citizen's Assistance Office

Mr. John McDonald presented this item to the Board stating that the County staff and the County Treasurer have arrived at a plan that would allow the sale of motor vehicle decals and dog licenses and tags at the Citizen's Assistance Office in Toano. The plan would involve the designation of the Citizen's Assistance Officer as a deputy treasurer for those specific purposes. The employee would then be bonded to both the Treasurer and the County.

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

R E S O L U T I O N

INCREASE IN PETTY CASH FUND

WHEREAS, the Board of Supervisors of James City County and the County Treasurer wish to expand certain services of the Office of the Treasurer to the Citizen Assistance Office in the EOC building in Toano;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the County Treasurer to issue funds to increase the petty cash fund at the Citizen Assistance Office from \$30 to \$50; and

BE IT FURTHER RESOLVED that such funds shall be held by Phyllis Cody as custodian for the purposes of her office and for such duties as are assigned to her as a Deputy Treasurer.

5. VDH&T 1980 Preallocation Hearing

Mr. William C. Porter presented this item to the Board explaining that on April 23, 1980, the Suffolk District would hold its annual Preallocation hearing for Interstate, Primary, and Urban Construction Funds. The purpose of this hearing would be to obtain input from citizens, local officials and legislators on local highway priorities in advance of the tentative allocation of funds and prior to the Allocation hearing in Richmond. Mr. Porter recommended the Board adopt a resolution identifying three priorities for the County.

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

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R E S O L U T I O N

HIGHEST PRIORITY HIGHWAY PROJECTS IN

JAMES CITY COUNTY

WHEREAS, the James City County Comprehensive Plan and numerous regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and

WHEREAS, there presently exists a pressing need within the community to relieve the traffic congestion by expediting the design and construction of the following primary roads;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the following list is the highest priority primary highway projects in James City County:

1. The design, construction, and completion of Route 199.
2. The construction of the Grove Interchange (Busch fly-over).
3. The extension of Monticello Avenue from its intersection with Route 615.

6. Regional Advisory Board for Elderly Recreational Facility

Ms. Darlene L. Burcham, Assistant to the Administrator, presented this matter to the Board recommending the approval of a resolution endorsing participation in the formulation of an advisory board with the City of Williamsburg and County of York to address the need for a regional recreational facility for the elderly.

Mr. Bartlett asked whether the City had shown an interest in participation on this board.

Ms. Burcham indicated she was not sure whether correspondence had yet been sent to the City.

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

RESOLUTION

REGIONAL ADVISORY BOARD FOR ELDERLY RECREATIONAL FACILITY

WHEREAS, the needs of senior citizens as well as the needs of youth should be addressed in a community's recreational and social program; and

WHEREAS, senior citizens of James City County, York County and Williamsburg have no full-time recreational facility; and

WHEREAS, some need for such a facility is believed to exist;

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that James City County participate jointly with York County and Williamsburg in forming an Advisory Board for a Regional Recreation Facility for the Elderly.

BE IT FURTHER RESOLVED that such Advisory Board be charged with the following responsibilities:

1. Study the need for a regional recreational facility for senior citizens of James City County, York County, and Williamsburg;
2. Determine the costs of providing such a facility;
3. Determine annual operating costs which would be shared by the three localities; and
4. Present a recommendation to the governing bodies of the three localities.

BE IT STILL FURTHER RESOLVED that, should the governing bodies of York County and the City of Williamsburg agree to participate, three citizens of James City County shall be appointed to said joint Advisory Board.

7. Appointment to Wetlands Board

Mr. Bartlett moved to appoint Mr. Jack Kirtland to fill the unexpired term of Mr. Leonard P. Harris on the Wetlands Board. Mr. Kirtland's term would expire in October, 1985.

The motion carried by a unanimous roll-call vote.

F. MATTERS OF SPECIAL PRIVILEGE

None

G. REPORTS OF THE COUNTY ADMINISTRATOR

1. Grants Program

Mr. Robert M. Murphy, Assistant to the Administrator, made a presentation regarding the grants program which the County has been actively involved in for the past several years and explained the guidelines which the County staff adheres to when seeking federal assistance. Mr. Murphy explained the various grants the County has received in the past two years and the anticipated grant activities in the near future. Categorical grants, which are competitive and not guaranteed, exceeded \$3-million in the past two years.

Mr. DePue commended the staff for the outstanding job they were doing in this effort.

2. CPRC Grant Application for Ware Creek Reservoir Studies

Mr. Deward Martin, Water Development Engineer, made a presentation to the Board regarding a pre-application for federal assistance relating to the Ware Creek Reservoir studies. This application was being addressed to the Coastal Plains Regional Commission for a grant to aid in the planning phase of the reservoir development. Mr. Martin explained that if approved, the grant funds and matching County funds would be used to make geologic and soils studies, stream flow studies, and an environmental assessment of the effects of developing a water supply reservoir on Ware Creek. It was recommended that the Board approve a resolution authorizing the County Administrator to seek Coastal Plains Regional Commission funds for the planning of this reservoir development.

A brief discussion followed and Mr. DePue indicated he would support the application at this time, however, he wanted assurance that this would not mean an obligation from the Board on expenditure of funds.

Mr. Oliver stated that funds would be requested at a later date once approval of the application had been received.

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

WHEREAS, water consultants for James City County have recommended that the County plan and develop a surface water supply to meet future County and regional water needs; and

WHEREAS, an application has been prepared for submission to the Virginia Coastal Plains Regional Commission requesting technical and planning assistance grant funds to aid in the planning of the Ware Creek water supply reservoir; said funds requested under the terms of Section 505 of the Public Works Act of 1965, as amended;

NOW, THEREFORE, BE IT RESOLVED that the application for grant funds from the Coastal Plains Regional Commission is hereby approved and that James B. Oliver, Jr., County Administrator, is appointed the County's authorized representative for the project and is hereby authorized to execute the application (Form 424), the Certificate of Availability of Funds, and any and all other documents in connection therewith;

RESOLVED AND DONE by the James City County Board of Supervisors in a regular meeting duly assembled and held this 14th day of April, 1980 in the James City County Government Center.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards moved to go into executive session to discuss personnel matters. The motion carried by a unanimous roll-call vote.

The Board convened into executive session at 9:15 P.M. to discuss personnel matters, pursuant to Section 2.1-344 (a)(1) of the Code of Virginia, 1950, as amended, and returned to public session at 10:30 P.M.

Mr. Edwards moved to recess the meeting until April 15, 1980 at which time the Board would meet for their first budget worksession to review the proposed FY1981 budget. The motion carried by a unanimous roll-call vote.

The meeting RECESSED at 10:30 P.M.



James B. Oliver, Jr.
Clerk to the Board

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