

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-SIXTH DAY OF SEPTEMBER, 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
 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 - September 12, 1983

Mr. Mahone made the motion to approve the Minutes of September 12, 1983 as presented.

On a roll call, the vote was AYE: DePue, Frink, Edwards, Mahone, Taylor (5). 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 Route 5/St. Georges Hundred Traffic Study is underway and Mr. Hall will report back to the Board upon completion of the study.
2. Mr. Hall reported that the results of the Kingspoint entrance and Route 199 study were not available.
3. The Mooretown Road extension, Route 646, will be completed in 30 days. In response to a query from Mr. DePue, Mr. Hall stated that the bridge will no longer be used for vehicular traffic, although the bridge will not be demolished by the railroad.
4. Mr. Hall reported to Mr. Mahone that Kingspoint street repairs have been completed because of budget restrictions. Additional work should be done next year.

Mr. DePue expressed his interest in coordinating with Mr. Hall the safe use of the bridge for pedestrian traffic. Mr. Hall indicated that maintenance of the wooden bridge is the responsibility of the C&O Railroad.

Mr. Frink thanked Mr. Hall for the work done on the drainage ditches and the trimming of vegetation on the streets off Route 60 East.

D. CONSENT CALENDAR

Mr. DePue asked the Board members if they wished to have any items removed from the Consent Calendar.

Mr. Mahone then moved for the approval of the Consent Calendar.

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

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1. Case No. CUP-21-83. Richardson Mobile HomeR E S O L U T I O NCONDITIONAL 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 temporary mobile home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Mr. Larry Richardson
Real Estate Tax Map ID:	(36-4)
Parcel No.	(1-7A)
District:	Powhatan
Zoning:	A-1, General Agricultural
Permit Term:	The permit term shall expire at the end of six months from September 26, 1983 or the date of the certificate of occupancy of the residence to be constructed on the site, whichever is first. However, this permit may be renewed one time for an additional period not to exceed six months if an application for renewal is submitted to the Zoning Administrator at least thirty days prior to the expiration date.
Further Conditions:	None

2. Set Public Hearing Date of October 17, 1983, for Case No. SUP-26-83. John A. Pierce.

3. Case No. SP-43-83. Busch Properties, Inc. - Kingsmill Tennis Village.

R E S O L U T I O NSITE PLAN APPLICATIONCASE NO. SP-43-83 KINGSMILL TENNIS VILLAGE

WHEREAS, it is understood that all conditions for consideration of this application have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that approval be granted for the proposed development of property owned by the applicant as described below and as detailed in the attached memorandum.

Applicant	Mr. Ronnie Orsborne on behalf of Busch Properties, Inc.
District	Roberts
Zoning	R-4, Residential Planned Community
Further Conditions	None

4. Lease of EOC Office Space - Soil Conservation Service.R E S O L U T I O NLEASE OF EOC OFFICE SPACE - SOIL CONSERVATION SERVICE

WHEREAS, the Board of Supervisors of James City County desires to lease space to the United States Department of Agriculture-Soil Conservation Service;

THEREFORE, BE IT RESOLVED that the County Administrator is hereby authorized and directed to execute the attached lease for the period October 1, 1983 through September 30, 1984 at an annual rate of \$2,190.10 for the office space currently occupied by the Soil Conservation Service.

5. Workers Compensation Leave Clarification.R E S O L U T I O NREVISION TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the James City County Board of Supervisors desires to revise its Personnel Policies and Procedures Manual to clarify and detail the policy concerning Workers Compensation Leave.

THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that Chapter V, Section 4, "Workers Compensation Leave", be revised to conform to the language on the attached document and incorporated herein by reference.

E. BOARD CONSIDERATIONS

Mr. DePue requested that item 7 be moved for first Board Consideration.

7. James City County's 350th Anniversary.

Sandi McPherson, Recreation Coordinator, presented the Resolution appropriating funds for a temporary full-time coordinator to provide leadership and continuity in the Anniversary planning.

A Citizens Advisory Committee has been established to assist County staff with the development of activities that might be appropriate for the County's anniversary celebration. The Advisory Committee, composed of individuals representing various disciplines and special interest areas, strongly recommends the hiring of a temporary full-time coordinator.

Several members of the Advisory Committee were introduced.

After hearing comments from members of the Advisory Committee, Mr. DePue indicated that he would like to be given a little time to think about the proposal and talk with other communities who have completed similar celebrations.

Mr. DePue raised several questions: Who would hire this person? How would the position be incorporated into the staff?

Mr. Edwards asked that the Board wait two weeks to allow each member the opportunity to talk with other County residents and get their thoughts and input for the Anniversary.

Mr. DePue asked that activities focus on a year of research/oral histories, as opposed to celebrations, festivities, events, and etc.

In response to Mr. DePue's concern about the perpetuation of the research conducted for the celebration, Dr. Edward Crapol, a member of the

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Advisory Committee, indicated that the Committee recommends Appointment of a James City County Historical Commission and the creation of a County Museum.

The matter was deferred by consensus.

1. Case No. Z-7-83. Jesse Ferrell.

Mr. Orlando A. Riutort, Director of Planning, presented the application to rezone approximately 10.239 acres from B-1, General Business to R-5, Multi-family Residential to allow for the construction of townhouses on property located on the north side of Route 60E across from Carter's Grove Plantation and west of and adjacent to the Poplar Hall Subdivision, and further identified as parcel (1-6) on James City County Real Estate Tax Map No. (59-2).

The traffic analysis prepared by Langley and McDonald, Engineers, Planners, and Surveyors of Virginia Beach, Virginia, produced the following:

1. The proposal conforms with the intended uses and activities designated for this area by the Land-Use Element of the Comprehensive Plan.
2. A Moderate Density proposal would not conflict with the nature of existing development in the surrounding area. There are three large mobile home parks and several scattered neighborhood commercial establishments along Route 60.
3. This application would constitute a down zoning of this site from General Business to Multi-family Residential zoning.
4. Setback requirements on the R-5 Ordinance which set back structures at least 75 feet from Route 60E and 50 feet (75' for two-story buildings) from the adjoining lots in Poplar Hall Subdivision. This would allow for the placement of a landscaping treatment to buffer development from this subdivision.

Mr. DePue questioned the objectivity of the traffic analysis. Mr. Riutort said he had no concerns about the reports' objectivity. Mr. Frank N. Hall, Resident Engineer, VDH&T, indicated that the development of this property should be looked at in the light of traffic safety. Discussion of the traffic count concluded that with minimal improvements, including a left turn lane into the proposed development, removal of vegetation and cut back of the embankment, the affects of the proposed project on highway safety would be minimized.

Mr. DePue made the motion to approve the Resolution.

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

R E S O L U T I O N

RESOLUTION OF APPROVAL-ZONING CASE NO. Z-7-83
JESSE FERRELL

WHEREAS, in accord with Section 15.1-431 of the Code of Virginia, and Section 20-14 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled and conducted on September 12, 1983 for Zoning Case No. Z-7-83 for rezoning of approximately 10.239 acres from B-1, General Business, to R-5, Multi-family Residential located on parcel (1-6) on James City County Real Estate Tax Map No. (59-2); and

WHEREAS, in accord with the Planning Department's recommendation, the Planning Commission following its public hearing on July 26, 1983, unanimously recommended approval of Zoning Case No. Z-7-83, and

WHEREAS, Zoning Case No. Z-7-83 is in accord with the adopted Comprehensive Plan of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve Zoning Case No. Z-7-83 as described herein and as detailed in the attached memorandum.

2. Case No. SUP-17-83. Guy R. Carroll.

Mr. Riutort presented the application for a special use permit to allow the placement of a mobile home on .753 acres in the Stonehouse District. Following the public hearing of September 12, 1983, the Board of Supervisors deferred action on Mr. Carroll's application for a special use permit to allow members of the Board to view the site. In addition, the Board asked for photographs of the site, and of the mobile home to be placed on it.

Mr. Taylor commented that the trailer would not be in Sandhill, and that the property had been given to Mr. Carroll to provide help to an elderly landowner, and that the County has a responsibility to encourage young people to stay in the County.

Mr. Edwards expressed appreciation for Mr. Taylor's concerns, but indicated he could not support the placement of a mobile home in this location. Mr. Edwards said the mobile home should not be placed in this particular location while the Board is deciding where to put mobile homes.

Mr. DePue indicated that the Board had the right to protect property owners of Sandhill and the proposed Great Woods Subdivisions, consequently, he could not support the application.

Mr. Frink indicated that the Board should address the problem of total mobile home situation through our zoning ordinance.

Mr. Taylor made the motion to approve the Resolution.

On a roll call, the vote was AYE: Frink, Taylor (2). NAY: DePue, Edwards, Mahone (3).

The motion failed by a 3-2 vote.

3. Execution of Urban Homesteading Agreement.

Ms. V. Jan Rountree, Director of Community Development, presented a Resolution authorizing the County Administrator to execute the Homesteading Agreement and establish procedures to be used in the selection of homesteaders. HUD has offered the County an additional \$45,000 in Urban Homesteading funds with which four additional properties in the Forest Glen subdivision could be homesteaded.

Mr. Frink made the motion to approve the Resolution.

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

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U R B A N H O M E S T E A D I N G

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

WHEREAS, the United States Department of Housing and Urban Development has awarded James City County \$45,000 for Urban Homesteading in the Forest Glen Community Development Project Area,

THEREFORE, BE IT RESOLVED that the Board of Supervisors as follows:

1. The County Administrator is authorized and directed to execute the Urban Homesteading Agreement providing for implementation of the Urban Homesteading Program in James City County.
2. In determining the eligibility of potential Homesteaders, regulations as established by the United States Department of Housing and Urban Development shall be enforced. In addition, the following criteria shall be used:

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- a) A priority system will be used in the award of property to potential homesteaders. Priority will be assigned as follows:
 - (1) Current residents of James City County.
 - (2) Persons living outside of James City County but working in James City County.
 - (3) All other applicants.
- b) The Urban Homesteading Screening Committee will review all applications prior to award.
- d) Upon determination of the applicants' eligibility and priority, a lottery would be held to determine selection of the homesteaders.

4. Transfer of Urban Homesteading Properties.

Ms. V. Jan Rountree, Director of Community Development, presented a Resolution authorizing the Chairman to transfer title of the listed properties to the approved homesteaders.

Mr. Edwards made the motion to approve the Resolution.

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

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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:

210 Walker Drive
Robert Rodgers and Thelma Rodgers

102 Old Colonial
Lucy Pearl Thompson and Marcus Phillip Thompson

The following properties shall be transferred upon completion of the transfer of property to James City County from Farmers Home Administration provided that this transfer is effected on or before September 30, 1983.

Allan D. Childers, Jr. and Phillip B. Childers
109 DeLafayette Place

Geraldine M. Wyche
108 Walker Drive

Steve Myers and Doris Myers
202 Walker Drive

Mark Ross
103 Old Colonial Drive

5. Joint Working Agreement Between Service Delivery Area Governments.

Mr. Anthony Conyers, Jr., Personnel Director, presented the Resolution creating a Consortium of Governments to accomplish the objectives of the Jobs Training Partnership Act. The objectives of the Jobs Training Partnership Act is to establish programs to prepare youth and unskilled adults for entry into the labor force and to afford job training to those economically disadvantaged individuals and other individuals facing serious barriers to employment who are in special need of such training to obtain productive employment. The County's liability is lessened under this agreement; we will, in effect, have no financial liability for JTPA programs in the County. County commitment under this agreement is to review and approve/disapprove the annual plan and to make necessary appointments to the Private Industry Council per federal regulations.

Mr. Frink made the motion to approve the Resolution.

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

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JOINT WORKING AGREEMENT BETWEEN SERVICE DELIVERY AREA GOVERNMENTS

WHEREAS, the Board of Supervisors of James City County desires to approve the creation of a Consortium of Governments representing the various jurisdictions to work with the Private Industry Council to accomplish the objectives of the Jobs Training Partnership Act.

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes its Chairman and County Administrator to enter into a Joint Working Agreement to facilitate the creation of a Consortium of Governments.

6. Williamsburg Water Connection for the Williamsburg Office Park.

Mr. Wayland N. Bass, Director of Public Works, presented a Resolution approving the connection of the Williamsburg Office Park to the Williamsburg Water System.

Mr. Frink made the motion to approve the Resolution.

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

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WILLIAMSBURG WATER CONNECTION
WILLIAMSBURG OFFICE PARK

WHEREAS, the Williamsburg Office Park requests permission to connect to the Williamsburg water system; and

WHEREAS, this part of the Williamsburg water system will be acquired by James City County in accordance with the annexation agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby approves connection of the Williamsburg Office Park to the Williamsburg Water System.

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G. MATTERS OF SPECIAL PRIVILEGE

Mr. Jack Scruggs addressed the Board concerning the need to discuss further the mobile homes needs of the County's young people. Mr. Scruggs presented the view that our young citizens need housing opportunities that only mobile homes can provide.

Mr. DePue commented that the Board is taking a very hard look at mobile homes. James City County is one of the most liberal communities in allowing consideration of the placement of mobile homes, but certain controls must be maintained.

Mr. Edwards agreed and further stated that the Board needs to look at various possibilities for placement of mobile homes; R-1 may be considered as a possibility.

Mr. Jerry Ainsworth requested that consideration be given for utilizing an existing staff person to fill the proposed position of coordinator for the 350th Anniversary celebration.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver suggested that at the appropriate time the Board convene into Executive Session to discuss a real estate matter pursuant to Section 2.1-344 (a)(2) and a personnel matter pursuant to Section 2.1-344 (a)(1) of the Code of Virginia, 1950 as amended.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor asked that the Board go on record requesting that the Virginia Game Commission and the U. S. Coast Guard maximize their efforts to enforce water safety and appropriate speed regulations on the Chickahominy River.

Mr. Taylor made the motion requesting the Resolution - Complaints Concerning the Chickahominy River.

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

RESOLUTION**COMPLAINTS CONCERNING THE CHICKAHOMINY RIVER**

WHEREAS, the Board of Supervisors of James City County is vitally concerned about the safety of its residents and visitors in our community, and

WHEREAS, there continue to be complaints about the lack of safety on the Chickahominy River,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County requests that the Virginia Game Commission and the U. S. Coast Guard maximize their efforts to enforce water safety and appropriate speed regulations on the Chickahominy River.

Mr. DePue presented to the Board the Proposed Reservoir Protection Overlay District memorandum. He indicated that the entire Water Task Force Committee felt it imperative to move rapidly on the consideration and adoption of the proposed ordinance. The ordinance attempts to control runoff by establishing a minimum lot size of one acre for the watershed of Ware Creek, controlling the type of development in the area and prohibiting certain activities which have the potential for severely impacting the reservoir.

Mr. DePue made the motion to move the Proposed Reservoir Protection Overlay District for joint public hearing with the Board of Supervisors and Planning Commission on October 17, 1983.

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

Mr. Mahone requested from Mr. Wayland Bass, Director of Public Works, a status report on the removal of a mobile home at 23 Alesa Drive.

Mr. Edwards asked that the Board go on record as expressing appreciation to Mrs. Darlene Burcham for her coordination efforts that produced the best Virginia Municipal League conference in the League's history.

Mr. DePue also expressed his appreciation to all staff members involved in the coordination and execution of the conference.

Mr. DePue requested that the Board consider an Ordinance to amend Chapter 13, Offenses - Miscellaneous, Section 13-36, Discharge of Firearms, etc., in or Near Recorded Subdivision. Mr. DePue cited the case of firing weapons in a lot between Kristiansand and Norvalia. Present code states no violation of Code if shots are fired from a distance of more than 300 feet from a recorded subdivision. Mr. DePue expressed a concern for the protection of residents. Mr. DePue requested that Mr. Morton, County Attorney, prepare an ordinance to amend the code.

Mr. DePue made the motion to convene into Executive Session to discuss personnel matters and a real estate matter.

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

The Board convened into Executive Session at 5:15 P.M. and reconvened into Public Session at 5:40 P.M.

Mr. DePue made the motion to recommend the appointment of the following members of the Refuse Collection Study Committee:

Stonehouse:	Ralph Washington and Paul Small
Roberts:	Ethelyn Springs and Andrew G. Polaschik
Powhatan:	Frank Lee and Dan Helmick
Jamestown:	Chase P. Hearn and Sam Howard
Berkeley:	Charles Washington, Jr. and George Howland
Board:	Perry DePue
Staff:	Wayland N. Bass
Clean County Commission:	Kathy Hawkins
Business:	Jack Barnett, Williamsburg Soap and Candle Co. George Hudgins, VEPCO

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

Mr. Mahone made the motion to recommend the appointment of Mr. Steve Massie and Mr. Tom Johnson to the Transportation Safety Advisory Committee.

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

Mr. Frink made the motion to adjourn.

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

The Board of Supervisors meeting **ADJOURNED** at 5:45 P.M.


James B. Oliver, Jr.
Clerk to the Board

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