

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTH DAY OF MAY, NINETEEN HUNDRED EIGHTY-SEVEN, AT 7:00 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

David B. Norman, County Administrator
Darlene L. Burcham, Assistant County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - April 14, 1987 - Budget Work Session
April 20, 1987 - Regular Meeting

Mr. Edwards asked if there were comments or corrections to the minutes.

Mr. Mahone made a motion to approve the minutes with corrections as shown on the page 3 handout.

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

C. PROCLAMATION

1. National Historical Preservation Week, May 10-16, 1987

Mr. Edwards read and presented the proclamation to Mr. Kevin Kelly.

Mr. Kelly thanked the Board, and said the Historical Commission would make a presentation of the past year's activities and plans for the coming year at the May 18, 1987 Board of Supervisors meeting.

R E S O L U T I O N

NATIONAL HISTORICAL PRESERVATION WEEK
MAY 10 THROUGH 16, 1987

WHEREAS, two hundred years have passed since adoption of the United States Constitution; and

WHEREAS, the greatness of America is founded upon appreciation of our heritage and upon knowledge of the historic events and places that have shaped our national identity; and

WHEREAS, historic landmarks contribute to the economic, social and cultural well-being of our cities, towns and rural areas; and

WHEREAS, National Historic Preservation Week 1987 provides a splendid opportunity for Americans of all ages to reflect on the contributions the past makes today, and to take renewed pride in preserving our heritage for future generations; and

WHEREAS, "Landmarks of Democracy" is the theme for Preservation Week 1987, cosponsored by the National Trust for Historic Preservation and the James City County Historical Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby proclaims

May 10-16, 1987

as

National Historical Preservation Week

and calls upon the people of James City County to recognize and participate in this special observance.

D. PUBLIC HEARINGS

1. Case No. SUP-12-87. City of Newport News/Diascund Reservoir Road
2. Case No. SUP-13-87. City of Newport News/Little Creek Reservoir

Mrs. Victoria Gussman, Director of Planning, said the Planning Commission had reviewed the applications requesting a one-year extension of the time limitation placed on the previous permit approved in November 1985, and made no recommendation.

1. David Morris, of Newport News Waterworks, stated the reason for the extension request was that the program was deferred until this calendar year because of the cost of the Newport News water treatment plant. The test program will obtain information about the aquifers and evaluate availability of groundwater in the region. He continued that the well testing could begin as early as mid-May and be finished during June. The information will be beneficial to all jurisdictions.

Mr. Edwards opened the public hearing for consideration of SUP-12-87 and SUP-13-87.

2. Sasha Digges, 3612 Ironbound Road, spoke in opposition to the digging of wells by Newport News stating his apprehension that the test well will become a production well, and the County will have to ask permission from Newport News to buy its own water.

Mr. Edwards closed the public hearing.

Mr. DePue asked Wayland Bass, Director of Public Works, about the technical issues of requirement 13, specifically, that Newport News agrees to indemnify and save harmless all property owners served by well water within 3,000 feet of a test well for any adverse impact on a property owner's well, and that the adverse impact shall occur and be reported in writing to either the County Administrator of James City County or the City Manager of Newport News within fifteen days of the cessation of the pumping test.

Mr. Bass replied that hydrogeologists assured staff that wells at a distance greater than 3,000 feet will not be affected, and no adverse impact should occur after fifteen days following the pumping test.

Mr. Taylor said that many citizens are concerned about the test wells. He further stated that he did not support the permit in 1985, and felt that some citizens might not realize the adverse impact in only fifteen days from pumping.

Mr. Brown commented that Newport News Waterworks supplies James City County between six to ten million gallons of treated water per day, with a part of the County's livelihood depending on this water system. He said the test wells would provide useful information to determine whether groundwater is sufficient.

Mr. Edwards said the County's legal rights are still unclear as it relates to groundwater.

Mr. DePue said that renewal of the permit would be worthwhile, and made a motion to amend condition 13 to extend the distance to 5,000 feet and extend the reporting period to thirty days.

Mr. Mahone said the test should be advertised in the local paper so the public is aware of the possible effect on private wells.

Mr. Taylor suggested staff send a letter to adjacent property owners, who are within 5,000 feet of a test well, requesting that they contact the County Administrator within thirty days if well problems occur.

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

Mr. Edwards made a motion to adopt the resolutions for SUP-12-87 and SUP-13-87 as amended.

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

R E S O L U T I O N

CASE NO. SUP-12-87. CITY OF NEWPORT NEWS/DIASCUND RESERVOIR ROAD

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-12-87, a special use permit to allow the installation of a test well and two observation wells on property owned by the City of Newport News approximately 1,200 feet northwest of the intersection of Stewarts Road and Diascund Reservoir Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-12-87 as described herein with the following conditions:

1. Pumping of these wells shall be limited to test purposes only and the permits shall be valid for a period of 12 months from the date of this issuance.
2. Compliance with all Local, State and Federal requirements for the construction, operation, maintenance and abandonment of water wells.
3. Compliance with all Local and State erosion control and sedimentation regulations as specified in Chapter 5A of the Code of the County of James City and the Virginia Erosion and Sediment Control Handbook.
4. Acquisition of all required permits prior to commencement of construction.
5. Copies of all drill records and test results shall be provided to James City County within 24 hours of the date such data is provided to Newport News.
6. Split samples of drill cuttings adequately labeled will be provided to James City County within 24 hours of furnishing these like samples to Newport News.
7. Proposed screen settings and lithologic log at each well will be provided for information to the James City County Director of Public Works no less than 24 hours before screens are to be set.
8. At this site either the test well or the observation well in the Cretaceous aquifer shall be provided with permanent, continuous water level recorders. This well will be given to the U. S. Geological Survey State Water Control Board Cooperative Water Level Network with permanent maintenance of the recorders by U.S.G.S. and access for data collection provided in the future; should U. S. Geological Survey decline to accept the observation wells, they shall be given under like terms and conditions to the James City Service Authority; the wells shall be given to U. S. Geological Survey or the James

City Service Authority within 60 days of termination of pumping from the test well.

9. The depth of the test wells shall be no more than 800 feet.
10. The pumping of test wells shall be a minimum of 800 gallons per minute for at least 36 hours.
11. James City Service Authority and James City County personnel shall have access to the test and observation well sites at all times.
12. The test well and observation wells shall be installed on property identified as parcel (1-5) on James City County Real Estate Tax Map No. (3-1) and shall be constructed on sites as shown in the plans and specifications submitted with SUP-22-85 with amendments to allow a 20" diameter borehole and a 12" diameter upper steel casing.
13. Newport News agrees to indemnify and save harmless all property owners served by well water within 5,000 feet of a test well for any adverse impact on a property owner's well. The adverse impact shall occur and be reported in writing to either the County Administrator of James City County or the City Manager of Newport News within 30 days of the cessation of the pumping test.

If such adverse impact is determined by a panel described herein to be caused by the test pumping, Newport News shall compensate the affected property owner in such a manner that the adversely impacted well shall be restored at a minimum to its former level of performance. The panel shall be composed of an engineer appointed by James City County and an engineer appointed by Newport News; the two appointed engineers shall select a third engineer. The panel shall hear and decide the claim within 10 consecutive calendar days of being notified of such claim. Newport News and James City County shall bear equally the costs incurred to make the panel determination; provided, however, if the adverse impact is determined to be caused by the test well pumping, Newport News shall bear the total cost of the panel determination.

14. No drilling or pumping shall be done between the hours of 7:00 p.m. and 7:00 a.m., provided; however, this limitation shall not apply when the 36-hour, 800 gpm test is being accomplished.

R E S O L U T I O N

CASE NO. SUP-13-87. CITY OF NEWPORT NEWS/LITTLE CREEK RESERVOIR

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-13-87, a special use permit to allow the installation of three test wells and six observation wells on property owned by the City of Newport News surrounding the Little Creek Reservoir.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of SUP-13-87 as described herein with the following conditions:

1. Pumping of these wells shall be limited to test purposes only and the permits shall be valid for a period of 12 months from the date of this issuance.
2. Compliance with all Local, State and Federal requirements for the construction, operation, maintenance and abandonment of water wells.

3. Compliance with all Local and State erosion control and sedimentation regulations as specified in Chapter 5A of the Code of the County of James City and the Virginia Erosion and Sediment Control Handbook.
4. Acquisition of all required permits prior to commencement of construction.
5. Copies of all drill records and test results shall be provided to James City County within 24 hours of the date such data is provided to Newport News.
6. Split samples of drill cuttings adequately labeled will be provided to James City County within 24 hours of furnishing these like samples to Newport News.
7. Proposed screen settings and lithologic log at each well will be provided for information to the James City County Director of Public Works no less than 24 hours before screens are to be set.
8. At this site either the test well or the observation well in the Cretaceous aquifer shall be provided with permanent, continuous water level recorders. This well will be given to the U. S. Geological Survey State Water Control Board Cooperative Water Level Network with permanent maintenance of the recorders by U.S.G.S. and access for data collection provided in the future; should U. S. Geological Survey decline to accept the observation wells, they shall be given under like terms and conditions to the James City Service Authority; the wells shall be given to U. S. Geological Survey or the James City Service Authority within 60 days of termination of pumping from the test well.
9. The depth of the test wells shall be no more than 800 feet.
10. The pumping of test wells shall be a minimum of 800 gallons per minute for at least 36 hours.
11. James City Service Authority and James City County personnel shall have access to the test and observation well sites at all times.
12. The test well and observation wells shall be installed on property identified as parcel (1-1) on James City County Real Estate Tax Map No. (21-2) and shall be constructed on sites as shown in the plans and specifications submitted with SUP-23-85 with amendments to allow a 20" diameter borehole and a 12" diameter upper steel casing.
13. Newport News agrees to indemnify and save harmless all property owners served by wellwater within 5,000 feet of a test well for any adverse impact on a property owner's well. The adverse impact shall occur and be reported in writing to either the County Administrator of James City County or the City Manager of Newport News within 30 days of the cessation of the pumping test.

If such adverse impact is determined by a panel described herein to be caused by the test pumping, Newport News shall compensate the affected property owner in such a manner that the adversely impacted well shall be restored at a minimum to its former level of performance. The panel shall be composed of an engineer appointed by James City County and an engineer appointed by Newport News; the two appointed engineers shall select a third engineer. The panel shall hear and decide the claim within 10 consecutive calendar days of being notified of such claim. Newport News and James City County shall bear equally the costs incurred to make the panel determination; provided, however, if the adverse impact is determined to be caused by the test well pumping, Newport News shall bear the total cost of the panel determination.

14. No drilling or pumping shall be done between the hours of 7:00 p.m. and 7:00 a.m., provided; however, this limitation shall not apply when the 36-hour, 800 gpm test is being accomplished.

3. Case No. SUP-2-87. J & J Associates

Mrs. Gussman said Mr. John E. Dodson on behalf of J & J Associates has applied for approval of a special use permit to allow the sale of new and used autos and auto repair on .99 acres adjacent to his present property. The Planning Commission recommended approval.

1. Bobby Hoar of Powhatan District requested that the open space between his property and the proposed rezoning be natural growth with a fence inside the property line.

2. John Dodson, owner of Williamsburg Honda, commented on his willingness to meet all of the Planning Commission's requirements, and stated that he was not opposed to putting the fence inside a screen of plants.

Mr. Edwards closed the public hearing.

Mr. DePue made a motion to approve SUP-2-87.

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-2-87. J AND J ASSOCIATES

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 unanimously recommended approval of Case No. SUP-2-87 to allow the sale of new and used autos and auto repair.

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-2-87 as described herein with the following conditions:

1. The approved plat, combining the undeveloped lot and the developed lot, shall be recorded prior to site plan approval.
2. The site plan shall show the entire site and provide at least 30% of the total lot area as landscaped open space, as defined by Section 20-2 and in accordance with Section 20-335 of the Ordinance. A professional landscape plan shall be submitted as part of the site plan for review and approval by the Site Plan Review Committee. The landscape plan shall exceed the minimum landscaping requirement, if necessary, to provide a visual effect so as to make the proposed use compatible with adjacent properties and Richmond Road. The landscape plan shall be designed to provide a reasonable buffer between the proposed project and the single-family residence located on the adjacent property to the north. The Site Plan Review Committee shall determine the amount of landscaping treatment to be required for this purpose.
3. The property shall be limited to two (2) ingress/egress ways onto Richmond Road. This limitation shall include the existing ingress/egress ways for the Williamsburg Honda dealership; and, therefore, no additional ingress/egress ways may be created. The existing ingress/egress ways may be moved in accordance with an approved site plan.

4. Case No. Z-36-86. Warhill Tract

Mrs. Gussman said that Mr. W. J. Scruggs had applied on behalf of Virginia International Finance and Development, Inc., to rezone approximately 829 acres of the Warhill Tract from A-2, Limited Agricultural, to R-4, Residential Planned Community; M-1, Limited Industrial; and B-1, General Business. The Planning Commission recommended approval. Mrs. Gussman said staff recommended deferral until problems identified in the proffers are resolved, comments are received from the Highway Department, and the traffic analysis has been completed and reviewed.

Mr. Taylor felt that staff should not recommend deferral for sixty days after two and one-half years of consideration of applications for this property.

Mr. Edwards opened the public hearing.

1. Gilbert Bartlett, representative for the applicant, introduced Joe Phillips, Edward Stollof, Ralph Simmons, and Don Messmer.

2. Mr. Phillips commented that approval of Phase I covering the first five years was the immediate concern. Proffers include provisions that no occupancy permits can be issued for any Phase I structure until the traffic analysis for the entire twenty-year project is accepted by the County. The traffic analysis completed by Gorove/Slade shows no need to extend the Loop Road during Phase I, but turn lanes for connection with Route 60 were left in proffers as desirable if the road should be built. He concluded that the County would have enormous control of the project for twenty years.

3. Ed Stollof, Senior Associate of Gorove/Slade Associates, Inc., said a traffic analysis for Phase I had been produced, but Phase II and III issues of the Richmond Road corridor and Route 199 need to be resolved by the Highway Department and the County.

Mr. Stollof presented the intersection capacities as levels of service A through D. Mr. Stollof's analysis concluded that, at the end of the five-year period, all the intersections studied would be at B level. The analysis did not include Longhill Road from Warhill Tract south to Olde Towne Road.

4. Don Messmer, President of Mid-Atlantic Research, Inc., stated that the Richmond Engineering Community Impact Statement was a valid picture of the economic impact of the proposed project. He noted that the County will benefit from the revenues generated, and the community will be able to absorb the residential portion of the development. He concluded that mixed use absorption was difficult to judge. The residential and retail development should support each other, but may move somewhat slower than proposed.

5. Mr. Bartlett requested that the Board support the plan and allow development to begin for the benefit of the County and the developer.

6. Sue Jarrell spoke in favor of development of a shopping center, as she felt that the development would be a benefit to the residents of the County.

7. John Filichko of Stonehouse District spoke in favor of the development stating the residents of the upper County have to drive a great distance to go shopping.

Citizens in the audience stood up to show their support of the development.

Mr. Edwards made a motion to suspend* the public hearing until a decision is made as to how to proceed.

Fred Belden, Chairman of the Planning Commission, said the Commission was comfortable with the land use issue, and felt the other issues could be resolved by staff recommendations.

Mr. DePue asked Mr. Stollof if a portion of Longhill Road was described as service level E.

Mr. Stollof confirmed that Longhill Road east of Olde Towne Road was service level D, the minimum level allowable by the Department of Transportation.

Mr. Morton said that a private road across a dam does not meet Department of Transportation standards, and Mr. Bartlett was going to review the issue with the Highway Department.

Mr. Morton further stated that the County cannot incrementally approve a R-4 zoning.

Mr. Phillips said an interim set of proffers could state that only 58 lots could be developed until comprehensive analysis was completed and approved.

Mr. Brown stated the Board wasn't concerned with the Phase I proposal, but is concerned with Phase II and III, which show 2.9 million square feet of retail, office, and light industrial space. He concluded that it was unrealistic to expect a vote on the complete rezoning without a complete traffic impact analysis.

Mr. Bartlett made reference to the proffers that state that if the traffic studies show that the project will generate greater traffic flows than can be handled, Phases II and III will not move forward until adequate roads are in place. He further stated that the road network will support the traffic.

Mr. Edwards said the Highway Department would have to make the decisions about the overload of roads.

Mr. Bartlett said the overload would not happen in the near future.

Mr. Edwards asked if the Board wished to rezone large pieces of property for growth without knowing the road structure over the twenty years.

Mr. DePue said his concerns were traffic and residential development on Longhill Road, and he suggested expanding the recommendations to include the road network and intersections.

Mr. Edwards made a motion to defer the rezoning without a time limit.

Mr. Mahone spoke in favor of the motion and mentioned that he would like a response from the Highway Department.

Mr. DePue said he wanted the Highway Department to issue a formal statement about the private road over dam issue.

Mr. Morton said that the Highway Department would not review the private road issue, and that in other instances, the roads involved have not carried heavy traffic.

Mr. Brown suggested that the applicant and staff work on solutions during the next few weeks, and possibly form a subcommittee with Board members, as was done with the Ford's Colony issue. He emphasized that the Board does not want to slow the process, but wants a good, not fast, solution.

Mr. Taylor requested a progress report at the next Board of Supervisors' meeting.

Mr. DePue said he supported the motion and the suggestion of forming a subcommittee. He also asked the Chairman to write a letter to the Highway Department asking for its comments.

Mr. Edwards said a letter could be written.

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

Mr. Edwards recessed the Board at 9:22 p.m.

Mr. Edwards reconvened the Board at 9:40 p.m.

Mr. Brown brought forward the Andrew R. New case, and made a motion to reconsider the special use permit.

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

Mr. Brown made a motion to approve the resolution with condition 5 of the resolution amended that framing inspection be completed within eighteen months.

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-8-87. ANDREW R. NEW

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:	Andrew R. New
Real Estate Tax Map ID:	(22-1)
Parcel No.:	(1-14A)
Address:	7640 Church Lane
District:	Stonehouse
Zoning:	A-1
Conditions:	<ol style="list-style-type: none"> 1. The mobile home Special Use Permit for this site shall expire at the end of two and one-half years from the date of approval. 2. The mobile home shall be located behind the house site. 3. This permit is valid only for the mobile home applied for (1965 Melody Mobile Home, I.D. No. 29342182). 4. The mobile home shall be removed from the property within 30 days after the date of approval of the Certificate of Occupancy of the proposed house. 5. Within 18 months from the date of approval, the applicant shall have had the framing inspection approved on the proposed house. If the framing inspection has not been approved, this permit shall become void. The applicant shall have fifteen days from that date to remove the mobile home from the property.

5. Case No. Z-5-87. Zoning Ordinance Amendment

Mr. Morton said that the recommended revisions will, for the most part, liberalize the nonconforming section of the Zoning Ordinance. Section 20-399(e) is somewhat more restrictive in that if the principal building loses its nonconforming status, the accessory structures continue to enjoy a nonconforming status.

Mr. DePue asked how a structure loses nonconforming status.

Mr. Morton replied status is lost by abandonment of its use for two years.

Mr. Morton said Section 20-405(f) will allow mailing of a questionnaire by the zoning administrator asking for verification that the nonconforming use has not ceased for a two-year period. Failure to voluntarily return the form constitutes a code violation. He further stated that the zoning office would benefit from the returned questionnaire, by not having to make inspections.

Mr. Edwards opened and closed the public hearing.

Mr. Brown suggested having a work session for more information about the specifics of the nonconforming section of the Ordinance.

Mr. Morton said the amendment was to liberalize the code to benefit the property owners and the County, and asked that the Board defer the amendment until the next meeting so that he could meet with Mr. Brown.

Mr. Brown said that he also had a concern about Section 20-403(b) of expanding a nonconforming one-family dwelling without limitation.

Larry Davis, Assistant County Attorney, said the requirement is the current one, that is, expansion or addition has to meet setback requirements, etc., of the existing Zoning Ordinance. He added that when the questionnaires are returned, the zoning office would make an inventory and categorize the nonconforming uses in the County, and that a permanent record would be permissible in Court cases.

Mr. Brown said he would meet with the County Attorney.

Mr. Edwards deferred action on the Zoning Ordinance amendment until the next Board of Supervisors meeting.

E. CONSENT CALENDAR

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

Mr. Mahone made a motion to approve the Consent Calendar.

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

1. Sewer Rates and Fee Changes

RESOLUTION

UTILITY POLICY CHANGES

WHEREAS, the Board of Supervisors of the James City County has held a public hearing on certain proposed changes to the "Regulations Governing Utility Service."

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the attached changes, to be implemented and billed as of July 1, 1987.

1. The retail service rate for sewer collection service shall be \$1.80 per 1,000 gallons of water consumed. Unmetered sources shall be billed on estimated usage.
2. Additional local facility charges of \$1,050 shall be assessed when local facilities are constructed by the Utility or by a developer other than the applicant.

2. Bank Resolution - Virginia Federal Savings and LoanR E S O L U T I O NVIRGINIA FEDERAL SAVINGS AND LOAN

BE IT RESOLVED that Virginia Federal Savings and Loan, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County Community Development Revolving Loan Fund effective August 18, 1986, and that funds be deposited in a money market account and may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED that all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

David B. Norman County Administrator

OR

Darlene L. Burcham Assistant County Administrator

Frances B. Whitaker Treasurer

OR

Betty S. Pettengill Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or the individual credit of any of the other officers or not. For cash investment purposes, the Bank is also authorized and directed to honor requests for the transfer of money from savings to checking, checking to savings, and transfers from checking or savings to purchase certificates of deposit, repurchase agreements, or to make other lawful investments when requested by Frances B. Whitaker, Treasurer, or Betty S. Pettengill, Deputy Treasurer. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signature to be and continue as set forth in the Certificate of the Clerk or Assistant Clerk, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

3. Salaries - Commonwealth AttorneyR E S O L U T I O NCONTINGENCY TRANSFER

WHEREAS, the Board of Supervisors of James City County has been advised that additional funds are necessary in the current budget to allow payment of salaries that were underpaid in FY 1986.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the transfer of funds as follows:

From Operating Contingency	\$1,440
To Commonwealth Attorney:	
Salaries	\$1,200
Fringes	<u>240</u>
	\$1,440

4. Dirt Street Program - Saw Mill Pond

R E S O L U T I O N

DIRT STREET PROGRAM

WHEREAS, James City County has, under its Dirt Street Program, improved certain roads in James City County, Virginia, entirely at County expense; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Transportation, and it is hereby respectfully requested, contingent upon the above, include the following street in the State Secondary Highway System:

Description:	Saw Mill Road
From:	State Route 613
To:	Dead End, Cul-de-sac
Distance:	0.33 miles

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

Deed Book 274, Page 1, dated March 25, 1985
 Deed Book 247, Page 820, dated January 17, 1984
 Deed Book 247, Page 822, dated January 17, 1984
 Deed Book 247, Page 825, dated January 17, 1984
 Deed Book 249, Page 61, dated January 17, 1984
 Deed Book 251, Page 110, dated January 17, 1984
 Deed Book 247, Page 837, dated January 17, 1984
 Deed Book 247, Page 828, dated January 17, 1984
 Deed Book 247, Page 835, dated January 17, 1984

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

F. **BOARD CONSIDERATIONS**

1. Primary Service Area Adjustment

Victoria Gussman, Director of Planning, reported owners of land zoned B-1 at Croaker Road are requesting an extension of the Primary Service Area, so that sewer service would be available for a proposed motel. Staff recommends adoption of the resolution.

Mr. DePue made a motion to approve the resolution.

Mr. Brown asked what had been done about the companion rezoning case.

Mrs. Gussman said the rezoning was recommended for approval by the Planning Commission and would be on the Board of Supervisors agenda at its first meeting in June.

Mr. Edwards said the Board needed to decide: 1) whether to develop the intersection, 2) whether it was willing to make an investment at the interchange, and 3) on a plan for interchanges for the area. He was concerned that prematurely extending the Primary Service Area, and not knowing what would be developed at the interchange, would decrease the influence the Board would have on attracting high-quality development.

Mr. Taylor said he thought it was a good project and the extension would promote economic development.

Mr. Edwards stated that he agreed on encouraging development of the intersections, but only with prior planning.

Mr. DePue said that he was inclined to support the Primary Service Area extension to include the interchange, but also agreed that a study might be helpful. He stated that he felt some pressure to take advantage of a positive opportunity.

Mr. Brown spoke of concerns about the type and size of the proposed development. He said he might prefer to wait until both interchanges are considered.

Mr. Mahone said he would like to review the study and recommendations, and felt that now was not the time for development at the site.

Mr. Brown remarked that it might be more appropriate to discuss this matter in conjunction with the rezoning in about thirty days.

Mr. DePue withdrew his motion to approve the resolution.

Mr. Edwards suggested having a work session to discuss this case and other general ideas on economic development.

Mr. DePue suggested an Executive Session instead.

Mr. Brown thought such a discussion would be appropriately done with the rezoning case.

Mr. Taylor agreed with Mr. Brown's thoughts, and Mr. Mahone said he would not be in attendance at the first meeting in June.

Mr. Edwards withdrew the suggestion of a work session.

Mr. DePue mentioned that the upcoming economic development recommendations from the County Administrator should include broader issues and help the Board in its decision making.

Mr. Norman said a work session on specific and general issues with presentations would be helpful in preparation for his development recommendations which he plans to make to the Board by July 1.

G. PUBLIC COMMENT

Fred Belden, Chairman of the Planning Commission, highly commended the staff on the handling of the Neck-O-Land Road area study. He noted that the Planning Commission has a long list of considerations with the interchanges being its next priority.

Mr. Brown asked Mr. Belden if the Board could expect a modified report about the greenbelts from the Planning Commission.

Mrs. Gussman said the policy changes and road additions could be reported at the next Board meeting.

Mr. Belden said Willafay McKenna, Chairman of the Greenbelt Committee, plans to write to the Board and to the York County Board for recommendations on a greenbelt policy. The Planning Commission changes will be brought to the Board at its June 1 meeting.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman stated that he had no report.

I. BOARD REQUESTS AND DIRECTIVES

There were no Board Requests and Directives.

Mr. Taylor made a motion to adjourn.

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

The Board adjourned at 10:28 p.m.



David B. Norman
Clerk to the Board

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