

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE THIRTY-FIRST DAY OF OCTOBER, 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
 Darlene L. Burcham, Assistant County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES- October 17, 1983

Mr. Frink moved to approve the Minutes 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, reported that the extension of Route 603, Mooretown Road, has been completed and that he would report later as to the impact the extension will have on Route 646. He also stated that the department is conducting a study on Routes 60 and 646 for York County and would have results from that study within thirty days. He then stated that as the Board is aware, the department has received the VHWA funding for Route 5 and that it would take two months for the design work to be completed.

Mr. Taylor requested that Turners Neck Road, off of Route 631, near Little Creek, be upgraded.

Mr. Mahone thanked Mr. Hall for the information he provided on the traffic counts for Route 199/Kingsmill and Route 199/Kingspoint. He stated that there is still a problem with the drainage on Crownpoint Road.

Mr. Hall replied that arrangements have been made to pave that drainage easement.

Mr. DePue requested that Mr. Robert Jones be allowed to submit a petition to the Board and make comments regarding a highway matter.

Mr. Robert Jones, speaking on behalf of residents on Route 5, petitioned the Highway Department to extend the double yellow line approximately one mile past the residential section located on Route 5, one mile west of First Colony. The petition also suggested that a sign be erected warning that school buses load at the top of the hill and/or a warning of turning vehicles.

Mr. DePue requested that he be given an opportunity to review this matter and meet with the Police Department and Mr. Hall to get their comments on the issue.

Mr. Edwards asked who would be responsible for discouraging truck traffic on Route 5 in that area.

Mr. DePue stated that he would try to get information on this matter and a response ready for the next afternoon Board meeting.

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D. CONTINUED PUBLIC HEARING

1. Case No. SUP-26-83. John A. Pierce

Mr. Orlando A. Riutort, Director of Planning, submitted a memorandum to the Board recommending that the continued public hearing be closed and the Board agree to withdrawal of the request as requested by the applicant.

Mr. DePue closed the public hearing, then made a motion to approve the request of Mr. Pierce to withdraw Case No. SUP-26-83.

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

E. CONSENT CALENDAR

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

Mr. Mahone requested that item E-3 be removed.

Mr. DePue made the motion to approve the remaining items on the Consent Calendar.

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

1. Set Public Hearing Date of November 16, 1983 for: Grove Area Streets and Drainage Project, Phase II and Phase III.
2. Set Public Hearing Date of December 5, 1983 for: Proposed Amendment to Cable Communications Ordinance
4. FY 1985 Budget Calendar

RESOLUTION
FY 1985 BUDGET CALENDAR

WHEREAS, the Board of Supervisors of James City County attempts to adopt a budget calendar to accommodate statutory requirements for the adoption of a budget and to provide County residents with information concerning the budget process,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby adopts the attached budget calendar by reference for planning and information purposes.

October 31	Regular Board of Supervisors meeting. Budget calendar presented to Board for adoption.
November 16	Regular Board of Supervisors meeting. Set Public Hearing dates - Pre-budget and Revenue Sharing Public Hearing.
December 5	Regular Board of Supervisors meeting. Pre-budget Public Hearing and Revenue Sharing Public Hearing.
December 19	Board of Supervisors Work Session. Annual presentation of multi-year financial trends and preliminary forecast of FY 1985 revenues.
January 9	Regular Board of Supervisors meeting. Authorized Position List - FY 1984 furnished for information by

Personnel Office.

March 16 Printed copies of FY 1985 Proposed Budget distributed to Board of Supervisors.

March 26 Regular Board of Supervisors meeting.
Presentation of Proposed Budget to Board with recommended tax rate.
Public Hearing before work sessions.
Adoption of Resolution in support of FY 1985 Budget requests to State Compensation Board.

March 27 Board of Supervisors Work Session - Proposed Budget.
School Board presentation.

March 29 Board of Supervisors Work Session - Proposed Budget.

April 9 Regular Board of Supervisors meeting.
Public Hearing on budget.

April 18 Board of Supervisors Work Session - Final Changes.

April 23 Regular Board of Supervisors meeting.
Final Changes - Possible Adoption.

May 7 Regular Board of Supervisors meeting
Regular Board of Directors meeting - Adoption of James City Service Authority budgets.
Regular Board of Directors meeting - Adoption of James City Transit Company budget.

3. Poultry and Livestock Claim

Mr. Mahone felt that the amounts requested were higher than what he calculated. He requested comments from Mr. Taylor

Mr. Taylor stated that amounts requested were, in his opinion, reasonable.

Mr. Mahone made the motion to approve the Resolution as presented.

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

RESOLUTION
POULTRY AND PIG CLAIM

WHEREAS, the claim of Mr. J. H. Banks, Jr., has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

5 Muscovy Duck at \$3.00 each = \$15.00

the value of the pigs destroyed has been estimated to be:

7 pigs at \$27.00 each = \$189.00

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mr. J. H. Banks, Jr., \$204.00 for the ducks and pigs destroyed.

F. BOARD CONSIDERATIONS1. The Kingsmill Elderly Project - Case No. Z-9-83.

Mr. Riutort stated that staff met with Mr. Brown, Mr. Otey and Mr. Powell to review the staff report and clarify which aspects of the report were requirements and which were conditions. He recommended approval of the zoning request.

Mr. Mahone pointed out that the name on the Resolution should be changed or deleted. He then made the motion to approve the Resolution.

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

RESOLUTION
RESOLUTION OF APPROVAL - ZONING CASE NO. Z-9-83
THE KINGSMILL ELDERLY PROJECT

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 scheduled and conducted on October 17, 1983 for Zoning Case No. Z-9-83 for rezoning of approximately 17.78 acres from M-1, Limited Industrial and R-4, Residential Planned Community to PUD-R, Planned Unit Development - Residential located on Parcel (1-77) on James City County Real Estate Tax Map No. (50-2); and

WHEREAS, in accord with the Planning Department's recommendation, the Planning Commission following its public hearing on August 23, 1983, unanimously recommended approval of Zoning Case No. Z-9-83, and

WHEREAS, Zoning Case No. Z-9-83 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-9-83 as described herein and as detailed in the attached memorandum.

BE IT FURTHER RESOLVED, that the Master Plan as amended is approved and shall guide the general location of all features shown therein.

A. The following are requirements to be included in the amended master plan (Architectural Drawing 3, Appendix II, Community Impact Statement The Colony at Kingsmill) approved as part of the rezoning.

1. A maximum height of 60 feet from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank, or other accessory functions.
2. 35% minimum open space.
3. 75 foot setback for all structures and parking from:
 - A. Route 199
 - B. McLaws Circle
4. A 35 foot landscape perimeter strip from all property boundaries.
5. Minimum parking in accord with formula approved by the Planning Commission on September 27, 1983 but in no event less than 260 spaces.
6. A cul-de-sac at the end of McLaws Circle.
7. Change the name of the project to avoid confusion with other projects named The Colony.

2. Croaker Service Center Water and Sewer Extensions

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the Board stating that staff and Sixty-four Associates have reached tentative agreement regarding construction and funding of water and sewer extensions for the Croaker Service Center. He stated since the Croaker Service Center is outside the 60 West Project Area, they have also agreed on the amount to be paid by Sixty-four Associates to upgrade the existing 60 West sewer system. He recommended adoption of the Resolution.

Mr. Taylor questioned whether the Nice Properties development would be affected by the agreement.

Mr. Bass replied that the Planning Commission approved the development for individual wells.

Mr. Morton stated that Nice Properties are putting in individual wells for current development that they would be required to hook up to the proposed system any development occurring after service became available.

Mr. DePue asked if part of a subdivision section is within the required 1,000 feet hook up, and another section is not, would the requirement be for the entire subdivision.

Mr. Morton replied that the entire subdivision would be required to hook up to the system.

Mr. Taylor requested that citizens from the Elmwood Subdivision be allowed to ask questions regarding the water and sewer extensions.

Mr. John McFall wanted to know if the 12" line was large enough to accommodate future development on Route 607 and if not, would it have to be expanded later.

Mr. Bass replied that as part of the Water Plan, it recommended that another water main along Route 30 be installed to re-enforce the water service in that area.

Mr. McFall asked if the sewer system will be available for future developments.

Mr. Bass replied that the proposed sewer system will serve only the Sixty-four Associates project.

Mr. DePue stated that he wanted to make certain that the \$362,000 is reserved for the purpose proposed in this agreement. He asked that the Resolution be amended to add a third provision as follows: "That the \$362,000 assessment be escrowed and reserved for required improvements to maintain sewer capacity in the Route 60 West Project Area."

Mr. Oliver suggested that the amendment be brought before the Board of Directors.

Mr. Mahone asked about the surcharge of 100% for water availability.

Mr. Bass replied that the 100% surcharge doubles the availability fee along Route 607.

Mr. DePue made the motion to approve the Resolution as presented.

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

R E S O L U T I O N

RESOLUTION AUTHORIZING JCSA TO EXTEND AND OPERATE WATER AND SEWER FACILITIES BEYOND THE LIMITS OF THE ROUTE 60 WEST SERVICE AREA

WHEREAS, James City Service Authority (Authority) and Sixty-four Associates (Developer) have reached agreement on construction and financing of water and sewer extensions to the Croaker Service Center; and

WHEREAS, the Authority and the Developer have reached agreement on the cost of upgrading the 60 West sewer system to receive additional sewage from Developer, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby authorizes the Authority to extend and operate water and sewer extensions to serve the Croaker Service Center and to apply adopted

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water and sewer policies regarding connection to these extensions.

G. MATTERS OF SPECIAL PRIVILEGE
None.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver suggested the Board convene, at the appropriate time, into Executive Session to discuss a personnel matter.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone requested a report on the outcome of the Summer Lunch Program. He wanted to know what outside and local funds were used, if any, and a list of the sites served.

Mr. Frink stated that a representative of the Thomas Nelson Community College Local Board requested the Board to set a date and time to see a short film.

Mr. Oliver suggested 6:30 P.M. on November 16th.

Mr. DePue stated that he has received a draft copy of the rural development study and suggested it be distributed to other members of the Board.

Mr. Oliver stated that the staff plans to have a worksession on December 5, 1983 to discuss that study.

Mr. Morton stated that he had a late item to bring before the Board.

Board Appointment

Mr. Morton stated that Section 15.1-285 of the Code of Virginia requires the Board to appoint an attorney to certify a title for property acquisition in excess of \$1,000. He recommended adoption of the Resolution to appoint Gerald D. Robertson to examine the title to the Twin Oaks Associates property.

Mr. Edwards made the motion to approve the Resolution.

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

RESOLUTION
TITLE EXAMINATION/TWIN OAKS ASSOCIATES

WHEREAS, the Board of Supervisors of James City County has entered into an option to acquire 56 $\frac{1}{2}$ acres from Twin Oaks Associates, a Limited Partnership.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it hereby appoints Gerald D. Robertson, Esq., to examine and approve the title to said property pursuant to Section 15.1-285 of the Code of Virginia, 1950, as amended.

Mr. DePue made a motion that the Board of Supervisors Recess to allow the Board of Directors to meet.

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

The Board of Supervisors meeting Recessed at 4:15 P.M. and returned to session at 4:30 P.M. at which time Mr. DePue called the Recessed meeting of the Board of Supervisors back to order.

Mr. DePue made a motion to reconsider the Croaker Service Center Resolution so that the record would reflect his vote to be nay.

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

Mr. DePue then made a motion to reject the Croaker Service Center Resolution.

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

Mr. Oliver pointed out that the original vote and resolution stand.

Mr. DePue made the motion to convene into Executive Session to discuss a personnel matter pursuant to Section 2.1-344(a)(1) 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 4:35 P.M. and reconvened into Public Session at 4:45 P.M. at which time Mr. Mahone made the motion to appoint Mr. Robert C. Harriss to a five-year term on the Wetlands Board.

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

At this time the Board had a worksession on the Route 60 Corridor. The presentation was given by the following: Dr. Beverly Yanich, Ms. Ginny Faust, Ms. Naheemunissa Rasool, and Mr. Brian Beatty.

Following the presentation, Mr. Edwards made the motion to adjourn until 5:00 P.M. on November 16 for a worksession on the Human Services Report.

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

The Board of Supervisors meeting **ADJOURNED** at 6:05 P.M.


James B. Oliver, Jr.
Clerk to the Board

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AT A WORKSESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE SIXTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED EIGHTY-THREE AT 5:07 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
 Darlene L. Burcham, Assistant County Administrator
 Frank M. Morton, III, County Attorney

B. Worksession on the Human Services Building Report

Mrs. Burcham presented this matter to the Board. Following a summary of the background information on the project, building design and the construction costs were provided by Washington & Maguire. Mr. Jim Washington and Mr. Mike Bennett were present representing Washington & Maguire.

Mr. John E. McDonald presented the proposed financing plan.

Mr. Edwards made a motion to authorize the County Administrator to pursue negotiating an extension of the option on the property, to finalize construction documents and to solicit bids on construction, and prepare the Request For Proposal for financing proposals.

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

RESOLUTION

HUMAN SERVICES BUILDING

WHEREAS, the Board of Supervisors of James City County has previously endorsed the development of a Human Services Building,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Administrator to pursue negotiating an extension of the option on the proposed site; to instruct the architects to complete construction drawings, prepare bid documents and solicit bids on the project; and to secure proposals for financing the building.

Mr. DePue made the motion to Recess until 7:30 p.m.

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

The Board of Supervisors meeting **RECESSED** at 6:35 P.M.


 James B. Oliver, Jr.
 Clerk to the Board