

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 17TH DAY OF NOVEMBER NINETEEN HUNDRED EIGHTY-SIX AT 3:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

William F. Brown, Chairman, Roberts District
 Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Jack D. Edwards, Berkeley District
 Thomas D. Mahone, Jamestown District
 Perry M. DePue, Powhatan District

Darlene L. Burcham, Acting County Administrator
 Frank M. Morton, III, County Attorney

**B. MINUTES - October 28, 1986 - Special Meeting
 November 3, 1986 - Regular Meeting**

Mr. Mahone made a motion to approve both sets of minutes as presented.

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

Mr. Brown presented a Proclamation to Mr. Michael Stein, a government student from Lafayette High School, designating November "Student Government Month." Mr. Brown commended Lafayette High School staff for their efforts to educate students concerning local and State government.

Mr. Stein expressed appreciation to the school administration for the opportunity to learn more about local government through local government officials participation in classroom lectures, student tours of government offices, "Shadow Day" and attendance at the meeting of the Board of Supervisors. Mr. Stein offered a special thanks to Phyllis Cody, Citizens Assistance Officer, and Marcia Meador of the Extension Service for their coordination of the annual event.

C. PRESENTATIONS - Outstanding Service Award

Mr. Brown described the "Outstanding Employee of the Week" awards program recently completed in which employees nominated their co-workers. Recipients of this peer award include: Callie Albergotti, Communications, described as "the voice of James City County" for the past eleven years; Fred Dolan, Fire Inspector for ten years with the Fire Department and an employee of high energy and enormous talent; Donald Tate, JCSA Operations, described as an "excellent supervisor, well organized, and intelligent", and David Taylor, Transit, who has driven 750,000 miles without a preventable accident, "dependable and well liked by his passengers." Engraved plaques were presented to each employee.

Mr. Brown recognized James B. Oliver, Jr., former County Administrator, with a Resolution of Appreciation and Jamestown Glass Plaque. Mr. Brown commended Mr. Oliver for his ten years with the County and described his outstanding vision and planning, energy, motivation, high values, and leadership in government service that will leave a lasting contribution on the quality of life in James City County.

Mr. Oliver accepted the gifts thanking the Board of Supervisors, Darlene Burcham, and all County employees. Mr. Oliver stated it was an honor to serve the community and he is proudest of the group of employees who serve the County, describing the group as "outstanding public servants."

Mrs. Sandra Stein, representing the Planning Commission, presented Mr. Oliver with a token of the Commission's "thanks."

Mr. DePue stated that Mr. Oliver's outstanding accomplishments were his process of planning and challenging, and his ability to attract good people thus establishing an excellent staff. Mr. DePue described their early "conflicts" as creating better solutions. He cited Mr. Oliver as gathering strong professionals to balance a strong Board.

Mr. Taylor commended Mr. Oliver for his ability to communicate with all five members of the Board as individuals with different outlooks. Mr. Taylor indicated he would be following his progress in Norfolk.

Mr. Mahone reiterated Mr. Oliver's qualities citing his respect for the will of the Board as a whole, his communication skills, his challenges to the Board and his ability to see needs coming and bringing them to the attention of the Board.

Mr. Edwards indicated he agreed with all the comments of his colleagues. In 1976, the County had no water and sewer operations. Jim Oliver has left his imprint on most of the things the County has done during this last decade and these accomplishments were most appreciated.

D. HIGHWAY MATTERS

Mr. Frank Hall, VDH&T Engineer, thanked the Board for its participation in the Pre-Allocation Hearing in Suffolk, Virginia, October 27, 1986.

Mr. DePue requested clarification concerning the proposed realignment of Olde Towne Road, specifically from Ewell Hall to Lafayette High School.

Mr. Hall stated the change is the result of public comment VDH&T received. The proposed change ties Olde Towne Road into Longhill Road between Seasons Trace and Lafayette High School.

Mr. DePue asked if this change would be part of the Route 199 funding.

Mr. Hall responded that this improvement is part of the total package. A public hearing will be held later regarding final details of Route 199.

Mr. Brown suggested Mrs. Gussman and Mr. Hall discuss the County's position with a traffic consultant as a number of finer points needs to be resolved. He questioned whether the proposal to extend Strawberry Plains Road through College woods to Route 5 near Governor Berkeley Center has been discussed with the College. Discussions should also include intersections.

Mr. DePue requested litter control by the Highway Department of Route 31 South from intersection of Route 199 with Jamestown Road to James Square Subdivision.

Mr. Brown suggested beautification funds be spent to plant crepe myrtle trees in the Route 199 medians, and on Richmond Road if the Highway Department would maintain these plantings. Mr. Brown also suggested civic groups might participate in a beautification effort.

Mr. Mahone inquired about his request for a right turn lane at the intersection of Route 5 and 199. Mr. Hall indicated this matter was still in the planning stage.

Mr. Hall reported VDH&T's position regarding right-of-way exclusions from the Agricultural and Forestal Districts. A 50 foot right-of-way is requested for proposed districts adjacent to Chickahominy and Centerville Roads on the Department's Six Year Plan for Secondary Road Improvements. Otherwise, a 25 foot right-of-way is adequate. The Highway Department gets copies of all Agricultural and Forestal District Applications.

Mr. Mahone asked clarification concerning public acquisition of property in approved Districts.

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Mr. Morton responded that individuals may dispose of parcels up to ten acres for every 100 acres per district.

E. PUBLIC HEARINGS

1. Vacation of Second Avenue

Mr. Morton presented this item indicating an application was made on behalf of the Colonial Williamsburg Foundation to vacate an unimproved right-of-way identified as Second Avenue. The right-of-way was platted as a connector street between Route 60 East and a proposed street identified as Wickre Street. Second Street and Wickre Street were not improved and the area encompassing Wickre Street was annexed by the City of Williamsburg. City Council will consider vacation of Wickre Street at their December meeting. Colonial Williamsburg Foundation owns all the adjacent properties.

Mr. Morton recommended deferring the ordinance after the public hearing is held.

Mr. Brown opened the public hearing.

Mr. David Faulders, representing Colonial Williamsburg Foundation, addressed the Board requesting the vacation of this "paper" street.

As no one else wished to speak, Mr. Brown closed the public hearing.

Mr. Edwards made a motion to defer action on this ordinance.

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

F. CONSENT CALENDAR - none

G. BOARD CONSIDERATIONS

**1. Case No. Z-11-86. Midlands, Sections 1 & 3.
Case No. Z-18-86. William E. Harris**

Mr. Brown expressed reluctance to rezone the property until the disposition of Strawberry Plains Road is known. He suggested tabling the case indefinitely. Mr. Brown asked if the Highway Department could condemn College property.

Mr. Hall's response was negative.

Mr. Mahone reiterated the Fire Department's emergency response concerns.

Mr. Edwards asked who knew about the proposed changes by the Highway Department.

Mr. Hall responded the doctors located at the Strawberry Plains Office Complex spoke at the public hearing requesting the change as patients are referred to the Governor Berkeley Professional Center.

Mr. Edwards asked if comments made at the Highway Department's public hearing could cause major changes to highway plans without opportunity for the Board's review.

Mr. Hall responded that all comments are reviewed by the Highway Commission.

Mr. Brown made a motion to defer the cases indefinitely until staff or the highway representative could report on the feasibility of connecting Strawberry Plains Road to Route 5. He requested staff report on the question of the Board initiating rezoning adjacent property.

Mrs. Gussman reported the final design on Route 199 should be available in the summer of 1987.

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1. That the Croaker Agricultural and Forestal District is hereby established for a period of four years beginning this seventeenth day of November, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.
2. That the district shall include the following parcels:

(14-3)(1-40)	U.V.B. Citizens & Marine Trust, Hankins Land Trust	421.773 ac.
(15-3)(1-44)	U.V.B. Citizens & Marine Trust, Hankins Land Trust	119.00 ac.
(14-4)(1-15)	Albert F. Peterson	75.0 ac.
(15-3)(1-43)	United Virginia Bank	119.85 ac.
(15-3)(1-42)	United Virginia Bank	10.10 ac.
(15-3)(1-36)	United Virginia Bank	40.40 ac.
(15-3)(1-34)	Clara E. Richardson	34.0 ac.
(15-3)(1-2)	Clara E. Richardson	42.76 ac.
(14-4)(1-10)	Carlton A. Pieper	40.0 ac.
(14-4)(1-9)	Robert Solomon	50.0 ac.
(13-2)(1-18)	Wenger Land Trust	95.3 ac.
(14-1)(1-1)	Wenger Land Trust	150.0 ac.
(14-1)(1-14)	Wenger Land Trust	143.5 ac.

provided, however, that all land within 25 feet of the following road rights-of-way shall be excluded from the district:

Croaker Road (Route 607)
Riverview Road (Route 606)
Fenton Mill Road (Route 602)
Moss Side Lane (Route 609)

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Croaker Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - (a) The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
 - (b) No land within the Agricultural and Forestal District may be rezoned.
 - (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

Mr. Edwards made a motion to approve Case No. AFD-3-86. Hill Pleasant Farm.

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

ORDINANCE NO. _____

Establishing the Hill Pleasant Farm
Agricultural and Forestal District
(AFD-3-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Hill Pleasant Farm area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal district in the Hill Pleasant Farm area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 20, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on September 23, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Hill Pleasant Farm Agricultural and Forestal District is hereby established for a period of four years beginning this seventeenth day of November, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.

2. That the district shall include the following parcels:

(24-1)(1-5) H. J. Hunt 399 ac.
(24-1)(1-4) C. E. Stevens 105.5 ac.

provided, however, that all land within 25 feet of the right-of-way of Rochambeau Drive (Route 755) shall be excluded from the district.

3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Hill Pleasant Farm Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- (a) The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
- (b) No land within the Agricultural and Forestal District may be rezoned.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

Mr. Taylor made a motion to approve Case No. AFD-4-86. Pates Neck.

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

ORDINANCE NO. _____

Establishing the Pates Neck
Agricultural and Forestal District
(AFD-4-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Pates Neck area has been filed with the James City County Board of Supervisors; and

WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal district in the Pates Neck area; and

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WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 20, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on September 23, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Pates Neck Agricultural and Forestal District is hereby established for a period of six years beginning this seventeenth day of November, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.
2. That the district shall consist of 624.297 acres and shall include in the following parcels:

(20-4)(1-1)	Pates Neck Timber Company	624.297 ac.
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3. That pursuant to Title 15.1, Chapter 36, Section 15.1-1512 (D) of the Code of Virginia of 1950, as amended, the Board of Supervisors requires that no parcel in the Pates Neck Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - (a) The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family; provided however, that the property owner shall be permitted to construct a new dwelling for his own use on the property.
 - (b) No land within the Agricultural and Forestal District may be rezoned.
 - (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

H. PUBLIC AUDIENCE - none

L. REPORTS OF THE COUNTY ADMINISTRATOR

Mrs. Burcham requested two work sessions: December 1, 1986 at 6:00 p.m. as the James City Service Authority to discuss financial trends, connection fees, and the audit; and, December 15, 1986, at 1:00 p.m. to discuss "Financial Trends."

Mrs. Burcham distributed to the Board a memorandum concerning the construction contract for the Recreation Center athletic facilities. The City of Williamsburg has agreed to participate in the parking improvements totaling \$6,987.50. An additional \$145,012.00 will be required to fund the total project and could be appropriated from the current capital contingency fund balance or from the unappropriated FY 86 fund balance.

Mr. Brown suggested individual members of the Board reacquaint the members of City Council with our plans for improvements at the joint facility. He asked the length of time remaining on the bid amount.

Mrs. Burcham indicated there is a 60 day extension on the contract.

Mr. Morton requested an Executive Session at the appropriate time to discuss legal matters.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor requested a legal opinion concerning fees charged at the Croaker Boat Landing.

Mr. Brown suggested a resolution be sent to the State requesting exemption status.

Mr. Mahone suggested the fee may be for security purposes.

Mr. DePue suggested a meeting with Senator Fears and Delegate Grayson to discuss the highway package with a representative of the Highway Department also in attendance.

Mr. DePue asked Mr. Morton to report on staff efforts to draft legislation regarding the Agricultural and Forestal Districts.

Mr. Morton reported a Bill is being drafted that proposes reduction of the required size of an Agricultural and Forestal District.

Mrs. Burcham suggested December 15, 1986, for the meeting with our State legislators.

Mr. Edwards reported he will attend a Commission on Local Government Structures and Relationships meeting in Portsmouth, VA. The hearing concerns the impact of annexation on localities. It was the consensus of the Board that staff should make a presentation on behalf of James City County.

Mr. Brown made a motion to set the public hearing on the proposed Taxi Fare Ordinance for the January 5, 1987 Board meeting.

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

Mr. Brown requested discussion in the executive session of an appointment to the Historical Commission.

Mr. Brown reported that an outcome of the jurisdictional meetings of the Williamsburg Community Planning Partnership, is that each jurisdiction will appoint five citizens, one member of the governing body, and one planning commission member to a community wide Commission on Growth.

Mr. Brown requested a staff report on the Farmers Market project.

Mr. Brown requested staff set meetings with the Williamsburg Regional Library Board to tour the facility, maybe in December or January; a meeting with the Planning Commission, possibly in February; with the Colonial Services Board, and the Parks and Recreation Commission.

Mr. Brown made a motion to go into Executive Session to discuss a personnel matter and a legal matter pursuant to Section 2.1-344(a)(1) and (6) of the Code of Virginia, 1950, as amended.

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

The Board convened into Executive Session at 4:58 p.m. and reconvened into public session at 5:24 p.m.

Mr. Brown made a motion to appoint David L. Batie to the Historical Commission.

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

Mr. Brown made a motion to adjourn.

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

The Board **adjourned** at 5:30 p.m.

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Darlene L. Burcham
Clerk to the Board

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BOS 22

ORDINANCE NO. 164

ADOPTED

NOV 17 1986

Establishing the Croaker
Agricultural and Forestal District
(AFD-2-86)

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

- WHEREAS, an application for the creation of an Agricultural and Forestal District in the Croaker area has been filed with the James City County Board of Supervisors; and
- WHEREAS, in accordance with Sections 15.1-1511(B), (C) and (D) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal district in the Croaker area; and
- WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on August 20, 1986 recommended approval of the application; and
- WHEREAS, the Planning Commission following its public hearing on September 23, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Croaker Agricultural and Forestal District is hereby established for a period of four years beginning this seventeenth day of November, 1986, in accordance with the provisions of Title 13.1, Chapter 36, Sections 15.1-1506 through 15.1-1513, Code of Virginia (1950), as amended.
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- (b) No land within the Agricultural and Forestal District may be rezoned.
- (c) No Special Use Permit shall be issued except for agricultural and forestal activities which are not in conflict with the policies of this district.

William F. Brown

William F. Brown, Chairman
Board of Supervisors

ATTEST:

Darlene L. Burcham

Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 17th day of November, 1986.

RES01
VG/pdc

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Nay
DePue	Aye
Brown	Aye

NOV 17 1986

Establishing the Hill Pleasant Farm
Agricultural and Forestal District
(AFD-3-86)

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

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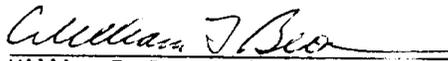
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William F. Brown, Chairman
Board of Supervisors

ATTEST:


Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 17th day of November, 1986.

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Nay
DePue	Aye
Brown	Aye

NOV 17 1986

Establishing the Pates Neck
Agricultural and Forestal District
(AFD-4-86)

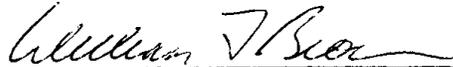
**BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA**

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William F. Brown, Chairman
Board of Supervisors

ATTEST:


Darlene L. Burcham
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 17th day of November, 1986.

<u>SUPERVISOR</u>	<u>VOTE</u>
Edwards	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Brown	Aye