

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, HELD ON THE NINTH DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY, AT 7:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
 Abram Frink, Vice-Chairman, Roberts District
 Gilbert A. Bartlett, Jamestown District
 Perry M. DePue, Powhatan District
 Stewart U. Taylor, Stonehouse District

James B. Oliver, Jr., County Administrator
 John E. McDonald, Assistant to the County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES

Mr. John E. McDonald indicated that page five of the minutes under the Law Enforcement matter should be changed to read "The motion carried by a 3-1 vote with Mr. DePue voting no."

Mr. Taylor moved to approve the minutes with the correction. The motion carried by a unanimous roll call vote.

C. PRESENTATIONS

1. Lawrence Taylor Day

Mr. Edwards asked Mr. Bartlett to present this matter. Mr. Bartlett read a proclamation that acknowledged the fact that Mr. Lawrence Taylor has been honored as a First Team Consensus All-American Linebacker at the University of North Carolina at Chapel Hill. The proclamation designated February 19, 1981 as "Lawrence Taylor Day" in James City County, Virginia. Mr. Bartlett presented the proclamation to the parents of Mr. Lawrence Taylor, Mr. and Mrs. Clarence Taylor.

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

P R O C L A M A T I O N

LAWRENCE TAYLOR DAY

WHEREAS, Lawrence Taylor is a native of James City County and a graduate of Lafayette High School; and

WHEREAS, Lawrence Taylor has distinguished himself on the gridiron at the University of North Carolina at Chapel Hill to such an extent that he has been honored as a First Team Consensus All-American linebacker; and

WHEREAS, Mr. Taylor is the first County resident to achieve such honors, and realizing such honors reflect positively on his home community;

NOW, THEREFORE, BE IT RESOLVED that February 19, 1981 be proclaimed in James City County, Virginia, as

LAWRENCE TAYLOR DAY

with all the rights and privileges that such a designation affords its recipient;

BE IT FURTHER RESOLVED that this resolution be spread upon the Minutes of this meeting of the Board of Supervisors to be preserved in perpetuity.

2. American Red Cross Day

Mr. Edwards read the proclamation which designated March 1981 as American Red Cross Month. Ms. Judith Trautman accepted the proclamation on behalf of the American Red Cross.

Mr. Edwards moved to approve the proclamation. The motion carried by a unanimous roll call vote.

P R O C L A M A T I O N

AMERICAN RED CROSS MONTH

WHEREAS, the American Red Cross has served James City County in many worthy and valuable ways and;

WHEREAS, the American Red Cross is celebrating its one-hundredth year of service to our country, and;

WHEREAS, staffed by hundreds of willing and dedicated volunteers, the following services of the Red Cross have been invaluable to the citizens of James City County:

Service to Military Families and Veterans

Disaster Services

Blood Services

Volunteer Support Services

Safety Services: First Aid
Water Safety
Small Craft

Nursing Services: X-Ray Clinic
Blood Pressure Clinics
Baby-sitting Courses

NOW, THEREFORE BE IT PROCLAIMED by the Board of Supervisors of James City County, Virginia, that in recognition of the American Red Cross' one-hundred years of dedicated service, the month of March 1981 be proclaimed:

AMERICAN RED CROSS MONTH

for James City County.

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D. PUBLIC HEARING

1. Vacation of Plat - An ordinance to vacate a portion of that certain plat entitled, "Revised Subdivision Plat, First Colony, Section 4, owned by First Land Corporation, Jamestown District, James City County, Virginia," and more particularly described as the common lot line between lots 229 and 230.

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. He stated that Mr. Frederick Gore, attorney on the behalf of Clyde R. and Iva Lee Keith, are requesting that the common lot line dividing lots 229 and 230 be vacated and relocated. He asked the Board to adopt the ordinance.

Mr. Edwards opened the public hearing. There were no speakers, therefore, the public hearing was closed.

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

ORDINANCE NO. 143

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "REVISED SUBDIVISION PLAT, FIRST COLONY, SECTION 4, OWNED BY: FIRST LAND CORPORATION, JAMESTOWN DISTRICT, JAMES CITY COUNTY, VIRGINIA".

WHEREAS, application has been made by Frederick S. Gore, attorney for Clyde R. and Iva Lee Keith, owners of lot 230, to vacate and relocate the common lot line dividing lots 229 and 230, 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 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 9th day of February, 1981, pursuant to such notice and were of the opinion that such vacation and relocation 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 dividing lots 229 and 230 as shown on that certain plat entitled, "Revised Subdivision Plat, First Colony, Section 4, Owned by: First Land Corporation, Jamestown District, James City County, Virginia", dated June 29, 1963 and prepared by S. V. Camp III and Associates, and recorded in Plat Book 23, Page 36, in the Clerk's Office of the Courthouse for Williamsburg-James City County be and the same is hereby vacated.
2. That a new plat entitled, "Plat to Accompany Vacation and Resubdivision of Lots 229 and 230, First Colony, Section 4, Jamestown District, James City County, Virginia, prepared by Spearman and Associates, Inc., and dated November 25, 1980, which plat reflects a revised property line dividing lots 229 and 230, be put to record in the Clerk's Office of the Courthouse for Williamsburg-James City County, Virginia.

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

E. CONSENT CALENDAR

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

1. Proposed Amendment to Chapter 5A, Section 8, James City County Code - Erosion and Sedimentation Control.

This proposed amendment was scheduled for public hearing at the Board of Supervisors' March 9, 1981 meeting.

2. The following cases were scheduled for public hearing at the Board of Supervisors' March 9, 1981 meeting:

CASE NO. Z-11-80 - Mr. David L. Hertzler
 CASE NO. Z-12-80 - Mr. & Mrs. James Siater
 CASE NO. Z-14-80 - Mr. George A. Marston
 CASE NO. Z--81 - Mr. Paul Small
 CASE NO. SUP-1-81 - Mr. George C. Norris, Sr.
 CASE NO. SUP-2-81 - Mr. Paul Small

3. Appropriation - Cable Application Fees

R E S O L U T I O N

APPROPRIATION OF CABLE TELEVISION APPLICATION FEES

- WHEREAS, the Board of Supervisors of James City County did by ordinance assess a \$1,000 non-refundable application fee for those companies that propose to serve James City County through a Cable Television Franchise; and
- WHEREAS, the Board has designated the Cable Communication Advisory Board as the body responsible for reviewing and analyzing each proposal submitted, to include the use of paid professional assistance; and
- WHEREAS, four companies have made application and a total of \$4,000 has been paid to date;
- NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County does hereby appropriate \$4,000 as detailed below:

Revenues - Licenses, Permits and Fees	
Cable Application Fees	\$4,000

Expenditures - Program Development and Evaluation	
Cable Proposal Evaluation	\$4,000

F. BOARD CONSIDERATIONS

1. Extension of MICA Contract

Mr. John E. McDonald, Assistant to the County Administrator, presented this matter to the Board. He stated that over the last twelve months the County has been under contract with Management Improvement Corporation of America, (MICA) which specializes in a rather unique service. The Corporation will do projects that both the county and the firm agree on and their fee is based a percentage of first year savings and also whether or not their recommendations are implemented and only if implementations of the recommendation produces a measurable savings. He said that a \$23,000 ceiling is set for James City County that is based on population. Mr. McDonald also commented that the county has had good experience with MICA and would like to continue working with them. He said that the county would like to give them a chance to prove to the county's satisfaction the savings on a purchasing project as well as review other areas under the present type of arrangement such as public works, cash management, records management for the Service Authority and others. He asked that they adopt a resolution authorizing the County Administrator to execute the contract.

Mr. Frink asked if they are working on some projects now.

Mr. McDonald stated that they are currently involved in three projects - purchasing, cash management and the sick pay exclusion program and savings have been documented. He added that the MICA would also like to implement additional projects that would allow the county to save and the county would like to give them the opportunity to do so.

AAJ927

Mr. DePue moved to adopt the resolution authorizing the County Administrator to execute the contract. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

MANAGEMENT IMPROVEMENT CORPORATION OF AMERICA

WHEREAS, the Board of Supervisors is in receipt of a proposal from the Management Improvement Corporation of America; and

WHEREAS, such proposal will cause Management Improvement Corporation of America to be reimbursed only if recommendations made by the company are implemented and produce savings or additional revenue;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby authorize the County Administrator to accept and administer the contract shown as part of a Proposal for Services dated February 3, 1981 from Management Improvement Corporation of America.

2. Ware Creek Reservoir

Mr. James B. Oliver, Jr., County Administrator, presented this matter to the Board. He stated that this matter had been discussed in several work sessions and is simultaneously being considered by New Kent County also. He asked the Board to adopt a resolution authorizing the Chairman of the Board of Supervisors to execute the Letter of Intent which will serve as a formal agreement between New Kent County and James City County for the development of the Ware Creek Reservoir.

Mr. Edwards asked if New Kent County is aware that James City County is taking action on this matter tonight.

Mr. Oliver said that New Kent County is aware that the county is taking action tonight.

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

WARE CREEK RESERVOIR - LETTER OF INTENT

WHEREAS, James City County and New Kent County have agreed on a Letter of Intent regarding construction and operation of the Ware Creek Reservoir;

THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors be authorized and directed to execute said Letter of Intent on behalf of James City County.

H. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards asked if anyone in the audience wished to address the Board on any matter.

No one wished to speak.

I. REPORTS OF THE COUNTY ADMINISTRATOR

1. Planning Commission Priority Listing of FY 1982 Capital Improvement Projects

Mr. Oliver, County Administrator, stated that the Planning Commission had forwarded their priority listing of capital projects to him and he would like the Board to formally refer the list to him for preparation of the total county budget.

Mr. Edwards moved to refer the matter to Mr. Oliver.

Mr. Frink asked if the Board would be reviewing the same list or a revised list.

Mr. Oliver commented that any time would be appropriate for the Board to change the priority listing but he has to take the total priority picture along with other requests and incorporate them into the five-year budget plan, which could mean that some projects will be phased out and others recommended for full appropriations for the upcoming budget. Mr. Oliver said that if the Board refers the matter to him he will consider the ranking of the projects and take whatever revenues are available so that it will complete the overall project.

Mr. Frink stated that he will support the motion to refer the matter to Mr. Oliver, but he is not content with the priority listing.

Mr. Oliver commented that the Planning Commission members had different opinions on the ranking of the projects, but the list represents some hard work on their part and he feels that the list is a very good statement of exactly where the Planning Commission thinks these projects belong.

Mr. Bartlett pointed out that as a member of the Planning Commission, there were no controversy over the first five items on the list.

Mr. Walter J. Scruggs, Chairman of the Planning Commission, addressed the Board on this matter. He commented that the Planning Commission had been working on the ranking of these projects for approximately three months and they will leave the final decision to the wisdom of the Board of Supervisors.

On behalf of the Board of Supervisors, Mr. Edwards commended the Planning Commission for their hard work on the Capital Improvement Projects priority listing.

Mr. Edwards' motion to refer the Capital Improvement Projects priority listing to Mr. Oliver carried by a unanimous roll call vote.

Mr. Edwards asked if there were any other matters to discuss.

Mr. Oliver said that Mr. McDonald had a late item to present concerning setting up a bank account for community development funds.

James City County Community Development Interest Reduction Account

Mr. McDonald apologized to the Board for the lateness of this item commenting that while moving forward with the federal regulations regarding the Community Development Program, an important county regulation was almost overlooked. He said that certain Community Development Programs such as Carriage Road, the housing rehabilitation is done through a loan in cases where a family's income is not eligible for grant. In which case, a loan is obtained from a local bank under an agreement that monies are lent at an interest rate of three percent. He said that the Community Development Program deposits such funds in an account so the bank can realize competitive interest rates whereby the homeowner pays three percent and the bank will earn ten percent or whatever the agreement calls for. Mr. McDonald said that under this arrangement the county sets up account to deposit the proceeds in that account so that the bank can draw upon the life of the loan. He also said that there are about eight or nine projects that should go as a package, but in this particular instance the person prefers to deal with Old Colony Bank, therefore, the staff is requesting permission to open a bank account. He added that the staff will be back to the Board with a package plan which may or may not be dealing with a local bank.

Mr. DePue asked if the county is acting as guarantor.

Mr. McDonald answered that the county is not acting as guarantor.

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

AAJ927

Mr. DePue commented that wanted the record to show that he is opposed to the dirt streets approach.

Mr. Bartlett commented that he will vote in favor of the motion because of the unique nature of the project.

Mr. Taylor stated that he believes in competitive bidding and he feels the county should not be bidding against another bidder.

The motion carried by a 4-1 roll call vote, with Mr. DePue voting no.

Mr. Oliver asked the Board to authorize the Chairman of the Board of Supervisors to notify the Peninsula Airport Commission of James City County's intentions to honor Newport News and Hampton's request for the county to withdraw from the Commission.

Mr. Edwards commented that a letter will be written with all of the information necessary for James City County to withdraw properly. He moved to accept the staff's request to write the letter acknowledging James City County's withdrawal from the Commission. The motion carried by a unanimous roll call vote.

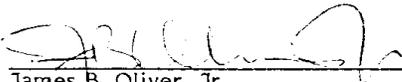
Mr. Edwards moved to appoint Mr. Ray Phillips to complete Mr. Lacy Moon, former Transportation Supervisor for Williamsburg-James City County Schools, on the Transportation Safety Commission. The motion carried by a unanimous roll call vote.

I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue directed the staff to review an ordinance that pertains to the exemptions of totally disabled persons and those over 65 years of age. He said that the ordinance was adopted by the county in 1977, and in view of the impact of inflation, he feels that the ordinance should be reviewed by the staff and made available to other Board members. Mr. DePue stated that review of this ordinance could prove to be beneficial to those persons involved.

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

The meeting ADJOURNED at 8:05 P.M.



 James B. Oliver, Jr.
 Clerk to the Board

AAJ927