

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, HELD ON THE NINTH DAY OF MARCH, NINETEEN HUNDRED EIGHTY-ONE, 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. Frink moved to approve the Minutes of February 23, 1981 as submitted. The motion carried by a unanimous roll call vote.

DISCUSSION - CHICKAHOMINY RESIDENTS

Mr. Edwards noted that he was aware of the citizens from Chickahominy area present in the audience who wished to address the Board. He asked Mrs. Alma White to address the Board.

Mrs. Alma White, resident of the Chickahominy area, spoke on behalf of the residents of Chickahominy. She stated that the residents of the area are planning to go before the City of Newport News to ask them to provide fencing in the areas of the reservoir that are very close to area homes to prevent small children from wandering into the reservoir. She asked for the Board's moral support in the matter.

Mr. Edwards commented that all of the Board members are not familiar with this situation, therefore, he asked her if it would be appropriate to refer the matter to the County Administrator and staff and let them investigate the matter and come back with a recommendation to the Board at their next regular meeting.

Mrs. White commented that the county staff has had no answers to their questions and she would like the Board to give their moral support at this time if possible.

After a brief discussion, Mrs. White agreed to let the Board refer the matter to the staff and put in on the Board's next agenda.

Mr. Edwards moved to refer the matter to the county staff with the understanding that they will provide the Board with a recommendation at the Board's March 23, 1981 meeting. The motion carried by a unanimous roll call vote.

C. PRESENTATIONS

1. Chamber of Commerce - Travel Bureau

Mr. Joe Abdelnour addressed the Board on this matter. He said that last year the Chamber of Commerce commissioned the International Association of Convention and Visitors Bureau to provide a study for the Chamber of Commerce relative to the need for a travel conference bureau within the Chamber of Commerce. He said that the report demonstrated a need for a travel development bureau in this community. He said that the Chamber of

Commerce appreciated the funding from James City County last year which was \$12,000 and the additional \$3,000 allocated for gasoline emergency was not used however, this year the Commerce is asking all parties involved to invest money in the proposed travel development bureau. He pointed out that the City of Williamsburg has indicated a willingness to put forth funds. Mr. Abdelnour presented the Board members with material regarding the organizational structure of the proposed travel bureau and information regarding the budget. He pointed out that that the travel bureau would be established under a Travel Development Committee composed of representatives of businesses and governing bodies. Mr. Abdelnour said they really want a comprehensive approach to allow them to compete successfully with other travel agencies. He said he felt the budget is balanced, and noted that they cut the consultants proposal for eight new staff positions to four. He concluded that they propose the budget to be funded as follows: Chamber of Commerce - \$75,000; Williamsburg Innkeepers Association - \$80,000; City of Williamsburg - \$200,000; James City County - \$50,000; and York County - \$25,000. He commented that he is aware that this would be a substantial amount for James City County but since the travel market is number one in this area he feels that money should be provided from the public sector as well as the private sector. He asked the Board to protect the jobs of the tourist industry and consider favorably the \$50,000 request.

Mr. Edwards asked if the study was geared more toward a convention bureau.

Mr. Abdelnour said that the group that did the study is called Convention and Visitor Bureau but the thrust of the recommendation is that the Chamber of Commerce not only implement travel business but do a better job in general with tourist development. He also said that the purpose was not to study the feasibility of setting up a convention bureau, but to study the entire scope of tourist and travel industry. He said that the bottom line was the need to concentrate efforts in both the family travel market as well as the conference travel market.

Mr. Edwards asked if the thrust of the study was also that it would be a good idea for the area to increase the convention business during the off season.

Mr. Abdelnour answered yes.

Mr. DePue commended Mr. Abdelnour for his fine performances during the past year he served as president of the Chamber of Commerce.

There being no further questions or discussion, Mr. Edwards thanked Mr. Abdelnour for his presentation.

2. Joint School Boards - FY 1982 Budget

Mr. Sam Powell addressed the Board on this matter. He noted some positive changes adopted by the School Boards during the last year such as the: (1) Drug Policy - which has reduced the number of expulsions this school year; (2) Attendance Policy; (d) Discipline Policy; (4) Renovations at Matthew Whaley Elementary School and James Blair Junior High School; and (5) the hiring of a new school superintendent. He also noted that the Finance Director position had been divided. Mr. Powell stated that the school system had addressed several factors except that of the classroom teacher - who is highly responsible for making the system go. Mr. Powell said that the school system's budget proposes a 16% salary increase for teachers based on inflation as well as the fact that the system is losing good teachers to industry, and if something isn't done now, a crisis may result. Mr. Powell said that the school system needs this raise in order to employ good teachers and not just someone to fill the job. He asked the Board to endorse the budget as proposed. He added that school personnel were in the audience to address any questions regarding the budget.

Mr. Powell commented that if the system is seeking good teachers, you also need the best administrators available to evaluate them.

There being no further questions or discussion, Mr. Edwards thanked Mr. Powell for his presentation.

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D. PUBLIC HEARINGS

1. Erosion and Sedimentation Control Ordinance - An ordinance to amend and reordain Chapter 5A, Erosion and Sedimentation Control, of the Code of the County of James City, by amending Section 5A-8, Responsibility of Owner for Expense of Control Measures; Performance Bonds.

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. He asked the Board to adopt the amendment which will incorporate the new wording of the amended version of the State Law into the county's local ordinance which particularly clarifies language concerning the use of performance guarantees by localities.

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

ORDINANCE NO 85A-2

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5A, EROSION AND SEDIMENTATION CONTROL, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING SECTION 5A-8, RESPONSIBILITY OF OWNER FOR EXPENSE OF CONTROL MEASURES; PERFORMANCE BONDS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 5A, Erosion and Sedimentation Control, of the Code of the County of James City be and the same is, hereby, amended and reordained by amending Section 5A-8, Responsibility of Owner for Expense of Control Measures; Performance Bonds, to read as follows:

CHAPTER 5A

Erosion and Sedimentation Control

Section 5A-8, Responsibility of Owner for Expense of Control Measures; Performance Bonds.

All control measures required by the provisions of this chapter shall be undertaken at the expense of the owner or his agent. Pending such actual provision thereof, the owner or his agent shall execute and file with the administrator, prior to issuance of the land disturbing permit, a performance bond, cash escrow, letter of credit, any combination thereof, or other legal arrangement as is acceptable to the County Attorney. This shall be in an amount determined by the administrator, equal to the approximate total cost of providing erosion and sedimentation control improvements. These documents shall be approved by the County, and are to ensure that measures could be taken by the County, at the

applicant's expense, should he fail, after proper notice, within the time specified to initiate or maintain appropriate conservation action which may be required of him by his approved plan as a result of his land disturbing activity.

Within sixty days of the completion of the land disturbing activity, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the owner or his agent, or terminated, as the case may be.

These requirements are in addition to all other provisions of law relating to the issuance of such permits and are not intended to otherwise affect the requirements for such permits.

2. CASE NO. Z-11-80. Consideration of an application of Mr. David L. Hertzler, on behalf of Ezekiel Lee, to rezone approximately 1.95 acres from R-2, Limited Residential, to B-1, General Business.

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He asked the Board to approve the application based upon the following conditions set forth by the Planning Commission:

1. The front 250 feet of the subject property be zoned B-1. The zoning boundary, if the rezoning is granted, be shifted to the rear property line allowing for more efficient and flexible development of the site.
2. The area presently zoned R-2 and developed residentially is oriented toward Penniman Road, and the area proposed for rezoning be oriented toward Route 143, which minimizes any adverse impacts on the existing residential area.
3. The subject property fronts on a major County thoroughfare as well as a railroad spur; both provide transportation opportunities which favor business development.

Mr. Frink asked why the Planning Commission did not mention any type of buffer between the applicant's property and the residential area.

Mr. Porter commented that they could not make that type of recommendation because it would constitute contract zoning. He added that buffering would be considered during site plan approval.

Mr. Morton added that it would not be appropriate for the Planning Commission to make such a recommendation to the Board.

Mr. Edwards opened the public hearing.

Mrs. Hattie Thomas, resident of Oak Drive, commented that she would not like the rezoning to be approved, but supported having it rezoned back to R-2.

Mr. Howard Harrod of 1209 Merrimac Trail said that he also opposed any future rezoning of the area and would like the area rezoned to R-2.

Ms. Corine Douglas also opposed the rezoning.

Ms. Susan Banks of 1305 Oak Drive opposed the rezoning request and asked that it be rezoned to R-2.

Mrs. Nancy James of 1211 Merrimac Trail stated that she spoke on behalf of 92% of the community. She gave a brief background of the community which predominately consists of retired persons supported by pensions. She said she recognizes that James City County is growing and feels that there are other locations where businesses can be developed rather than forcing out these people who have struggled for the land and who bought in the area with the idea of

spending the rest of their lives in a nice, quiet neighborhood. She commented that the media has indicated that the community is quickly changing - but that is not so. There have only been five new structures in the past fifteen years. She also commented that in the last seven to eight years the taxes have doubled and now they are being told that the rezoning of this property will not result in higher taxes. She asked the Board to return the rezoning request back to the Planning Commission so that they can do a study so the property can be rezoned back to R-2, Limited Residential. She presented the Board with two petitions of support from 91% of the people who are against this rezoning and asked them to seriously consider voting against this rezoning application.

Mr. Cory Mulligan representing Mr. Lee commented that Mr. Hertzler has been in the county for twenty years and has an excellent track record.

There being no other speakers, Mr. Edwards closed the public hearing.

Mr. DePue commented that many concerns seem to evolve around the tax question, therefore, he asked Mr. Rudolph Johnston, Director of Real Estate Assessments if taxes will go up for those persons now residing in the R-2 district.

Mr. Johnston said that the rezoning would have no effect.

Mr. Edwards asked if it would have an affect on the people zoned B-1, General Business.

Mr. Johnston commented that it would have some effect.

Mr. Bartlett commented that as a member of the Planning Commission and liason to the Board when this was being discussed the vote was very close. He said that the Planning Commission was concerned about what the residents have expressed here tonight and that the Commission recognized that the zoning does divide Mr. Lee's property and does not make it a compatible developable unit. He said that the Commission also recognized that Route 143 is a major access into the city and that more and more business is coming and for that reason the Commision felt that there would not be damage to the community.

Mr. Frink moved to defer a decision of the rezoning application to the Board's March 23, 1981 meeting..

Mr. Edwards asked Mrs. Nancy James what the principal concern is of the people living there about this particular rezoning.

Mrs. James said that the community as a whole is concerned about the noise, traffic, and the financial implications of approving this rezoning request as well as the community having no control over what type of businesses will go there.

Mr. Frink's motion carried by a unanimous roll call vote.

3. CASE NO. Z-13-80. Consideration of an application of Mr. & Mrs. James Slater on behalf of themselves and Arthur D. Mallorv. to rezone approximately 39 acres from R-3, General Residential, to R-5, Multi-family Residential.

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He said that the stated purpose of the rezoning is to permit the construction of townhouses located off of Longhill Road. He also said that the Planning Commission at its January 27, 1981 meeting voted to recommend approval to the Board based on the following reasons:

1. The proximity of the proposed 199 corridor.
2. The compatibility of an R-5 zone with neighboring high density and commercial zones along Route 612.
3. The designation of the area bordering the Route 199-Route 612 interchange as a moderate density area in the Comprehensive Plan.

4. The probability that development of the property will be based upon a phasing of units. This will allow public road improvements already planned to be built as traffic generation begins to reach its peak.

Mr. Edwards asked where the interchange is scheduled to be.

Mr. Porter answered that it would be located just east on Chisel run on Eastern State property.

Mr. Edwards asked if there was any opposition at the Planning Commission.

Mr. Porter answered that there was no opposition at the Planning Commission.

Mr. Edwards asked Mr. Porter if he had talked with the people about this.

Mr. Porter answered that he had not.

Mr. Edwards opened the public hearing.

Mr. Bob Magoon, architect and participant in this project said that this particular housing project would be similar in cost to that of the Seasons Trace houses on Longhill Road. He said that they expect to put up twenty to thirty units the first year and after that construction would be phased over a five year period.

Mr. Edwards asked Mr. Magoon to what extent this project is based on the completion of Route 199.

Mr. Magoon answered that probably in ten years it would have an impact on the area and that Longhill Road would have to be improved because of increased traffic projections.

Mr. Dick Swanenberg, Director of Buildings and Grounds at Eastern State Hospital, commented that he had no objections to the rezoning application but felt that it should be emphasized that the Hospital is concerned about safety problems with the increase in volume of traffic through Eastern State.

Ms. Ethel Thompson commented that although we have a public transit system she does not feel that citizens will use their cars any less.

Mr. Larry McCardle commented that Mr. Slater has been very cooperative and has sacrificed eleven acres of property and he recognizes that the interchange will come.

There being no other speakers, Mr. Edwards closed the public hearing.

A brief discussion followed concerning whether or not Route 199 would be completed in the very near future. Mr. Porter commented that he had been talking with Mr. Hodge of the State Highway Department who is very optimistic about the completion of Route 199.

Mr. Taylor moved to approve the application based on the reasons set forth by the Planning Commission. The motion carried by a unanimous roll call vote.

Mr. Edwards called a five minute recess. The Board reconvened to public session at 9:15 P.M.

4. CASE NO. Z-14-80. Consideration of an application of Mr. George A. Marston, on behalf of himself, to rezone approximately 11.5 acres from A-1, General Agriculture, to M-2, General Industrial.

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He stated that the purpose of this rezoning is to allow the development of those uses permitted in the M-2 District, particularly the installation of a railroad siding, and facilities to unload sand and other materials

for road construction. Mr. Porter noted that this is the second application for rezoning filed on this property for the same purpose and the application was withdrawn after receiving a negative recommendation from the Planning Commission. Mr. Porter stated that at their January 27, 1981 meeting, the Planning Commission voted to recommend denial of this rezoning application to the Board based upon the following reasons:

1. A single access point on Route 602 is inadequate for a large industrial zoned tract given the potential of increased traffic generation. Route 602 itself is inadequate as a facility for heavy volume traffic generated by uses permitted within the M-2 District.
2. The low density residential development in the area is incompatible with uses permitted within the M-2, General Industrial District.
3. The proposal is in direct conflict with the intended uses and activities for this area designated by the land use element of the James City County Comprehensive Plan.

Mr. Edwards opened the public hearing.

The following citizens spoke in opposition to this application: Dr. and Mrs. Van Driem, Mr. Felix Van Driem, Mr. H. D. Stout, Mr. Scott Higgs, Mr. Ivan Perkinson, Mr. Harold McKeel, Mr. Jim Barbour, and Mrs. Mildred Moody. The reasons for their opposition were the noise and environmental pollution, increase in traffic, reduction of property values, the possibility of an asphalt plant being constructed, and the potential adverse impact on a medical clinic on a nearby piece of property.

Mr. Donald Sogge, Head of Sales for the C & O Railroad, stated that he was in favor of the rezoning because industrial development is encouraged along the railroad.

Mr. Steve Massie, Mr. Lewis Nice, and Mr. Hammond Branch spoke in favor of the rezoning application. Mr. Massie commented that they do not intend to build an asphalt plant in that area because they have no desire to do anything that would be harmful to their neighbors. Mr. Nice commented that he felt it was ridiculous for the Planning Commission to recommend residential housing on such a narrow strip of land because no developer would build a house on that land given the close proximity to the railroad. He added that the only way to use the land would have to be commercial or agricultural.

Mr. Alvin Anderson, the attorney representing Mr. George Marston, addressed the Board. He presented the Board with a list of citizens in support of the rezoning application and a map showing the exact location of the request. He stated that the plans of Mr. Marston and Mr. Massie provide adequate buffers to the adjacent property and is not in direct conflict with the Comprehensive Plan. He asked that if the Board is prepared to vote on the matter tonight that the application be referred back to the Planning Commission so that the applicant can file for a Special Use Permit.

Mr. Edwards closed the public hearing.

After a brief discussion Mr. Taylor moved to refer the rezoning case back to the Planning Commission for further consideration of Mr. Anderson's request. The motion carried by a unanimous roll call vote.

Presentation

At this time, Mr. Edwards noted that Mr. Duke Diggs was present in the audience and wished to address the Board.

Mr. Duke Diggs, Chairman of the James River Safety Committee, asked the Board to reaffirm the position they held in support of the Jamestown/-Scotland Ferry service.

Mr. Edwards moved to reaffirm the Board's position on this matter by adopting the same resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

JAMESTOWN/SCOTLAND FERRY

WHEREAS, the Virginia Employment Commission has more job openings in the Williamsburg and James City County areas than they can fill with minimum wage workers; and,

WHEREAS, representatives of Surry County have represented to the James City County Board of Supervisors that Surry County has a large labor-pool of available minimum-wage workers who desire employment in the James City County area; and,

WHEREAS, employment of these individuals will be beneficial to businesses in James City County, to the potential workers; and will relieve the taxpayers of a substantial burden in the form of unemployment and welfare payments; and,

WHEREAS, improved ferry service across the James River will also be beneficial to merchants in James City County, by virtue of increased trade with Surry residents and will also enhance the tourist trade in both Counties and promote a greater cultural exchange; and,

WHEREAS, the conservation of motor fuel may be increased by allowing workers whose shifts begin or end at midnight to travel 15 miles via the ferry between Williamsburg and Surry, as opposed to 65 miles via the James River Bridge;

THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors does hereby request that the Virginia Department of Highways and Transportation implement the following changes in the Jamestown/Scotland Ferry service:

1. Increase the frequency of trips made each hour.
2. Provide 24-hour ferry service.
3. Eliminate the toll.

5. CASE NO. Z-1-81. Consideration of an application of Mr. Paul Small, on behalf of Henry S. Branscome, to rezone approximately 8.41 acres from A-2, Limited Agriculture, to B-1, General Business

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He stated that the Planning Commission at their January 27, 1981 meeting recommended approval based upon the following reasons:

1. The recommendation of the Land Use Concept Map.
2. The proposed rezoning would allow the development of uses similar to those that are presently developed in the immediate area.
3. The traffic generated by the subject site, when developed, is not expected to adversely affect Route 5.
4. The development of the property in a coordinated way with several small businesses will isolate and buffer the nonconforming equipment storage area from Route 5.

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

Mr. Taylor moved to approve the application based upon the reasons set forth by the Planning Commission. The motion carried by a unanimous roll call vote.

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6. CASE NO. SUP-1-81. Consideration of an application of

Mr. George C. Norris, Sr., on behalf of a limited partnership, Blue Ribbon Gardens, to obtain a Special Use Permit allowing a maximum of 123 mobile home units on approximately 33.3 acres, located at the rear of the Blue Ribbon Gardens Mobile Home Park.

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He stated that the Planning Commission voted to recommend approval of the Special Use Permit to allow the reuse of Section III of Blue Ribbon Gardens Mobile Home Park for no more than 123 mobile homes, subject to the following conditions:

1. Section III be brought into conformance with the requirement of Article III (Mobile Home Parks) of the Zoning Ordinance, except those requirements for which variances are received from the Board of Zoning Appeals.
2. No mobile home be located in Section III until a Certificate of Occupancy has been received. Such certificate shall be subject to the following: (a) approval of the water and sewer systems by the Department of Public Works; (b) the disposal of all debris from any unauthorized dumping on the property; and (c) inspection and approval by the Zoning Administrator for conformance with the requirements of Article III of the Zoning Ordinance.
3. If an occupancy permit is not issued for Section III within 24 months of the issuance of the Special Use Permit, the permit will become void.

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

Mr. Frink moved to approve the Special Use Permit. The motion carried by a unanimous roll call vote.

7. CASE NO. SUP-2-81. Consideration of an application of

Mr. Paul Small, on behalf of Henry S. and Lavelle I. Branscome, to obtain a Special Use Permit allowing the operation of an asphalt plant on a parcel of land currently zoned M-2. The parcel, of approximately 8.845 acres, is located on Route 143.

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He stated that the applicant wants the Special Use Permit to expand an existing asphalt plant on a parcel of 8.845 acres in an M-2 zone. Mr. Porter said that the Planning Commission voted to recommend approval based on the following conditions:

1. The entrances to the site must be constructed according to VDH&T standards
2. Development of and land uses on the site must comply with all regulations of the M-2 zone.
3. Prior to actual construction and/or expansion of the storage yard and plant, the applicant must submit a site plan for review and approval, as well as conclude a Sedimentation and Erosion Control Agreement.

Mr. Edwards asked if this case received any opposition at the Planning Commission meeting.

Mr. Porter answered that the case did not receive any opposition at the Planning Commission meeting.

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

Mr. Taylor moved to approve the Special Use Permit. The motion carried by a unanimous roll call vote.

D. CONSENT CALENDAR

Mr. Edwards moved to approve all items on the Consent Calendar. The motion carried by a unanimous roll call vote. The following cases were set for public hearing on April 13, 1981.

1. SETTING PUBLIC HEARING DATE - APRIL 13, 1981

Bluegrass Festival - B & G Productions, Inc.

2. SETTING PUBLIC HEARING DATE - APRIL 13, 1981

CASE NO. Z-2-81. Mr. Robert S. Hornsby
CASE NO. Z-3-81. Mr. David L. Hertzler
CASE NO. Z-4-81. Amendment to Chapter 20, Zoning.

3. SETTING PUBLIC HEARING DATE - APRIL 13, 1981

Extension of the James City Service Authority Service Area

F. BOARD CONSIDERATIONS

1. Sanitary District No. 1 - Liens

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. He asked the Board to adopt a resolution so that delinquent charges for use of the sewerage system in James City County Sanitary District No. 1 be entered in the Judgement Lien Docket of the Clerk's Office of James City County, Virginia.

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

RESOLUTION

Sanitary District #1 - Liens

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City that the following list of sewer accounts in the James City County Sanitary District No. 1 are delinquent and unpaid; and,

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such system is made and for which the charge is imposed;

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following attached delinquent charges for use of the sanitary system in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

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T. NO.	NAME AND ADDRESS	DESCRIPTION OF PROPERTY	AMOUNT	FEE	TOTAL
	William Hitchens 909 Jackson Drive For Service at 905 Tyler Drive	Lot 16, Sec. 7, James Terrace D.B. 151, P. 119	78.00	.75	78.75
	Robert A. Badkowski 700 Jackson Drive		103.75	.75	104.50
	Loren Sorenson 707 Maupin Place		53.75	.75	54.50
	Hattie Thomas 1305 Oak Drive	D.B. 50, P. 400	78.75	.75	79.50
	Michael J. Engberson 704A Madison Road		131.25	.75	132.00
	Brady & Martha W. Graham P. O. Box 1773 For Service at 4 Walker Road	Lot 4 Schular & Troy Smith	83.75	.75	84.50
9	Eileen Chalkley 706 Coleman Drive	Lot 11, Sec. 9, James Terrace D.B. 51, P. 362; Map Book 7, P. 64	103.75	.75	104.50
1	Bruce & Alcease Bankston 1203 Route 143	Part Of Wm. M. Lee $\frac{1}{2}$ acre; being 54/456 Penniman Road	210.00	.75	210.75
2	Andrew & Mary Ellis 1409 Merrimac Trail	Lot 8 & 9, Solomon Orange Subdivision D.B. 72, P. 55	210.00	.75	210.75
1	Lemuel B. Redcross 1231 Oak Drive	Lot 5, Smith Sub. D.B. 20, P. 177; P.B. 3, P. 12 D.B. 22, P. 374; P.B. 3, P. 35	210.00	.75	210.75
4	Michelle Flynn 23 Magruder Heights	Lot 23, Magruder Heights D.B. 101, P. 318	103.75	.75	104.50
6	Charles J. & Mary Sue Satterfield 908 Jackson Drive	Part of Lot 62 & 63, Sec. 4, James Terrace D.B. 120, P. 410; P.B. 13, P. 29	183.75	.75	184.50
4	Thessa Judkins 708 Adams Road		82.50	.75	83.25
7	Hubert Paul & Carol J. Linton 914 Foley Drive	Lot 28, Sec. 8, James Terrace D.B. 117, P. 459; Map Book 7, P. 108	210.00	.75	210.75

NAME AND ADDRESS OF PROPERTY DESCRIPTION OF PROPERTY

NO.	NAME AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY			
162	Dwight Davis 708 Mosby Drive		105.00	.75	105.75
171	A. C. Amos, Jr. P. O. Box 318 For Service At 930 Foley Drive	Lot 1, Sec. 8, James Terrace 1006 N.W. Second Street, Okeechobee D.B. 109, P. 398; P.B. 14, P. 108 For Service at 918 Coleman Drive Fla. 33472	208.75	.75	209.50
174	James L. Richardson 903 Jackson Drive	Lot 53, Sec. 6, James Terrace D.B. 135, P. 427; P.B. 13, P. 25	183.75	.75	184.50
178	Arthur & Rebecca Williams 1343 Merrimac Trail	Lot fronting 60 ft. on Merrimac Trail D.B. 39, P. 320; P.B. 11, P. 4	182.50	.75	183.25
188	Vincent D. McManus 908 Coleman Drive	Lot 6, Sec. 8, James Terrace D.B. 69, P. 498	210.00	.75	210.75
190	Winfrey & Minnie Fowler 23 Wallace Road	Lot 50 ft. by 100 ft., Solomon Orange Sub. D.B. 89, P. 206; P.B. 7, P. 16	210.00	.75	210.75
201	Don & Sarah Weymouth 1 Magruder Heights	Lot 1, Magruder Heights	130.00	.75	130.75
207	Robert Soloway 705 Madison Road	James Terrace, Lot 26, Colonial Park, Sec. 1	182.50	.75	183.25
222	Jeanette Middleton Crapol 915 Jackson Drive	Lot 57, Sec. 6, James Terrace D.B. 137, P. 277; P.B. 13, P. 26	103.75	.75	104.50
224	William E. Hitchens 909 Jackson Drive	Lot 55, Sec. 6, James Terrace D.B. 98, P. 32	101.13	.75	101.88
265	E. Mark Lusk 1207 Penniman Road Service Address: 711 Adams Road	Lot 11, Sec. 1, Colonial Park D.B. 137, P. 21; P.B. 12, P. 41	103.75	.75	104.50
271	Eddie Steers 911 Tyler Drive		139.58	.75	140.33
273	Charles W. Mosby 710 Mosby		77.50	.75	78.25

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ACCT. NO. NAME AND ADDRESS OF PROPERTY

JAMES L. JAY, PRESIDENT, PENNSYLVANIA POWER CO., PHILADELPHIA, PA.

AMOUNT

FEB

TOTAL

ACCT. NO.	NAME AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY	AMOUNT	FEB	TOTAL
277	Arthur C. & Meredith A. Develonian 703 Penniman Road	Lot 1, James Terrace D.B. 114, P. 1628; P.B. 12, P. 16	183.75	.75	184.50
279	E. Mark & Katherine B. Lusk 1207 Penniman Road	Lot 34, Sec. 8, James Terrace D.B. 111, P. 308; P.B. 14, P. 108	103.75	.75	104.50
280	E. Mark & Katherine B. Lusk 1207 Penniman Road For Service at 1209 Penniman Road	Lot part of Estate of J. P. Sharp	103.75	.75	104.50
302	Charles R. Minns 115 Davis Drive		77.50	.75	78.25
326	Frederick L. Hill 707 Jackson Drive		77.50	.75	78.25
328	Franklin D. R. & Theolmond Ashlock Long 103 Wallace Road	Lot 6 Subdivision of property of Schuyler & Troy Smith; Part of D.B. 80, P. 303, Sarah Wallace Estate; P.B. 19, P. 47	208.75	.75	209.50
330	Ronald & Geraldine Lassiter 1335 Oak Drive	All that parcel of land adjacent to Lot C, Solomon Orange Sub.; D.B. 130, P. 183 with plat in D.B. 55, P. 364	210.00	.75	210.75
334	Kenneth F. & Catherine J. Salyards 705 Mosby Drive	James Terrace L + 105 Sec. 5 D.B. 153, P. 242	108.75	.75	109.50
335	Guy R. Patterson 703 Mosby Drive	Lot 104, Sec. 5, James Terrace D.B. 117, P. 139; P.B. 13, P. 13	130.00	.75	130.75
336	James & Eva Mae Davis 1237 Oak Drive	Lots 1 & 2 Old Penniman Rd.; Subd. of Thomas & Hattie Kearney; D.B. 56, P. 110 with plat at P. 112	420.00	.75	420.75
344	Ella Mae Cherry 1417 Merrimac Trail	Lot 3, Solomon Orange Subdivision D.B. 65, P. 287, plat in D.B. 55, P. 364	210.00	.75	210.75
350	Surelis Brooks 104 Luther Drive Service Address: 19 Wallace Road	Part of Solomon Orange Estate Deed Book 71/131 between Rt. 168 & 642	183.75	.75	184.50
360	Greyhound Enterprises Ltd. 792 Merrimac Trail Attn. James H. Supplee, Jr.		131.31	.75	132.06

ACCT. NO.	NAME AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY	PROPERTY	PROPERTY	PROPERTY
383	Donald Irving & Nancy L. Heath 909 Coleman Drive	Lot 40, Sec. 8, James Terrace D.B. 128, P. 60, P.B. 7, P. 108	103.75	.75	104.50
383	Virginia T. Williams 1135 Government Road	Pt. of Theodore George Lt. 3	107.81	.75	108.56
390	Eastern Warehouse Tire 824 Merrimac Trail		261.25	.75	262.00
394	Arthur Williams 1343 Merrimac Trail		156.25	.75	157.00
395	Charles Marcotte Rt. 31, Oak Hill Surrey, Va 23883 For Service at 1192 Merrimac Trail		103.75	.75	104.50

266VA

Mr. William C. Porter, Jr., Director of Planning, asked the Board to endorse a resolution setting forth the highest priority primary highway projects in James City County to present at the Preallocation Hearing.

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

R E S O L U T I O N

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 design, construction and completion of the Grove Interchange.
3. The extension of Monticello Avenue from its intersection with Ironbound Road to the proposed extension of Route 199.

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

Mr. Frank M. Morton, III, County Attorney, asked the Board to adopt a resolution authorizing the execution of a deed on the county's behalf transferring .4021 acres to Norco, Inc. for \$1,500, and in return, the county would acquire from Norco, Inc. Tract 5 as shown on the plat consisting of approximately .377 acres. He added that the Assessor concurs in the values placed on these transfers.

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

Carriage Road Area Neighborhood Improvements

WHEREAS, the County has acquired a certain parcel of property in relation to the Community Development project, and

WHEREAS, it has become evident that such property is no longer needed, and

WHEREAS, the County does recognize the need to acquire a parcel of property in close proximity to that previously described.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it hereby authorizes and directs the Chairman and Clerk of the Board to execute a deed transferring a certain tract designated as "Part of Tract 4" consisting of approximately 0.4021 acres as shown on a certain plat entitled "Plat for Conveyance of Part of Tract 4, from James City County to Norco, Inc., Berkeley District, James City County, Virginia" for the consideration of \$1,500.

BE IT FURTHER RESOLVED that in further consideration of the above transfer of property that Norco, Inc. would transfer a certain parcel of property to the County shown on the above described plat as Tract 5 in consideration of \$4,100.

4. FY 81 Budget - Salary and Fringe Benefit Adjustments

Mr. James B. Oliver, Jr., County Administrator, presented this matter to the Board. He stated that this item was of a routine nature and asked the Board to approve the resolution.

Mr. DePue asked exactly what is meant by position reclassifications.

Mr. Oliver answered that there are occasions where persons are given more responsibility or less responsibility in their particular work area.

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

R E S O L U T I O N

BUDGET ADJUSTMENT - SALARIES AND FRINGES

WHEREAS, the Board of Supervisors of James City County adopts and annual budget that includes departmental allocations of salaries and fringes; and

WHEREAS, the Board of Supervisors has also adopted a centrally-administered personnel policy, creating minor discrepancies in various departmental budgets; and

WHEREAS, several reassignments of certain previously-approved positions have been recommended;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the following budget transfers to and from salary and fringe benefit budgets:

<u>Department</u>	<u>To</u>	<u>From</u>
Program Development	2,500	
Treasurer	500	
Finance		2,000
Registrar		500
Circuit Court	1,700	
Commonwealth Attorney	1,200	
County Administrator	3,000	
Sheriff		1,900
Building Inspections		2,500
Emergency Medical		2,000
	<u>\$8,900</u>	<u>\$8,900</u>

BE IT FURTHER RESOLVED that the Operator/Receptionist position be transferred from Buildings and Grounds to the Board of Supervisors; that the Data Entry Clerk position be transferred from Data Processing to Finance and that the current portion of the salary of the Personnel Director be eliminated from Transit with budget adjustments as shown below:

	<u>To</u>	<u>From</u>
Board of Supervisors	\$13,200	
Buildings and Grounds		\$13,200
Finance - Salaries/ Fringes	\$10,800	
Finance - EDP Contract		\$10,800
Personnel	2,500	
Emergency Medical		2,500

BE IT FURTHER RESOLVED that the effective date of the personnel transfers be March 16, 1981 with year-to-date expenditures transferred with the positions.

AAJ927

5. Acquisition of Law Enforcement Building Site

Mr. Morton, County Attorney presented this matter to the Board stating that the resolution would appoint him as the attorney for searching the title of the Law Enforcement Building Site prior to closing.

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

Law Enforcement Building Site

WHEREAS, the Board of Supervisors of James City County finds it necessary to acquire a site upon which to create a Law Enforcement Building, and

WHEREAS, the Code of Virginia, 1950, as amended, states in Section 15.1-285 that the Board of Supervisors shall appoint an attorney for approving title to acquisitions in excess of \$1,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that Frank M. Morton, III, be and now is hereby appointed the attorney for purposes of searching and approving the title for a parcel of property to be used as a site for the construction of the Law Enforcement Building. The property is described as follows:

All that certain lot, piece, or parcel of land laying, and being situated in the County of James City, Virginia, and being generally described as follows:

Bounded on the northeast for a distance of approximately 250 feet by Route 5; bounded on the southwest for a distance of 373.67 feet by the property occupied by the James City County fire station; bounded on the southeast by a line being the extension of the rear lot line of said fire station and bounded on the northeast by a proposed public road; said lot thus created means two and one-half acres, more or less.

6. Route 60 West Water System Improvements

Mr. Oliver noted that this item was previously discussed when the Board met as the James City Service Authority and now it is necessary for the Board to adopt a resolution authorizing the County Administrator to execute the necessary contracts for construction of the Route 60 West Water Project in accordance with the budget.

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

R E S O L U T I O N

AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE CONTRACTS
FOR CONSTRUCTION OF ROUTE 60 WEST WATER PROJECT

WHEREAS, it is desirable to construct certain water system improvements along the Route 60 West Corridor in accordance with the County Water Plan

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is hereby authorized and directed to execute all necessary contracts for the construction of the Route 60 West Water Project in accordance with the budget set forth in the attached memorandum.

G. MATTERS OF SPECIAL PRIVILEGE

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

A citizen asked the procedure if a Board member has a conflict of interest with any particular matter.

Mr. Morton answered that the Board member should submit the matter to the Commonwealth Attorney to determine if there is a conflict of interest on any matter.

H. REPORTS OF THE COUNTY ADMINISTRATOR

1. Cable Communications Advisory Committee Report to the Board

Mr. Oliver presented this matter to the Board. He asked the Board to set a public hearing date of March 23, 1981 at 7:00 P.M. which is a regularly scheduled meeting to consider the recommendation of the Cable Communications Advisory Committee concerning the selection of a cable franchise for the County. He added that a work session and light dinner would be held on cable and the budget after the regular meeting.

The Board unanimously agreed to the public hearing date of March 23, 1981 to consider a cable franchise for James City County.

Mr. Edwards asked if there were any other matters to bring before the Board.

Ms. Darlene L. Burcham, Assistant to the County Administrator, said that a meeting time of 4:00 on the 12th of March has been set for the Board to meet as the James City Transit Company to discuss next year's budget particularly since the cutting of CETA positions which means the county will have to look into funding of those positions.

The Board agreed to meet on March 12, 1981 at 4:00 P.M. as the Transit Company.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards moved to go into executive session to discuss a legal matter pursuant to Section 2.1-344 (a)(b) of the Code of Virginia, 1950 as amended. The motion carried by a unanimous roll call vote. The Board convened into executive session at 11:15 P.M. and returned to public session at 11:25 P.M.

Mr. Edwards moved to recess until Thursday, March 12, 1981, after the Transit meeting to continue the executive session. The motion carried by a unanimous roll call vote.

The meeting RECESSED at 11:30 P.M.



James B. Oliver, Jr.
Clerk to the Board

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