

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF MAY, NINETEEN HUNDRED EIGHTY-EIGHT, 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
 Thomas D. Mahone, Vice-Chairman, Jamestown District
 Perry M. DePue, Powhatan District
 Thomas K. Norment, Jr., Roberts District
 Stewart U. Taylor, Stonehouse District

David B. Norman, County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES - May 2, 1988

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: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

C. PUBLIC HEARINGS

1. Case No. SUP-10-88. C. Faye Watkins

Mr. Allen J. Murphy, Jr., Principal Planner, stated that Mrs. C. Faye Watkins had submitted an application for a special use permit to allow the placement of a mobile home to be used as a residence on .491 acres, owned by the applicant and her husband.

Staff recommends denial of the application as it would violate restrictive covenants recorded July 1, 1959, which do not allow the placement of a trailer to be used as a permanent dwelling on any lot unless the developer's written permission is obtained.

Mr. Edwards opened the public hearing.

1. Mr. Robert Watkins, applicant, stated they were unaware of the covenants until recently, and had been unable to locate the developer to obtain written permission.

2. Ms. Sylvia Tooley, 7649 Beechwood Drive, Lanexa, representing the Cypress Point Homeowners' Association, spoke in opposition to the issuance of a special use permit in accordance with the restrictions, covenants, conditions and easements of the recorded revised plat.

Mr. Edwards closed the public hearing.

Mr. DePue made a motion to postpone Case No. SUP-10-88, so the applicant could discuss the issue with the Cypress Point residents.

After a brief discussion, Mr. DePue withdrew his motion.

Mr. Norment made a motion to postpone the case to allow the applicant to pursue the developer's permission in writing.

On a roll call, the vote was AYE: Norment, DePue, Edwards (3). NAY: Taylor, Mahone (2).

2. Case No. SUP-9-88. Thelma Roberts

Mr. Murphy stated Ms. Thelma Roberts had applied for a special use permit to allow the placement of a mobile home to be used as a residence on 1.338 acres, to which she is an heir.

Staff recommends denial of the case for safety reasons, because the access road has only one lane and does not have an all-weather surface.

Mr. Edwards opened the public hearing.

1. Ms. Irma J. Hawkins, 2730 Little Creek Dam Road, Toano, spoke in favor of the mobile home and asked the Board to find a way to help Ms. Mary Walker in fixing the dirt road to pass inspection.

2. Ms. Mary A. Walker, Post Office Box 173, Toano, asked the Board for approval of the permit so she could locate the mobile home on family property.

Mr. Edwards closed the public hearing.

Mr. Taylor made a motion to approve Case No. SUP-9-88.

After discussing the issue, Mr. DePue made a motion to postpone Case No. SUP-9-88 for more information about whether the applicant could receive assistance from an outside agency to upgrade the dirt road.

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

Mr. Edwards recessed the Board at 1:32 p.m. to allow staff to attend a memorial service at the Williamsburg Methodist Church for County employee, Carolyn W. Albergotti.

The Board reconvened at 3:02 p.m.

3. Case No. Z-29-87. Five Forks Associates, Inc.

Staff recommended postponement of the application for further discussion.

By consensus of the Board, Mr. Edwards continued the public hearing until the next Board meeting on June 6, 1988.

D. PRESENTATIONS

1. Historical Commission - Kevin Kelly

Mr. Kevin Kelly of the James City County Historical Commission read resolutions recognizing Mr. Ivor Noel Hume, Ms. Mary Mowbray Branch, and the late David W. Ware for their contributions to historic preservation. Mr. Kelly also noted current Commission activities and upcoming events.

E. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer, Virginia Department of Transportation, stated that power for the traffic signal at Route 60 and Olde Towne Road would be connected by the end of the week; power for the traffic signal at Longhill Road and Olde Towne Road will take three to four weeks after poles are erected; road overlay has been done on Route 60 east and west; and the mowing program has begun.

Mr. Taylor asked what could be done about the overflowing water on Hicks Island Road at the bridge.

1. Mr. M. R. Hazelwood, 8606 Hicks Island Road, Lanexa, requested that the roadway be raised in alignment with the bridge, which is 3-1/2 feet higher than the road.

2. Ms. Cornelia Coronel, 8608 Hicks Island Road, Lanexa, requested support for raising the roadway, but not widening the bridge.

3. Mr. Ross Turnage, 8529 Hicks Island Road, Lanexa, spoke in opposition to the building of a two-lane bridge because of a one-lane tunnel nearby, cutting of cypress trees for widening, and infringement on private property. He requested the one-lane bridge be repaired or replaced.

Mr. Hall responded that the issue could be considered at a community meeting or a public hearing, but that the Highway Department must meet current design and safety standards when building a new bridge. He further stated he would investigate the possibility of raising, without widening, Hicks Island Road.

4. Mr. Robert Groom, Stuckey's Store, Toano, stated that the store sign cannot be seen from the interstate and requested direction from the Board as to how to ask for a restrictive amendment to the sign ordinance for freestanding signs at the County interstate exchanges.

Mr. Edwards instructed Mr. Groom to contact the County Attorney's office.

Mr. Mahone asked Mr. Hall about the request made in December regarding the lighting or marking of Route 199 west exit from Route 143.

Mr. Hall replied that no solution had been found, and he would attempt to finalize a decision.

Mr. Edwards asked who had the authority to enforce the new law regarding the covering of truck loads.

Mr. Hall answered the State police or County police.

F. CONSENT CALENDAR

Mr. Edwards asked if any Board member wished to discuss the Consent Calendar item.

Mr. Mahone made a motion to approve the Litter Control Program Grant.

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

1. Litter Control Program Grant

R E S O L U T I O N

1988-89 LITTER CONTROL GRANT APPLICATION

WHEREAS, the James City County Board of Supervisors recognizes the existence of a litter problem within the boundaries of James City County; and

WHEREAS, the Virginia Waste Management Act of 1987 provides, through the Department of Waste Management Division of Litter Control and Recycling, for the allocation of public funds in the form of Grants for the purpose of enhancing local litter control programs; and

WHEREAS, having reviewed and considered the Regulations and the application covering administration and use of said funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby endorses and supports such a program for James City County as is indicated in the attached application Form LC-G-1; authorizes the County Administrator to plan, budget, and apply for such a Grant, which if approved, will be used in accordance with the Regulations governing use and expenditure of said funds.

G. BOARD CONSIDERATIONS

1. River Drive Improvements

Mr. Larry M. Foster, Assistant County Administrator, stated that staff recommends that the improvements be accomplished in FY 1992 with the embankment area funded through the Dirt Street program, and the approach areas funded from the Rural Addition program, contingent upon the submittal of an agreement, with surety, by the area's property owners association accepting responsibility for maintenance of the embankment.

In response to Mr. Norment's question, it was explained that the improvements were contingent upon adequate funding.

Mr. Taylor made a motion to approve the resolution.

1. Mr. Gene Farley, 4125 South Riverside Drive, reported that he had attended a Cypress Point Homeowners' Association meeting on May 14. He stated that the annual funding of the surety bond was discussed, and approved unanimously.

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

R E S O L U T I O N

RIVER DRIVE

WHEREAS, River Drive between Beechwood Drive and Holly Lane is on the Dirt Street Inventory, but normal dirt street criteria do not warrant placing this section of River Drive on the Dirt Street Funding schedule; and

WHEREAS, this portion of River Drive is used as a connecting street for community traffic circulation.

NOW, THEREFORE, BE IT RESOLVED that the portion of the River Drive embankment between Beechwood and Holly that acts as a dam be added to the Dirt Street Funding Schedule for FY-92.

BE IT FURTHER RESOLVED that the River Drive approaches to the dam be constructed by the Virginia Department of Transportation using rural addition funds by FY 92.

BE IT FURTHER RESOLVED that these improvements are contingent upon the Cypress Point Home Owners Association executing an agreement with surety acceptable to the Virginia Department of Transportation and the County Attorney for maintenance of the dam embankment area of River Drive.

H. PUBLIC COMMENT

Mr. David Ware, Jr., thanked the Board and Historical Commission for the presentation given to his late father.

Mr. Ware's concern was that a prospective tenant for a restaurant in Colonial Town Plaza Shopping Center, Route 60, had contacted the County for a sign permit; and after the sign was completed, County staff stated that the sign was no longer permissible and would have to be removed.

Mr. DePue requested a report at the next Board of Supervisors' meeting from County staff.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, stated a need for an executive session on personnel and legal matters, and requested a work session for the Parks and Recreation Commission at the next afternoon meeting, June 20.

J. BOARD REQUESTS AND DIRECTIVES - None

Mr. Edwards declared a recess at 3:50 p.m., and reconvened the Board for a joint work session on Route 199 Design with the Planning Commission at 4:00 p.m.

Planning Commission members attending were: Gary Massie, Fred Belden, A.G. Bradshaw, Martin Garrett, Alexander Kuras, Carolyn Lowe, and William Brown.

Ms. Diane Linderman of Wilbur Smith Associates presented the findings of her review of the proposed design for Route 199. Among the most significant were recommendations that the roadway be constructed initially as four lanes, and the interchanges also be constructed initially. After some discussion, it was generally agreed that the draft document would be reviewed by the Planning Commission at its next meeting, and that comments would be requested from York County and the City of Williamsburg within the next month.

The meeting adjourned at 5:10 p.m.

A work session with Personnel convened at 5:15 p.m. Ms. Carol Luckam, Manager of Personnel, introduced Mr. David Hand, Senior Consultant, and Mr. Randy Ackerman, Consultant, for Public Administration Service (PAS), the firm conducting the County's Compensation and Classification Study.

Mr. Hand stated that based on the information obtained thus far, the County has highly dedicated, competent employees. But the County experiences a high turnover rate, which creates disruption in the continuity of services provided. Mr. Hand defined the labor market as a place where persons can change jobs without changing residences, or jobs within an hour's proximity. Discussions were held on the labor market to be evaluated for the County's Compensation Study. The Board and Mr. Hand agreed that the Peninsula area was the primary labor market area, and that Gloucester and some of the other surrounding areas would be evaluated along with Henrico County and parts of Richmond as secondary labor market area.

The meeting adjourned at 6:15 p.m.

Mr. Edwards made a motion to convene into executive session to discuss legal and personnel matters pursuant to Section 2.1-344(a)(1)(6) of the Code of Virginia, 1950, as amended, at 6:16 p.m.

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

The Board reconvened into open session at 6:30 p.m.

Mr. Taylor made a motion to appoint Mrs. Nancy S. Bradshaw to the James City County Historical Commission to fill Wilford Kale's unexpired term, expiring August 31, 1989.

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

Mr. Taylor made a motion to adjourn.

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

The Board adjourned at 6:35 p.m.

David B. Norman
Clerk to the Board

(This cover page is to be used for all except Cooperative Programs.)

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APPLICATION FOR A GRANT UNDER THE VIRGINIA WASTE MANAGEMENT ACT
(CHAPTER 24, TITLE 10, CODE OF VIRGINIA)

AND

GRANT AGREEMENT CONTRACT BETWEEN

CITY
THE COUNTY OF
TOWN

JAMES CITY COUNTY

AND

THE DEPARTMENT OF WASTE MANAGEMENT
DIVISION OF LITTER CONTROL AND RECYCLING

Article 1. This Application for Grant funds and Grant agreement contract, hereinafter referred to as the "Application," is made and entered into by mutual agreement between:

THE LOCALITY OF JAMES CITY COUNTY

hereinafter referred to as "Applicant," and the DEPARTMENT OF WASTE MANAGEMENT, DIVISION OF LITTER CONTROL AND RECYCLING, hereinafter referred to as the "Department".

Article 2. The Applicant's address is P.O. Box JC

Williamsburg, VA 23187

Telephone Number (804) 253-6605

(This cover page is to be used for Cooperative Programs only.)

APPLICATION FOR A GRANT UNDER THE VIRGINIA WASTE MANAGEMENT ACT
(CHAPTER 24, TITLE 10, CODE OF VIRGINIA)
AND
GRANT AGREEMENT CONTRACT BETWEEN

THE LOCALITIES OF _____

AND

THE COORDINATING ORGANIZATION _____

AND

THE DEPARTMENT OF WASTE MANAGEMENT
DIVISION OF LITTER CONTROL AND RECYCLING

Article 1.1 The Application for Grant funds and Grant agreement contract hereinafter referred to as the "Application," is made and entered into by mutual agreement between THE LOCALITIES OF:

_____ and THE COORDINATING ORGANIZATION _____

_____ hereinafter referred to as "Applicant," and the Department of Waste Management, Division of Litter Control and Recycling, hereinafter referred to as the "Department."

Article 2.1 The coordinating organization's address is _____

_____ telephone number _____

Article 3. It is understood that:

- A. All Grant funds, hereinafter referred to as "Grant," will be used in accordance with the Regulations Governing Application For and Use of Grant Funds to Localities Under the Virginia Waste Management Act (Chapter 24, Title 10, Code of Virginia) and Under Section 10- 277.9, dated 1988 hereinafter referred to as "Regulations."
- B. A copy of a resolution approving this Application, made by the governing body of the Applicant, and an estimated budget for the Applicant's proposed litter Program are attached, and will become an integral part of this Application.
- C. The funds allocated to the Applicant under this Grant will be stated on the Notice of Approval, Form LCG-2.
- D. The period during which this Grant is in effect will be from July 1 through June 30 of each fiscal year, unless stated otherwise on Notice of Approval, Form LCG-2.
- E. Funds will be disbursed by August 1 of each year, or as soon as feasible thereafter.
- F. The Department reserves the right to withdraw or require a refund for all, or part, of the Grant pending satisfactory completion of the Program and all administrative requirements as stated in the Regulations and in the Application. Also, failure to commence Program activities within a reasonable period from the agreed upon starting date may result in cancellation of the Grant by the Department.
- G. Questions will be handled as stated in Section 7, paragraph g, of the Regulations.
- H. The Department and/or the State Auditor's Office reserve the right to conduct an on-site inspection and/or audit Applicant's records of the Program during and/or after its completion.

Article 4. The information under this Article represents the Applicant's plan for a litter control program or project, or plan for the purchase of equipment, either or both of which will hereinafter be referred to as "Program."

- A. Description of the Program (See Attached)

- B. Implementation plan (See Attached)

- C. Program Objectives (See Attached)

- D. How Program accomplishment will be measured (See Attached)

- E. Locality or area in which the Program will be conducted James City County

- F. Name, title, address, and telephone of person who will be responsible for organizing and implementing the Program. (If name is not known, state intent on assignment of responsibility.) Richard Drumwright, Litter Coordinator
P.O. Box JC, Williamsburg, VA 23187
TELEPHONE (804) 220-1621

- G. Date Program is to begin July 1, 1988

- H. This Program is (1) new; (2) an extension of expansion of ongoing Program; or (3) other (explain). Extention and expansion.

- I. Estimated Program budget, itemized by line items, is attached. _____
- J. Equipment purchase (complete only if applicable)
 - (1) Description of equipment to be purchased N/A

 - (2) Total costs _____
 - (3) Amount of cost in J(2) to be paid with Grant funds _____
 - (4) Planned use _____

- (5) Expected service life (years) _____
- (6) Normal length of service life (years) _____
- K. Should supplemental grant funds be available, an amount of \$1,000 could be used for additional litter control program activities during this same Grant period. A description of these activities is as follows:
(See Attached)

Article 4.

- A. Description of program: The 1989 grant request is for the continuation of the James City County Clean County Program goals:
1. Increase awareness by County citizens and businesses on the litter program.
 2. Clean up and improve the physical environment of James City County.
 3. Continue educational efforts on anti-littering and recycling in all County schools, both public and private.
 4. Encourage year round community clean up, recycling and beautification.
 5. Encourage more involvement by local business and industry.
- B. Implementation plan: The program will rely heavily on volunteer citizens involvement, business and County Administrative support. Grant monies will be used for awards for litter containment efforts, educational aids, awareness programs and required materials and supplies. Use of free resources will be increased. The program will be implemented by the JCC Clean County Commission comprise of 5 members who are appointed by the Board of Supervisors (one from each district) aided by volunteer citizens with administrative and technical support from County staff.
- C. Program Objectives: To educate children specifically targeting school children from the ages of 5-18; to increase year-round cleanup and recycling activities; to educate adults in litter prevention.
- D. How Program Accomplishment Will Be Measured: Increase in publicity and articles in media by ads from the business community; quality and quantity of year-round recycling, beautification and cleanup activities; increase in level of awareness of litter problems by number of participants and viable decrease of litter.

K. The James City County Clean County Commission wishes to expand a model recycling school program started at Berkeley Elementary in 1988, to an additional elementary school. The goal of the program is to educate and encourage children to practice recycling. It is estimated the \$1,000 is needed for support services (transportation/administration) and materials (bags, recycling bins, etc.).

With the success and enthusiasm experienced with the Berkeley Elementary Recycling Center, the expansion of this program deserves serious consideration. The collection of 5,000 pounds of aluminum to date, far exceeds the program's original objective of having each child bring one can per day with one ton collected by year's end. Proceeds from recycling this year will go for new science equipment.

The success of this year's effort at Berkeley Elementary and support to expand this program from Reynolds Aluminum, Owens-Illinois, and the Williamsburg/James City County School System, makes the Commission anxious to begin planning, should this request be approved.

Article 5. During the performance of the Program described in this Application, the Applicant agrees to the following:

- A. The Applicant will not discriminate against any employee or applicant for employment because of race, religion, color, sex, handicap, or national origin, except where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the Applicant. The Applicant agrees to post in conspicuous places, available to employees and applicants for employment, notices, setting forth the provision of this nondiscrimination clause, including the names of all contracting agencies with which the Applicant has contracts of over ten thousand dollars.
- B. The Applicant will, in all solicitations or advertisements for employees placed by or on behalf of the Applicant, state that such Applicant is an equal opportunity employer; provided, however, that notices, advertisements, and solicitations placed in accordance with federal law, rule, or regulation shall be deemed sufficient for the purpose of meeting the requirements of federal law.

Article 6. The Applicant understands and agrees:

- A. That this Grant will be used (1) to fund litter control program activities and/or (2) to purchase equipment; either or both of which are supplemental and/or additional to programs or equipment currently budgeted or funded and/or planned or operational by the Applicant.
- B. That said funds will be spent only for and in accordance with (1) the aforesaid Regulations, (2) the Program as stated in this Application, and (3) all other terms and conditions of the Grant.
- C. That the Applicant shall be liable to the Commonwealth of Virginia, pursuant to Department Regulations for Grant funds which are not properly used or accounted for. In Cooperative Programs, each Locality shall be individually liable for its pro rata share.

Article 7. The Applicant understands that this Grant is dependent upon the availability of funds under Chapter 24, Title 10, Section 10-277.9, paragraph 9. In the event that these Grant funds are diminished by administrative or legislative action, the Applicant understands that the Department will adjust said funds in accordance with such action.

David B. Norman
Applicant

Clerk to the Board
Title

May 16, 1988
Date

(In Cooperative Programs, the Coordinator shall sign for itself and on behalf of all participating localities.)

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
VIRGINIA, HELD ON THE 14TH DAY OF JUNE, NINETEEN HUNDRED EIGHTY-EIGHT, AT 7:00
P.M. IN THE JAMES CITY/WILLIAMSBURG RECREATION CENTER, 5301 LONGHILL ROAD,
WILLIAMSBURG, VIRGINIA.

Those in attendance were: Board of Supervisors - Jack Edwards,
Thomas Mahone, Perry DePue, Stewart Taylor, Thomas Norment, Jr.; County Staff
- David Norman, Larry Foster, Sandy Wanner. School Board Members - Nolan
Yelich, Mrs. Karen Jamison, James Byrd, Stephen Elliott, Kenneth Smith, Mrs.
Vicki Sprigg, Mrs. Sondra Walker; School Staff - John Allen, Alan MacDonald,
Paul Ogg, Dennis Kellison; Daily Press Reporter - Chris Young.

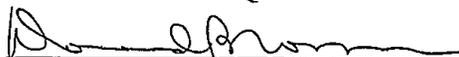
The meeting convened at 7:00 p.m., and general discussion was held on
several topics.

Mr. Edwards suggested a joint meeting three or four times a year,
perhaps again in September.

Mr. Edwards made a motion to adjourn the meeting.

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

The meeting adjourned at 8:55 p.m.



David B. Norman
Clerk to the Board

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