

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
 VIRGINIA, HELD ON THE ELEVENTH DAY OF MAY, 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, Jr., 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 April 9, 1981, April 15, 1981,
 April 20, 1981 and April 21, 1981 as submitted. The motion carried by a unanimous
 roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend and reordain Chapter 5A, Erosion and Sedimentation
 Control, of the Code of the County of James City, by amending the
 following division of Chapter 5A: Section 5A-5, Procedures for Plan
 Submission and Review.

Mr. Frank M. Morton, III, County Attorney, presented this matter to
 the Board. He stated that the proposed amendment would bring the county's
 present ordinance in line with the new State standards in this area. He added
 that it would specifically make the handbook more useful to those persons without
 formal conservation training.

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

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

JAMES CITY COUNTY
 VIRGINIA

ORDINANCE NO 85A-3

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5A EROSION AND
 SEDIMENTATION CONTROL, OF THE CODE OF THE COUNTY OF JAMES CITY,
 BY AMENDING THE FOLLOWING DIVISION OF CHAPTER 5A: SECTION 5A-5,
 PROCEDURES FOR PLAN SUBMISSION AND REVIEW, INSPECTION AND
 ENFORCEMENT.

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 the following division of Chapter 5A:
 Section 5A-5, Procedures for Plan Submission and Review, Inspection
 and Enforcement, to read as follows:

CHAPTER 5A

Erosion and Sedimentation Control

Section 5A-5, Procedures for Plan Submission and Review, Inspection and Enforcement.

Those procedures for plan submission and review, inspection and enforcement are set forth in a separate document which is made a part hereof entitled, "State Minimum Criteria, Standards and Specifications", Chapter 3, and "Stormwater Management", Chapter 4, adopted from the Virginia Erosion and Sedimentation Control Handbook, February, 1980.

2. An ordinance to vacate a plat entitled "Shellbank Woods Phase I, Subdivision of Property of Shellbank Woods Corporation, James City County, Virginia" so that a new plat may be put to record.

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. Mr. Morton commented that the vacation of plat consists of revising a number of easements and rights-of-ways for access purposes. He said that as of 4:00 P.M. on May 11, 1981 he became aware that one of the lots has been sold and is no longer held by the developer and he has been unable to find the owner. Mr. Morton asked that the public hearing be continued at the Board's May 26, 1981 meeting although the Board would have the right to vote on the matter considering the fact that the case has been advertised properly, but it is his policy to directly contact each affected property owner.

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

Mr. Edwards asked Mr. Frederick Gore, applicant, if he concurred with Mr. Morton's request.

Mr. Gore replied that he did.

Mr. Edwards said that if there were no objections by Board members this matter would be continued as a public hearing on May 26, 1981 at 3:00 P.M.

There were no objections.

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 items were approved:

1. Case No. SUP-4-81 - Mr. Oliver S. Tabb
A public hearing was scheduled for June 8, 1981.
2. Utility Budgets - FY 1982
A public hearing was scheduled for June 8, 1981.
3. Amendments to Cable Communications Ordinance and Execution of Franchise Certificate
A public hearing was scheduled for June 8, 1981.

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1. New Horizons Memorandum of Understanding

Ms. Vivian J. Rountree, Community Development Director, presented this matter to the Board. She explained that in accepting HUD funded Community Development Programs, the Board has indicated that they will comply with Title VIII, Fair Housing, of the Civil Rights Act of 1968. She said that in doing so, the county has agreed to do whatever is necessary to promote fair housing since local governments have certain limitations in that area. She further stated that in an effort to formalize this agreement, HUD has asked that the County enter into a Memorandum of Understanding signed by HUD and the County establishing this relationship for the purpose of promoting fair housing. Ms. Rountree further explained that a Task Force composed of no more than fifteen persons would be appointed to advise the Board and implement housing opportunity strategies, with no action being taken prior to the Board's approval. Ms. Rountree asked the Board to endorse the Memo of Understanding and adopt the resolution.

Mr. Bartlett commented that in reading the information provided to the Board it seems that the memo is a synopsis of a much larger presentation on New Horizons and asked if more information could be provided for the Board. He commented that he wonders if this is a step toward a housing authority type organization with the Task Force being formed to develop strategies.

Ms. Rountree replied that the memo is an actual formalization of what the county has already agreed to do and the Task Force would not be able to implement any action without the Board's approval.

Mr. Bartlett said that if this is a move toward developing a comprehensive policy toward housing in James City County it should be the subject of the Planning Commission's review.

Mr. Oliver commented that the first assignment that would be given to the Task Force would be to do a survey, using the Community Development Office and Planning Office as resources, based on information from the county census and report their findings to the Board. Mr. Oliver said that the staff has no thoughts that such a Task Force would eventually become a housing authority, but this is just one of the assurances that HUD looks to from communities that participate in community development programs, in order to formalize the fact that you know the characteristics of your jurisdiction.

Mr. Bartlett said that he would not feel comfortable supporting this matter and asked that it be deferred pending more information on the subject.

Mr. Oliver pointed out that HUD would like the county to take some action by the end of May.

Mr. Bartlett suggested that the staff check to see what will happen if the Board does not act by the end of May or if the Board chooses not to support the resolution.

There being no further comments or discussion, the matter was deferred until the Board's May 26, 1981 meeting.

2. Revision of the County Personnel Policies and Procedures Manual

Mr. Anthony Conyers, Jr., Personnel Director, presented this matter to the Board. He noted that there were five revisions in the Personnel Manual. They are as follows: (1) established a category entitled "limited term" which is any position that is funded by monies other than the county's - such as community development positions and transit positions; (2) establishment of an employee orientation and exit interviewing program; (3) requiring physical examinations for new employees and biennial examinations for public safety persons; (4) creation of Standards of Conduct for County employees; and (5) includes the County Safety Plan and the Affirmative Action Plan. He noted that the Affirmative Action Plan changed in regard to the recruitment, which addresses the issue of in-house promotions within public safety departments without outside advertisements. Mr. Conyers said that the Plan also addressed such subjects as the hiring of relatives, outside employment, and garnishments. He asked the Board to adopt a resolution in support of the revised personnel manual.

Mr. DePue asked if the Sheriff's deputies are considered in-house employees.

Mr. Conyers replied that the Sheriff has chosen to have his deputies on the county pay plan which makes them in-house employees.

Mr. Bartlett commented that he has received phone calls from county employees concerning the status of accumulated annual leave, whether the limitation that has been placed on annual leave will affect those persons who have accumulated over that amount.

Mr. Conyers explained that those persons have until July 1, 1983 to comply with the current terms in the personnel manual.

Mr. Bartlett asked what would happen if an employee terminated before coming within the provisions of the personnel manual.

Mr. Conyers replied that the person would be given credit until July 1, 1983.

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

REVISIONS OF THE COUNTY PERSONNEL POLICIES

AND PROCEDURES MANUAL

WHEREAS, the Board of Supervisors of James City County is desirous of maintaining updated and formalized personnel policies and procedures for County employees;

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors adopt the attached document entitled "Personnel Policies and Procedures Manual, James City County, Virginia" effective July 1, 1981.

3. Transfer of Limited Term Employment Positions to New Federal Programs

Ms. Darlene L. Burcham, Assistant to the County Administrator, presented this matter to the Board. She commented that now that the Carriage Road Project is coming to a close, those persons previously authorized and funded by the HUD grant need to be transferred into the Forest Glen HUD grant. She said that three positions are involved - the Community Development Director, Secretary, and the unfilled Community Planner position which will be reclassified as a Program Eligibility Officer. She added that a grants technician currently funded through CETA OJT and the Carriage Road Project will be funded through Revenue Sharing funds as a component of the Federal Grant Compliance activity. She asked the Board to approve the resolution authorizing the transfer of those limited term positions.

Mr. Frink moved to approve the resolution. The motion carried by a 5-0 roll call vote.

R E S O L U T I O N

TRANSFER OF LIMITED TERM EMPLOYMENT POSITIONS TO NEW FEDERAL PROGRAMS

WHEREAS, the Board of Supervisors of James City County has previously authorized limited employment positions for HUD grant activities and Federal Grant Compliance, and

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WHEREAS, the continuation of these positions is necessary to the administration of Federally funded programs and is an eligible expense of these activities;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the following transfer of approved limited term positions:

From Carriage Road Community Development Program
To Forest Glen Community Development Program -

Community Development Director

Secretary I

Program Eligibility Officer

From Carriage Road/CETA Program
To Grant Compliance/Revenue Sharing -

Grant Technician.

4. Section 18 Grant Application - FY 1982

Ms. Burcham also presented this matter to the Board. She said that the Board of Directors of the James City Transit Company approved their budget for FY 1982 at their May 11, 1981 meeting. She asked the Board to approve the assurances and a resolution to maintain the existing transit operations.

Mr. Bartlett moved to approve the resolution. The motion carried by a 5-0 roll call vote.

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SECTION 18 GRANT APPLICATION - FY 82

WHEREAS, the Federal Government has made funds available to support transportation in small areas; and

WHEREAS, the Board of Supervisors of James City County desires federal funds to help support James City County Transit Company.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it authorizes its Chairman and Clerk to sign the grant application entitled, "Application for Capital, Administrative and/or Operating Assistance for Public Transportation Systems in Non-urbanized Areas."

5. Connection to Williamsburg Water System for Winston Spurgeon

Mr. James B. Oliver, Jr., County Administrator, presented this matter to the Board. He said that Mr. Spurgeon's private well has failed and he is requesting that he be allowed to connect to the Williamsburg water system.. He asked the Board to approve Mr. Spurgeon's application.

Mr. Bartlett asked what reason was given for the well's failure.

Mr. Bass, Director of Public Works said that no specific reason was given for the failure.

Mr. DePue moved to approve the application. The motion carried by a 5-0 roll call vote.

Additional Board Consideration - Budget Transfer - Capital Project Fund

Mr. Oliver presented this matter to the Board. He stated that this budget transfer would allow the county to finish the kennel operations at the Landfill. He asked the Board to authorize the budget transfer.

Mr. Taylor commented that he feels that a lot of money is spent unnecessarily.

Mr. Frink moved to approve the resolution. The motion carried by a 5-0 roll call vote.

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CAPITAL PROJECTS FUND BUDGET TRANSFER

WHEREAS, the Board of Supervisors of James City County had previously approved funds for site development at the County Landfill and certain of these funds are proposed to be transferred to the kennel improvement account.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the following change in appropriation within the Capital Project Fund:

From: Landfill Site Development	\$6,550
To: Animal Shelter Improvements	\$6,550

Mr. Oliver commented that at the Board's April 27, 1981 the Board voted to change the May 25, 1981 meeting to May 26, 1981 because of the Memorial Holiday. He asked the Board to formalize that affirmation by adopting the resolution prepared by the staff.

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

Board of Supervisors Rescheduled Meeting

WHEREAS, the James City County Board of Supervisors' regularly scheduled meeting of Monday, May 25, 1981 falls on the Memorial Day holiday.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the regularly scheduled meeting of May 25, 1981 will be changed to Tuesday, May 26, 1981 at 3:00 PM.

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F. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards asked if anyone in the audience wished to address the Board on any matter. No one chose to speak.

Mr. Edwards moved to go into executive session to discuss a personnel matter pursuant to Section 2.1-344 (a)(1), of the Code of Virginia, 1950 as amended. The motion carried by a unanimous roll call vote.

The Board convened into executive session at 8:10 P.M. and reconvened to public session at 8:15 P.M.

Mr. DePue moved to appoint Dr. Michael Sternberg to the Planning Commission, to complete the unexpired term of Mr. Tom Sutton, which expires January 15, 1982. The motion carried by a 5-0 roll call vote.

Mr. Bartlett moved to appoint Mr. Bob Layer to the Regional Youth Services Advisory Board for an indefinite term. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to reappoint Mr. Louis Vosteen to another four year term as Trustee of the Regional Library Board. Mr. Vosteen's term will expire June 30, 1985. The motion carried by a unanimous roll call vote.

There being no further business, Mr. Edwards moved to adjourn. The motion carried by a 5-0 roll call vote.

The meeting ADJOURNED at 8:20 P.M.


James B. Oliver, Jr.
Secretary