

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, HELD ON THE TWENTY-THIRD DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY, AT 3:00 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. Frink moved to approve the Minutes of February 9, 1981 as submitted. The motion carried by a unanimous roll call vote.

C. HIGHWAY MATTERS

Mr. Edwards asked Mr. Hall if he had any matters to bring before the Board.

Mr. Frank N. Hall, Resident Engineer for Virginia Department of Highways and Transportation, informed the Board that on March 17, 1981 the Pre-Allocation Hearings for Urban, Primary and Interstate funding would be held in Suffolk, Virginia and that the Board should probably send a representative. He also reported that he had received over half of his inquiries on Route 610 (Old Forge Road) and he should have a report to the Board next month. Mr. Hall said that he had had the signal checked at the intersection of Route 199 and Route 5 at Mr. Edwards request, and asked Mr. Edwards if he had noticed any difference.

Mr. Edwards answered that the signal was still working improperly.

Mr. Hall indicated that he would check into the matter again.

Due to phone calls from residents of Mooretown Road, Mr. DePue asked Mr. Hall to check into the speed limit on Mooretown Road. Mr. Hall said that he would do so.

Mr. Taylor thanked Mr. Hall for having the trees cut down on Route 60 at Route 607 which will avoid future potential accidents.

Mr. Bartlett asked Mr. Hall to check into the signal lights that should be at the intersection of Route 199 and South Henry Street. Mr. Hall said that he would check into the matter.

D. PRESENTATIONS

1. Proclamation - Employ The Older Worker Week

Mr. Edwards read a proclamation which designated the week of March 9, 1981 through March 15, 1982 as "Employ The Older Worker Week". He then presented the proclamation to Mr. John Transue, representing the Virginia Employment Commission.

Mr. Transue commented that he would use the proclamation in a

public relations initiative to help employers see the need to employ older workers. He thanked the Board for their support.

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

EMPLOY THE OLDER WORKER WEEK

WHEREAS, many older Virginians are employed in positions of vital importance to the labor force and economy of the Commonwealth. During their work years they have acquired invaluable experiences which contribute much to our communities and to the state as a whole.

WHEREAS, many older persons however, possess the same experience and dedication to the free enterprise system but are facing unusual difficulty in securing employment, in part because of their age.

WHEREAS, the Commonwealth of Virginia, through the Virginia Employment Commission and the Office on Aging is actively attempting to improve employment opportunities for those older persons who wish to work.

WHEREAS, the Federal Government is now working to eliminate unfounded discrimination against older workers.

NOW, THEREFORE, I, Jack D. Edwards, Chairman of the Board of Supervisors of James City County, Virginia, do hereby proclaim March 9, 1981 through March 15, 1981, as

EMPLOY THE OLDER WORKER WEEK

in the County of James City, and urge that wherever possible efforts be made by those public and private officials who are responsible for job placement, counseling, training and retraining services, intensify, throughout the entire year, their efforts to assist older workers in finding suitable jobs and training opportunities.

2. Williamsburg Area Arts Commission

Mr. Alan Robertson, a representative of the Williamsburg Area Arts Commission, stated that his purpose for coming before the Board was to give them an update on the status of the Commission's activities and to seek the Board's support in formalizing James City County's involvement in the Commission's activities. He said that a panel of five citizens were appointed in 1979 by the City of Williamsburg to address the question of establishing an arts commission. This task force recommended in 1980 that an arts commission be established based on the investigation that showed that there was a strong need to develop the arts in the Tidewater area and Newport News, Virginia Beach, and Norfolk, Virginia were used as successful examples. Mr. Robertson further stated that during the summer of 1980 the City Council endorsed and established an arts commission and extend and invitation to neighboring jurisdictions to join the commission. He said that in November 1980, York County's Board of Supervisors unanimously agreed to support the Commission and appointed a representative. He stated that the Commission is composed of seven persons, four from the City of Williamsburg, two from James City County (Dave Hertzler and himself) and one from York County. Mr. Robertson said that the Commission met in December 1980 and elected officers and drew up grant application forms and began soliciting applications. He said that he was not seeking monetarial support from the Board, but urged them to consider an area-wide concept of an arts commission and pointed out two specific reasons for their participation (1) to support individual artists that reside in the county, and (2) to establish control of type of services. Mr. Robertson said that he would answer any questions the Board may have and pointed out that Mr. Bob Magoon, Chairman of the Arts Commission, was also present to answer any questions.

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Mr. DePue stated that he was interested in the subject, and asked if a regional arts commission was formed, what would be the best basis for determining membership - would it be based on equal representation according to population?

Mr. Robertson said that they really don't want to go on a percentage basis, but they would screen applications and the Board would determine what level of funding they would want for each service.

Mr. DePue asked Mr. Robertson if his job is strictly advisory.

Mr. Robertson said that that was a difficult question to answer, but commented that he was a participating member in the vote determination and is secretary to the commission. He said the key is the effect on the application process. For example, if a ballet company applies and the money is supplied locally, the commission can say from past surveys we don't want just one big performance, but several small performances.

Mr. DePue asked if he had received any reactions from groups on this type of approach.

Mr. Robertson replied that most were willing to negotiate.

There being no further questions or comments, Mr. Edwards thanked Mr. Robertson for his presentation.

#### E. CONSENT CALENDAR

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

1. CASE NO. CUP-1-81 - Conditional Use Permit for Mobile Home  
Mr. Robert Blanton McLean

#### R E S O L U T I O N

#### Conditional Use Permit

WHEREAS, it is understood that all conditions for the 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 developed by the applicant, as described below, and as detailed in the attached application and site location map.

Applicant:	Robert Blanton McLean
Tax Map ID:	(13-1)(1-12)
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Terms:	N/A

2. CASE NO. CUP-2-81 - Conditional Use Permit for Mobile Home  
Nathaniel Graves

#### R E S O L U T I O N

#### CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for the 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 developed by the applicant, as described below, and as detailed in the attached application and site location map.

Applicant: Nathaniel Graves  
 Tax Map ID: (20-2)(1-4)  
 District: Powhatan  
 Zoning: A-1, General Agriculture  
 Permit Terms: None  
 Further Conditions: Issuance of the permit shall be withheld until the Planning Staff receives verification from the Health Department that the water and sewer systems are acceptable for this use.

3. Certification of Warrants

RESOLUTION

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 majority roll-call vote, the Board of Supervisors of James City County hereby certifies the following warrants for the month of January, 1981:

GENERAL FUND	Checks	12905-13163
	Totalling	\$964,996.29
GENERAL FUND PAYROLL	Checks	25569-26102
	Totalling	\$197,015.75
SANITARY DISTRICT NO. 1	Checks	101-103
	Totalling	\$14,200.84
SANITARY DISTRICT NO. 2	Checks	224-227
	Totalling	\$3,893.37
SANITARY DISTRICT NO. 3		Account Closed
SUBDIVISION ESCROW		-0-
COMMUNITY DEVELOPMENT	Checks	293-307
	Totalling	\$30,150.50
REVENUE SHARING	Checks	706-713
	Totalling	\$1,903.96
JCC BOND SINKING FUND		-0-

4. Setting Public Hearing Date - Landfill Ordinance Amendment

This ordinance was scheduled for public hearing on March 23, 1981.

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## F. BOARD CONSIDERATIONS

1. Site Plan Approval - Case No. SP-6-81 - Busch Properties, Inc. -  
Residents' Recreation Area - Tutters Neck

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He stated that Mr. Norman Mason on behalf of Busch Properties, Inc. has requested site plan approval for the planned recreation area for the Tutters Neck portion of Kingsmill. He said that because the property is zoned R-4, Residential Planned Community, it is necessary for the Board of Supervisors to grant final approval. Mr. Porter asked the Board to approve the site plan based on the conditions set forth in the resolution by the Site Plan Review Committee of the Planning Commission and the Planning Staff.

Mr. Bartlett asked what source of water will be used.

Mr. Porter answered that they have a contract with Newport News for water.

Mr. Bartlett asked Mr. Porter if he has discussed the conditions with the applicant.

Mr. Porter answered that he has discussed the conditions with the applicant.

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

BUSCH PROPERTIES, INC.  
RESIDENTS' RECREATION AREA  
TUTTERS NECK

WHEREAS, Busch Properties, Inc., has presented plans for the Tutters Neck recreation area in Kingsmill on the James; and

WHEREAS, Kingsmill on the James is zoned R-4, Planned Community, which requires approval of such plans by the Board of Supervisors of the County of James City; and

WHEREAS, these plans have been reviewed by the County staff and by the Site Plan Review Committee of the Planning Commission, and both have recommended the approval of the plans with conditions;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the final site plan for Tutters Neck recreation area be approved, subject to the following conditions:

1. The temporary gravel outlet structure, indicated on the plan, shall be cleaned out and left as a permanent storm water basin after the area has stabilized.
2. Stabilized construction entrance shall be installed to prevent the tracking of mud during ingress and egress.
3. Straw bale barriers shall be installed around drainage structures.
4. Straw bale check dams shall be installed in the drainage swale at the outfall from the 12" culvert under the driveway.
5. The 12" culvert under the driveway shall be enlarged to a 15" culvert, and item #4 above will apply.
6. Erosion and sedimentation control measures shall be shown at the North side of the Tennis Courts, particularly at the Northeast corner.
7. A siltation agreement and a bond (or letter of credit) in an amount equal to \$2400.00 is required.

8. The first six items of this recommendation be met when the planning staff receives a letter from Mr. Mason stating that the indicated actions will be taken, and are a part of the approval.
9. A building permit will be withheld until item #7 above has been received by the Department of Public Works.

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Taylor commented that Mr. Jackson Darst, a representative of the County Board of Agriculture, was present to discuss the Federal Crop Insurance Program for farmers and would like the Board of Supervisors to write a letter to congressmen to become a participant in the program.

Mr. Darst read a resolution that had been adopted by the Board of Agriculture on Thursday, February 19, 1981 stating that James City County be requested to confirm producers in the county being covered under this program and contact the appropriate agency and congressmen. He said that thus far 8 counties are participating in this program - North Cumberland, Richmond, Westmoreland, King and Queen County, King William County, Esses and two on the eastern shore. Mr. Darst said that the federal crop insurance program is very sound - the crop insurance is paid by farmers and it covers only costs -which is very significant during this time frame considering the drought last year and the 1977 drought. Mr. Darst said that what it amounts to is that those who exert the most muscle will have priority for getting into the program and he feels that James City County should be on the priority listing.

Mr. Edwards asked what criteria was used for the eight counties now on the list.

Mr. Darst answered that there has been no published criteria and he would only guess that it depends on the amount of pressure exerted. He pointed out that those particular counties are heavily agricultural. He said that if the Board if interested they should write a letter to Mr. William H. Byrd in North Carolina who is responsible for the program.

Mr. Edwards asked Mr. Darst if he wants the Board to endorse the resolution adopted by the Board of Agriculture.

Mr. Darst answered that he would suggest that a letter be written confirming the fact that the Board feels that James City County should be included in the program addressed to congressmen Paul Trible.

Mr. Edwards asked if there is a cut-off time for inclusion in the program.

Mr. Darst answered that it is too late for James City to be included in the program this year, but if the letter is written now, James City County would be put on the priority list.

Mr. Taylor moved to direct the staff to prepare a letter to the appropriate persons confirming the county's interest in the program. The motion carried by a unanimous roll call vote.

Proposed Exchange of Property with Norco, Inc./Carriage Road Community Development Project

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. He asked the Board to adopt a resolution authorizing the Chairman and Clerk of the Board to execute a deed transferring part of tract 4 from the County to Norco, Inc. for \$1,500 and a transfer of a certain parcel described as tract 5 from Norco, Inc. to the County for \$4,100.

Mr. DePue moved to adopt the resolution.

Mr. Bartlett asked where part of tract 4 is on the map.

Mr. Morton apologized to the Board for that portion of the tract not being on the map and indicated that he would get a correct map for the Board.

Mr. DePue withdrew his motion.

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Mr. Oliver commented that after discussion of the Carriage Road matter he would like to give the Board the status of the Sand Hill Subdivision's water problem and request an executive session after that presentation.

Mr. Oliver suggested that Mr. Edwards inform the public that the Board would not be taking any other action except the Carriage Road matter, but they were welcome to attend the public discussion of the Sand Hill situation.

Mr. Edwards stated that the Board would recess for five minutes and act on the Carriage Road matter, and then have a public work session on the Sand Hill water problem.

The Board recessed at 3:30 P.M. and reconvened to public session at 3:35 P.M.

Mr. Oliver requested that the Carriage Road matter be deferred to the Board's March 9, 1981 meeting. There were no objections to this request.

#### WORK SESSION - SAND HILL SUBDIVISION'S WATER PROBLEM

Mr. Oliver gave a general overview of the Sand Hill water situation. He said that the situation has been going on for eight or nine months now and the county is not a principal party; it is a private matter between the developer and individuals who made their decision to buy in the area. He said that despite this, the county does have a set of policies to eventually manage water supply in the county and last year the Planning Commission and Board of Supervisors adopted a master water plan. He further stated that therefore, the county does have an interest from a policy point of view as well as a public health aspect. He said that Sand Hill consists of 23 lots and the county has been invited into being intermediaries - talking with different agencies, citizens and other interested persons about the problem to find solutions that will fall within acceptable guidelines with the master water plan. He said that the county has tried looking at grants to no avail. Mr. Oliver said that one of the possible solutions is to extend the waterline from Owens-Illinois to Sand Hill at a cost of \$156,000 for the county and would be a \$33,000 for Sand Hill residents. He said that the developer of Sand Hill is not in a position at this time to offer any financial assistance. He said that the another possibility was to extend a trunk line to Anderson's Corner and down Route 645 to Sand Hill and ultimately all the way around to Norge, but the engineering staff felt that this would be picking up others' trouble and would cost about \$700,000. Mr. Oliver said that a third option is to develop a community well for Sand Hill residents which would be a \$110,000 problem for the county at a cost of \$2,500 for each Sand Hill resident and if the community as a whole will commit themselves to the \$2,500, the Virginia Housing Development Authority will loan them the money if they meet eligibility requirements. He commented that the residents are in a great deal of agony - some homes don't have any water and so far only one resident has put in a deep well. He added that putting in deep wells at some point there will be too many wells going into the same aquifer.

A lengthy discussion ensued.

Mr. Edwards commented that if the county's policy is to put in a public water system wherever someone would be putting in deep wells that will cause too much water to be taken from that aquifer - he wonders if the county will be buying problems.

Mr. Oliver commented that that is a real issue, but if the county says that this will put the county in jeopardy, the county is only putting off the inevitable.

Mr. Taylor commented that if the county is going to put in a community water system in Sand Hill, the county should find out how many citizens will agree to borrow the \$2,500 particularly since the loans will be granted according to a person's income.

Mr. DePue commented that it would basically be a home improvement loan. He said that he wonders if in the long-term the county is wise in seeking deep community wells.

Mr. Oliver commented that the county should say that individual deep wells are not wanted in subdivisions, but the county's strategy is to provide public water, and eventually the county may have to think seriously about entering into a permitting process for wells.

Mr. Taylor asked how much James City Service Authority money would go into the community well for Sand Hill residents.

Mr. Oliver answered that a ballpark figure would probably be between \$10,000-25,000.

Mr. Edwards said that at one point there was discussion about the possibility of families sharing deep wells. He asked if that is a way of saving money.

Mr. Bass commented that that had been suggested to the residents, but they had not chosen to act on it.

Mr. DePue commented that there are legal problems associated with that method.

Mr. Taylor pointed out that there are some absentee landowners in the Sand Hill subdivision.

Mr. Oliver commented that he wanted to inform the Board of the options and would like to know from them what they definitely want to do or don't want to do. He said that he thinks the residents need to know if the county sees any role in solving their water problem.

Mr. Bartlett commented that he doesn't want the residents to think that the solution is in the hands of the county. He said that he would like to see the county as a passive partner in a partnership with the developer taking a more active role.

Mr. DePue commended the staff for the efforts towards a solution to the water problem in Sand Hill.

Mr. Frink commented that he is opposed to running the \$300,000 waterline and would prefer to wait until Mr. Oliver talks with the Sand Hill residents about the possibility of the county putting in a community well.

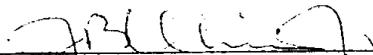
Following a brief discussion, it was the consensus of the Board to let Mr. Oliver talk to the residents of Sand Hill about the county putting in a community well system.

Mr. Edwards moved to go into executive session to discuss a pending legal matter pursuant to Section 2.1-344 (a)(6) of the Code of Virginia, 1950 as amended. The motion carried by unanimous roll call vote.

The Board convened into executive session at 5:00 P.M. and reconvened into public session at 5:45 P.M.

Mr. Edwards moved to recess until 3:00 P.M. on February 27, 1981. The motion carried by a unanimous roll call vote.

The meeting recessed at 5:50 P.M.

  
James B. Oliver, Jr.  
Clerk to the Board