

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 2ND DAY OF APRIL, NINETEEN HUNDRED NINETY, AT 7:03 P.M. AT LAFAYETTE HIGH SCHOOL AUDITORIUM, 4460 LONGHILL ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District
Stewart U. Taylor, Vice Chairman, Stonehouse District

Judith N. Knudson, Jamestown District
Jack D. Edwards, Berkeley District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - March 19, 1990

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

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

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

C. PRESENTATION

1. National Volunteer Week, April 22-28, 1990

Mr. DePue read and presented the resolution to Caroline Rhodes, Volunteer Coordinator.

R E S O L U T I O N

THE SPIRIT OF VOLUNTEERISM

WHEREAS, one out of every two Virginians is making a gift of, time, talent and energy in some form of volunteer services; and

WHEREAS, volunteer work provides opportunities to every citizen for personal growth, career exploration and civic contribution; and

WHEREAS, citizen participation cannot be measured in dollars or in numbers, that only those who have been helped can describe the influence volunteers have on their lives; and

WHEREAS, volunteers, through their demonstrated concern and commitment to the well-being of others, continue to ensure quality of life in James City County.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors, James City County, Virginia, that it hereby designates the week of April 22 - 28, 1990, as Volunteer Recognition Week in James City County, and urge all citizens to recognize and appreciate the efforts of volunteers.

D. CONSENT CALENDAR

Mr. DePue asked if any Board member wished to remove any item from the Consent Calendar and requested removal of Item 3.

Mr. Edwards requested removal of Item 2.

Mr. Norment made a motion to approve Item 1 on the Consent Calendar.

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

1. FY 1991 Emergency Housing Repair Grant Application

AUTHORIZATION TO SUBMIT AN APPLICATION TO ADMINISTER AN EMERGENCY HOME REPAIR PROGRAM - FY 91

WHEREAS, the Commonwealth of Virginia Department of Housing and Community Development has issued a Notice of Funding Availability and Request for Proposals under the Emergency Home Repair Grant Program; and

WHEREAS, assistance is needed to effectively and adequately address the emergency home repair needs of low-income persons within James City County; and

WHEREAS, an application for a grant under this program has been prepared; and

WHEREAS, James City County agrees to provide emergency home repair services to those in need in conformance with the regulations and guidelines of this State Program; and

WHEREAS, the County Administrator can act on behalf of James City County and will sign all necessary documents required to complete the grant transaction; and

WHEREAS, a local dollar for dollar match is required under the program and will be provided in the amount of \$15,000.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to apply for and accept the grant in the amount of \$15,000 and enter into a grant Agreement with the Department of Housing and Community Development and undertake any and all actions and responsibilities in relation to such Agreement.

2. Television Equipment Improvements, Building C

Mr. Edwards questioned whether three cameras were needed for Board room coverage.

Ms. Veronica Nowak, Communications Administrator, responded that one camera position is inadequate to cover the Board room and that the three cameras would be controlled by a person outside the Board room. Ms. Nowak assured the Board that the focus would be on the speaker.

Ms. Knudson made a motion to approve the resolution.

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

R E S O L U T I O N

CABLE TELEVISION EQUIPMENT

WHEREAS, the Board of Supervisors has encouraged the use of the public cable channels to provide citizen information and to increase citizen awareness of local government issues through the broadcast of the Board of Supervisors, Planning Commission and other public meetings; and

WHEREAS, the citizens have been deprived of quality broadcasts due to equipment difficulties; and

WHEREAS, the Board is desirous of improving the quality of the broadcasts to our citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors, of James City County, Virginia, authorizes improvements to the cable broadcast facilities at the Government Complex and approves a transfer from Capital Contingency of \$20,986 for this purpose.

3. Name for New Street - Longhill Connector Road

With the consent of the Board, Mr. DePue deferred the item to further correspond with the City of Williamsburg.

E. PUBLIC HEARINGS

1. FY 1991 Proposed Budget/JCSA Water and Sewer Rates

In a joint meeting of the Board of Supervisors and James City Service Authority Board of Directors, Mr. Walter Schmidt, Assistant Manager of Financial and Management Services, gave a brief presentation of the proposed budget that included a real estate tax rate of 71 cents, an increase of 5 cents, and a new service charge of \$4.47 per water bill to cover costs of billing and accounts administration for the JCSA.

Mr. DePue welcomed the audience and opened the public hearing.

1. Ms. Margaret Rastetter, 3007 Willow Spring Court, spoke in favor of full funding for the Library request, stating that elderly persons are frequent patrons.

2. Ms. Karen Schrifin, 163 Devon Road, spoke in support of Library funding for all citizens and students.

3. Mr. David Graff, 126 Nina Lane, spoke in favor of full funding for the Library in order to continue exceptional service.

4. Mr. Albert Louer, 105 Jerdone Road, on behalf of Friends of the Library, spoke in favor of full funding for the Library.

5. Mr. Gilbert Bartlett, President, Williamsburg Area Chamber of Commerce, requested an increase in funding for the Chamber of Commerce and Tourism Bureau.

6. Ms. Susan Geary, 601 Chandler Court, spoke in favor of full support for the School budget, including salaries for teachers for Family Life and In-School Suspension programs.

7. Mr. Richard Miller, 100 Wilderness Lane, PTA Council Co-President, requested full funding of the School budget to meet set goals.

8. Ms. Roxie White, employee of Ft. Magruder Inn, spoke in favor of additional funding for the Tourism Bureau.

9. Mr. John Bidwell, 107 Thomas Gates, spoke in favor of the video technician position and urged support of funding for Tourism Bureau.

10. Mr. Richard Lin, 103 Mayfair Lane, spoke in favor of technician position to give direction to video volunteers.

11. Ms. Nayda U. Pophal, 302 Hempstead Road, spoke in favor of the technician position as a professional need.

12. Mr. Jay Everson, 130 Oslo Court, spoke in favor of additional funding for the Tourism Bureau as an investment in support of jobs.

13. Ms. Karen Spangler, 37 Berkshire, representative of the PTSA, requested a one-time contribution for a pilot after prom event at Lafayette High School.

14. Mr. Albert Woodward, 105 Northpoint, spoke in favor of the government channel and the technician position to alleviate audio and video difficulties.

15. Mr. Bob White, 125 Underwood, spoke in favor of additional police officers and fire personnel for the safety of all County citizens.

16. Mr. Ed Oyer, 139 Indian Circle, spoke on the budget stating that education and public services for a growing community were priorities.

Mr. DePue closed the public hearing.

2. Case No. Z-4-90 and SUP-12-90. Lether Investments

Mr. Marvin Sowers, Jr., Director of Planning, stated that Mr. Vernon Geddy, III, had applied on behalf of Lether Investments to rezone approximately 50.9 acres from A-2, Limited Agricultural, to R-1, Limited Residential, located on the north side of John Tyler Highway approximately 2,700 feet west of Five Forks, further identified as Parcels (1-30), (1-31) and (1-32) on James City County Real Estate Tax Map No. (46-2), and that Mr. Geddy had also applied for a special use permit to allow the development under Residential Cluster section of the Zoning Ordinance.

Staff recommended approval, with proffers, as the proposal was substantially consistent with the Comprehensive Plan, provided a greenbelt and adequate protection of the environmental sensitivity of the site, and addressed traffic impacts. The Planning Commission concurred with staff by an 8-2 vote and recommended approval of the special use permit with conditions listed in the resolution.

Mr. DePue opened the public hearing.

1. Mr. Vernon Geddy, III, Esq., representing Herman and Josefina Zamora, Jorge and Leticia Luna, and Lether Investments, thanked the staff for cooperation and gave an explanation of the proffers. Mr. Geddy urged the Board to focus on the merits and approve the project.

2. Mr. Jack Angle, 113 Falling Creek Circle, on behalf of First Colony Civic Association, spoke in opposition to the project because of availability of existing housing and location in the floodplain.

3. Mr. Robert L. Clifford, 109 Shellbank Drive, spoke in opposition to the project noting the new Comprehensive Plan would earmark areas for residential/commercial development.

4. Mr. George F. Wright, spoke in opposition to the project voicing concerns of drainage, development, schools and transportation.

5. Mr. Ed Oyer, 139 Indian Circle, spoke on elimination of Federal subsidies on 100-year floodplain insurance in future years.

6. Ms. Miriam Hotchkiss spoke in opposition with concerns about wetlands and development impact on streams.

Ms. Knudson made a motion to postpone Case No. Z-4-90 and SUP-12-90.

A brief discussion regarding Chesapeake Bay Preservation Act followed.

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

3. Case No. SUP-11-90. AT&T Communications

Mr. Sowers stated that Mr. Herbert A. Williams had applied on behalf of the Old Capitol Lodge No. 629 for a special use permit to allow a fiber optics cable support building of approximately 625 square feet, one story in height, on 1 acre zoned R-3, General Residential, at 105 Howard Drive, further identified as Parcel (1-43) on James City County Tax Map No. (52-3).

The Planning Commission concurred with staff and recommended approval of the proposal with conditions listed in the resolution.

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

Ms. Knudson made a motion to approve the resolution.

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

R E S O L U T I O N

CASE NO. SUP-11-90. AT&T COMMUNICATIONS

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, following its public hearing, unanimously recommended approval of Case No. SUP-11-90 to permit a fiber optics cable support building in the R-3, General Residential, district on property identified as Parcel (1-43) on James City County Real Estate Tax Map No. (52-3).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-11-90 as described herein with the following conditions.

1. If construction has not commenced on this project within a period of 18 months from the date of issuance of the special use permit, it shall become void. During the 18-month period, permits pertaining to the construction shall be secured, clearing and grading of the site shall be completed and footings and/or foundations shall be installed.
2. The fiber optics support building shall not exceed 750 square feet of floor area and shall not be more than 15-feet in height.

4. Case No. SUP-13-90. Jean S. Wilder

Mr. Sowers stated that Ms. Jean S. Wilder had applied for a special use permit to allow a family subdivision on a 19.68 acre parcel of land within the A-1, General Agricultural District, creating a 2-acre lot and a 17.68 acre Parcel, located at 8799 Barnes Road south of Route 60, further identified as Parcel (1-22) on James City County Real Estate Tax Map No. (10-1).

Staff recommended approval of this application with conditions as listed in the resolution.

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

Mr. Taylor made a motion to approve the resolution.

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

R E S O L U T I O N

CASE NO. SUP-13-90. JEAN S. WILDER

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 owner of the property has applied for a special use permit to allow a family subdivision in the A-1, General Agricultural District, on property identified as Parcel (1-22) on James City County Real Estate Tax Map No. (10-1) creating one new lot approximately 2 acres in size.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-13-90 as described herein with the following conditions:

1. The proposed lot shall have a septic tank system and water source approved by the Health Department.

2. The proposed lot shall abut and have access to Barnes Road.
 3. If a subdivision plat for this proposal has not been recorded within 24 months from the date of the issuance of the special use permit, it shall become void.
5. Case No. Z0-5-90. Ordinance Amendment Requiring Special Use Permits for Certain Commercial and Office Uses

Mr. Sowers stated that this case presented several alternatives to address the impact on roads and adjacent uses, and difficulties in adequately addressing such impacts at development stage of shopping centers and convenience stores. Alternative 1 would require SUPs for certain sized shopping centers; Alternative 2 would require SUPs for a much broader range of commercial and office uses based on building size and projected traffic generation characteristics, a traffic impact study for all SUP applications, would permit no more than one access point on each abutting public street unless approved by the Board and would require a binding Master Plan for projects involving more than 5 acres. The Planning Commission recommended approval of Alternative 1 with addition of convenience stores, fast food restaurants, and automobile sales, limiting these uses to only one access point on each abutting public street with approval by the Planning Commission.

Staff recommended approval of Alternative 2 because it addressed growth issues in a substantially more effective, comprehensive manner than the other two options.

The Planning Commission and staff concurred that the following provisions be added to each alternative that would declare conformance with and exemption from these amendments: 1) Site plans with preliminary approval before April 2, 1990; 2) uses and expansions for which the start of construction began prior to April 2, 1990, in accordance with a site plan approved prior to that date; and, 3) any existing binding master plan that contains all of the information required by the respective alternative.

The Board discussed requirement of a special use permit for expansion of existing businesses and the three provisions that would be declared in conformance with and exempted from the proposed amendments.

Mr. DePue reopened the public hearing.

1. Mr. Bobby Hornsby, realtor, builder and developer, stated concerns with the proposed requirements and asked for one alternative if the amendment is to continue to receive Board consideration.

2. Mr. Alex Kuras, Planning Commission member, explained the Planning Commission's alternative and recommendations.

3. Mr. Gilbert Bartlett, Esq., representative for Williamsburg Pottery, voiced strong opposition to the proposed amendments with regard to extra costs and lost corporate time.

4. Mr. Alvin Anderson, Esq., representative for Universal Square Associates and Williamsburg Crossing, spoke in opposition to the proposed amendments regarding Master Plan in B-1 zoning and asked that the matter be studied further.

5. Mr. Calvin Davis, owner of Williamsburg Crossing, stated several concerns including that of construction funding if binding Master Plans are required.

Mr. Edwards made a motion to postpone the ordinance amendments until the first meeting in May.

Board discussion ensued regarding an Economic Development Coordinator report on economic impacts on existing businesses and shopping centers in the County.

Mr. Norment requested a deadline of April 30, 1990, for the report.

Mr. DePue made an amendment to the motion for two work sessions with staff and public.

Mr. Morton requested the Board confirm which alternative staff should address.

With Board consensus, Mr. DePue designated Alternative 2.

Mr. DePue withdrew the amendment to the motion and made an amending motion to request a report from the Economic Development Coordinator on economic impact on shopping centers and other businesses impacted by the proposed amendment.

Mr. DePue called for a vote on the motion with amendment.

Mr. Edwards restated the motion to postpone until May 7, 1990, to allow a report from the Economic Development Coordinator on economic impact on shopping centers and other businesses.

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

6. Case No. SUP-4-90. Williamsburg-James City County Middle School

Mr. Sowers stated that the Williamsburg-James City County School Board had applied for a special use permit to allow the development of a middle school on 63.4 acres zoned A-1, General Agricultural, located at 7817 Richmond Road, further identified as Parcel (1-51) on James City County Real Estate Tax Map No. (12-4), with the School Board acquiring roughly 30 acres on which the school would be located.

The Planning Commission unanimously concurred with staff and recommended approval with conditions listed in the resolution.

Mr. Taylor asked that the traffic signal be considered at Chickahominy Road rather than the school entrance.

Mr. Sowers responded in the affirmative that the traffic signal would be considered in the traffic study.

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

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

CASE NO. SUP-4-90. WILLIAMSBURG/JAMES CITY COUNTY MIDDLE SCHOOL

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, following its public hearing, unanimously recommended approval of Case No. SUP-4-90 to permit a middle school in the A-1, General Agricultural district on property identified as Parcel (1-51) on James City County Real Estate Tax Map No. (12-4).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-4-90 as described herein with the following conditions:

1. A Phase I archaeological survey shall be completed for the site. The study shall be submitted to and approved by the Planning Director before development plan submittal. The findings of the study shall be incorporated into the development plan.
2. This project shall fully comply with all Chesapeake Bay Preservation Act Regulations.
3. A stormwater detention basin shall be located in the northern most ravine located along the eastern boundary of the site to control runoff. The design and precise location of the basin shall be approved by the Director of Code Compliance during the site plan review process and incorporate water quality best management practices.
4. The school shall have no more than 1 access on Richmond Road and 1 access on Chickahominy Road.

5. A traffic study shall be completed for the proposal. The traffic study shall be reviewed and approved by the Planning Department and the Virginia Department of Transportation. The traffic study shall evaluate alternative access configurations and recommend the most appropriate design based on safety and traffic impacts on Richmond Road and surrounding properties. The findings of this study shall be incorporated into any development plan submittal.
6. A landscape plan shall be submitted to and approved by the Development Review Committee. Particular emphasis shall be placed on screening the use and the parking areas from adjacent properties and Richmond Road, and retaining existing trees, to the maximum extent possible. A 50-foot buffer shall be provided adjacent to all property zoned or used for residential purposes. The buffer shall remain undisturbed and in its natural state, except as approved by the Development Review Committee.
7. Lighting shall be placed on the site so it does not glare onto adjacent properties.
8. If construction has not commenced on this project within a period of 18 months from the date of issuance of this permit, it shall become void. During the 18-month period, permits pertaining to the construction shall be secured, clearing and grading of the site shall be completed and footings and/or foundations shall be installed.
9. A sidewalk shall be located within the Route 60 right-of-way along the entire frontage of the site. A sidewalk shall also be located within the Chickahominy right-of-way along the portion of the site used for the school. If adequate right-of-way is not available to accommodate the sidewalk, it shall be donated. The sidewalk shall meet all V.D.O.T. standards.

F. **BOARD CONSIDERATION**

1. City/County Recreation Agreement

Mr. McDonald stated that the City/County Recreation Agreement established cooperation by both City and County recreation programs in providing services to residents of both jurisdictions; eliminated the County's financial support for the City's recreation programs and vice versa; established Board of Supervisors and County staff responsible for policy and programming; and written so that the City had no obligation to contribute to the construction of improvements unless specially agreed.

Mr. McDonald further stated the City had reviewed the agreement, and that staff recommended approval.

Mr. DePue made a motion to approve the agreement.

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

G. PUBLIC COMMENT

Mr. Ed Oyer spoke in remembrance of County employee, Charles L. Mehaffey.

H. REPORTS OF THE COUNTY ADMINISTRATOR - None

I. BOARD REQUESTS AND DIRECTIVES

Ms. Knudson thanked County's Facilities Management staff and Lafayette High School for setup of the meeting.

Mr. DePue made a motion to recess until Tuesday, April 3, at 7:00 p.m.

The Board recessed at 11:10 p.m.



David B. Norman
Clerk to the Board

1346w

CITY/COUNTY RECREATION AGREEMENT

THIS AGREEMENT made this 10th day of MAY, 1990, by and between the CITY OF WILLIAMSBURG, a municipal corporation chartered and existing under the laws of the Commonwealth of Virginia (CITY) and COUNTY OF JAMES CITY, a political jurisdiction of the Commonwealth of Virginia (COUNTY).

WHEREAS, CITY and COUNTY jointly own a tract of land fronting on Longhill Road in James City County which adjoins the Williamsburg City limits and have constructed thereon a recreation center building containing indoor swimming pool together with various other athletic facilities and meeting rooms; and

WHEREAS, COUNTY has also erected several lighted softball fields on the property adjacent to the building; and

WHEREAS, CITY AND COUNTY each operate recreational programs and maintain various recreational facilities in their respective localities; and

WHEREAS, each locality allows residents of the other locality to participate in its recreational programs and to use its facilities in consideration of annual contributions by the other locality toward the cost of operation of its recreational programs; and

WHEREAS, since construction of the joint recreation center on Longhill Road CITY has contributed toward the cost of operation in the manner specified in paragraph 6 of "JOINT RESOLUTION, COMMUNITY RECREATION FACILITY" passed by the City Council of the City of Williamsburg and the Board of Supervisors of James City County, a copy of which is attached hereto as "Exhibit A"; and

WHEREAS, CITY now plans to erect a gymnasium at its Quarterpath Park and COUNTY has paid \$20,000.00 and has included \$20,000.00 additional in its current budget as a contribution to the "Let's Build A Gym Fund" toward the construction of such gymnasium with the understanding that its citizens will be allowed to use such gymnasium on the same basis as CITY residents; and

WHEREAS, CITY and COUNTY have concluded that certain offsets provided in this agreement will fairly compensate each locality for the use of such locality's recreational programs and facilities by citizens of the other and will eliminate the necessity of making certain annual payments to the other which would otherwise be required.

NOW, THEREFORE, in consideration of the mutual benefits herein accruing to each of the parties and pursuant to the provision of Section 15.1-21 of the Code of Virginia (1950) as amended, the parties hereby agree as follows:

1. Each locality shall allow residents of the other full access to its recreation facilities and to all recreation programs sponsored or operated by such locality. Such access shall be equally available to the residents of both localities and shall be upon the same terms, conditions and fees as to the residents of both localities. Each jurisdiction shall be solely responsible for the administration and operation of its recreational programs and wholly-owned facilities. In event of termination of this agreement, each locality shall retain title and sole ownership in and to its respective wholly-owned facilities.

2. COUNTY shall not be required to reimburse CITY for any share of the operating costs of CITY recreational facilities or programs and CITY shall not be required to reimburse COUNTY for any share of the operating cost of COUNTY recreational facilities and programs.

3. CITY acknowledges that prior to this agreement COUNTY contributed \$20,000.00 to CITY'S "Let's Build A Gym Fund" and agrees that COUNTY shall not be expected to contribute any further monies (beyond the \$20,000 contribution made to the "Let's Build A Gym Fund") toward the erection or maintenance of CITY'S gymnasium to be constructed at Quarterpath Park in the City of Williamsburg.

4. The James City County-Williamsburg Recreation Center, including land and all improvements thereon, (the "Center"), shall be operated and programmed under the administrative guidance of COUNTY, and CITY shall not be required to reimburse COUNTY for any share of the operating expenses of the Center or of any activities carried on in the Center building or grounds.

5. CITY shall have no obligation to contribute toward the annual maintenance expense of the existing Center Building, the swimming pool and other fixtures therein, nor shall CITY be obligated to contribute to maintenance or replacement of any equipment located in the Center building or on its grounds or toward the maintenance or operation of any playing fields located thereon.

6. CITY shall have no obligation to contribute toward the cost of design or construction of any additions to the Center building or of any additional buildings or other facilities located upon the Center grounds unless specifically agreed to.

This agreement may be terminated by either party as of June 30, 1995 or at the end of any fiscal year thereafter by giving written notice to the other party at least ninety (90) days prior to the end of such fiscal year. In the event of termination, CITY'S and COUNTY'S obligation to contribute toward operation and maintenance of the CENTER shall again be controlled by paragraph 6 of "Exhibit A" hereto attached and the terms of participation by residents of each locality in other recreation programs and facilities of the other shall be determined by subsequent agreement between the two localities.

WITNESS the following signatures:

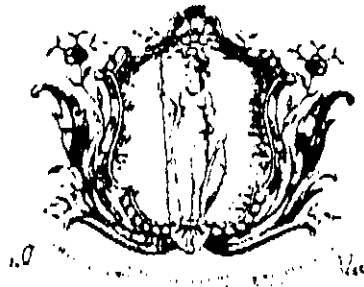
CITY OF WILLIAMSBURG

BY: Frank Force, City Mgr.
Frank Force, City Manager

COUNTY OF JAMES CITY

BY: David B. Norman
David B. Norman, County Administrator

1641n



CITY OF WILLIAMSBURG
WILLIAMSBURG, VIRGINIA

OFFICE OF THE MAYOR

May 18, 1982

Extract from the minutes of an adjourned meeting of the Williamsburg City Council held on May 18, 1982:

"Mr. Granger moved that the City Manager be authorized to retain a Consultant and enter into a contract for a study of a Recreation Facility by June 10, 1982; that James City County also be requested to enter into a Contract and that they be requested to pay one-half of the cost of the study; that they appoint three people to an Advisory Committee and that the Mayor of Williamsburg appoint three people to the Advisory Committee; that this be a joint responsibility with the Consultant reporting to the Advisory Committee and the Committee reporting to the City and James City County. In the event that James City County does not agree to this proposal, that the City Manager be authorized to proceed by retaining a Consultant on behalf of the City only. The motion was unanimously carried by roll call vote."

I, Lois S. Bodie, the Clerk of the Council of the City of Williamsburg, Virginia, do hereby certify that the foregoing is a true and correct extract of the minutes of a certain meeting of the City Council of the City of Williamsburg duly constituted and held in the City of Williamsburg Virginia on May 18, 1982, at which a quorum was present and acting throughout.

Given under my hand and official seal of said City of Williamsburg on May 20, 1982:

Lois S. Bodie
Clerk of Council