

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 22nd DAY OF AUGUST, NINETEEN HUNDRED EIGHTY-THREE AT 3:00 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 - **ABSENT**  
 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 - August 8, 1983**

Mr. Edwards made the motion to approve the Minutes of August 8, 1983, as presented.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4).  
 NAY: (0).

**C. HIGHWAY MATTERS**

Mr. Frank N. Hall, Resident Engineer, Virginia Department of Highways and Transportation, made the following reports to the Board.

1. The results of the Route 5 study should be ready by the next Board meeting.
2. He will be making inquiries of the residents of Crownpoint Road concerning the drainage problem.
3. The results of the Brookwood/Route 199 traffic study have not been received to date.
4. The vegetation has been cut and the 25 mph speed limit signs have been erected on Church Lane.
5. Bids have been taken on the Mooretown Road Extension, but a contract has not been awarded.

Mr. Taylor thanked Mr. Hall for the Church Lane improvements and the repairs to the Croaker Landing Road.

**D. CONSENT CALENDAR**

Mr. Oliver requested that item D-2b be removed.

Mr. Taylor made a motion to approve the Consent Calendar with the exception of item D-2b.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4).  
 NAY: (0).

1. Set Public Hearing Date of September 12, 1983, for Case No. SUP-22-83. Albert Durant.
2. Set Public Hearing Date of October 17, 1983, for:
  - a. Case No. Z-6-83. Norco, Inc.
  - c. Ordinance Providing for Disposal of Unclaimed Personal Property.

3. Lease of EOC Office Space - ASC OfficeR E S O L U T I O NLEASE OF EOC OFFICE SPACE - ASC COMMITTEE

WHEREAS, the Board of Supervisors of James City County desires to lease space to the Agricultural Stabilization and Conservation Committee;

THEREFORE, BE IT RESOLVED that the County Administrator is hereby authorized and directed to execute the attached lease for the period September 1, 1983 through August 31, 1984, at an annual rate of \$1,485.00 for the office space currently occupied by the ASC Committee at the EOC Building.

4. School Board AdjustmentR E S O L U T I O NSCHOOL BUDGET ADJUSTMENT

WHEREAS, the Board of Supervisors of James City County must approve increases in the annual budget of the Williamsburg-James City County School Board; and

WHEREAS, the Board has been requested to authorize an increase of \$35,395 to accommodate the rental of school facilities, and

WHEREAS, the budget increase does not affect the current local appropriation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the Williamsburg-James City County School Board to increase the 1983-84 School Budget by \$35,395 to reflect the increased revenues and expenditures resulting from rental of school buildings.

**E. BOARD CONSIDERATIONS**1. Case No. IRB-2-83. Waxford Limited Partnership.

Mr. DePue made the motion to approve the Resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor

(4). NAY: (0).

Mr. Ken Axtell, Vice Chairman of the James City County Industrial Development Authority, representing the chairman, Diane Abdelnour, indicated that the Authority had held a public hearing on August 10, 1983, to hear an application on behalf of Waxford Limited Partnership for industrial revenue bonds in the amount of \$4,000,000 to finance the construction of a 150 room motel. The motel proposed in the application is to be located behind the Wax Museum on Route 60 adjacent to the Ramada Inn. The museum will be converted into a restaurant to support the motel, but except for the purchase of the property no bond proceeds will be used for the restaurant. After many questions for clarification and general discussion, the Authority members voted unanimously to recommend to this Board of Supervisors the acceptance of the resolution of inducement. The Industrial Development Authority members have taken their responsibilities very seriously. All applications are viewed on an individual basis. Mr. Axtell indicated that the Authority agreed that the eligibility for bond financing, meets the Authority's policy for consideration, as well as the eligibility for financing under the Virginia Industrial Development and Revenue Bond Act and under Section 103 of the Internal Revenue Code. The Authority believes that this application will add to the tax base, provide additional opportunities for citizens, and the project will promote the economy of our County to benefit our citizens.

Mr. DePue made the motion to approve the Resolution.

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On discussion of the motion, Mr. Edwards commented that the Industrial Development Authority had done a very careful job of considering the proposal and considered all relevant questions concerning the application.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4).  
NAY: (0)

RESOLUTION

RESOLUTION OF  
THE JAMES CITY COUNTY BOARD OF SUPERVISORS APPROVING  
ISSUANCE OF BONDS

WHEREAS, the Industrial Development Authority of the County of James City, Virginia (the Authority), has considered the application of Waxford Limited Partnership, A Virginia limited partnership (the Partnership) of which Waxford Incorporated, a Virginia corporation, is the general partner, for the issuance of the Authority's industrial development revenue bonds in an amount not to exceed \$4,000,000 (the Bonds) to assist in the Partnership's acquisition, construction and equipping of a motel facility of up to 150 units (the Project) located at the southwest corner of Richmond Road and Stratford Road in James City County, Virginia, and has held a public hearing thereon on August 10, 1983; and

WHEREAS, the Authority has requested that the James City County Board of Supervisors approve the issuance of the Bonds to comply with Section 103(k) of the Internal Revenue Code of 1954, as amended; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds subject to the terms to be agreed upon, a record of the public hearing and a "fiscal impact statement" with respect to the Project has been filed with the minutes of this meeting;

BE IT RESOLVED BY THE JAMES CITY COUNTY BOARD OF SUPERVISORS:

1. The James City County Board of Supervisors, approves the issuance of Bonds by the Industrial Development Authority of the County of James City, Virginia, for the benefit of the partnership, to the extent required by Section 103(k), to permit the Authority to assist in the financing of the Project.
2. The approval of the issuance of the Bonds, as required by Section 103(k), does not constitute an endorsement of the Bonds or the credit worthiness of the Partnership, but, as required by Section 15.1-1380 of the Code of Virginia of 1950, as amended, the Bonds shall provide that neither James City County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth, James City County nor the Authority shall be pledged thereto.
3. This resolution shall take effect immediately upon its adoption.

2. Commissioner of Revenue Deputy/Trainee

Mr. John E. McDonald, Assistant to the County Administrator, presented the request from the Commissioner of Revenue for the establishment and funding of a Deputy/Trainee position for a three month period beginning October 1, 1983. Approval of the resolution is requested to provide an overlap in the replacement of Mr. Ford, who following election to the Office of Commissioner of Revenue (barring any unforeseen circumstances), will be assuming the duties of that office, effective January 1, 1984. This position is requested to provide the necessary training to assume the responsibility of the office in handling the issuance of business licenses, mailing of tax returns, income tax assistance and tax returns.

Mr. Edwards made the motion to approve the Resolution.

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

R E S O L U T I O N

DEPUTY COMMISSIONER OF REVENUE/TRAINEE

WHEREAS, the Board of Supervisors of James City County, has been requested to consider a three-month limited term position of Deputy/Trainee in the Office of the Commissioner of Revenue; and

WHEREAS, the problems of transition in the position of Commissioner of Revenue are compounded by a seasonally heavy workload in the month of January.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the creation of a limited term position of Deputy/Trainee Commissioner of Revenue for the period October 1 through December 31, 1983, and authorizes the transfer of funds in the following amounts to fund the position:

From:	Contingency	\$ 4,680
To:	Office of Commissioner of Revenue	
	Salaries, Limited Term	\$ 4,000
	Fringe Benefits	680
		<u>\$ 4,680</u>

3. Extension of the Doe Season

Mr. Morton presented the request from Thomas Mahone, to defer the action on the extension of the doe season.

Mr. Taylor commented that if the motion was deferred too long it would be of little consequence in solving the problem of deer damage to crops.

Mr. Eggleston informed the Board that fishing and hunting brochures are printed two years in advance, consequently any action taken by the Board now would not be realized for two years.

Mr. Taylor commented that it is not appropriate that citizen interests are ignored in order to save printing costs.

Mr. DePue suggested that the action be carried over until the next meeting as Mr. Mahone requested.

Mr. DePue then called on John E. McDonald for the presentation on the second part of the Resolution, Deer Hunting - York River State Park.

Mr. McDonald indicated that Mr. Eggleston had been asked to attend the Board meeting to make a presentation on the extension of the doe season and while he understood Mr. Eggleston to say that they are locked in for the next two years, we need to try to work on the matter. As for the second resolution, the Game Commission does not control the hunting on public property.

Mr. Eggleston presented the recommendation that more work needs to be done with land owners to re-educate them in regard to hunting deer on their properties. If property owners could be encouraged to allow more doe to be killed, the problem of crop damage could be reduced.

Mr. Eggleston expressed the opinion that if the York River State Park is opened up to allow more deer hunting it would help eliminate some of the deer damage to crops. He also indicated that the farm that is having the biggest problem with crop damage is situated adjacent to Camp Peary. By survey, Camp Peary decides how many deer will be taken off each year. As long as Camp Peary

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handles deer hunting in this way, adjacent farms will continue to have problems with deer damage. He expressed the opinion that opening up additional areas of York River State Park to hunting, or lengthening the season would probably not eliminate the problem.

Mr. Eggleston indicated that there was a time when the York River State Park was hunted regularly and that the particular property where extensive damages have occurred still had problems with the deer.

Mr. Jack Scruggs indicated that laws would have to be changed to allow hunting on state lands or the running of dogs in the use of hunting deer.

Mr. Oliver suggested it may be possible to lease the York River State Park for a two- day period.

Mr. Scruggs thought this might be possible.

Mr. DePue asked if there was a motion on the resolution Deer Hunting -York River State Park.

Mr. Edwards questioned how York River State Park would handle the opening of the park for the hunting of deer.

Mr. Taylor indicated that he was not sure but he assumed that they would designate a certain area, the part that was away from other activities, to be open for hunting.

Mr. Edwards expressed concern for the safety of people in the Park. He said he had some misgivings without knowing exactly how the hunting on the park lands would be handled.

Mr. Frink made the motion to approve the resolution.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4). NAY: (0).

Mr. DePue asked for a follow up, if there was any reason why there was not a similar resolution for Camp Peary. Calling their attention to the fact that there does exist the deer damage to crop problem, maybe Camp Peary could increase the limit on deer killed each year.

## RESOLUTION

### DEER HUNTING - YORK RIVER STATE PARK

WHEREAS, the Board of Supervisors of James City County has acknowledged a growing deer population in the County that is causing increasing damage to crops in several areas of the County; and

WHEREAS, the problem is particularly acute in and around the several Federal- and State-owned properties where hunting is severely limited or prohibited, particularly bordering the York River State Park; and

WHEREAS, James City County farmers have suffered thousands of dollars in losses to deer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby petitions the Virginia Division of State Parks to permit a periodic controlled hunt for deer within the boundaries of the York River State Park to mitigate the damages caused to bordering farmland.

#### 4. Expansion of the Jamestown 4-H Center

Mr. McDonald presented the Resolution for the staff. The Jamestown 4-H Center is owned by a not-for-profit corporation made up of twenty-one representatives of Extension Offices across the district. Over the last few years they have been doing an evaluation for the expansion or relocation of the Jamestown 4-H Center. The corporation has come to the conclusion that renovations to the existing facility are necessary to provide the kinds of services

needed for this area. The renovation program will continue over the next five years. Renovations will be funded by donations from the twenty-one jurisdictions that have participated. They have established goals for each jurisdiction and the local Extension Office is coordinating the fund raising in James City County. We have looked at the project and have found that the overall benefit to James City County residents and community organizations is of a significant level and we would like to propose that the Board approve a matching grant of up to \$10,000 to match donations of citizens of James City County to go toward the \$32,500 goal established for the County.

Mr. McDonald clarified for the Board that the \$32,500 figure targeted for James City County is based on usage by the County of the Jamestown facility and only a portion of the \$2.3 million project. Fund raising would be directed toward businesses.

Mr. DePue made the motion to approve the Resolution.

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

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

#### JAMESTOWN 4-H CENTER

WHEREAS, The Board of Supervisors of James City County endorses the proposed improvements and expansion of the Jamestown 4-H Center;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby establishes a challenge grant of \$10,000 to be provided on a dollar for dollar match with donations from James City County residents or businesses; that disbursement of said funds be approved by the County Administrator after providing the Board with reports on private donations; and that said challenge grant be established as a continuing appropriation by a transfer of funds, as follows:

From: Contingency	\$10,000
To: Extension Services	
Jamestown 4-H Center Challenge Grant	\$10,000

#### **F. MATTERS OF SPECIAL PRIVILEGE**

None.

#### **G. REPORTS OF THE COUNTY ADMINISTRATOR**

##### **1. Refuse Collection Study**

Mr. Wayland N. Bass, Director of Public Works, addressed the Board. Mr. Bass indicated that recently Mr. DePue requested a study of refuse collection in the County. The Public Works Department recommends that a citizens committee be appointed to direct the study, with the composition of the committee consisting of five citizens, five representatives of Homeowner Associations, one board member, one staff member, one member from the Clean County Commission, and two business representatives, for a total of fifteen members.

The purpose of the committee would be to direct the study, guide the development of refuse collection issues, meet with and receive comments from all interested parties including the refuse haulers and make recommendations to the Board of Supervisors. The committee would develop its own work program, but the staff would provide assistance as required. Each board member is requested to think about and recommend two members to the committee, specifically one member at large from his district and one representative of a Homeowner Association. Advertisements will be published for applications from citizens who may be interested in serving on the Committee and then a list of candidates will be prepared for the Board to assist in its selection.

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Mr. DePue commented that he did bring up the subject and that he has had some discussions with the staff, and that he realizes this issue is not without its challenge and problems, and he certainly does not go into it with any preconceived notions about how easy it will be. Any solution or recommendation coming out of this is going to require the support of a broad based citizens group and should not be something that is imposed upon our citizens without fair consideration by our citizens at large. He continued by saying that he thought this study could take months to complete and even longer to implement. He also indicated that a representative of the haulers should be considered as a member of the committee.

Mr. Taylor suggested that the motion be deferred because one Board member was absent from the meeting.

Consideration of the Refuse Collection Study was deferred by consent.

#### H. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor requested that the Farmers Advisory Committee be called together to request the Governor to declare James City County a disaster area due to the drought this year. He suggested that the Committee meet within the next two weeks in order to submit a report to the Board at its next meeting.

Mr. Taylor's motion was to request that Mr. Ed Overton, County Extension Agent, call a meeting of the Farmers Advisory Committee to discuss the possibility of making a request of the Governor to declare James City County a disaster area.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4). NAY: (0).

Mr. DePue stated that he has had a number of complaints about the dumpsters in Toano. He requested that the Public Works Department look into the possibility of emptying the dumpsters more frequently.

Mr. Taylor made the motion to recess.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4). NAY: (0).

The Board recessed at 3:50 P.M., and reconvened into Public Session at 3:55 P.M.

Mr. DePue called the recessed meeting of the Board of Supervisors to order.

Mr. DePue made a motion to convene into Executive Session pursuant to Section 2.1-344(a)(1) and (6) of the Code of Virginia, 1950, as amended.

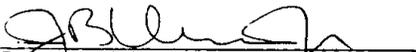
The Board convened into Executive Session at 3:55 P.M. and returned to Public Session at 4:30 P.M. at which time Mr. DePue made the motion to appoint Mr. L. Scott Trainum to fill the unexpired term of Louis Vosteen on the Library Board.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor (4). NAY: (0).

Mr. Taylor made the motion to adjourn.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Taylor. (4). NAY: (0).

The Board of Supervisors Meeting **ADJOURNED** at 4:33 P.M.

  
James B. Oliver, Jr.  
Clerk to the Board