

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FIFTEENTH DAY OF DECEMBER, 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 - December 1, 1986

Mr. Mahone made a motion to approve the minutes as presented.

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

C. PRESENTATIONS

1. Service Award - William W. Stewart, Animal Control

Mr. Brown presented a service award from the American Humane Society in recognition of Mr. Stewart's ten-year efforts in animal control.

2. Certificate of Appreciation - Robert H. Rathert, Plant Manager, Anheuser-Busch Brewery.

Mr. Brown presented the certificate to Mr. Rathert citing his leadership in establishing the Brewery as a generous and responsible corporate citizen and his personal commitment to civic-minded projects.

3. Farmers' Market - Baxter Carr, Chairman, James City County Farmers' Market Committee.

Mr. Carr outlined the Committee's efforts in studying the concept of a Farmers' Market for James City County. He cited declining profits, low crop yield, and the need for improved marketing techniques as the justification for the Market. Eighty-five percent of the produce consumed in Virginia is imported.

The Committee recommends the formation of an association/cooperative with a membership fee and open to all growers; a governing board that will control the operation through its membership; a market manager; an enclosed structure of 5,000 square feet with a cooling facility, and the County's provision of a site, building, parking and utilities.

Cost of the facility should be between \$100,000-150,000, with the County maintaining the facility and the Association paying rent and the operating costs.

Joe Cottrell, local farmer, indicated he had polled the public and there is an overwhelming positive response to a Market. The Committee has accepted the responsibility for planning for the future of the County's young farmers.

Hammond Branch, local farmer, expressed his desire to keep the County in a green state as well as providing the young farmer with an opportunity to make a living. If the County fails to address this need, farmers will leave the land and when the land is sold, developers will buy and the County will lose the green space.

Albert White, local farmer, cited the location of the Market as the single most important factor to the success of the establishment. The Committee used the following criteria to rank the importance of the site: close to high population centers; easy access, and, traffic flow. Mr. White stated the future of agriculture in the County demands diversification.

David Brown, local farmer, expressed concern that federal subsidies are not adequate to supplement the declining farming industry and urged the Board to be aggressive concerning farming alternatives.

Mr. Taylor made a motion to accept the proposal and instruct the County Administrator and staff to provide a recommendation on January 26, 1987 for the Board's consideration so that the facility can begin operation by June 1st.

A discussion followed concerning possible sites for the Market.

Mr. Taylor suggested the City of Williamsburg may be interested in the Market. Farmers will sell to the association and the market will sell to the public. Operating capital will come from the membership fee. The manager and marketing techniques will be the key factors for the success of the facility during the first two years of operation.

Mr. Mahone questioned the facility remaining open on a year-round basis and inquired what items will be sold in the off growing season.

Mr. Carr indicated the manager will buy from distributors on the open market.

Mr. Mahone stated that if the Market pays its own way, it will be an asset to the County.

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

D. HIGHWAY MATTERS

Mr. Hall had nothing new to report.

Mr. Brown stated John Hodge, Highway Department, briefed the Board concerning Route 199 last week.

Mr. Edwards indicated several constituents had contacted him last week concerning reflectorized paint for local highways.

Mr. Hall stated the Highway Department uses reflectorized paint but it is of little consequence when rainfall is heavy enough to cover the streets.

Mr. Brown inquired as to the tower on Interstate 64 West near the State Police Office.

Mr. Hall responded the tower enhances mobile phone service.

Mr. DePue thanked Mr. Hall for the installation of the right turn lane at Centerville and Richmond Roads near the church.

E. PUBLIC HEARINGS

1. Case No. SUP-31-86. John's Automotive.

Mrs. Gussman presented this item which was deferred from the December 1, 1986 meeting. Mr. William R. Bland applied on behalf of Mr. John W. Piggot for a special use permit to allow the construction of a 1,800 square foot automotive repair garage in the A-1, General Agricultural District at 9319 Croaker Road. The site has approximately 800 feet of frontage on Croaker Road. The Comprehensive Plan designates this area as Agricultural, Forestry and Rural Residential. The Planning Commission voted 9-0 to approve the application with the agreement that the Site Plan Review Committee review the submittal of construction plans. The Planning Staff recommends denial of the application.

1. William R. Bland, local attorney, thanked the Board for deferral of the consideration of Mr. Piggot's SUP. He outlined the series of events surrounding Mr. Piggot's misfortune in obtaining property, funding, and permission to operate an automotive repair garage at 9319 Croaker Road.

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

Mr. Taylor made a motion to approve the SUP.

Mr. Mahone asked if a ten year time limit could be required on the SUP.

Mr. Edwards expressed concern for Mr. Piggot's misfortune; however, requirements of the SUP may be difficult to enforce.

Mr. DePue stated A-1 zoning provides the option for this type of activity and the automotive repair garage may be the right use of this land. Code Compliance must be vigorous with enforcement of the requirements.

Mr. Brown indicated Mr. Piggot's circumstances have altered his decision and he supports the SUP.

Mr. Edwards asked if limitations can be added to the SUP.

Mr. Taylor suggested limitations may jeopardize financing for the applicant.

Mr. Edwards stated he will support the SUP hoping Mr. Piggot will cooperate with his neighbors by complying with the requirements of the SUP.

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

RESOLUTION

CASE NO. SUP-31-86. JOHN'S AUTOMOTIVE

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County has recommended approval of Case No. SUP-31-86 by a 9-0 vote, a special use permit to allow construction of an 1,800 square foot automotive repair garage in the A-1, General Agricultural, District at 9319 Croaker Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-31-86 as described herein with the following conditions.

1. All outdoor storage of vehicles and parts shall be screened behind a six-foot high solid fence. No overnight vehicles or parts shall be visible from the road or surrounding properties.
2. A landscaping plan shall be submitted and approved by the Site Plan Review Committee. (Plan shall specify location, type and size of plants.)
3. No more than eight vehicles shall be kept overnight at one time. Vehicles shall not remain on the premises longer than 30 days.
4. All outdoor storage of vehicles and parts and repair of vehicles by the property owner (except for personal vehicles) shall take place at 9319 Croaker Road on property identified as Parcel (1-10) on James City County Real Estate Tax Map No. (7-4).

Mr. Brown suggested a work session be scheduled with the Planning Commission to discuss the Board's general expectations of the Commission during its deliberations and recommendations.

Mr. DePue suggested the Board and the Commission take time to communicate expectations. He stated he appreciates members of the Planning Commission attending Board meetings for clarification when questions arise on particular recommendations; further, he commended County staff for its recommendations.

2. Case No. SUP-34-86. Steven McCoy.

Mr. Allen Murphy presented this case stating Mr. McCoy has applied for a special use permit to allow the placement of one single-wide mobile home on approximately 2.1 acres at 283 Camp Road.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to approve the SUP.

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

RESOLUTION

CASE NO. SUP-34-86. STEVEN MCCOY

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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:	Steven McCoy
Real Estate Tax Map ID:	(10-2)
Parcel No.:	(1-13B)
Address:	283 Camp Road
District:	Stonehouse District
Zoning:	A-1
Permit Term:	This permit is valid only for the mobile home applied for. If the mobile home is removed, then this permit becomes void. Any replacement will require a new permit from the Board of Supervisors. If the permit is not exercised it shall become void one year from the date of approval.
Further Conditions:	<ol style="list-style-type: none"> 1. The mobile home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards. 2. The number of bedrooms shall not exceed three.

3. Existing trees shall be maintained within 20 feet of all property lines except where clearing is required for utilities, necessary entrances or the mobile home itself.

3. Case No. SUP-35-86. Kim Allen Heck.

Mr. Murphy presented this case indicating that Mr. Heck has submitted an application for a special use permit to place a mobile home for use as a residence on approximately 4.0 acres at 3540 Little Deer Run. This property is part of a family subdivision. The Planning Department recommends approval of the SUP with conditions.

Mr. Mahone inquired if time limitations make mobile home communities conscious of keeping their particular community in good repair.

Mr. DePue stated mobile home communities have the potential of being generally attractive if maintained properly.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. DePue made a motion to approve the SUP.

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

R E S O L U T I O N

CASE NO. SUP-35-86. KIM ALLEN HECK

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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:	Kim Allen Heck
Real Estate Tax Map ID:	(36-2)
Parcel No.:	(1-5D)
Address:	3540 Little Deer Run
District:	Powhatan
Zoning:	A-1
Permit Term:	This permit is valid only for the mobile home applied for. If the mobile home is removed, then this permit becomes void. Any replacement will require a new permit from the Board of Supervisors. If the permit is not exercised it shall become void one year from the date of approval.

Further Conditions:

- 1. The mobile home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
- 2. The number of bedrooms shall not exceed three.
- 3. Access shall be from Little Deer Run and shall be maintained by the applicant in a condition passable in all weather by emergency vehicles.
- 4. Existing trees shall be maintained within 20 feet of all property lines except where clearing is required for utilities, necessary entrances or the mobile home itself.

4. Case No. SUP-36-86. Floyd L. Carey, Jr.

Mr. Murphy presented this case indicating Mr. Carey has submitted an application for a special use permit to allow the placement of a mobile home to be used as a residence on approximately .9 acres at 7313 Little Creek Dam Road in the Stonehouse District. The Planning Department recommends approval of the SUP with conditions.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the SUP.

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

R E S O L U T I O N

CASE NO. SUP-36-86. FLOYD L. CAREY, JR.

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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: Floyd L. Carey, Jr.
 Real Estate Tax Map ID: (20-2)
 Parcel No.: (1-11B)
 Address: 7313 Little Creek Dam Road
 District: Stonehouse District
 Zoning: A-1

Permit Term: This permit is valid only for the mobile home applied for. If the mobile home is removed, then this permit becomes void. Any replacement will require a new permit from the Board of Supervisors. If the permit is not exercised it shall become void one year from the date of approval.

- Further Conditions:
1. The mobile home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
 2. The number of bedrooms shall not exceed three.
 3. Access shall be maintained by the applicant in a condition passable in all weather by emergency vehicles.
 4. Existing trees shall be maintained within 20 feet of all property lines except where clearing is required for utilities, necessary entrances or the mobile home itself.

5. Case No. SUP-37-86. Mildred M. Davis.

Mr. Murphy presented this case indicating Ms. Davis has applied for a special use permit to allow the placement of one single-wide mobile home on approximately 1.66 acres at 905 Stewarts Road in the Stonehouse District. The Planning Department recommends approval with conditions.

Mr. Brown opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the SUP.

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

RESOLUTION

CASE NO. SUP-37-86. MILDRED M. DAVIS

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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: Mildred M. Davis
 Real Estate Tax Map ID: (10-2)
 Parcel No.: (1-66)
 Address: 905 Stewarts Road
 District: Stonehouse District

Zoning: A-1

Permit Term: This permit is valid only for the mobile home applied for. If the mobile home is removed, then this permit becomes void. Any replacement will require a new permit from the Board of Supervisors. If the permit is not exercised it shall become void one year from the date of approval.

- Further Conditions:
1. The mobile home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
 2. The number of bedrooms shall not exceed three.
 3. Existing trees shall be maintained within 20 feet of all property lines except where clearing is required for utilities, necessary entrances or the mobile home itself.

F. CONSENT CALENDAR

Mr. Brown asked if any Board member wished to withdraw items from the Consent Calendar.

Mr. Mahone removed item F-3 from the Consent Calendar.

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

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

1. Dedication of Chickahominy Church Road.

RESOLUTION

CHICKAHOMINY CHURCH ROAD

WHEREAS, James City County has, under its Dirt Street Program, improved certain roads in James City County, Virginia, to State standards at 100 percent County expense; and

WHEREAS, the Board of Supervisors desires a road in Stonehouse Magisterial District to be included in the State Secondary Highway System, providing this road meets the requirements of the Virginia Department of Highways and Transportation, and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection; and

WHEREAS, neither the original developer, developers, nor successor developers retain a speculative interest in property abutting Chickahominy Church Road.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation is hereby respectfully requested, contingent upon the above, to include the following street in the State Secondary Highway System pursuant to Section 33.1-72.1(C) of the Code of Virginia:

Description: Chickahominy Church Road
From: State Route 631
To: North to Dead end, cul-de-sac
Distance: 0.23 miles.

The unrestricted rights-of-way of 40 feet, along with drainage easements, are guaranteed as evidenced by the following deeds, Certificate of Deposit, and plats of record:

- Deed Book 267, page 357, dated February 5, 1985
- Plat Book 40, page 54, dated February 3, 1985
- Deed Book 269, page 625, dated April 18, 1985
- Deed Book 269, page 628, dated April 18, 1985
- Deed Book 274, page 295, dated April 9, 1985
- Deed Book 279, page 206, dated July 29, 1985

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways and Transportation.

- 2. Landfill Pan/Scraper Contract.

R E S O L U T I O N

LANDFILL PAN/SCRAPER CONTRACT

WHEREAS, funds are appropriated in the FY 87 Capital Improvements Program to purchase a pan/scraper for the County at the Landfill; and

WHEREAS, a Request for Bid was issued, responses evaluated and the lowest bid meeting the critical specifications determined; and

WHEREAS, the Board authorized the County to contract with James River Equipment, Inc., for the purchase of a John Deere 862B scraper; and

WHEREAS, James River Equipment has notified the County in writing that they will be unable to deliver the ordered pan/scraper due to a strike at the John Deere factory; and

WHEREAS, the second low qualifying bid was also for a John Deere 862B scraper from Coastal Equipment Company, who has also notified the County of their inability to guarantee delivery; and

WHEREAS, it has been determined that the third low bid for a Caterpillar 615 submitted by Carter Equipment Company meets the critical specifications and can be delivered in four to six weeks following the County's order.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the Acting County Administrator to enter into a contract with Carter Equipment Company for the purchase of a Caterpillar 615 scraper for the sum of \$146,663.

3. Appropriation of After School Recreation Program Funds.

Mr. Mahone stated he assumed the initial expenses for beginning the Program would be recovered by fees collected from the participants. He inquired if transportation was a problem for other schools thus precluding their participation.

Mrs. Burcham responded the school system chose the pilot program area.

Mr. Brown stated this program provides alternatives for the demands of our society for after school care of the "latch key" child.

Mrs. Burcham indicated this pilot program provides structured activities as opposed to the standard supervised child care program.

Mr. DePue stated he knows the need exists for well managed after school activities for the children of working parents.

Mr. Mahone made a motion to approve the resolution.

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

R E S O L U T I O N

APPROPRIATION OF AFTER SCHOOL RECREATION PROGRAM FUNDS

WHEREAS, The Parks and Recreation Department desires to conduct an after school recreation program; and

WHEREAS, Program fees will cover expenditures for this program.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors appropriates \$5,865 as follows:

Recreation Office

After School Recreation Program Expenses	+ \$5,865
After School Recreation Program Revenue	- \$5,865

G. BOARD CONSIDERATIONS

1. Case No. AFD-8-86. Casey.

Mrs. Gussman presented this case indicating it had been deferred from the Board's December 1, 1986, meeting to enable the Casey's to withdraw property from the proposed district. Property owners in the Ironbound Road/News Road area of James City County have applied for an Agricultural and Forestal District on 969.13 acres. The application consists of nine parcels. Staff recommends approval of the proposed AFD--86 as the AFD will hold these key tracts of land temporarily while development plans can be created, maximizing the beneficial use of this area.

Mr. Brown stated the public hearing was completed at the December 1, 1986 meeting.

Mr. Taylor made a motion to approve the ordinance.

Mr. Edwards expressed misgivings about approving an ordinance creating an AFD where the tax break is so great.

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

ORDINANCE NO. _____

ESTABLISHING THE CASEY
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-8-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Ironbound Road 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 Ironbound Road area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Casey Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 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:

(37-1)(1-2)	Wilford Family Trust	45	ac.
(37-1)(1-1)	Wilford Family Trust	32.12	
(37-2)(1-1)	Charles C. New	45	
(38-3)(1-1)	Peggy W. Zuzma & Wm. Baskett Trustee	44.67	
(37-3)(1-4)	J. G. Warburton	165.58	
(38-4)(1-1)	Robert T. & Calvin L. Casey (part)	249.63	
(38-4)(1-7)	R.T. & C.L. & C.B. Casey (part)	322.91	
(38-4)(1-27)	Fern C. Renick	32.75	
(47-2)(1-1)	J. G. Warburton	31.47	
(38-3)(1-18)	Sasha L. & Mary K. Knott Digges	45.45	

provided, however, that all land within 25 feet of the rights-of-way of Strawberry Plains Road (Route 616), Ironbound Road (Route 615), and News Road (Route 613) shall be excluded from the district; and provided, however, that all land within the proposed rights-of-way of Route 199, the extension of Monticello Avenue (Route 321), and the potential realignment of Ironbound Road, 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 Casey 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 to any residential, business, or industrial zone.

- (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.

2. Position Authorization - Recreation Center.

Ms. Burcham presented this item indicating the resolution authorizes the creation of seven full-time, three part-time positions and five full-time equivalents to staff the Recreation Center for five months of operation in FY 87. The request is for staffing the Center at a minimum level to operate 70 hours per week, seven days a week. If public demand requires an increase in operating and/or programming hours at the Center, staff increases will be required.

Mr. Brown stated the City of Williamsburg will reimburse the County for 25 percent of the total expenditure for operating the Center.

Ms. Sandra McPherson stated staffing levels are in consideration of liability and safety of users above all else.

Mr. Brown inquired if the Building Engineer/Electrician will work at other County locations as needed.

Mrs. Burcham responded in the affirmative.

Ms. McPherson indicated outdoor facilities will be maintained by the present Parks and Recreation staff.

Mrs. Burcham stated the staff proposal is conservative.

Mr. Mahone indicated the building engineer/electrician, in his opinion, is not needed exclusively at the Center.

Mr. Brown stated, however, that a position of this type is needed in the County.

Ms. McPherson indicated the maintenance and care of the several integral electrical mechanisms at the Center requires a skill level that cannot be provided by our present Building and Grounds Staff.

Mrs. Burcham stated the primary skill level of the position requires electrical trouble-shooting.

Mr. Brown stated the position should be switched to Buildings and Grounds in the upcoming budget.

Mr. DePue expressed support for the position requests; however, future staffing must be based on usage by the public.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

RECREATION CENTER POSITIONS

WHEREAS, James City County has identified the need for staff positions to operate, supervise, and program the Recreation Center; and

WHEREAS, the existing personnel resources of James City County are not sufficient to meet this need; and

WHEREAS, funds have been appropriated in the FY 87 budget for staffing the James City County/Williamsburg Recreation Center.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors, James City County, Virginia, hereby authorizes the establishment of the following positions:

- 1 Full-time Custodian
- 1 Full-time Office Manager
- 1 Full-time Aquatic Specialist II
- 2 Full-time Aquatic Specialists I
- 1 Full-time Recreation Specialist
- 1 Full-time Building Engineer/Electrician
- 1 Part-time Clerk (25 hrs./wk.)
- 2 Part-time Custodians (30 hrs./wk.)
- Facility Attendants (210 hrs./wk.)
(3 full-time equivalents)
- Lifeguards (140 hrs./wk.)
(2 full-time equivalents)

Mr. Brown made a motion to reconsider Case No. SUP-30-86. Gus Gibson, Jr., Auto Sales. The case was considered at the December 1, 1986 meeting and the SUP was denied. However, after revisiting the site and in consideration of the insertion of a five year time limit on the permit, he can support the approval of the SUP.

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

Mr. Brown made a motion to approve the SUP with a 5-year time limit.

Mr. DePue commended the Chairman for his motion to approve the SUP.

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

RESOLUTION

CASE NO. SUP-30-86. GUS GIBSON, JR., AUTO SALES

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, in accordance with the staff recommendation has recommended approval of Case No. SUP-30-86, a special use permit to allow the sale of used cars at 8910 Pocahontas Trail in the B-1 Zoning District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-30-86 as described herein with the following conditions.

- 1. The auto sales area shall be clearly defined on a site plan to be submitted to James City County and reviewed and approved by the Site Plan Review Committee.
- 2. The sales area for automobiles shall be paved or a compacted crusher run surface.
- 3. The automobile sales area shall be set back from Pocahontas Trail by a landscaped strip of at least 35 feet. A landscape plan for this strip and the rest of the site shall be developed and submitted as a part of the site plan for review and approval by the Site Plan Review Committee.
- 4. Automobile sales areas shall be on-site and restricted to the site identified as parcel (1-7A) on James City County Real Estate Tax Map No. (59-2). No parking or auto sales shall be permitted on Judy Drive or Freedom Drive.

5. The mobile home sales area shall be clearly defined and set back in accordance with B-1 Ordinance requirements and requirements for outdoor display and sales areas.
6. The special use permit shall expire on December 15, 1991 and thereafter be null and void.
7. The landscape plan dated December 15, 1986 shall be incorporated into a site plan to be approved by the Site Plan Review Committee and shall be implemented as approved by the Site Plan Review Committee.

The Board recessed at 5:00 p.m. and reconvened at 5:15 p.m.

3. Recommendation - from the Bruton Heights Subcommittee.

Mr. Taylor made a motion to approve the Recommendation as presented.

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

Mr. Mahone stated his support of the recommendation to replace Bruton Heights is based on sympathy for the school maintenance staff, given the deterioration of the physical plant.

H. PUBLIC AUDIENCE - None

I. REPORTS OF THE COUNTY ADMINISTRATOR

1. Vaccination Requirements for Purchase of Dog License - Dr. McKeogh.

Dr. McKeogh reported he has discussed the vaccination requirements ordinance with local veterinarians and the majority agree the change is necessary to assure health and safety for all parties involved.

Mrs. Burcham indicated the amendment as passed is a liberalization of the former ordinance.

Mr. DePue stated he supports the ordinance as amended.

Mrs. Burcham referenced a late item passed out to the Board concerning the City of Williamsburg's agreement to fund only the asphaltting of the parking area at the Recreation Center. If the Board approves the funding, a change order will be processed.

Mr. Brown made a motion to approve the resolution.

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

R E S O L U T I O N

RECREATION CENTER PLAYING FIELDS

WHEREAS, the Board of Supervisors of James City County has previously awarded a contract to Piland Construction Company for the Recreation Center playing fields; and

WHEREAS, the Board was desirous of effecting additional improvements to the field area if the City of Williamsburg was willing to participate in such improvements; and

WHEREAS, the City of Williamsburg has indicated its willingness to participate in funding the asphaltting and parking islands.

Mr. Edwards made a motion to go into Executive Session to discuss personnel, real estate, and legal 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: Edwards, Taylor, Mahone, DePue, Brown (5). NAY: (0).

The Board convened into Executive Session at 5:45 p.m. and reconvened into public session at 6:15 p.m.

Mr. Edwards made a motion to appoint Willafay McKenna, Planning Commission; Gwen Robinson, Planning Commission; Rodgers Huff, Rental Property Owner; John Filichko, United Virginia Bank, to one-year terms and William O'Donovan, Housing Partnerships; Alma White, Chickahominy Civic Group; Sasha Digges, Builder; Junius Dandridge, Urban Homestead Program; Kenneth Kinsinger, First Colony Civic Group, to two-year terms to the County Housing Commission and to create two additional slots.

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

Mr. Brown made a motion to approve the resolution acquiring land for the Landfill.

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

R E S O L U T I O N

PURCHASE OF PROPERTY FROM DAVID W. AND MARTHA MILLNER WARE

WHEREAS, the Board of Supervisors of James City County, Virginia, deems it in the best interest of the County to acquire certain property consisting of approximately 31.5 acres for sanitary landfill and other public purposes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it hereby authorizes and directs the Chairman and Secretary of the Board to execute those documents necessary to acquire the following described property:

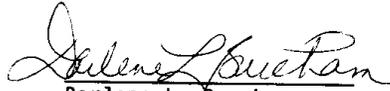
Beginning at a point marked by a 36 inch beech tree located in the southerly line of property of James City County and shown on said plat as point "B", thence S 49°25'10"E 200.39 feet to a point, an iron bar in a 16 inch pine stump, shown as point "E" on said plat, thence S 01°02'41"W 401.65' to a point in a "woods road", shown on said plat as point "F", thence along said woods road S 09°01'20"W 1112.40 feet to a point in said road shown as point "G" on said plat, thence departing said road N 88°51'55"W 864.83' to a point a "rod found" shown on said plat as point "H" in a stream, thence following generally the meanders of said stream in a northerly direction to a point in said stream to the east of a point marked by the "stump hole of 23 inch fallen Ash" and shown on said plat as point "A", thence along a line common to the property of James City County from said point "A", N. 70°45'39"E, 1544.17 feet to the point and place of beginning and shown by said survey to contain 40.8 acres, more or less. The said plat referred to above being filed as Exhibit No. 32 in the case of David W. Ware et al v. County of James City, et al at Law No. 4009 in the Circuit Court of James City County and the City of Williamsburg and also being recorded among the land records of James City County.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby appropriates the sum of \$24,628.28 from the Landfill Land Acquisition Account for payment of such acquisition.

Mr. Taylor made a motion to adjourn until December 20, 1986, at 9:00 a.m. at the Human Services Center.

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

The Board adjourned at 6:17 p.m.


Darlene L. Burcham
Clerk to the Board

vas
0055w

DECEMBER

ORDINANCE NO. 174

ESTABLISHING THE CASEY
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-8-86)

WHEREAS, an application for the creation of an Agricultural and Forestal District in the Ironbound Road 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 Ironbound Road area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 24, 1986 recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on October 28, 1986 recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Casey Agricultural and Forestal District is hereby established for a period of four years beginning this first day of December, 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.

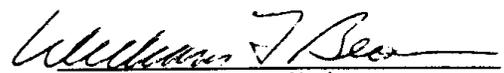
2. That the district shall include the following parcels:

(37-1)(1-2)	Wilford Family Trust	45	ac.
(37-1)(1-1)	Wilford Family Trust	32.12	
(37-2)(1-1)	Charles C. New	45	
(38-3)(1-1)	Peggy W. Zuzma & Wm. Baskett Trustee	44.67	
(37-3)(1-4)	J. G. Warburton	165.58	
(38-4)(1-1)	Robert T. & Calvin L. Casey (part)	249.63	
(38-4)(1-7)	R.T. & C.L. & C.B. Casey (part)	322.91	
(38-4)(1-27)	Fern C. Renick	32.75	
(47-2)(1-1)	J. G. Warburton	31.47	
(38-3)(1-18)	Sasha L. & Mary K. Knott Digges	45.45	

provided, however, that all land within 25 feet of the rights-of-way of Strawberry Plains Road (Route 616), Ironbound Road (Route 615), and News Road (Route 613) shall be excluded from the district; and provided, however, that all land within the proposed rights-of-way of Route 199, the extension of Monticello Avenue (Route 321), and the potential realignment of Ironbound Road, 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 Casey 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 to any residential, business, or industrial zone.
- (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, Chairman
 Board of Supervisors

ATTEST:


 Darlene L. Burcham
 Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 15th day of December, 1986.

VG/bkh
 0016w

<u>SUPERVISOR</u>	<u>VOTE</u>
EDWARDS	AYE
TAYLOR	AYE
MAHONE	AYE
DEPUE	AYE
BROWN	AYE