

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTEENTH DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY-THREE AT 7:35 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District
 Abram Frink, Jr., Vice-Chairman, Roberts District
 Jack D. Edwards, Berkeley District
 Thomas D. Mahone, Jamestown 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 - January 24, 1983

Mr. DePue asked the Board members if there were any corrections or additions to the minutes. Mr. Mahone made a motion to approve the minutes of January 24, 1983.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

Mr. DePue acknowledged the presence of Mr. David Otey, Jr., who has been assigned to be the liaison for James City County and is the administrative assistant to Delegate Buddy Ragsdale.

C. PRESENTATION - The Library Board

The following persons made presentations relating to the support, performance, per capita expenditures, and services of the Williamsburg Regional Library:

Mr. Fraser Neiman, Vice-Chairman of the Library Board
 Mrs. Martha Vazquez, Librarian
 Mr. Richard Carr, Cultural Center Coordinator

D. PROCLAMATION - Foster Grandparent Day

Mr. Mahone made a motion to approve the Proclamation.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

PROCLAMATION

Foster Grandparent Day

WHEREAS, the Volunteers of the Foster Grandparent Program have been faithfully serving the Peninsula for the past ten years; and

WHEREAS, continued and increased support of the community has enabled the program to expand to fifteen volunteer stations and eighty-two Foster Grandparent Program volunteers throughout the Peninsula.

NOW, THEREFORE, BE IT PROCLAIMED by the Board of Supervisors of James City County, Virginia, that in recognition of the Foster Grandparent Program's tenth year of dedicated service, that February 25, 1983 be proclaimed:

FOSTER GRANDPARENT DAY

for James City County.

AAJ814

E. PUBLIC HEARINGS

1. Case No. SUP-8-82. Williamsburg Landfill - Advertised in the Daily Press on January 31, 1983 and February 7, 1983.

Mr. Orlando A. Riutort, Director of Planning, presented this matter to the Board recommending deferral of any action on this matter to allow the City of Williamsburg to submit a revised site plan and to allow staff time to review the revised site plan.

After a discussion on the matter, Mr. DePue opened and closed the public hearing. There were no speakers.

Mr. Edwards made the motion to defer this matter.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

2. Music Festival - Advertised in the Daily Press on January 31, 1983 and February 7, 1983.

Mrs. Darlene L. Burcham, Assistant to the County Administrator, presented this matter to the Board stating that the appropriate departments have reviewed this application and that it meets the requirements of the local ordinance. She noted that the Sheriff did attach to his review a listing of the charges that were placed at the production held last year.

Mr. DePue opened and closed the public hearing. There were no speakers.

Mr. Mahone made a motion to approve the resolution authorizing the County Administrator to issue a permit to B&G Productions, Inc. to hold an outdoor gathering.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, (4). NAY: Taylor (1).

RESOLUTION**Outdoor Gathering**

WHEREAS, James City County has received a request for a Bluegrass Festival on behalf of B & G Productions, Inc. to be held at the Twin Oaks Campground on Route 168 on May 6-8, 1983; and

WHEREAS, the application has been approved by the Fire Chief, the Health Department, the Sheriff, and the Emergency Medical Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator is authorized to issue a permit to B & G Productions, Inc. to hold an Outdoor Gathering.

3. An Ordinance to amend the Code of the County of James City by Repealing Chapter 19, Tourist Camps - Advertised in the Daily Press on January 31, 1983 and February 7, 1983.

Mr. Morton presented this matter to the Board recommending adoption of the ordinance.

Mr. DePue opened and closed the public hearing. There were no speakers.

After discussion on the matter, Mr. Edwards moved for the adoption of the ordinance.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

ORDINANCE NO. 18A-4

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF JAMES CITY BY REPEALING CHAPTER 19, TOURIST CAMPS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 19, Tourist Camps, be, and the same is hereby repealed.

This Chapter is hereby reserved.

F. CONSENT CALENDAR

Mr. DePue asked the Board members if there were any items they wished to have removed from the Consent Calendar. Mr. Frink requested that No. F-1a be removed, and Mr. Mahone requested that No. 4 be removed. Mr. DePue then moved for the approval of the remaining items.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

1. Set Public Hearing Date of March 14, 1983 for the following:
 - a. Case No. Z-10-82
 - b. Case No. Z-1-83
2. Case No. CUP-6-83. Donald R. White

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 owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Mr. Donald R. White
Real Estate Tax Map ID:	15-4
Parcel No.	1-3
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Term:	N/A
Further Conditions:	None

3. Case No. CUP-7-83. Phillip and Cathy Davidson

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;

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THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Phillip and Cathy Davidson
Real Estate Tax Map No.:	(9-3)
Parcel No.:	(3-5)
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Term:	N/A
Further Conditions:	None

5. Case No. CUP-9-83. Ahnert Enterprises

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 owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Ahnert Enterprises
Real Estate Tax Map No:	(13-4)
Parcel No.	(1-10)
District:	Stonehouse District
Zoning:	A-1, General Agriculture
Permit Term:	The permit shall expire August 30, 1983 and trailers removed from site. The permit is renewable for six months.
Further Conditions:	Each trailer shall be located on 5000 square feet of space.

1a. Military/Naval Personnel and County License Stickers - Set Public Hearing Date of March 14, 1983.

Mr. Frink spoke concerning the methods of advertisement for the military and naval personnel.

Mr. Morton stated that there will be advertisement.

Mr. McDonald stated that advertisement has been discussed with the Treasurer and the staff will work with the various military establishments to get them to also advertise the availability of County decals. He stated that the ordinance would be subject to a public hearing.

Mr. DePue questioned whether there would be any penalties for not obtaining a decal.

Mr. Morton stated that if the ordinance is incorporated in the Code then the Code would provide penalties.

Mr. DePue requested that more information concerning the penalties be highlighted when the item comes before the Board on March 14, 1983.

Mr. Frink made the motion to set a public hearing for this item.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

4. Case No. CUP-8-83. John R. Burcham

Mr. Mahone questioned the recommendation of the staff that a five year limit be set for the conditional use permit and that the permit may be renewable after the five year period.

Mr. Riutort stated that Mr. Burcham has been notified of this condition and has no problems with it because he intends to build a house within the five year period. He also stated the purpose of the five year period is to allow the County some flexibility if major development starts in the future in that area.

Mr. Mahone questioned whether the County will be able to raise this question 5 years later or whether Mr. Burcham will forget to reapply.

Mr. Riutort assured Mr. Mahone that staff has a procedure through the code enforcement officer to keep up with the expiration dates.

Mr. Edwards made a motion to approve the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

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 owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Mr. John R. Burcham
Real Estate Tax Map No.	(12-1)
Parcel No:	(1-6)
District:	Stonehouse District
Zoning:	A-1, General Agriculture
Permit Term:	Renewable after 5 years
Further Conditions:	The Subdivision must be recorded and mobile home placed on said lot.

G. **BOARD CONSIDERATIONS**

Mr. Oliver suggested as a courtesy to the public present that Item No. 3 be presented next.

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3. Conditions for Case No. SUP-6-82. Ordonia Campground

Mr. Riutort presented this matter to the Board stating that the conditions were approved by the Planning Commission on January 25, 1983 and have been agreed to by the applicant and his attorney.

Mr. William Bland, attorney for Mr. Ordonia, requested favorable action on the request for the rezoning and special use permit.

Mr. DePue moved for the approval of the resolution. He commended the parties involved for the efforts made to agree on the conditions.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

R E S O L U T I O N

ZONING CASE NO. Z-6-82 AND SPECIAL USE PERMIT NO. SUP-6-82

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled and conducted on December 13, 1982 for zoning case No. Z-6-82 and special use permit case No. SUP-6-82 for 8.5 acres on parcels (1-20) and (1-22) on James City County Real Estate Tax Map No. (59-1);

WHEREAS, the impacts of the proposed use will not unnecessarily conflict with the nature of the surrounding area,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve zoning case No. Z-6-82 and special use permit case No. SUP-6-82, with the following conditions, to allow the development of a campground.

Traffic:

1. Only one entrance and exit to the campsites shall be maintained and utilized by the patrons, which shall be from U. S. Route 60, being the same entrance previously approved by the County for the Ole Country General Store.
2. A parking area 160 feet from the Route 60E right-of-way shall be provided for the temporary parking and registration for guests. Parking for registration shall be in all weather surface and shall be located behind the existing parking for the Ole Country General Store. The area shall be landscaped.

Buffering from Surrounding Area:

1. The boundaries of the campsite shall be clearly designated to restrict the camping area to the subject property and to prevent trespass on adjacent land. A wooden perimeter fence shall be erected along the westerly property line.
2. A recreation area for the use of campers shall be provided.
3. The campsites shall be confined entirely to the area zoned A-2 and provide the following buffer zones around the campsites.
 - a. 315 feet from U. S. Route 60 and parallel to U. S. Route 60.
 - b. 150 feet from the property line that borders the entrance to Country Village (Wisteria Gardens Drive).
 - c. 200 feet from the rear property line but in no event closer to the rear property line than the southwesterly side of Skiffes Creek as it crosses the rear of the subject property.
 - d. 30 feet from the westerly property line between the subject property and that of Margaret Kirby.
4. Fires shall be contained.

Impact of Carter's Grove:

1. A landscape screen shall be provided to visually buffer the campground from Route 60 and Carter's Grove.
2. Clearing shall be limited to that necessary to provide a roadway to the campsites, utility easements, bathroom, shower facilities and the individual sites not to exceed 40. Every effort shall be made by the landowner to preserve the natural foliage and trees. A landscape plan shall be submitted for approval. A soil and erosion control plan should be submitted for approval.
3. The project shall be limited to one sign in compliance with the County sign ordinance. In addition, the design of the sign shall be reviewed and approved by the Planning Department.

Site Design:

1. The number of spaces shall be no greater than 40. Each space shall include a 60' x 12' all weather apron. A minimum distance of 40 feet shall be maintained between each apron. The campsites shall be serially numbered. No space shall contain less than 2000 sq. ft. Each space shall be well drained.
2. All weather access shall be provided.
3. A utility plan shall be included with the site plans and shall be submitted for approval.
4. Each space shall be connected to public water and electricity. All utilities shall be underground. The bathhouse shall have public water and sewer.
5. Three 4 cu. yd. or two 6 cu. yd. containers shall be provided on a hard dumpster pad screened from view.
6. A septic dumping pit convenient to all campsites which connects to public sewer shall be provided.
7. All improvements, including roads, shall be bonded and all fees paid, including utility connection charges.

Operation:

1. Quiet hours shall be observed from 10 P.M. to 7 A.M.
2. The maximum length of stay in any tourist camp by an individual person shall not exceed thirty days.
3. Camping or parking shall not be allowed if no campsite is available.
4. Twenty-four (24) hour supervision shall be maintained by the manager of the campground at all times that the campground is open to the public.

1. Support for Current Manpower Programs Service Delivery Area

Mr. Anthony Conyers, Jr., Personnel Director, presented this matter to the Board recommending approval of the resolution designating the Virginia Peninsula CETA Prime Sponsor as the Service Delivery Area for the Virginia Peninsula.

Mr. Frink moved for the approval of the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

R E S O L U T I O NSUPPORT FOR CURRENT MANPOWER PROGRAMS SERVICE DELIVERY AREA

- WHEREAS, the Job Training Partnership Act, also known as Public Law 97-30, was approved by the President of the United States on October 13, 1982; and
- WHEREAS, the Job Training Partnership Act has as its focal purpose the establishment of programs to increase the post-program employment and earnings of those who participate, and
- WHEREAS, the Job Training Partnership Act repeals and replaces the Comprehensive Employment and Training Act (CETA) of 1974, to be effective October 1, 1983, and
- WHEREAS, by Joint Working Agreement, the Peninsula Office of Manpower Programs (POMP) is the Prime Sponsor designated to receive Federal financial assistance under Section 102 of the Comprehensive Employment and Training Act for the six jurisdictions (Cities of Newport News, Hampton, Williamsburg and Poquoson and the Counties of York and James City) which comprise the Virginia Peninsula Consortium, and
- WHEREAS, the Peninsula Office of Manpower Programs has demonstrated professional expertise and program effectiveness in meeting the goals and objectives prescribed by the six Virginia Peninsula jurisdictions, and
- WHEREAS, the County of James City is desirous of continuing to provide the services through a Joint Working Agreement with the Peninsula Office of Manpower Programs, and
- WHEREAS, in the event other jurisdictions contiguous to the Virginia Peninsula Prime Sponsorship indicate a desire to join said Prime Sponsorship, the County of James City agrees to support the County of Gloucester, a jurisdiction of the Hampton-Newport News Standard Metropolitan Statistical Area (SMSA), as a member jurisdiction should the County of Gloucester desire membership with the Virginia Peninsula Consortium under the Job Training Partnership Act, and
- WHEREAS, the Job Training Partnership Act requires the Governor of Virginia to appoint Service Delivery Areas (SDAs) to replace CETA Prime Sponsors during fiscal year 1983.
- THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of James City appeals to the Governor of Virginia to designate the Virginia Peninsula CETA Prime Sponsor as the Service Delivery Area for the Virginia Peninsula.

2. Code Violation Lien

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the Board recommending approval of the resolution.

Mr. Mahone made a motion to approve the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

R E S O L U T I O NCODE VIOLATION LIEN

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following bill for service rendered is delinquent and remains unpaid; and

WHEREAS, such unpaid and delinquent charges are and constitute a lien against the real property on which the service was performed and for which charges were imposed;

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 delinquent charges for service rendered, to wit:

Mowing grass:

Account No.:	Frank E. Sellers, President Properties of Williamsburg, Inc. 1232 W. Little Creek Road Norfolk, Virginia 23505	
Description of property:	Recreation area between Conway Gardens and Marlboro Apartments Tax Map # (48-1) Parcel # (1-30) Deed Book #79, Page #196	
Amount Due:	Labor	\$ 42.14
	Equipment	<u>38.00</u>
	TOTAL	<u>\$ 80.14</u>

4. The Transfer of Tewning Road Property to Service Authority

This item was discussed previously at the James City County Service Authority meeting.

Mr. Frink moved for the approval of the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

R E S O L U T I O N

TRANSFER OF TEWNING ROAD PROPERTY

WHEREAS, James City Service Authority owns three acres on Tewning Road; and

WHEREAS, the Board of Supervisors recently authorized purchase of two additional acres adjoining the three acre Service Authority property, and

WHEREAS, it is desirable to place the entire acreage under the management of one County Agency;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes and directs the Chairman and the Clerk to the Board to execute all documents necessary to affect the transfer.

BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes and directs the Chairman and Secretary to execute all documents necessary to accept the property on behalf of the Service Authority.

5. Virginia State Grant - Forest Glen Community Facility

Mr. McDonald presented this matter to the Board stating that the resolution before the Board authorizes the acceptance of the grant and appropriates the funds as continuing appropriations, i.e., beyond the end of current fiscal year.

Mr. Edwards moved for the approval of the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor
(5). NAY: (0).

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Mr. DePue suggested that the Registrar be located at this facility occasionally.

RESOLUTION

FOREST GLEN COMMUNITY FACILITY

WHEREAS, the Board of Supervisors of James City County made application to the Virginia State University Cooperative Extension Service for grant funds to provide for outreach educational, community, and technical assistance programs for the Forest Glen Community; and

WHEREAS, the grant has been approved and grant award made to the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the acceptance of a Virginia State University Cooperative Extension Service grant in the amount of \$13,296 and does hereby designate these funds as continuing appropriations as follows:

General Fund

Revenues:

From the Commonwealth	
Virginia State Grant	\$13,296

Expenditures:

Cooperative Extension Service	
Salaries, P/T Temporary	\$10,680
Fringe Benefits	716
Transportation	1,200
Operating Supplies & Materials	500
Other Expenses	200
	<u>\$13,296</u>

6. Transfer of Urban Homesteading Properties

Ms. V. Jan Rountree, Community Development Director, presented this matter to the Board recommending approval of the resolution authorizing the Chairman to transfer title of the eight properties to the approved homesteaders.

Mr. Frink asked whether all of the applicants were James City County residents.

Ms. Rountree replied that two will be moving into the County for the first time and had not been employed here previously; three were existing residents; and three were non-residents that worked in the County.

Mr. Mahone made the motion to approve the resolution.

On a roll call, the vote was AYE: DePue Frink, Edwards, Mahone, Taylor (5). NAY: (0).

RESOLUTION

URBAN HOMESTEADING PROGRAM PROPERTY TRANSFERS

WHEREAS, the Housing and Community Development Act of 1974, as amended, provides James City County, Virginia with Federal assistance in the form of Urban Homesteading Funds to carry out eligible homesteading activities under said act;

WHEREAS, James City County has executed an Urban Homesteading Agreement with the United States Department of Housing and Urban Development providing for implementation of the Urban Homesteading Program in James City County and including the transfer of Homesteading properties to eligible applicants;

THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the Chairman of the Board to transfer conditional title of the following homesteading properties in the Forest Glen Subdivision to the following eligible applicants:

203 DeLafayette Place (Lot 67, Section 4)
Bruce E. Wallace and Rochelle E. Wallace

111 DeLafayette Place (Lot 65, Section 4)
William Jones Miller

104 Mildred Drive (Lot 111, Section 4)
Winston E. Senior and Olive J. Senior

116 Williamson Drive (Lot 45, Section 2)
Albert Hamrick and Audrey I. Hamrick

105 Williamson Drive (Lot 54, Section 2)
Russell L. Walker

Centerville Road (Lot 8, Section 1)
Edna Diane Moorecock

200 Mildred Drive (Lot 129, Section 4)
Ella Mae Bartlett

106 Old Colonial Drive (Lot 116, Section 4)
Junius F. Dandridge, Jr.

H. MATTERS OF SPECIAL PRIVILEGE

Mr. DePue recognized Mr. Walter Heyer, the Director of the Jamestown Festival Park.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver suggested at the appropriate time the Board convene into Executive Session to discuss a personnel matter, land acquisition matter, and a potential litigation.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone expressed his appreciation to Mr. Morton for his assistance in resolving a business license matter, and to Ms. Sandi McPherson for placing the County Cable Ordinance in the Library and the Citizen's Assistance Office.

Mr. DePue requested the status on the new regulations for obtaining special use permits for mobile homes.

Mr. Riutort stated that the case will go before the Planning Commission as a public hearing on February 22, 1983.

Mr. DePue stated that he has received complaints that the residents of Kingsmill are not buying County stickers, and that he would like a report as to what the County is doing to be sure that everyone that must buy one is purchasing a sticker.

Mr. Edwards made a motion to convene into Executive Session to discuss appointments, personnel, land acquisition, and potential litigation matters pursuant to Section 2.1-344(a)(1), (2) and (6) of the Code of Virginia, 1950, as amended.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

The Board convened into Executive Session at 8:55 P.M. and reconvened into Public Session at 10:10 P.M. at which time Mr. Frink made a motion to appoint Ms. Mary P. Dickerson of the Roberts District to fill the unexpired term of Ms. Sherron Hill on the Clean County Commission.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). NAY: (0).

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Mr. Frink then moved to adjourn.

The Board of Supervisors Meeting ADJOURNED at 10:15 P.M.


James B. Oliver, Jr.
Clerk to the Board

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