

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-THIRD DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY-SEVEN, AT 1:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

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

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

B. MINUTES - January 30, 1987 - Special Meeting
 February 2, 1987 - Regular Meeting
 February 7, 1987 - Special Meeting
 February 10, 1987 - Special Meeting
 February 14, 1987 - Special Meeting

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

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

C. PRESENTATIONS

1. Capital Improvements Program, FY 88

Mr. Fred Belden, Chairman of the Planning Commission distributed the Commission's annual report and noted three major efforts for the year: the Agricultural/Forestal Districts as a planning tool for preserving land, the change in the A-2 zone and the Richmond Road Corridor study group. Mr. Belden reported that of 27 rezoning cases and 20 special use permits, only one Planning Commission recommendation for approval was denied by the Board of Supervisors. None of the Planning Commission recommendations for denials were approved.

Mr. Belden stated that the Commission's recommendation for Category I projects were the New Elementary School, Bruton Heights Replacement School, Government Center Office Space, Sidewalks, Relocation of the Office of the General Registrar, Industrial Land Acquisition, and Lower County District Park.

Mr. DePue thanked Mr. Belden for his presentation and expressed appreciation to the Planning Commission for the work they do as planning is extremely valuable to the County.

Mr. Brown stated that he thought it was a good idea that Planning Commission members had been attending the Board of Supervisors meetings regularly.

2. Community Action Agency Funding Request

Mr. John McCrimmon addressed the Board requesting a FY 87 contribution of \$35,000 to continue housing rehabilitation efforts in the County with the understanding that the requested allocation for FY 88 would be \$35,000. A total request of \$70,000 was proposed to the Board of Supervisors for FY 88 earlier this year.

Most of the County contribution for FY 86 has been held as match for the Farmers Home Administration grant, which has restricted the amount of cash available for Housing Partnerships to spend. The \$35,000 will allow the agency to make repairs throughout the entire County during the spring when volunteers are readily available.

Mr. Steve Elliott of Housing Partnerships stated that he supported the Community Action Agency request.

Mr. McCrimmon added citizen and community support has been strong. Thirty-seven homes, 16 rehabilitated by Community Action Agency and 21 by Housing Partnerships, have been completed thus far. Two hundred fifty volunteers have donated 2,300 hours on construction activities.

Mr. Edwards asked if there were questions for Mr. McCrimmon or Mr. Elliott.

Mr. Brown commented that this project was outstanding. The Community Action Agency and volunteers are to be commended. He inquired as to how the \$35,000 will be spent now and the remaining \$35,000 be spent after July. He also asked how these monies relate to the Farmers Home Administration grant, and how the grant money will be used.

Mr. McCrimmon stated the first \$35,000 will not be used in conjunction with the FHA grant. Some of next year's request may be used in conjunction with the FHA grant depending on how monies are received from other sources.

Mr. Brown asked if the primary use of the funds was for the purchase of materials.

Mr. McCrimmon replied in the affirmative.

Mr. Edwards asked if there were any further questions.

Mrs. Burcham stated staff supported the transfer of \$35,000 from Operating Contingency, as this program is the most cost effective way to improve housing conditions in the County.

Mr. Edwards made a motion to transfer \$35,000 from Operating Contingency Fund to the Community Action Agency.

Mr. Taylor noted that next year's budget should authorize \$35,000, not \$70,000.

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

D. HIGHWAY MATTERS

Mr. Frank Hall reported that the secondary road allocation will be around \$900,000 a year for the next six years. The six-year plan will be revised shortly with the Board prioritizing the projects.

Mr. Brown asked if he was correct in stating that \$900,000 was almost double the previous allocations and was a direct result of funds generated by the increased gas tax.

Mr. Hall replied yes to both statements.

Mr. DePue asked about a proposed light at Olde Towne and Longhill Roads.

Mr. Hall said the street opposite the intersection has just been completed and he would request a study of the need for a light there.

Mr. DePue asked about turn lanes at the entrance to Windsor Forest.

Mr. Hall replied the Department is working to bid this project in the spring.

Mr. DePue thanked the Highway Department for the snow clearing during the recent winter storms.

Mrs. Burcham requested the Highway Department provide the County with a copy of punch lists provided to developers on streets that are being considered for inclusion in secondary road system.

E. PUBLIC HEARINGS

1. Case No. MP-4-86. Ford's Colony Master Plan Amendment

Mrs. Gussman made a presentation on the proposed changes which include the addition of 750 acres, increasing the overall size of the project by 53%.

Mrs. Gussman noted the road improvements proffered by the applicants included two new access points at Country Club and News Road. Turn lanes will be added to all entrances and 4-lanes will be provided between the new entrance on Longhill Road and Rt. 199. Ford's Colony has also offered \$230,000 toward construction of an intersection with Rt. 199 on Ford's Colony property if approved by the Highway Department. Ms. Gussman stated the proffers do not address the new entrance at County Club Drive.

Ms. Gussman reported there will be four recreation areas in the new section. A note has been added to the master plan stating that each of those recreation areas will have a minimum of a pool or tennis court.

Public water is available and is adequate to serve the development. Public sewer is available but is not adequate. Expansion of the sewer system is in the proposed agreement with the Service Authority.

The Master Plan has been reviewed for drainage. Staff has determined that the plan as submitted is acceptable and does correspond with the draft drainage study for the Powhatan watershed.

The developer has previously conveyed 30 acres along Centerville Road to James City County and has proffered an additional 10,000 square feet for a well site.

Marley Brown, III, Director of Archaeological Excavation for the Colonial Williamsburg Foundation has identified a 19th century site known as the Betsey Green site and recommends further study of that site.

Mrs. Gussman stated that staff needs additional time to review and resolve the legal and substantive issues of the latest proposed proffers and recommended deferral until March 16, 1987.

1. Mr. Vernon Geddy, Jr., attorney for the applicants, stated that since the last Board meeting the developer had met with the Board subcommittee and additional proffers have been added. \$300,000 was added to the sale price of a piece of property to provide funds for road improvement to Longhill, Centerville and News roads. The contract provides \$353,000 initially to James City County to be used to build the Longhill Road connector. The deferred portion of payment has increased so that the total package offered to James City County for the land sale is \$980,300. A deed of trust will provide security for payment.

Mr. Geddy further noted that Ford's Colony is a prosperous company and financial statements can be made available. A 100x100 well site and a scenic easement 50' in width, adjacent to the environmentally sensitive Cold Spring Swamp are also included in these proffers. It was further stated that Mr. Marley Brown has been engaged to do the archaeological study for a fee of \$5,000.

Mr. Geddy concluded that almost one-half of the additional acres is already zoned R-2, and that the Board would be working with a developer with a good track record who would meet his obligation to James City County. He requested approval of the master plan amendment.

2. Mr. Bill Bryant, Secretary to Coalition With Quality Growth, read a statement from the Board of Directors of the Coalition. He stated that concerns expressed regarding traffic overload and the environment remain valid, but the proposed plan would have less adverse effect than development under existing zoning. Mr. Bryant noted the Coalition is prepared to withdraw its recommendation for disapproval if the proffers may be relied upon as legally binding and if Ford's Colony will work seriously on matters related to environmental protection of wildlife and water shed.

Mr. Bryant also stated that the Coalition urges the Board of Supervisors and Planning Commission to work closely together to review zoning, to consider other growth objections and to recognize the need for more systematic, routine protection of environmental and historical resources.

Mr. DePue asked Ms. Gussman how the decision will be made regarding the entrance on News Road and Country Club Drive.

Ms. Gussman answered that the applicant has proffered to prepare a phasing plan for these improvements which must be adopted by the Board of Supervisors.

Mr. DePue requested assurance that the Board would be in a position to see where exit points would be needed.

Mr. Morton said that within six months after approval of the amendment the phasing plan must be submitted to the Board.

Mr. Edwards recommended deferring this matter until March 16, 1987.

Mr. Brown supported continuance until March 16 with the understanding that the final proposal would be received about ten days prior to that date.

Mr. Taylor asked about the purposes for which the monies received from the proposed sale of property would be used.

Mr. Morton replied the Board might use these funds to offset the future cost of improvements to Centerville, Longhill and News roads. However, the bulk of payments are not due for eight years, and we have a period of time to evaluate the traffic impacts.

Mr. Taylor asked if the money would be paid regardless of how many homes were finally built.

Mr. Morton replied in the affirmative.

Mr. Edwards made a motion to continue the public hearing and defer the matter until March 16, 1987.

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

2. Case No. SUP-39-86. Toano Auto Parts, Inc.

Mr. Edwards opened public hearing, and as no one wished to speak, Mr. Edwards closed public hearing.

Mr. Taylor made a motion to approve Case No. SUP-39-86.

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

R E S O L U T I O N

CASE NO. SUP-39-86. TOANO AUTO PARTS, INC.

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance certain 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 unanimously recommended approval of Case No. SUP-39-86, a special use permit for the construction of a 6,000 square foot commercial building (auto parts store) within the Reservoir Protection Overlay District, RP.

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-39-86 as described herein with the following conditions:

1. The execution of an Inspection/Maintenance Agreement prior to final site plan approval and as approved by the County Attorney for performance assurances pertaining to runoff control and reservoir protection measures.
2. Outdoor storage of automotive parts and products on this site shall be prohibited.
3. If construction of this facility has not begun within a 36-month period from the issuance of this permit, it shall become void. Construction shall be defined as clearing, grading, and the excavation and pouring of all footings covered by this permit.

3. Vacation of Devonshire Drive

Mr. Edwards opened public hearing, and as there were no speakers, he closed public hearing.

Mr. Brown made a motion to approve the ordinance.

Mr. Mahone mentioned another case where staff was recommending sale of vacated property.

Mr. Morton said in the future the value of the property would be provided in each case, however, in this case the value was minimal.

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

4. Ordinance Amendment - Recreation Center as Polling Place for Berkeley District

Mr. Edwards opened public hearing.

Mrs. Eula Ratcliffe, Chairman of the Electoral Board, spoke in favor of the Recreation Center as a polling place for Berkeley District.

Mr. Edwards made a motion to approve the ordinance.

Mr. Brown mentioned that citizens need to know the reason the polling place moved from the school was that the school was annexed into the city.

Mr. Edwards commented that information will be sent out to voters advising them that the polling place has been changed.

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

F. CONSENT CALENDAR

Mr. Edwards asked if any Board member wanted to remove items from the Consent Calendar.

Mr. Edwards made a motion for approval of Consent Calendar.

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

1. Edgewood Lane/Canham Road Improvements

R E S O L U T I O N

IMPROVEMENT AND DEDICATION OF STREETS IN BOUGHSPRINGS SUBDIVISION

WHEREAS, Section 33.1-72.1(C-1) of the Code of Virginia authorizes rural additions to the secondary system of the State Highways; and

WHEREAS, the James City County Board of Supervisors recommends that Edgewood Lane and Canham Road, more particularly described below, be taken into the secondary system of State Highways as rural additions to the secondary system of the County; and

WHEREAS, neither the original developer, the developers, nor successive developers retain a speculative interest in property abutting Edgewood Lane and Canham Road.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above-referenced recommendation, that the Virginia Department of Transportation is hereby requested to construct and include the following roads in the secondary system of State Highways as rural additions pursuant to Section 33.1-72.1(C-1) of the Code of Virginia:

- 1. Edgewood Lane
From: State Route 31 (Jamestown Road)
To: Intersection of Canham Road
Distance: 830 feet (0.16 miles)
- 2. Canham Road
From: State Route 31 (Jamestown Road)
To: Intersection of Edgewood Lane
Distance: 400 feet (0.08 miles)

An unrestricted right-of-way of 40 feet, along with drainage easements, are guaranteed as evidenced by plat of "Boughsprings Subdivision, Section A," recorded in Plat Book 16, Page 20, dated July 6, 1957; and Deeds of Record recorded in Deed Book 329, Page 744, dated January 27, 1987; Deed Book 329, Page 748, dated February 2, 1987; and Deed Book 329, Page 752, dated January 27, 1987; in the Clerk's Office of James City County, Virginia.

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

2. Grove CDBG Program Income Plan

R E S O L U T I O N

ADOPTION OF COMMUNITY DEVELOPMENT BLOCK GRANT
PLAN FOR THE USE OF PROGRAM INCOME

WHEREAS, on May 15, 1985, as authorized by the James City County Board of Supervisors, the County entered into an Agreement with the Virginia Department of Housing and Community Development (DHCD) to carry out with Community Development Block Grant (CDBG) funds provided under the Agreement the Grove Neighborhood Improvement Program; and

WHEREAS, DHCD requires that if program income is anticipated to be received by a grantee after the grant is closed out that the County submit to DHCD a Plan For the Use of Program Income; and

WHEREAS, the County anticipates receipt of an estimated \$170,000 of program income from the sale of property in the Grove Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County adopts the attached Community Improvement Grant Plan For Use of Program Income and authorizes the County Administrator to sign and submit this Plan to DHCD.

BE IT FURTHER RESOLVED that in accordance with the Plan, the Board of Supervisors authorizes expenditure of program income funds for expenses of development and sale of lots in the Grove Redevelopment Area.

3. Route 199/Richmond Road Interchange

R E S O L U T I O N

DESIGN OF ROUTE 199/RICHMOND ROAD INTERCHANGE

WHEREAS, the Richmond Road Corridor is a rapidly developing area of James City County expected to receive high levels of commercial development during the next twenty years; and

WHEREAS, development forecasts exceeding those assumed for the Route 199 Environmental Impact Statement lead to the conclusion that the interchange design as currently proposed will not be sufficient to handle traffic at an acceptable level of service; and

WHEREAS, preliminary studies have indicated that alternative interchange designs may provide acceptable levels of service under higher traffic volumes.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County does respectfully request the Virginia Department of Transportation to investigate the feasibility of alternate designs for the Route 199/Richmond Road interchange including, but not limited to, staged development of additional turn lanes, staged development of elongated ramps southwest of Richmond Road connecting to a new roadway parallel to Richmond Road, and a complete interchange with ramps crossing the railroad tracks.

4. Surry Power Station

R E S O L U T I O N

SURRY POWER STATION

WHEREAS, James City County lies within the ten-mile Emergency Planning Zone for the Surry Power Station and the County has a direct responsibility to provide adequate emergency planning within its boundaries; and

WHEREAS, there is a growing awareness and concern within our community of the complex issues posed by nuclear power and of the potential hazards which it could pose in the event of a malfunction at the Station.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County:

1. That our concerns be transmitted to officials of Virginia Power and the Nuclear Regulatory Commission, upon whom we must rely for the continued safe operation, supervision, and inspection of the Station.

- 2. That the Federal Emergency Management Agency and the Virginia Department of Emergency Services be requested to include County personnel and local citizens in the planning, testing, and evaluation of the next Annual Alert and Notification System Test, which should be conducted on or before June 11, 1987, in order that we may jointly determine the adequacy of the current alert system, its equipment, and the responsibilities of the various parties involved.

5. Transit - Section 18 Grant Application - FY 88

R E S O L U T I O N

SECTION 18 GRANT APPLICATION - FY 88

WHEREAS, the Federal Government has made funds available to support transportation in small areas; and

WHEREAS, the Board of Supervisors of James City County desires Federal funds to help support James City County Transit Company.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it authorizes its Chairman and Clerk to sign the grant application entitled, "Application for Capital, Administrative and/or Operating Assistance for Public Transportation Systems in Non-urbanized Areas" and further authorizes the County Administrator to execute those agreements necessary to insure receipt of these grant funds.

R E S O L U T I O N

REQUEST FOR FEDERAL MATCHING FUNDS - FY 88

WHEREAS, the Federal Government has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit system's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized, for and on behalf of James City County, to execute and file an application to the Virginia Department of Transportation, Commonwealth of Virginia, for a grant of Federal public transportation assistance authorized under Section 18 of the Surface Transportation Act of 1982, in the amount of \$131,296 to assist in the administrative and operating costs of local public transportation services, to accept from the Virginia Department of Transportation grants in such amount as may be awarded, and to authorize the County Administrator to furnish to the Virginia Department of Transportation such documents and other information as may be required for processing the grant request.

The Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of Section 18 of the Surface Transportation Assistance Act, that James City County may be subject to audit by the Virginia Department of Transportation and by the State Auditor of Public Accounts.

RESOLUTIONREQUEST FOR STATE MATCHING FUNDS

WHEREAS, the Commonwealth of Virginia has made matching funds available in support of public transportation; and

WHEREAS, James City County is desirous of applying for State matching funds.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized for and on behalf of the Board to execute and file an application to the Virginia Department of Transportation, Commonwealth of Virginia, for a grant of transportation special revenues authorized under budget item 644 of the 1982 Acts of the General Assembly, Chapter 648, Financial Assistance for Mass Transit, in the amount of \$26,279 to defray fifty percent (50%) of the local matching share for administrative expenses, \$6,032 to defray ninety-five percent (95%) of the local matching share for capital expenses, \$3,640 to defray fifty percent (50%) of the local match for ridesharing administrative expenses, and in the amount of \$46,350 to defray ninety-five percent (95%) of the costs borne by James City County for the purchase of fuels, lubricants, tires and maintenance parts of an approved Federal Grant, to accept from the Virginia Department of Transportation grants in such amount as may be awarded, and to authorize the County Administrator to furnish to the Virginia Department of Transportation such documents and other information as may be required for processing the grant request.

The Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of UmTA Section 18 Program and the State Appropriations Act of 1982, and that the record of receipts and expenditures of funds granted James City County may be subject to audit by the Virginia Department of Transportation and by the State Auditor of Public Accounts.

G. **BOARD CONSIDERATIONS**

1. **Review of Denial of For-Hire Permit**

Mrs. Burcham presented this item and suggested that Ms. Gladys N. Williams be recognized and asked to give her reasons for appealing the denial of the for-hire permit.

Ms. Williams said she had no statements to add to her February 5, 1987 letter to the Board. She stated her decision was to be open and tell what happened and ask the Board to overturn the denial.

Mr. DePue asked the applicant's age at the time of the incident.

Ms. Williams replied she was 28.

Mr. Taylor asked about other recent employment.

Ms. Williams said she was presently a cashier at a Chevron service station on Richmond Road. Ms. Williams further stated that when she went to renew her permit, which was approved by the City of Williamsburg, she asked Mr. Alderman of Colonial Cab if he would keep her as an employee if her permit was approved, and according to Ms. Williams, Mr. Alderman agreed that he would.

Mr. Brown requested information on the sentence given on her conviction.

Ms. Williams replied the sentence was six months suspended, and three years unsupervised probation.

Mr. Edwards asked if it was routine for the police to check applicants' criminal records.

Mr. Davis, Assistant County Attorney, said a record check was routinely performed on each applicant.

Mr. Edwards commented the Board appreciated the applicant's honesty and candor, but questioned whether the Board had the authority to disregard the ordinance.

Mr. Davis indicated that as the ordinance is written, a felony conviction within the prior five years can be grounds for denial and that an existing permit automatically becomes void upon any such conviction.

Mr. Frank Morton, County Attorney, commented that at the time the applicant was convicted, she had no permit. He further stated that, technically, the ordinance does not prohibit the applicant from applying for a permit subsequent to a felony conviction. The Board has the discretion to review the circumstances of each case and could grant the applicant her permit.

Mr. Brown asked if the applicant had any other convictions.

Mr. Morton said Ms. Williams indicated she had none.

Mr. Mahone inquired if the business recovered the property or received compensation for the felony act.

Ms. Williams said the merchandise was returned to the business.

Mr. Edwards asked if the employment at the cab company would replace the service station job.

Ms. Williams said that she would work part-time at the service station and full time at the cab company.

Mr. DePue suggested that he might be persuaded by letters of reference from third parties.

Mrs. Burcham mentioned that the County had received a letter from Mr. Alderman.

Mr. Edwards made a motion to defer the case until March 2, 1987.

H. PUBLIC COMMENT

Mr. Edwards indicated there were no speakers.

I. REPORTS OF THE ACTING COUNTY ADMINISTRATOR

1. Farmers Market

Mr. Edwards opened the discussion and asked if the farmers group had any comments on the material or the contents of his letter to Board members.

Mr. Taylor said that legal counsel had advised him not to participate in discussion and voting on this matter.

Mr. Cottrell mentioned that Mr. Gerald Eley of the United States Department of Agriculture was in attendance if the Board had questions.

Mr. Eley said the services of his agency would be available to the Board.

Mr. Cottrell expressed concern about what degree of control the Board would want to have after helping fund the farmers market.

Mr. DePue said that the pricing concerned him, however, the Board will let the farmers determine how the market is to be run.

Mr. Cottrell reported the farmers group is pleased that the Board is considering funding the farmers market in the 1988 budget.

Mr. Edwards made a motion to adopt the plan outlined in his letter and stated that the financing plan as outlined in the staff report should be the basis for its inclusion in the budget.

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

Mrs. Burcham reported that a presentation on the Drainage Study will be made at the March 16, 1987 meeting unless there is objection.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor stated that lighting is needed at Croaker Landing.

Mr. DePue presented his resolution on Categorical Appropriation for the School Budget. He further stated that the resolution proposes a fundamental, structural change which increases the Board's ability to influence the priorities in the School budget.

Mr. DePue made a motion for approval of resolution

Mr. Brown stated he felt current procedure was better, therefore he could not support the motion.

Mr. Taylor asked for Mr. McDonald's opinion about whether the resolution would cause difficulty with a joint school system.

Mr. McDonald replied that the Board could appropriate by Category, but it would not be effective unless an agreement was reached with the City Council to do the same.

Mr. Taylor said the resolution would be ineffective unless we had the prior agreement of the City Council, and he could not support resolution.

Mr. Mahone stated he did not feel it was appropriate for the Board to bring this up at this time, and he could not support the resolution.

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

Mr. Brown commented on two items in the reading file. He said that the Mosquito Control results from last summer were not conclusive because of the dry season, and he could not support the extra personnel suggested for the program.

Mrs. Burcham stated that the budget recommendation does not include all of the study's recommendations.

Mr. Brown said he had higher priorities than revision of the Personnel Plan at this time.

Mr. Brown further noted a letter from Mr. John Moneymaker that made some very good points regarding an assistant map technician.

Mr. Brown announced a Community Planning Conference on March 6-7 at the Campus Center at William and Mary. He stated the conference has a good group of speakers, there will be reports from community groups, and he hoped for a good attendance.

Mr. DePue requested that the Treasurer's Office and the Animal Control Officer write memos regarding dog license sales and inoculations under the current ordinance.

Mr. Mahone reported on Crossroads activities. He noted there are relatively few problems left to be resolved, and each locality has been reimbursed the money advanced when the property was bought. Two youths currently being served are from Mathews, which is not a participating jurisdiction. Matthews will not be a full partner, but may have a three year buy-in, which will give it the privilege of using the facility.

Mr. Mahone mentioned he had not received information on the Hunt Club's request for hunting rights.

The Board recessed to an Industrial Development Agency work session at 3:12 p.m.

Representatives of the Industrial Development Agency in attendance were: Ken Axtell, Chairman, Hammond Branch, Paul Dresser, Myrl Hairfield, John Zimmerman, Diane Abdelhour, and John Brown, staff.

Mr. Ken Axtell, Chairman, reported that the Board of Supervisors had requested the Economic Development Strategy Action Plan by January 1987. He stated that the County needs a more balanced tax base with a progressive program of commercial and industrial businesses.

The strategy lists ten issues: public acquisition of land; establishment of a revolving development fund managed by IDA to provide infrastructure; the need for an aggressive promotional program; encouragement of existing businesses to consider expansion within the County and encouraging other businesses to relocate; whether Economic Development should be separated from Planning; alternate financing tools; streamlining development procedures and development plans for the I-64 interchanges; continued work with VPEDC and Williamsburg Chamber of Commerce to promote our County; a targeted approach to encourage relocation of specific groups; and the role of IDA.

Mr. Axtell noted that the IDA approved by unanimous vote all ten issues.

Mr. Brown commended the Authority on the work it has done.

Mr. Taylor said he did not agree with buying land to set aside, as we need business growth to offset homeowner tax burden. Property should not be taken off the tax roll and lay idle for years.

Mr. Myrl Hairfield stated that the County is at a crossroads as to whether to aggressively pursue new business to offset the tax burden. The County has been successful in attracting people into our bedroom community setting. He stated that purchasing sites controls what you have to offer for industrial growth.

Mr. Hammond Branch remarked that a gentlemen's agreement between landowners and the County would be an alternative. Land would possibly be zoned commercial, but stay on the tax rolls as residential until needed for industrial development.

Mr. John Zimmerman said purchasing sites would give the County more flexibility to designate where industry would be located.

Mr. Hairfield added that the County by acquiring land for development would be making a needed statement that business and industry are welcomed.

Mr. Brown stated issues one and two are budgetary and he does not see the need to separate economic development from the Planning department.

Mr. DePue commended the Authority on its report, and asked how the Board and Authority felt about the issues. He further asked how the County can entice industry, but be selective in its choice according to our standards.

Mr. Paul Dresser replied that by having land available, service industries will locate here.

Mr. Edwards stated that we first had to determine if this was a problem.

Mr. Hairfield answered that residential housing is not recovering the cost of services needed for County residents.

Mr. DePue stated we need to diversify our tax base.

Mr. Hairfield said the County needs to continue to grow to stay even.

Mr. Branch mentioned our industry now is contributing, but we need more industry.

Mr. Axtell stated we needed a balanced approach and have to be aggressive.

Mr. Brown stated that issues one and two will be discussed in the budget process, issue five can be addressed by the staff, and that the other seven issues are acceptable to him.

Mr. Taylor asked for a deferral because he felt more time was needed to evaluate the proposals.

Mr. Edwards asked if it was agreeable to defer until the March 16 meeting.

Meeting adjourned at 4:15 p.m.

The Library Board and the Board of Supervisors convened at 4:20 p.m. Those attending were: Joseph Hosnick, Michael DeFulgo, Judith Knudson, Deborah Bond, L. Scott Trainum, Chairman of the Library Board and Richard Carr and Martha Vazquez, Library Director.

Mr. Joseph Hosnick stated that the Library Board had four issues to discuss: 1) Branch Library, 2) Salary Classification Plan, 3) the \$35,000 non-recurring State Aid, and 4) the York County contribution.

Mr. Hosnick said the reclassified pay plan has fewer titles and represents a basic update for a step-in-grade system. A 5% merit step is planned for current eligible employees, and a 3% cost of living (total 8% increase). He said the '88 budget included one new position - Arts Center Audio-Visual Technician. The total budget increase is 8.25% for personnel items.

Mr. Taylor asked what the overall budget increase was.

Mr. Hosnick responded 10.7%.

Mr. Brown stated he took exception with the 8% pay adjustment, and that the plan did not have a true merit system.

Mr. Hosnick stated the need for a Branch Library in the upper part of County, approximately 4,500 - 6,000 square feet of leased space in a shopping center.

Mrs. Darlene Burcham said the library contract with the City of Williamsburg requires full funding by James City County of the facility costs with shared operating costs between Williamsburg and James City County. Start-up costs would include the annual lease, all utilities, furniture, etc. The initial capital cost is \$42,000 a year, with recurring costs of \$40,000 annually.

Mr. John McDonald stated the Planning Commission had recommended leasing a facility as compared to construction.

Mr. DePue commented that citizens had not expressed to him a need for a branch library.

Mr. Taylor asked for figures regarding usage by the upper County.

Martha Vazquez said a study done several years ago showed heavy usage by that area.

Mr. Brown stressed that his preference would be for citizens to continue to use the Central Library.

Mr. Richard Carr mentioned the one-time non-recurring State Aid of \$35,000 as a result of the computer purchases. A list of possible ways to use these funds includes microfiche terminal, an office in the children's department, shelving, electronic lift tape.

Mr. Brown said the library is one of the best programs that we have and that other activities have yet to reach such maturity.

Mrs. Vazquez said the Library Board will be meeting with City of Williamsburg soon and she will request an audio-visual room, periodical and browsing room, staff lounge, and elevator addition. She further noted that York County's contribution for FY 88 was \$40,000, \$5,000 less than the \$45,000 requested.

The meeting recessed at 5:02 p.m.

The Board of Supervisors reconvened at 5:04 p.m. Those present from the Planning Commission were Fred Belden, Martin Garrett, Alex Kuras, A. G. Bradshaw, Sandra Stein, Gary Massie, Elvin Jones and Scott Trainum.

Fred Belden described the Planning Commission's recent conference. He stated he felt communication between the Board of Supervisors and the Planning Commission needs improvement, and that the Commission is feeling a lack of direction from the Board. He stated his belief that the Planning Commission is making good land use decisions with the information available to them, but it is not comfortable with "peripheral" issues.

Mrs. Stein expressed feelings of frustration because the Board of Supervisors wrestles with the same issues after the Planning Commission has considered them. She further stated that the Board should be more comfortable with the Planning Commission's dealing with details.

Mr. Jones stated the Board representative on the Planning Commission should work more closely to advise the Planning Commission of Board of Supervisors' policies. Mr. Brown stated that the volume of cases is frustrating for all. Unanimous Planning Commission votes in his opinion tend to imply there are no problems with a case, yet the Board of Supervisors frequently has questions. Perhaps after the staff gives its report to the Board, a Planning Commission member should also give a report and explain the Commission's position. He urged "creative no votes" to signal dissatisfaction.

Mrs. Stein argued that if a project is on the whole a good one, the Commission should vote "yes."

Mr. DePue stated that the Board reacts politically and feels pressure to slow growth. He is trying to get as much quality as possible out of projects.

Mr. Edwards stated that the Planning Commission is more than a technical body, yet not as political as the Board of Supervisors.

Mr. Belden stated that the Planning Commission does "massage" cases and improves applications.

Mr. Kuras stated that the Planning Commission should express its concerns with a case even when it votes for approval.

Mr. DePue stated that the Board of Supervisors does not want to direct the Planning Commission's actions.

84.
Mr. Garrett expressed his feeling that gross density is the best measure of quality.

Mr. Brown argued that other factors such as setbacks, archaeology, and landscaping affect quality.

Mrs. Stein said that the recent field trip had shown her that high-density projects such as Steeplechase Apartments can be attractive.

Mr. Belden said enforcement of plantings and replacements is a problem.

Board members replied that they would listen to citizen support for new positions in Code Compliance in order to reduce this problem.

Discussions followed concerning inadequate road systems and Mrs. Gussman advised the group of forthcoming traffic impact statement guidelines.

Mr. DePue mentioned that because the Planning Commission must report to the Board of Supervisors within 60 days, he would be agreeable to reports with no recommendation from the Commission.

Mr. Brown stated changes to the system ought to be considered, including joint public hearings and quarterly meetings with the Planning Commission.

Mrs. Stein felt that joint work sessions between the Planning Commission and the Board of Supervisors on major cases would be helpful.

Mr. Garrett expressed concerns about the payment schedule for Planning Commissioners and it was generally agreed that Commissioners should be paid regardless of attendance at meetings.

Mr. Bradshaw stated that the Planning Commission should be more involved in site selection for public buildings and requested that Commission members be a part of future selection committees. There was a general acceptance of such participation by the Board.

Mr. DePue questioned whether it was valuable to have a Board member on the Planning Commission and this question was discussed with no resolution.

Mr. Garrett remarked that the County is to the point where it needs to acquire land and easements for public needs or open space.

There was general agreement among the Board members to meet with the Planning Commission two to three times per year to talk generally such as at this meeting.

Mr. Edwards made a motion to adjourn.

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

The meeting adjourned at 6:14 p.m.


Darlene L. Burcham
Clerk to the Board

FEB 23 1987

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, MAGISTERIAL DISTRICT, ELECTION DISTRICTS AND ELECTION PRECINCTS, SECTION 2-4, ELECTION PRECINCTS AND POLLING PLACES ESTABLISHED.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, is hereby amended and reordained effective June 1, 1987 by amending Section 2-4, Election precincts and polling places established.

Chapter 2. Administration

Article II. Magisterial District, Election Districts and
Election Precincts

Sec. 2-4. Election precincts and polling places established.

Pursuant to authority contained in the Code of Virginia, Sections 24.1-37 through 24.1-39, the precincts and their respective polling places for the county are hereby created and established as set forth in this section.

The precincts for each election district and the polling place for each precinct shall be as set forth below:

Berkeley Election District: Berkeley Precinct--James City County-Williamsburg Recreation Center polling place.

Jamestown Election District: Jamestown Precinct--Rawls Byrd Elementary School polling place.

Roberts Election District: Roberts Precinct--Mt. Gilead Baptist Church polling place.

Powhatan Election District: Powhatan Precinct--Norge Elementary School polling place.

Stonehouse Election District: Stonehouse Precinct--County Office Building polling place (Emergency operations center).

(7-9-71, Sections 1, 2; 2-11-74; Ord. No. 55A-7, 7-8-85)



Jack D. Edwards, Chairman
Board of Supervisors

ATTEST:



Darlene L. Burcham
Clerk to the Board

SUPERVISOR	VOTE
Brown	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Edwards	Aye

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of February, 1987.

FEB 23 1987

ORDINANCE # 175

BOARD OF SUPERVISORS
JAMES CITY COUNTY

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT RECORDED MAY 7, 1968, ENTITLED, "THE HAMLET, SECTION ONE, BERKELEY MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA", DATED APRIL, 1968, AND MORE PARTICULARLY DESCRIBED AS THAT RIGHT OF WAY NAMED DEVONSHIRE DRIVE LOCATED BETWEEN LOT 48 AND LOT 49.

WHEREAS, application has been made by Jack M. and Annelle C. Hays and Michael B. and Jenny Lynn Pair to vacate certain lines, words, numbers and symbols on a plat more particularly described below; and

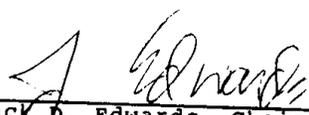
WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and, 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 23rd day of February, 1987, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That a portion of a certain subdivision plat entitled, "The Hamlet, Section One, Berkeley Magisterial District, James City County, Virginia," dated April, 1968, and recorded in Plat Book 25, page 60, be vacated so as to permit the recordation of a new plat that will serve to remove certain lines, words, numbers and symbols as more specifically set forth in said plat and thereby vacating that portion of right of way named Devonshire Drive located between lot 48 and lot 49.
2. That a new plat entitled, The Hamlet, Section One, Plat for the vacation of Devonshire Drive and Resubdivision of Lots 48 & 49, James City County, Virginia," dated April 24, 1986, prepared by AES, a professional corporation, of Williamsburg, Virginia, and approved by James City County, be put to record in the Clerk's Office of the Courthouse for the City of Williamsburg and County of James City, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.


 Jack P. Edwards, Chairman
 Board of Supervisors

ATTEST:


 Darlene L. Burcham
 Clerk to the Board

SUPERVISOR	VOTE
Brown	Aye
Taylor	Aye
Mahone	Aye
DePue	Aye
Edwards	Aye

Adopted by the Board of Supervisors, James City County, Virginia on the 23rd day of February, 1987.