

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
 VIRGINIA, HELD ON THE TWELFTH DAY OF MAY, NINETEEN HUNDRED EIGHTY, AT 7:30 P.M.,
 IN THE COUNTY 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 (Arrived 7:45 P.M.)
 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. Frink moved for the approval of the minutes of April 16, April 17, April 24, and April 28, 1980, as printed. The motion carried by a unanimous roll-call vote.

C. PRESENTATION - Representatives of James River Ferry Safety Committee

Mr. G. T. Diggs, Chairman of the James River Ferry Safety Committee, addressed the Board asking for their support to the Highway Department in requesting increased ferry service between Surry and James City County. He stated that the James River Ferry Safety Committee will make a request to increase the current 19-hour operation to 24-hour operation, improve service, increase the frequency of operation, eliminate the tolls and improve operational safety. He stated that the improved services would increase trade with Surry residents, enhance tourist trade in the County and promote a greater cultural exchange in James City County. Mr. Diggs pointed out that the Committee had drafted a resolution for the Board's consideration and that this resolution was included in the package received by the Board.

Ms. Carol Thompson of Surry Social Services, addressed the Board explaining that Surry County has available minimum-wage workers who desire employment in James City County, however, do not have transportation once the ferry service terminates in the evening. She stated that James City County has many minimum-wage openings that need to be filled and requested the Board support this effort.

Mr. Oliver suggested the Board refer the matter to staff to allow them to work in conjunction with the Planning Commission and the Economic Development Advisory Committee to review the situation.

There were no objections and the matter was referred to staff.

D. PUBLIC HEARINGS

1. Music Festival - B & G Productions

Mr. Oliver presented this matter to the Board explaining that a similar festival had been successful last fall at the Twin Oaks Campgrounds using the same entertainers but different promoters. Mr. Oliver suggested if the permit is approved, the Board should consider imposing the requirements that had been placed on the last permit granted, i.e., termination of entertainment at 11:00 P.M. and off-duty sheriff personnel on the premises during all performances. Mr. Oliver also stated he had contacted a resident who had been disturbed by the festival last fall at the Campgrounds to insure that the residents were aware of the application.

Mr. Edwards opened the public hearing.

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

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Mr. Morton stated that the applicants had been informed of the conditions which would be imposed on the permit, and the applicants had told Mr. Morton that they could meet the conditions satisfactorily.

A discussion followed and Mr. DePue asked whether it would be possible to consider the new Outdoor Gatherings Ordinance being set for public hearing later in the meeting prior to approving this permit.

Mr. Morton responded that the applicants had made application under the current ordinance and would, therefore, be eligible for a permit under the present ordinance.

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

2. Vacation of Plat - North County Subdivision

Mr. Morton presented this matter to the Board.

Mr. Edwards opened the public hearing on the matter.

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

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

ORDINANCE NO. 139

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "SECOND REVISION OF NORTH COUNTY SUBDIVISION BY WILLIAM F. PETTENGILL, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA, AUGUST 7, 1976," AND MORE PARTICULARLY DESCRIBED AS THE COMMON LOT LINES BETWEEN LOTS 1 AND 2 AND LOTS 3 AND 4.

WHEREAS, application has been made by William F. Pettengill to vacate certain property lines 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 12th day of May, 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 lines between lots 1 and 2 and lots 3 and 4 as shown on that plat entitled, "Second Revision of North County Subdivision by William F. Pettengill, Stonehouse District, James City County, Virginia, August 7, 1976", prepared by B. D. Littlepage, Architects and Engineers, Inc., and recorded in Plat Book 34, page 23, on December 28, 1976, 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, "A Plat Showing Lot Lines to be Vacated, North County Subdivision, Lying in Stonehouse District, James City County, Virginia", dated March 26, 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, Virginia.

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

3. FY1981 Budget

Mr. McDonald made a brief presentation to the Board reviewing the actions taken by the Board since January in preparing the proposed budget.

Mr. Edwards opened the public hearing.

Mr. Harold Poulsen of 105 Deerspring Road addressed the Board recommending the budget for education be approved immediately and then further review the remainder of the budget in an effort to reduce the tax rate. Mr. Poulsen stated he felt a 76-77¢ tax rate could be reached if certain actions were taken. He recommended a regional recreation program be started in 1981, an agreement could be reached with the City of Williamsburg to share maintenance of grounds for public schools and an arrangement could be reached with the City of Williamsburg and School Boards to bring the Richardson-Meadows tract onto the public tax records. He pointed out that the County presently has 70% equity on this property.

Mr. Irving H. Robitshek, representative of the Chamber Ballet of the Institute for Dance, Inc., addressed the Board requesting \$5,000 as a contribution to the Institute for Dance. He stated that he was aware that a request of this nature was late in the process, however, he recently learned that the County had considered contributions to cultural activities. He urged the Board to consider this contribution as the Institute adds a much needed service to the County.

Mr. Charles G. Wistar of 342 Littletown Quarter, addressed the Board stating he fully supported the comments made earlier by Mr. Poulsen and urged the Board to further review the budget in an effort to cut the tax rate to 76-77¢.

Mr. Ralph Lamberson of 346 Littletown Quarter, addressed the Board and also requested a reevaluation of the budget in an effort to reduce the tax rate.

Mr. Anthony L. Sancetta of 122 Holly Road, spoke in opposition of the budget stating that he felt more attention should be given to the effort of defining cost and benefits in the budget.

Mr. John C. Kozel of 116 Jordans Journey spoke in opposition of the 82¢ tax rate and stated he felt an 80¢ tax rate would be sufficient to meet the demands of the County.

Mr. George Kodell of Winster Fax also spoke in opposition of the budget and specifically pointed out that the increase in County expenditures totalled 40% and requested an explanation of the large increase.

Mr. Bill Brown addressed the Board referring to a presentation he had made in a previous budget hearing. Mr. Brown pointed out that most of the citizens who had spoken at this hearing were retired citizens and stated that these retired citizens are being effected most by the high tax rates. He further stated that he felt the capital budget in particular had room for reduction.

Ms. Margo Tackett of Jamestown District addressed the Board stating that the residents of the County must be prepared to begin assuming certain duties rather than relying on the County to provide services; once the residents begin to work for themselves, the tax rate may be reduced.

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

Mr. Edwards stated that unless there were objections, the Board would refer Mr. Robitshek's request for funding to staff. There were no objections.

Mr. Bartlett moved to adopt a resolution approving the school budget and returning to worksessions for further review of the remainder of the budget.

Mr. DePue supported Mr. Bartlett's motion and pointed out that although a May 15 deadline must be met for the School budget, the requirement for the remainder of the budget was not until June 30, therefore, further review of the budget was possible.

Mr. Frink stated he was against such a motion in that he felt the budget was a Board document and that recommendations and advice had been given to the staff in the preparation of the budget. Mr. Frink stated he felt much time had been spent on the preparation of the budget

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Mr. Taylor agreed with Mr. Frink's comments and stated he had hoped to see the tax rate reduced to 80¢, however, he realizes that complete satisfaction among the Board members is impossible in this case.

Mr. Edwards indicated that an extensive amount of time had been spent in the preparation of the budget and that the Board members had sufficient opportunities in which to make recommendations for changes. Mr. Edwards stated he felt nothing would be solved in the adoption of only the School budget and recommended the entire budget be adopted.

The motion made by Mr. Bartlett to approve the School budget was defeated by a 3-2 roll-call vote, Mr. DePue and Mr. Bartlett voting aye.

Mr. Frink moved for the approval of the two appropriation resolutions, thus approving the entire budget.

A discussion followed.

The motion carried by a 4-1 roll-call vote, Mr. DePue voting against the motion.

R E S O L U T I O N

Revenue Sharing Appropriation

WHEREAS, the Administrator has prepared a Proposed Capital Improvements Budget for the fiscal year beginning July 1, 1980, and ending June 30, 1981; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the following amounts are hereby appropriated from the Revenue Sharing Trust Fund for the purposes as set forth in the FY1981 Capital Improvements Budget and as indicated below:

TOTAL REVENUE SHARING REVENUES	\$470,000
TOTAL REVENUE SHARING EXPENDITURES:	
Contributions to Capital Improvements Fund	470,000
Utility Development	135,000
Landfill	90,000
Emergency Medical	9,000
Law Enforcement	226,000
Fire Protection	10,000

R E S O L U T I O N O F A P P R O P R I A T I O N

WHEREAS, the Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1980, and ending June 30, 1981, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein and to set tax rates on real estate, tangible personal property and machinery and tools to provide certain revenue in support of those appropriations;

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

- (1) The following amounts are hereby appropriated in the General Fund for the offices and activities in the amounts as shown below:

GENERAL ADMINISTRATION

Board of Supervisors	\$ 369,960
Office of General Registrar	38,940
Electoral Board	3,105
Election Expenses	6,740
County Administrator	155,165
County Attorney	66,245
Legal Services	63,000
Program Development and Evaluation	66,155
Personnel Training and Citizens Assistance	110,885
Data Processing	4,350
Office of Finance	174,605
Commissioner of Revenue	125,630
Office of Real Estate Assessments	123,740
County Treasurer	137,345
Central Storeroom	0
TOTAL GENERAL ADMINISTRATION	\$1,445,865

PUBLIC WORKS

Public Works	196,890
Refuse Disposal	371,225
Mosquito Control	22,855
Buildings and Grounds	318,905
Building Inspections	123,850
Maintenance Garage	47,520
TOTAL PUBLIC WORKS	\$1,081,245

COMMUNITY DEVELOPMENT

Office of Planning and Development	192,510
Economic Development	42,000
VPI & SU Extension Service	48,215
TOTAL COMMUNITY DEVELOPMENT	\$282,725

PUBLIC SAFETY

Sheriff	\$ 549,835
Police	101,955
City-County Jail	34,335
Fire Department	827,110
Emergency Services	198,480
Civil Defense	40,665
Central Dispatch	33,665
Animal Control	53,625
TOTAL PUBLIC SAFETY	\$1,833,670

JUDICIAL ADMINISTRATION

Clerk of the Circuit Court	52,590
Circuit Court	12,900
General District Court	5,495
Juvenile and Domestic Relations Court	2,280
Commonwealth Attorney	23,665
Contributions	24,245
TOTAL JUDICIAL ADMINISTRATION	\$121,175

RECREATION/CULTURAL

\$193,900

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PUBLIC HEALTH & WELFARE

Social Services	916,420
Contributions - Public Health & Welfare	111,665
Mental Health/Mental Retardation Services Board	<u>114,420</u>
TOTAL PUBLIC HEALTH & WELFARE	\$1,142,505

EDUCATION

County Contribution	5,263,700
Debt Service	544,135
Other Funds	<u>4,033,260</u>
TOTAL EDUCATION	\$9,841,095

TAX DEFERRALS AND EXEMPTIONS \$676,540

TRANSFER TO CAPITAL IMPROVEMENTS \$1,225,000

TOTAL GENERAL FUND EXPENDITURES \$17,849,720

- (2) That the tax rates be set on the following property for the amounts shown below and revenues appropriated in the following classifications:

TAX RATES

Real Estate on each \$100 Assessed Value	\$.82
Tangible Personal Property on each \$100 Assessed Value	\$4.00
Machinery and Tools on each \$100 Assessed Value	\$4.00

GENERAL FUND REVENUES

General Property Taxes	\$8,192,050
Other Local Taxes	1,179,600
Licenses, Permits and Fees	660,000
Fines, Interest and Rent	266,600
Revenues from the Commonwealth	2,054,910
Revenues from the Federal Government	2,000
Charges for Current Services	106,300
Miscellaneous Revenues and Refunds	155,000
State and Federal Funds for Education	4,033,260
Carryforward Funds	<u>1,200,000</u>
TOTAL GENERAL FUND REVENUES	\$17,849,720

- (3) That the following amounts are hereby appropriated for the funds as indicated in the amounts as shown below:

CAPITAL IMPROVEMENTS FUND

REVENUES:

From Revenue Sharing	470,000
From General Fund	1,225,000
From James City Service Authority	100,000
Bond Proceeds	700,000
State and Federal Grants	<u>76,000</u>
TOTAL CAPITAL IMPROVEMENT FUND REVENUES	\$2,571,000

VIRGINIA PUBLIC ASSISTANCE FUND

REVENUES:

From the General Fund	\$916,420
TOTAL VIRGINIA PUBLIC ASSISTANCE FUND REVENUES	916,420

EXPENDITURES:

Administration	548,492
Public Assistance	<u>367,928</u>
TOTAL VIRGINIA PUBLIC ASSISTANCE FUND EXPENDITURES	\$916,420

SANITARY DISTRICT NUMBER ONE

Revenues	52,575
Expenditures	52,575

SANITARY DISTRICT NUMBER TWO

Revenues	152,360
Expenditures	152,360

SANITARY DISTRICT NUMBER THREE

Revenues	383,315
Expenditures	383,315

TRANSIT FUND

Revenues	233,550
Expenditures	233,550

- (4) The County Administrator be authorized to transfer funds and personnel from time to time within the offices and activities delineated in this resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
- (5) The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors with a 10% cost-of-living increase, not to exceed \$2,500, to be granted effective July 1, 1980.

E. CONSENT CALENDAR

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

R E S O L U T I O N
CONDITIONAL USE PERMIT
CUP-16-80

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. Harold Twining
Tax Map ID:	(9-4) (1-13)
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Terms:	N/A
Further Conditions:	None

2. 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 made 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 April, 1980:

GENERAL FUND	Checks	#10036-10342
	Totalling	\$972,061.95
GENERAL FUND PAYROLL	Checks	#21232-21680
	Totalling	\$156,832.18
SANITARY DISTRICT NUMBER 1	Checks	#87-88
	Totalling	\$1,879.29
SANITARY DISTRICT NUMBER 2	Checks	#161-165
	Totalling	\$3,602.15
SANITARY DISTRICT NUMBER 3	Checks	#1044-1061
	Totalling	\$96,058.09
SUBDIVISION ESCROW		-0-
REVENUE SHARING	Checks	#648-657
	Totalling	\$11,781.24
ANTI-RECESSION	Checks	#21-22
	Totalling	\$1,976.29
COMMUNITY DEVELOPMENT	Check	#106
	Totalling	\$20,246.97
JCC BOND SINKING FUND		-0-
REGIONAL JAIL CONSTRUCTION	Check	#14
	Totalling	\$6,225.02

3. Litter Control Appropriation

R E S O L U T I O N

LITTER CONTROL APPROPRIATION

WHEREAS, the Division of Litter Control has awarded the County an additional \$2,000 for the purpose of purchase of audio-visual equipment.

THEREFORE, BE IT RESOLVED that the following appropriation be increased as indicated:

Revenue from Commonwealth Litter Control Grant	\$ 2,000
Expenditures - Litter Control Grant	\$ 2,000

4. Outdoor Gatherings Ordinance - Setting Public Hearing for June 9, 1980 at 7:30 P.M.

F. BOARD CONSIDERATIONS

1. Sanitary District #3 - Suburban Water Improvements

Mr. Craig Lea, Civil Engineer, presented this matter to the Board stating that the County had received sealed bids for the improvement to Canterbury Hills and Lakewood pumping and storage facilities and that the low bidder on both contracts was Norman R. Sawyer. Mr. Lea recommended the approval of a resolution which would authorize the award of the Lakewood and Canterbury Hills contracts, appropriate additional funds, and authorize the County Administrator to proceed on priority basis with the other required improvements by County personnel.

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

SANITARY DISTRICT NO. 3 - SUBURBAN WATER IMPROVEMENTS

WHEREAS, the Board of Supervisors had previously appropriated \$150,000 for improvements to the Canterbury Hills, Lakewood, Raleigh Square and The Colony water supply systems; and

WHEREAS, Norman R. Sawyer is the low bidder on the Canterbury Hills and Lakewood waterworks improvement projects;

THEREFORE, BE IT RESOLVED that the County Administrator is authorized to execute the contracts for Canterbury Hills and Lakewood water system improvements; and

BE IT FURTHER RESOLVED that an additional \$20,000 is hereby appropriated from the Utility Development Fund for the improvements listed below:

1. Engineering Contract	\$ 11,370
2. Canterbury Hill Contract	30,360
3. Lakewood Contract	49,975
4. Additional Improvements	71,500
5. Contingency	<u>6,795</u>

TOTAL \$170,000

BE IT FURTHER RESOLVED that the County Administrator is authorized to proceed with other required improvements and to provide periodic progress and financial reports to the Board of Supervisors.

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2. Board and Commission Appointments

Mr. Edwards opened the floor for nominations to the Highway Safety Commission.

Mr. DePue moved to appoint Mr. Richard Drumwright and Mr. Lacy Moon to a term of four years, expiring on May 1, 1984.

The motion carried by a unanimous roll-call vote.

G. MATTERS OF SPECIAL PRIVILEGE

None

H. REPORTS OF THE COUNTY ADMINISTRATOR

None

I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue asked whether there was a County ordinance prohibiting open garbage trucks from travelling on public roadways.

Mr. Morton stated there was a state statute and a local ordinance concerning this matter.

Mr. DePue requested a copy of both the State and County ordinances.

School Contract

Mr. Morton explained to the Board members that the City of Williamsburg had made several changes in the resolution which the Board had adopted for the Joint Operation of Schools and read the changes as follows:

--In paragraph #1: added word "agree" to following:
"...on or before May 15, 1980, 'agree' to contribute..."

--Added paragraphs 4 and 5 as shown in revised resolution.

Mr. Taylor stated that perhaps such an agreement should not be changed until such time as annexation matters had been settled.

A discussion followed.

Mr. Edwards moved to adopt the Joint Resolution, as amended.
The motion carried by a unanimous roll-call vote.

(JOINT RESOLUTION TO AMEND THE CONTRACT,
AS AMENDED, FOR THE JOINT OPERATION OF SCHOOLS,
CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY

School Contract file

WHEREAS, the City of Williamsburg and County of James City have operated a consolidated school system since July 1, 1955, pursuant to a certain contract between the parties and their respective School Boards dated January 14, 1954, as amended; and

WHEREAS, it is the desire of all parties to amend said Contract for the year beginning July 1, 1980, and ending June 30, 1981;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Williamsburg, the Board of Supervisors of James City County, Virginia, and the respective School Boards of the said City and County that the Contract for operation of the consolidated school system dated January 14, 1954, as amended, shall be amended as follows:

1. That for the year July 1, 1980 to June 30, 1981, the City of Williamsburg shall, on or before May 15, 1980, agree to contribute for the operation of the consolidated school system local funds in the amount of \$2,005,000. and the County of James City shall, on or before May 15, 1980, agree to contribute for the operation of the consolidated school system local funds in the amount of \$5,260,000.

2. Notwithstanding any other provision of the Contract dated January 14, 1954, as amended, for the year commencing July 1, 1980, and ending June 30, 1981, the School Boards of the City and County shall determine in their sole judgment, without reference to said contract, how the contributions set forth in paragraph (1) above shall be expended.
3. It is specifically agreed that the funding of the renovation of Matthew Whaley having previously been agreed upon is not a part of this amendment and shall be funded on a 50-50 basis.
4. The parties mutually agree that on or before August 8, 1980, they will commence negotiations to permanently amend said contract in order to provide for an equitable formula by which future financial contributions by the localities shall be determined. The parties shall make every reasonable effort to agree upon and execute an amended contract in ample time that its provisions shall control the localities' respective contributions toward joint school operations for fiscal year commencing July 1, 1981.
5. Nothing herein shall be deemed a waiver of the right of either the City of Williamsburg or the County of James City to terminate the existing contract in accordance with the terms set forth therein.

Mr. Bartlett stated he had a problem with the intersection of Route 199 and South Henry Street and indicated he would discuss the matter with staff.

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

The meeting ADJOURNED at 9:45 P.M.


James B. Oliver, Jr.
Clerk to the Board

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