

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE SEVENTEENTH DAY OF AUGUST, NINETEEN HUNDRED EIGHTY-SEVEN, AT 1:02 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 - AUGUST 3, 1987

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

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

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

C. PRESENTATION

1. Lower James River Association - Patricia Jackson

Mr. Edwards reported that the presentation would be given later in the afternoon during the Board's consideration of Item G-1.

D. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer of the Virginia Department of Transportation, was in attendance and reported that the Chickahominy Haven issue and the First Colony petition for street repair were still being evaluated.

Mr. Taylor asked about resolution of the Cranston's Mill Pond problem.

Mr. Hall replied that the flooding was caused by beaver dams downstream, and that the dams had been destroyed.

Mr. Mahone commented that the August 3, 1987 Board of Supervisors' minutes reflect that Mr. Robert Gilley stated he had asked the Highway Department to review the speed limit on Jamestown Road, but had received no response.

Mr. Hall responded that a study was being done on the section of Jamestown Road from Neck-O-Land Road to the ferry.

Mr. Mahone reminded Mr. Hall that Mr. Hamilton of Hamilton's Book Store had requested a review of the speed limit on Jamestown Road near the Sandy Bay Road intersection, and asked if that inquiry could be included in the study.

Mr. Hall replied in the affirmative.

Mr. DePue asked Mr. Hall to send him a copy of the Highway Department's reply to an erosion problem reported by Mr. Hamilton, as stated in a July 31, 1987 letter from Wayland Bass, Director of Public Works.

Mr. Hall commented that he had spoken to Mr. Hamilton.

Mr. Mahone expressed the Board's appreciation to Mr. Hall for the extra effort that the Highway Department made in making the Canham Road and Edgewood Lane residents familiar with their dirt street project.

E. PUBLIC HEARINGS

1. Case No. SUP-21-87. Longhill Road Interceptor Force Main

Mrs. Victoria Gussman, Director of Planning, stated that Mr. Sanford Wanner of the James City Service Authority has applied on behalf of the Hampton Roads Sanitation District for the installation of approximately 11,900 feet of 24-inch force main to upgrade the sewer capacity of the Powhatan Creek Sewer System to serve existing and approved developments. She further stated that an agreement for the construction of this force main has been approved by the Hampton Roads Sanitation District and the Board of Directors of the James City Service Authority, and the force main is in compliance with the approved Master Sewerage Plan.

Mrs. Gussman requested that the Board provide guidance to staff as to the desired location of the pump station, although the location is not a part of this Special Use Permit application.

Mr. Edwards inquired as to whether the two issues needed to be decided together.

Mrs. Gussman replied that the force main is the primary issue, but the last paragraph of the resolution addresses the location of the pump station.

Mr. DePue asked if the Service Authority had previously approved the pump station location.

Mr. Sanford Wanner, Business Manager of the Service Authority, responded that the location was part of the Ford's Colony negotiations in the revised Master Plan.

Mr. Edwards opened the public hearing, and since no one wished to speak, he closed the public hearing.

Mr. DePue noted that the Windsor Forest residents are quite a distance from the existing pump station, and that they had concerns about the original site selected. He stated that an alternate site, which would require a longer road and cost approximately an additional \$14,000, had been visited by Ms. Sandy Stein and Mr. Paul Small.

Mr. DePue concluded that he would prefer that the Board continue the consideration of the pump station location, subject to bids. He felt \$14,000 was not an unreasonable cost to protect the land values of the residents.

Mr. Edwards asked if the technical reasons for selection were related to the construction cost and the floodplain location.

Mr. Wanner replied that the original site selected is eighty percent out of the floodplain, the hard surface road would be shorter, and some force main would be added, but both sites are acceptable.

Mr. Mahone inquired as to how much fill would be needed.

Mr. Wanner responded that about \$5,780 of fill at the alternate site would be needed.

Mr. Brown stated that the elevation was about the same at both sites, and the additional cost was a modest amount for a large pump station. He stated it should be built as far away from homes as possible so as to lessen the impact on the property value of existing homes. He questioned the need for a loop driveway.

Mr. DePue asked why a hard surface was needed for the driveway.

Mr. Wanner explained that a loop driveway was for access on the normal daily and weekend runs, and the all-weather surface would accommodate heavy equipment needed in case of emergencies.

Mr. DePue made a motion to approve the resolution and asked how the wording could be changed to designate the alternate site.

Mr. Edwards suggested replacing "original choice" with "alternate choice".

Mr. Mahone inquired about the potential for future development of the area around the floodplain.

Mr. Wanner responded that the area has been proffered as a buffer by Ford's Colony.

Mr. Brown suggested that the Board endorse the alternate site and request staff to pursue the issue. He felt that changing the hard surface loop road to a gravel road would lower the cost.

Mr. Brown made a substitute motion to delete the BE IT FURTHER RESOLVED clause from the resolution.

Mr. Wanner repeated that staff was asking for guidance only at this time, and that the Special Use Permit for the pump station would address the loop road and surface.

Mr. Taylor asked if more power would be required to run the pumps at the alternate site.

Mr. Wanner replied that the three pumps run at variable speeds, and therefore would not use more power.

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

Mr. DePue made a motion to approve the resolution as amended.

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-21-87. LONGHILL ROAD INTERCEPTOR FORCE MAIN

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-21-87.

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-21-87 as described herein with the following conditions.

1. Compliance with all local, State and Federal requirements for the construction, operation and maintenance of the force main.
2. Compliance with all State Erosion and Sediment Control regulations as specified in the 1980 Virginia Erosion and Sediment Control Handbook. A land disturbing permit and siltation agreement, with surety, are required.
3. Acquisition of all required permits and easements prior to the commencement of construction.

4. For pipeline construction adjacent to the existing residential development, adequate dust and siltation control measures will be taken to prevent adverse effects on the adjacent residential property. It is intended that the present and future results of the proposed force main do not create effects adverse to the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
5. A copy of the final construction plans and specifications shall be provided to the James City Service Authority.
6. The James City Service Authority shall be notified 72 hours in advance on the construction of the proposed facility where it parallels or crosses existing Authority water or sewer mains.
7. If construction has not commenced on this project within a period of 36 months from the date of issuance of this permit, it shall become void. Construction shall be defined as the clearing, grubbing and excavation of trenches necessary for the construction of the HRSD main.

Mr. Edwards instructed staff to consider the alternate site in future plans.

Mr. Brown asked that staff contact Hampton Roads Sanitation District for any concerns it might have regarding the driveway's construction.

Mr. Mahone commented that he agreed with the staff recommendation of the original site. He concluded that staff had done a thorough analysis considering the technology available, and he was hopeful that the larger station would not emit odors and would be a "good neighbor".

2. Case No. SUP-22-87. James E. Wilkerson

Mr. Allen Murphy, Jr., Principal Planner, stated that Mr. and Mrs. William Wilkerson have submitted an application for a Special Use Permit to allow the placement of a mobile home to be used as a residence on .918 acres.

The Planning Commission recommended approval of the Special Use Permit with conditions as outlined in the resolution.

Mr. DePue referred to a letter in the reading file from Mr. and Mrs. Albert Slater stating that the Board had imposed a fencing requirement and additional landscaping for their Special Use Permit and felt the Wilkerson Special Use Permit should have similar requirements.

Mr. Murphy responded that, for this application, the staff found no need for such special requirements for screening but had required existing trees be retained.

Mr. Mahone noted that, in the Slater application, screening was needed because the mobile home was visible from the street, and in this case, no screening is needed because the home will not be visible from the street. He asked if the adjacent homeowners had concerns with this application.

Mr. Murphy replied in the negative.

Mr. Brown asked what the requirements were for the Slater application.

Mr. Murphy stated a fifty-foot right-of-way with a twenty-foot gravel surface.

Mr. Brown asked what the requirements were for this application.

Mr. Murphy stated that a fifty-foot right-of-way and an all-weather drive within that easement were required.

Mr. Brown questioned why the requirements were not the same for both applications.

Mr. Murphy replied that the Slater requirements were based upon an approved site plan for eight mobile homes.

Mr. Brown asked the number of mobile homes that Mr. Slater has on his property.

Mr. Murphy responded that Mr. Slater has two mobile homes.

Mr. Edwards opened the public hearing.

1. James E. Wilkerson, applicant, stated that he was requesting the mobile home for use by his parents, and would not use the mobile home as a rental.

Mr. Edwards closed the public hearing.

Mr. Edwards inquired if trees were between the proposed mobile home and the adjacent single-family homes.

Mr. Murphy stated that a wooded area existed between the single-family homes and the proposed site.

Mr. Taylor made a motion to approve the resolution.

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-22-87. JAMES E. WILKERSON

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.\* See Attachment A

|                         |   |
|-------------------------|---|
| Applicant:              | James E. Wilkerson  |
| Real Estate Tax Map ID: | (10-1)  |
| Parcel No.:             | (1-23C)   |
| Address:                | 8723 Barnes Road  |
| District:               | Stonehouse  |
| 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"> <li>1. The mobile home must be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.</li> <li>2. The number of bedrooms shall not exceed three.</li> <li>3. The applicant shall submit an exact description, with identification, of the mobile home prior to placement of the mobile</li> </ol> |

home. This permit is valid only for the mobile home provided for in that description. 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.

4. The access driveway to the property shall be maintained as an all-weather driveway.
5. Existing trees shall remain except where clearing is necessary for the mobile home, septic field and driveway.

3. Vacation of Right-of-Way/Birchwood Park, Section B, Poplar Lane Between Lots 77 and 87

Mr. Frank Morton, III, County Attorney, stated that Llew and Janet Smith, owners of Lot 87, and Betsy Thomas, owner of Lot 77 of Birchwood Park have requested that the County approve vacation of the unimproved right-of-way with half going to each of the adjoining property owners. The Real Estate Assessments office has placed a value of \$2,300 on the property, as the Board had previously indicated its desire for a value to be placed on properties under consideration for vacation.

Mr. Morton suggested that the Board consider imposing a set dollar value, perhaps \$100, as a condition for the vacation of property, to insure uniformity in the staff's guidance to applicants prior to bringing the case to the Board.

Mr. DePue noted that the Code requires the County and applicant to reach agreement as to the value of the property.

Mr. Morton stated that this statement was correct and added that the prospective applicant would have to pay the value before the vacation of property would become effective.

Mr. Edwards opened the public hearing.

Mr. Joseph A. Abdelnour, attorney for Llew and Janet Smith and Betsy Thomas, summarized the property to be vacated. Mr. Abdelnour stated the right-of-way is used by the applicants as access to their property and that no improvements have been made since they do not own the land.

He further stated that the County made no mention of compensation when Mr. Smith first inquired about the property. Mr. Abdelnour requested that the Board consider a token compensation of \$200 for the property, and noted the financial benefit to the County of future taxes being collected on the property.

Mr. Edwards closed the public hearing.

Mr. Mahone asked if the last vacation case was the one involving Colonial Williamsburg.

Mr. Morton stated that the vacation of a very small parcel of negligible value had been disposed of between this case and the Colonial Williamsburg case, which generated the Board's request that future property be appraised. He concluded that Mr. Abdelnour's suggestion puts the County in the position of considering each case individually, and he recommended that the Board place either no value or full value on property to be vacated.

Mr. Edwards questioned whether difficult situations might arise.

Mr. Morton indicated that State law reads that adjoining property owners equally divide the property, and he has not had a case concerning three property owners.

Mr. Taylor asked if the right-of-way was wide enough to allow a road to be built in the future.

Mr. Morton stated the road could not be extended due to the Rolling Woods subdivision.

Mr. Edwards commented on the economics of the case and stated that the residents paid for the right-of-way in the development costs for the subdivision.

Mr. Morton replied that the property was included with the development costs, and became the County's property when the plat was recorded.

Mr. DePue stated that he understood that the ownership of the property is important to the adjacent owners, but he felt that \$200 was too little a value, and \$2,300 too much for the property.

Mr. Brown stated that the addition of right-of-way would add ten percent to the size of the lots. He felt that neither of the dollar figures was appropriate and suggested that the County charge what the private sector pays for right-of-way.

Mr. Edwards clarified that the reason for the vacation was to permit the adjacent landowners to provide improvements.

Mr. Brown proposed that the staff check with other jurisdictions regarding their procedures on vacations and report the findings to the Board.

Mr. Taylor made a motion to set a \$500 fee and approve the resolution.

Mr. Edwards said he was opposed to compromising and putting staff in the position of not knowing what to tell applicants regarding the cost of a vacation.

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

Mr. Brown made a motion to defer the vacation of right-of-way until the next Board meeting so that staff can contact other jurisdictions for procedural information.

Mr. Mahone commented that a precedent needs to be set by James City County. He stated that when the County procures property for public use, full property value is paid, and he felt that the County should set a similar standard with citizens' applications for vacation of County property.

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

Mr. David Norman, County Administrator, said staff would investigate the possibility of a fee which would reduce the value by the applicant's cost for seeking the vacation.

4. Conveyance of Right-of-Way for Proposed Longhill Connector Road to Virginia Department of Transportation

Mr. Larry Davis, Assistant County Attorney, reported that two small pieces of property owned jointly by the County and the City of Williamsburg at the Recreation Center are necessary for the construction of the Connector Road. He stated the City of Williamsburg approved the transfer at its meeting last week, and the Board of Supervisors' approval is needed to finalize the transfer.

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

Mr. DePue made a motion to approve the resolution.

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

RESOLUTIONAUTHORIZATION TO TRANSFER 0.1428 ACRES ±  
TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION  
FOR RIGHT-OF-WAY FOR LONGHILL CONNECTOR ROAD

WHEREAS, on August 17, 1987, pursuant to Section 15.1-262 of the Code of Virginia, 1950, as amended, the Board of Supervisors of James City County held a public hearing to consider the transfer of certain property to the Virginia Department of Transportation; and

WHEREAS, the Board finds that the public interest is served by the transfer of said property for the construction of a connector road between Ironbound Road and Longhill Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors for the County of James City, Virginia, hereby authorizes its Chairman to execute all necessary legal documents to convey to the Virginia Department of Transportation the County's interest in property particularly described as:

Those certain pieces or parcels of land, situate in Berkeley District, James City County, Virginia, containing a combined average of 0.1428 acres ± and set out and shown as Right-of-Way Acquisition Area = 5,511 S.F. = 0.1265 Ac. ± and Right-of-Way Acquisition Area = 708 S.F. = 0.0162 Ac. ± on a plat entitled "Plat for Conveyance and Dedication of Right-of-Way Containing 0.1428 Ac. From: County of James City and City of Williamsburg To: Virginia Department of Transportation, Berkeley District, James City County, Virginia," dated July 2, 1987.

F. CONSENT CALENDAR1. Street Name Change - Windsor Forest

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

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

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

RESOLUTIONSTREET NAME CHANGE - WINDSOR FOREST

WHEREAS, Section 17-38 of the Subdivision Ordinance of James City County provides the James City County Board of Supervisors with the authority to rename streets; and

WHEREAS, a street name change has been requested by Heritage Development Company, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby changes the street name of Seton Hill in Windsor Forest to Seton Hill Road.

G. BOARD CONSIDERATIONS1. Historic Lower James River Designation

Ms. Patricia Jackson, Executive Director of the Lower James River Association, expressed appreciation to the Board for the opportunity to make a brief presentation and to ask for the Board's endorsement of proposed legislation which would provide a Historic Designation for the Lower James River.



Ms. Jackson defined the area for the historic designation as the portion of the Lower James River in Charles City, Prince George, James City, Surry, and Isle of Wight Counties from Benjamin Harrison Bridge to Grices Run. She mentioned several advantages of the proposed designation, stating that a Citizens' Advisory Committee to speak on behalf of the river would be established, and that the Department of Conservation and Historic Resources would work with the Advisory Committee on State issues and policies affecting the river.

Mr. DePue asked about the impact of the proposed designation on applications by businesses for location on the river.

Ms. Jackson replied that such cases would be considered by the Citizens' Advisory Committee, which will be comprised of two members of each of the jurisdictions and three members appointed by the Director of the Department of Conservation and Historic Resources, and that the Committee will provide comment to the local Planning Commission and governing body.

Ms. Jackson further explained that the historic designation does not prohibit dams or impediments to flow as the scenic designation specified.

Mr. Taylor asked how the Lower James River Association is financed.

Ms. Jackson stated that the 800 member private, nonprofit organization was funded by annual dues, contributions, and grants.

Mr. Brown commented that he had been a member of the Lower James River Association for a number of years and that he would support the resolution. He stated that he would prefer to vote after the legislation has been passed, and would be interested in the business community's reaction to the bill.

Mr. Brown further stated that he was concerned with paragraph 2 stating "full consideration and evaluation of the river as an historic, scenic and ecological resource should be given before such work is undertaken", and the last sentence stating "alternatives to solutions should also be considered before such work is undertaken". He noted that maps with lines and the movement of the starting point for the designation seemed to indicate more than illustrative materials.

Ms. Jackson answered that the manufacturers have yet to respond to the proposed legislation, and the changes in boundary lines was in direct response to the James City County Planning Commission which wanted to include Carter's Grove.

Ms. Jackson read a letter dated August 12, 1987 from Mr. David L. Moffitt, Superintendent of Colonial National Historical Park, endorsing the concept of the historic designation of the lower James River.

Mr. DePue made a motion to approve the resolution.

Mr. Taylor questioned whether the Advisory Committee would have to approve the building of a bridge across the James River from Surry if one should be built in the future.

Mr. DePue commented that, according to the materials, the Advisory Committee would not have to be notified of proposed development along the River, and he urged the Committee to follow the Planning Commission agendas.

Mr. Taylor and Mr. Edwards expressed skepticism that the legislation would be approved as proposed.

Mr. DePue suggested sending a copy of the approved resolution with a cover letter to our Delegate and Senator stating the Board supported the proposed legislation, but not necessarily any amendments.

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

RESOLUTIONHISTORIC RIVER DESIGNATION FOR THE LOWER JAMES RIVER

WHEREAS, the James River is recognized throughout the Commonwealth of Virginia for its historical significance as well as for its scenic and ecological qualities; and

WHEREAS, recognition of such qualities should be incorporated into planning for the future use of the river and its shoreline.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, endorses the proposed legislation dated August 1987 entitled "Historic Lower James River Bill," attached hereto and incorporated by reference, designating the James River between the Benjamin Harrison Bridge and Grices Run as a Historic River.

#### H. PUBLIC COMMENT

Mr. Bill Bryant, President of the Coalition for Quality Growth, read a resolution of commendation to the Board of Supervisors for the leadership roll it has provided in planning for the future of the region.

Mr. Edwards expressed the Board's appreciation to Mr. Bryant and the Coalition.

#### I. REPORTS OF THE COUNTY ADMINISTRATOR

1. Mr. Norman indicated a need for an executive session to discuss real estate and personnel matters.

2. Mrs. Darlene Burcham, Assistant County Administrator, reported on the progress of the Longhill Connector Road. She stated that the Department of Transportation policy does not permit use of secondary road funds for construction of a fence. Eastern State Hospital and the College of William and Mary agreed that a fence would minimize the pedestrian traffic, and a fence was always included in the County's construction estimate. She continued that the County has a balance of \$5,700 in the Connector Road design budget and staff requested a budget transfer of \$10,000 from the Recreation Improvement Fund to create sufficient funds to have the fence built during construction of the Connector Road. The estimated cost of the fence is \$15,500.

Mrs. Burcham also indicated that a bikeway/walkway, built in conjunction with the Connector Road with transportation funds, will require an amendment to the Comprehensive Plan by the Planning Commission and Board of Supervisors. This will save the County \$12,000. She also reported that arrangements are being made for the signing of a three-party agreement by James City County, the City of Williamsburg, and the Virginia Department of Transportation.

Mr. DePue remarked that a fence had always been included in the discussions.

Mr. Brown stated his support of the resolution. He asked if the County could do the work at a lower cost.

Mrs. Burcham replied that Mr. Hall included the fence cost in the total contract at a lesser cost than if the County put it out for bid.

Mr. Edwards asked what kind of fence would be built.

Mrs. Burcham responded that the fence would be wire with wooden posts.

Mrs. Gussman stated that wooden posts were requested in place of steel posts and the barbed wire that is part of the standard fence.

Mr. Mahone asked how long the wooden posts would be serviceable.

Mr. DePue commented that salt-treated wooden posts should have a ten to fifteen year duration.

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

FENCING - LONGHILL CONNECTOR ROAD

WHEREAS, the Virginia Department of Transportation (VDOT) has agreed to construct a fence on the proposed Longhill Connector Road if the County will pay for it; and

WHEREAS, the fence has been agreed to by the County, Eastern State and the College as an important part of the project; and

WHEREAS, with a budget transfer, sufficient funds exist to pay VDOT the sum of \$15,500 for the fence.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following transfer of funds to allow payment of \$15,500 to VDOT for the construction of a fence along the Longhill Connector Road.

|   |                 |
|---|-----------------|
| To: Longhill Connector Road                               | <u>\$10,000</u> |
| From: Recreation Facilities Improvements<br>Matching Fund | <u>\$10,000</u> |

J. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards informed the Board of the proposed resolution to increase the School Board members' salaries, effective October 1, 1987, and made a motion to approve the resolution.

Mr. Brown stated that he felt the salary increase was appropriate.

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

COMPENSATION-COUNTY SCHOOL BOARD

WHEREAS, the State General Assembly has enacted legislation raising the authorized salaries of James City County School Board members to \$2,000 per annum with an additional \$500 for the Chairman.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby increases, as of October 1, 1987, the compensation of County School Board members from \$1,200 per annum to \$2,000 per annum with an additional \$500 to be paid to the Chairman.

BE IT FURTHER RESOLVED, that the Board of Supervisors authorizes the following budget amendment:

|                              |         |
|------------------------------|---------|
| From Operating Contingency   | \$3,675 |
| To Compensation-School Board | 3,375   |
| Fringes-School Board         | 300     |

Mr. Taylor mentioned that he had had a complaint about the County wasting postage from a citizen who had received ten identical letters.

Mrs. Burcham described the mail received by the citizen as a brochure relating to mosquito control. The Service Authority list of property owners was used for addressing that mail, therefore, some duplication occurred. She mentioned that the citizen had suggested that a computer program would eliminate the duplication, and staff agrees that this improvement will be accomplished in the future as time permits.

Mr. Brown mentioned that Ford's Colony's participation in the highway beautification program is noteworthy and a nice gesture on their part.

Mr. Brown requested that the area of red clay on Ironbound Road, north of Monticello where the force main was constructed, be seeded and mulched.

Mr. Wanner stated he would follow up with the Department of Transportation.

Mr. Brown continued that he had received outstanding comments from a number of parents about the Recreation staff and the summer day camp program. He commended all persons involved with the program.

Mr. Brown inquired about the status of the Ware Creek permits.

Mrs. Burcham replied that the latest information anticipates that the final Environmental Impact Statement will appear in the Federal Register on or about September 1. The Army Corps of Engineers has been delayed in writing the final Environmental Impact Statement. After the Statement is published, several meetings will be needed with the Federal agencies.

Mr. DePue mentioned the Newport News Raw Water Study and stated that he agreed with paying for the County's share, but was opposed to the County being involved in an open-ended regional water study.

Mr. Brown asked to be advised when the East Williamsburg Water Line meeting is scheduled.

Mr. Brown indicated his concern with the erosion and sediment control memo. He stated that sending out letters notifying developers and engineering firms that the County can revoke Land Disturbing Permits accomplishes nothing. He urged enforcement for the ten percent in violation of the Code.

Mr. Norman noted that Mr. Brown had a very valid point and stated staff was not asking the Board for an action, but informing them of our intended approach. He further agreed that letters should not be sent to developers who are not in violation of the Code.

Mr. Mahone stated he felt that staff was appropriate in keeping the Board informed. He stated his appreciation and support of the erosion and sediment control program.

Mr. DePue mentioned that the memo was a courtesy to make the Board aware that it might receive calls from irate developers.

Mr. Edwards indicated that he feels the Board has been in agreement on the enforcement of the Code violations.

Mr. Taylor stated that he had received calls from residents about well problems in the vicinity of the test wells.

Mr. Norman indicated that the citizens should call the County so that such problems could be documented.

Mr. Mahone commented that evidence of failure will be needed.

Mr. DePue noted that citizens are encouraged to call the County if there is an indication that wells are affected.

Mr. Norman noted that Mr. Wayland Bass, Director of Public Works, had received only one call about well problems.

Mr. Brown commented that such calls will not be effective if six months have lapsed since the test.

Mr. Taylor stated that he suggested calls be made within thirty days, but another situation is created by older wells with a pump that will not go down to a lower water table.

Mr. Edwards directed the Board's attention to the memo from Veronica Nowak on the Bicentennial Constitution Commission activities.

Mr. Edwards made a motion to approve \$2,000 from the Contingency Fund, contingent upon a legal agreement between the County and the City.

Mr. Morton indicated that an agreement between the two parties with a 50/50 disposition of funds to a qualifying organization is needed as a State requirement.

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

Mr. DePue suggested that we evaluate the need to regulate political advertising.

Mr. Brown stated that an amendment to the sign ordinance would be needed.

Mr. Mahone applauded the staff on behalf of the citizens for initiation of the citizen feedback program. He stated that the County is a service organization and needs to know if services rendered are well received. He concluded that he was impressed with the program and encouraged its continuation.

Mr. Edwards recessed the Board for a break at 2:57 p.m.

Mr. Edwards reconvened the Board at 3:12 p.m. to go into a work session with the Continental Cablevision representatives and the Cable Television Advisory Committee.

Attendees were Paul Spacek, Systems Manager, and Dick Ashpole, Director of Engineering, of Continental Cablevision; Steve Francis, Chairman; Dorothy Allen and Dee Monroe, members of the Cable Television Advisory Committee; the Board of Supervisors; and staff.

Mr. Spacek reported that of the 8,100 homes in the service area, 6,700 are subscribers to cablevision with 218 miles of underground and aerial cable.

Discussion was held regarding the subdivisions of Temple Hall Estates, Sand Hill, Burnham Woods, etc., in the upper County that are desirous of receiving cablevision service.

Mr. Spacek specifically mentioned that North Cove will not be able to receive the James City County government channel, but would be able to receive the York County government channel by changing the amplifiers to extend from York County.

Mr. Spacek reported that the density in the Riverview area is three homes to a mile, and the requirement is 25 homes to a mile.

Ms. Dorothy Allen stated that Riverview will eventually build up with more homes.

Mr. Brown asked about service to the Woodland Farms area.

Mr. Spacek stated more homes were being built on Croaker Road past Woodland Farms going toward Sycamore Landing, but he would not recommend serving that area during this year. He mentioned that service will be extended halfway to Sycamore Landing when additional homes are built.

Mr. Edwards asked if there were any comments from the Cable Advisory Committee.

Mr. Steve Francis, Chairman of the Cable Advisory Committee, indicated that the Board and the Continental Cablevision representatives have been helpful in trying to accomplish the extension of cable television to upper County residents. He appreciated that cable was extended to somewhat

marginal density areas. He continued that Continental's twenty-five density per mile requirement was less than the forty density requirement under the Code.

Mr. DePue asked about service to the Hunter's Creek area.

Mr. Spacek replied that service will be available in Hunter's Creek by September 1.

Mr. DePue inquired as to the possibility of installation of another head-in to accommodate Chickahominy Haven.

Mr. Spacek remarked that a separate head-in would definitely be needed and was concerned about whether the cost would be feasible, since fewer channels would be received.

Mr. DePue asked if the difference between Chickahominy Haven and Riverview Plantation was technical as well as financial.

Mr. Ashpole stated that the picture quality would be lower.

Mr. Taylor asked what the rates would be. He mentioned the discontinued use of and abandoned C&P lines for such an extension.

Mr. Spacek commented that Racefield Road is served on such abandoned lines, with residents expressing concern about picture quality.

Ms. Allen asked what density Riverview would have to have to be considered for service.

Mr. Spacek replied about double the current density, from 40 homes to 100 homes.

Mr. Taylor and Mr. Spacek discussed the Chickahominy Haven and Cypress Point area with the decision being made to meet and tour the area.

Mr. Edwards asked if there were questions about general matters related to the system's operation.

Ms. Dee Monroe mentioned that she was interested in research, two-way programming, and innovative ideas for James City County.

Mr. Ashpole stated that the system has the capability to do two-way programming.

Ms. Monroe questioned whether research is a part of the budget every year.

Mr. Spacek replied that the budget includes basic service, standby power, and operational services.

Mr. Francis asked what the plans were for stereo on satellite on local stations, and what stations are planned for a converter process.

Mr. Spacek responded that the stereo process was budgeted for five or more channels, ESPN, MTV, TBS, WGN.

Mr. Brown stated that Continental Cablevision gives good service with reasonable fees. He asked if more stations were planned.

Mr. Spacek replied two stations, Channel 63, an independent channel from Richmond, and an educational, scientific channel somewhat like National Geographic.

Mr. Edwards stated that the attendance at the work session was appreciated, and made a motion to go into an executive session for real estate and personnel matters pursuant to Section 2.1-344(a)(1)(2) of the Code of Virginia, as amended, at 3:45 p.m.

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

Mr. Edwards reconvened the Board into open session at 4:53 p.m.

Mr. Edwards made a motion to amend the resolution by adding Management to the title, and to approve the resolution to establish the Office of Development Management.

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

TRANSFER OF FUNDS FOR THE ESTABLISHMENT OF THE OFFICE OF DEVELOPMENT MANAGEMENT WITHIN THE COUNTY GENERAL FUND

WHEREAS, the Board of Supervisors established a Development Reserve account within the FY 1988 adopted budget; and

WHEREAS, the establishment of the Office of Development Management will respond to the many facets of growth that James City County is experiencing; and

WHEREAS, the establishment of the Office of Development Management will respond, not only to expansion, but also to support the value and strength of the community and to provide that James City County remains a quality place to live and work.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the Office of Development Management to include the existing positions of Utility Planning Engineer and Secretary and the reclassified position of Development Director and authorizes the following budget transfer.

|  |                  |
|--|------------------|
| From: Non-Departmental - Development Reserve | \$ 70,850        |
| Public Works                                 | <u>52,620</u>    |
|  | <u>\$123,470</u> |
|  |                  |
| To: Office of Development Management         |                  |
| - Salaries                                   | \$ 95,148        |
| Fringe Benefits                              | 22,362           |
| Operating Expenses                           | 2,500            |
| Capital Outlay                               | <u>3,460</u>     |
| Total  | <u>\$123,470</u> |

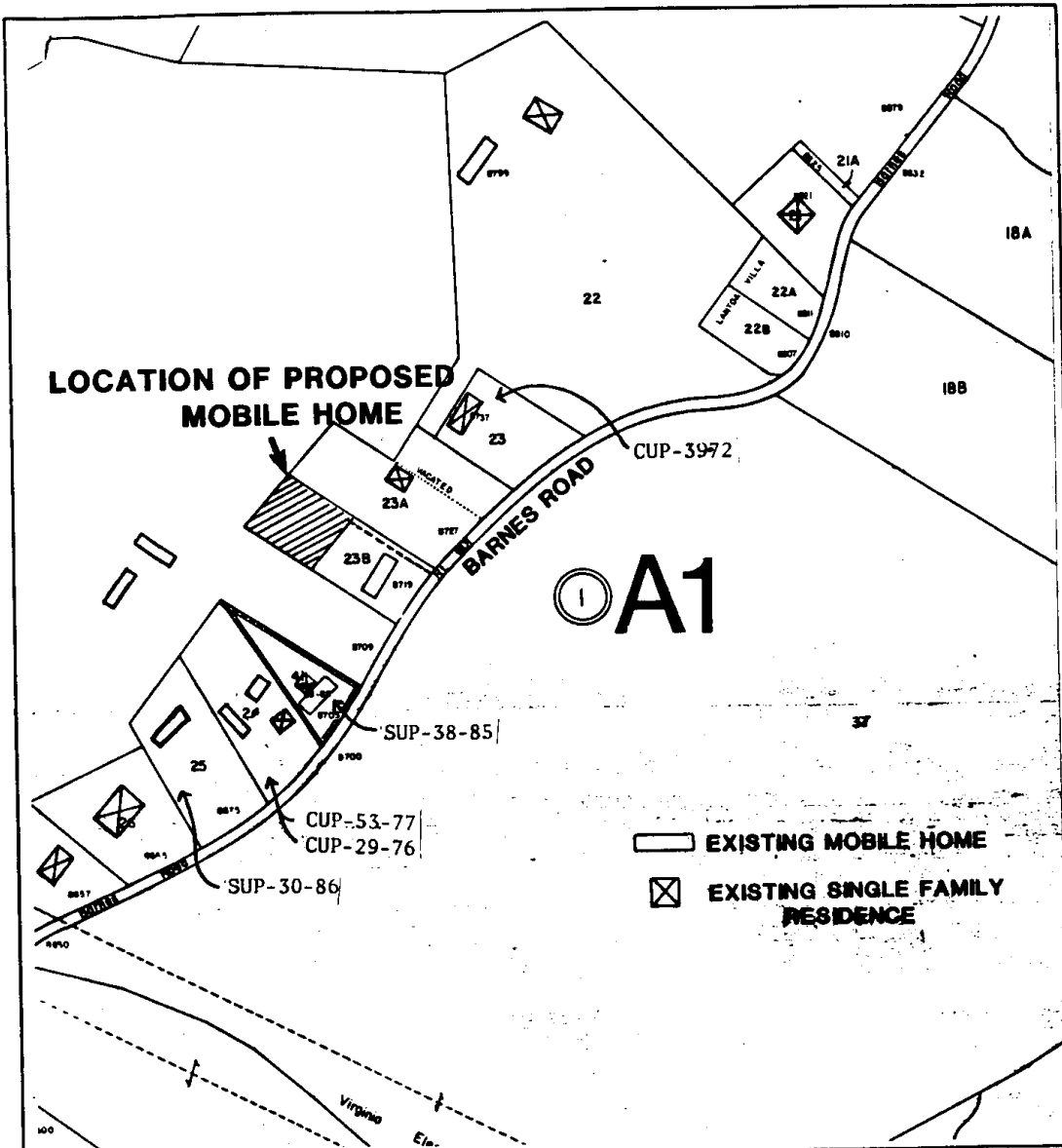
BE IT FURTHER RESOLVED that a Planning Director position be established in the Department of Planning as a result of the reclassification of this position; sufficient funds exist in the current budget.

Mr. DePue 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 4:54 p.m.

  
David B. Norman  
Clerk to the Board



**SUP-22-87**      **JAMES CITY COUNTY**      Jamestown 1607  
**PLANNING DEPARTMENT**

**N**      **JAMES E. WILKERSON**

**SCALE 1" = 400'**



DRAFT

HISTORIC LOWER JAMES RIVER BILL

An Act to provide for the designation of the Historic Lower James River and to establish the Historic Lower James River Advisory Committee.

Approved

Be it enacted by the General Assembly of Virginia:

§ 1. In keeping with the public policy of the Commonwealth of Virginia to conserve the portions of certain rivers possessing natural beauty of high quality in order to assure their use and enjoyment for their historic, scenic, recreational, geologic, fish and wildlife, cultural and other values, that portion of the Lower James River in Charles City, Prince George, James City, and Surry Counties, from the Benjamin Harrison Bridge at Eppes Creek (northside) and Jordan Point (southside) to Grices Run (northside) and Lawnes Creek (southside), is hereby declared to be an historic river with noteworthy scenic and ecological qualities.

§ 2. In all planning for the use and development of water and related land resources which change the character of a stream of waterway or destroy its historic, scenic or ecological values, full consideration and evaluation of the river as an historic, scenic and ecological resources should be given before such work is undertaken. The alternatives to solutions should also be considered before such work is undertaken.

§ 3. The local jurisdictions listed above and the Department of Conservation and Historic Resources shall appoint an eleven-member Advisory Committee of residents of the area and other qualified persons. The Governing Body of each political subdivision listed above shall appoint two persons to the Lower James River Advisory Committee. The Director of the Department of Conservation and Historic Resources shall appoint three persons to the Advisory Committee. Committee members will serve four-year staggered terms, without compensation. The duty of the Advisory Committee shall be to assist and advise the Department of Conservation and Historic Resources, the political subdivisions through which the Lower James River passes, and other public bodies concerning the protection and management of this portion of the River. The Advisory Committee shall have no regulatory authority.

§ 4. The General Assembly hereby designates the Department of Conservation and Historic Resources as the agency of the Commonwealth responsible for assuring that the purposes of this chapter are achieved. Nothing in this designation shall impair the powers and duties of the local jurisdictions listed above.