

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF APRIL, NINETEEN HUNDRED NINETY, AT 1:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District (Absent)  
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 - April 2, 1990

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

Mr. Edwards 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. HIGHWAY MATTERS

Mr. Frank N. Hall, Resident Engineer, Virginia Department of Transportation, stated that "No Parking" signs to be posted on Route 5 across from Williamsburg Crossing will be made, the drainage problem on Woodside would be corrected by manual excavation of ditches, and the final design public hearing for the Grove Interchange would be held Tuesday, April 17.

Mr. Taylor asked for a status report on the drainage problem on Church Lane in Lake Toano.

Mr. Edwards asked for an update on the request about water standing on Route 5 opposite Williamsburg Crossing.

Mr. Norment requested repair of potholes on Woodside Drive at the same time the ditch work is accomplished.

## D. CONSENT CALENDAR

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

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

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

1. Earth Day 1990R E S O L U T I O NEARTH DAY 1990

WHEREAS, almost twenty years ago, more than twenty million Americans joined together on Earth Day in a demonstration of concern for the environment creating an informed public whose collective action resulted in the passage of sweeping new laws to protect our air, water and land; and

WHEREAS, in nineteen years since the first Earth Day, despite environmental improvements, the environmental health of the planet is increasingly endangered requiring action by all sections of society; and

WHEREAS, Earth Day 1990 is a national call to action for all citizens to join in a global effort to save the planet; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation, and adopting a more ecologically sound life-styles.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County, Virginia, designates and proclaims April 22, 1990, as Earth Day 90, and that that day shall be set aside for public activities.

2. Lighting at Route 143/199 InterchangeR E S O L U T I O NSTREETLIGHT AT ROUTE 143/199 INTERCHANGE

WHEREAS, the Board of Supervisors has received requests for lighting of this intersection; and

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WHEREAS, the Virginia Department of Transportation does not provide this type of service; and

WHEREAS, this intersection serves both residents and visitors to York County and James City County; and

WHEREAS, the proposed streetlight is located in York County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request approval from the York County Board of Supervisors to install a streetlight in York County as shown on the attached sketch.

BE IT FURTHER RESOLVED that the York County Board of Supervisors is hereby requested to consider paying one-half of the cost of installing said street light.

3. Little Creek Reservoir Recreation Area Well

R E S O L U T I O N

LITTLE CREEK RESERVOIR RECREATION AREA WELL

WHEREAS, the Department of Health of the Commonwealth of Virginia regulates the use of noncommunity wells; and

WHEREAS, Commonwealth regulations require that certain restrictions be placed on the area surrounding such a well to prevent its contamination; and

WHEREAS, the County of James City, Virginia, desires to operate a noncommunity well at its Little Creek Reservoir Recreation Area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the Vice Chairman to execute a well dedication document, restricting the use of land within 50 feet of the Little Creek Reservoir Recreation Area well as required by the Department of Health of the Commonwealth of Virginia for the operation of noncommunity wells.

4. Centerville Road Sidewalk Right-of-Way Acquisition

R E S O L U T I O N

CENTERVILLE ROAD SIDEWALK RIGHT-OF-WAY

WHEREAS, the Virginia Department of Transportation State Highway Project No. 0614-047-132 provides for improvements to Centerville Road (Route 614) between News Road (Route 613) and Richmond Road (Route 60); and

WHEREAS, the Virginia Department of Transportation is preparing to acquire the necessary right-of-way for road improvements to Centerville Road (Route 614) between Forest Glen Drive (Route 1507) and Richmond Road (Route 60), a distance of approximately 2.61 miles ; and

WHEREAS, the Virginia Department of Transportation will acquire the necessary additional right-of-way required to accommodate a 4-foot wide sidewalk in conjunction with right-of-way acquisition for the road improvements upon request by the James City County Board of Supervisors; and

WHEREAS, the James City County Comprehensive Sidewalk Plan recommends a sidewalk on Centerville Road (Route 614) between Forest Glen Drive (Route 1507) and Richmond Road (Route 60).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation is hereby requested to acquire sufficient right-of-way to accommodate a 4-foot wide sidewalk in its right-of-way acquisition for improvements to Centerville Road (Route 614) from Forest Glen Drive (Route 1507) to Richmond Road (Route 60).

BE IT FURTHER RESOLVED that the Board approves expenditure of approximately \$35,200 from sidewalk CIP funds for this purpose.

5. Dedication of Streets in Glenwood Acres and Midlands, Section I

R E S O L U T I O N

DEDICATION OF STREETS IN GLENWOOD ACRES

WHEREAS, the developer of Glenwood Acres has requested the Board of Supervisors to include certain streets in the State Secondary Highway System; and

WHEREAS, the Board of Supervisors desires certain streets in Glenwood Acres to be included in the State Secondary Highway System, provided these streets meet with the requirements of the Virginia Department of Transportation, and providing that any alterations, corrections, or other matters that might be found desirable by the Virginia Department of Transportation are made within a ninety (90) day period from the date that the Virginia Department of Transportation makes its final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation be, and is hereby respectfully requested, contingent on the above, to include the following streets in Glenwood Acres, Stonehouse Election District, James City County, in the State Secondary Highway System:

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1. Crosscut Court, 50-foot right-of-way
  - From: Old Mill Lane (Route 602)
  - To: End of Cul-de-sac
  - Distance: 245 feet (0.05 mile)

The rights-of-way of 50 feet, along with drainage easements, are guaranteed as evidenced by the following plats of record:

Glenwood Acres, recorded in Plat Book 44, pages 53 and 54, dated January 13, 1987.

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

### R E S O L U T I O N

#### DEDICATION OF STREETS IN MIDLANDS, SECTION I

WHEREAS, the developer of Midlands, Section I has requested the Board of Supervisors to include certain streets in the State Secondary Highway System; and

WHEREAS, the Board of Supervisors desires certain streets in Midlands, Section I to be included in the State Secondary Highway System, provided these streets meet with the requirements of the Virginia Department of Transportation, and providing that any alterations, corrections, or other matters that might be found desirable by the Virginia Department of Transportation are made within a ninety (90) day period from the date that the Virginia Department of Transportation makes its final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Virginia Department of Transportation be, and is hereby respectfully requested, contingent on the above, to include the following streets in Midlands, Section I, Berkeley Election District, James City County, in the State Secondary Highway System:

1. Midlands Road, 55-foot right-of-way
  - From: Strawberry Plains Road (Route 616)
  - To: End of Cul-de-sac
  - Distance: 639 feet (0.12 mile)

The rights-of-way of 55 feet, along with drainage easements, are guaranteed as evidenced by the following plats of record:

Midlands, Section I, recorded in Plat Book 42, page 51, dated May 18, 1986; and Midlands, Section I, recorded in Plat Book 50, page 47, dated March 3, 1989.

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

6. Additional Allocation for State/Local Foster CareR E S O L U T I O NAPPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Department of Social Services has provided supplemental funding to render additional services through the State/Local Foster Care Program (Account No.007-082-5708); and

WHEREAS, sufficient local matching funds are available in Account No. 007-081-5400.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenues:

Revenue from the Commonwealth	\$6,876.00
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Expenditures

State/Local Foster Care Administration	\$6,876.00
	<u>(3,438.00)</u>
	\$3,438.00

## E. PUBLIC HEARINGS

1. Ordinance Amendment -Landfill Tipping Fees

Mr. David W. Clark, Solid Waste Engineer, stated that during the budget work sessions, the landfill tipping fee was proposed to increase from \$21 per ton to \$25 per ton. Staff recommended approval of the ordinance amendment.

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

Mr. Edwards made a motion to approve the ordinance amendment.

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

2. Case No. SUP-22-90. Albert Marsh

Mr. Allen J. Murphy, Jr., Principal Planner, stated that Mr. Albert Marsh had applied for a special use permit to allow the replacement of a nonconforming manufactured home on .362 acres, which he owns, zoned R-3, General Residential, at 218 Alesa Drive, further identified as Parcel (4-22) on the James City County Real Estate Tax Map No. (39-1).

Staff recommended approval with conditions listed in the resolution.

Mr. Taylor opened the public hearing.

1. Mr. Percell Marsh, brother of the applicant and the person who would be living in the manufactured home, requested approval of the special use permit.

Mr. Taylor closed the public hearing and made a motion to approve the resolution.

Mr. Edwards requested a postponement to consider additional information.

By Board consensus, the case was postponed until the May 7, 1990, Board of Supervisors meeting.

3. Case No. SUP-15-90. Hazel and Clarence Richardson, Jr.

Mr. Murphy stated that Hazel and Clarence Richardson, Jr., have applied for a special use permit to allow the replacement of a nonconforming manufactured home on 1.0 acres, which they own, zoned A-1, General Agricultural, at 5289 Riverview Road, further identified as Parcel (1-33) on the James City County Real Estate Tax Map No. (15-3).

Mr. Taylor opened the public hearing.

1. Ms. Hazel Richardson, applicant, stated existing natural drainage presented no problems and requested approval of the case without requirement of a permit from the Health Department.

Mr. Taylor closed the public hearing.

Board discussion followed regarding the size of the current drainfield, number of persons in the residence, and responsibility of enforcement of the permit.

Mr. Edwards made a motion to approve the resolution.

Mr. Norment made a motion to amend Condition 5 by allowing a time period of 6 months from approval for compliance in securing a Health Department permit and installing the sewage disposal facilities.

Mr. Taylor called for a vote on the amended motion.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

R E S O L U T I O N

CASE NO. SUP-15-90. HAZEL AND CLARENCE D. RICHARDSON, JR.

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, Virginia, that a special use permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Hazel and Clarence D. Richardson, Jr.
Real Estate Tax Map ID:	(15-3)
Parcel No.:	(1-33)
Address:	5289 Riverview Road
District:	Stonehouse
Zoning:	A-1
Conditions:	<ol style="list-style-type: none"> <li>1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall 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.</li> <li>2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.</li> <li>3. Existing vegetation shall be maintained within 20 feet of all property lines except where clearing is required for utilities and necessary entrances.</li> </ol>

4. The number of bedrooms shall not exceed 3.
  5. The applicant shall secure a permit from the Health Department for installing additional sewage disposal system facilities that meet current Health Department standards and install those facilities within 6 months from the date of approval of this special use permit.
  6. The existing manufactured home shall be removed within 30 days of placement of the proposed manufactured home.
4. Case No. SUP-17-90. Norge Elementary School/Temporary Classroom Trailers
  5. Case No. SUP-18-90. Montague School Temporary Trailers
  6. Case No. SUP-19-90. Lafayette High School Temporary Trailers
  7. Case No. SUP-20-90. Clara Byrd Baker School Temporary Trailers
  8. Case No. SUP-21-90. Rawls Byrd School Temporary Trailers

Mr. Marvin Sowers, Jr., Director of Planning, stated that Mr. Arnold Nye, on behalf of the Williamsburg-James City County School Board, had applied to allow the placement of temporary classroom trailers at Norge School, 7311 Richmond Road, further identified as Parcel (1-35) on James City County Real Estate Tax Map No. (23-2); D.J. Montague Elementary School at 5380 Centerville Road, further identified as Parcel (1-49) on James City County Real Estate Tax Map No. (31-3); Lafayette High School, at 4460 Longhill Road, further identified as Parcel (1-1) on James City Real Estate Tax Map No. (32-3); Clara Byrd Baker Elementary School at 3131 Ironbound Road, further identified as Parcel (1-58) on James City County Real Estate Tax Map No. (47-1); and Rawls Byrd Elementary School, 112 Laurel Lane, further identified as Parcel (6-171A) on James City County Real Estate Tax Map No. (48-1).

Staff recommended approval with conditions listed in each resolution.

Mr. Taylor opened the public hearings, and as no one wished to speak, he closed the public hearings.

Board discussion ensued regarding trailers needed for 2 new schools and needed for all 5 schools, not because of increased enrollment, but for State or local programs.

Mr. Edwards made a motion to approve the resolutions.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

R E S O L U T I O N

CASE NO. SUP-17-90. NORGE ELEMENTARY SCHOOL/TEMPORARY

CLASSROOM TRAILERS

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 4 temporary classroom trailers in the R-2, Limited Residential, district on property identified as Parcel (1-35) on James City County Real Estate Tax Map No. (23-2).

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-17-90 as described herein with the following conditions:

1. This permit shall be valid until July 1, 1993.

R E S O L U T I O N

CASE NO. SUP-18-90. D. J. MONTAGUE ELEMENTARY SCHOOL

TEMPORARY CLASSROOM TRAILERS

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 2 temporary classroom trailers in the A-2, Limited Agricultural district on property identified as Parcel (1-49) on James City County Real Estate Tax Map No. (31-3).

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-18-90 as described herein with the following conditions:

1. This permit shall be valid until July 1, 1993.

R E S O L U T I O NCASE NO. SUP-19-90. - LAFAYETTE HIGH SCHOOL TEMPORARY CLASSROOM TRAILERS

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 3 temporary classroom trailers in the R-3, General Residential, district on property identified as Parcel (1-1) on James City County Real Estate Tax Map No. (32-3).

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-19-90 as described herein with the following conditions:

1. This permit shall be valid until July 1, 1993.

R E S O L U T I O NCASE NO. SUP-20-90. CLARA BYRD BAKER ELEMENTARY SCHOOLTEMPORARY CLASSROOM TRAILERS

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 7 temporary classroom trailers in the A-2, Limited Agricultural, district on property identified as Parcel (1-58) on James City County Real Estate Tax Map No. (47-1).

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-20-90 as described herein with the following conditions:

1. This permit shall be valid until July 1, 1993.
2. Landscaping shall be provided along the northeastern boundary of the temporary classroom trailers located closest to Ironbound Road. The landscaping shall be placed in a manner which would create an effective visual screen from Ironbound Road. Such landscaping shall be shown on the site plan and approved by the Planning Director, and shall be installed before any Certificate of Occupancy is issued for any of the temporary classrooms.

R E S O L U T I O NCASE NO. SUP-21-90. RAWLS BYRD ELEMENTARYSCHOOL TEMPORARY CLASSROOM TRAILERS

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 5 temporary classroom trailers in the R-2, Limited Residential, district and to extend the expiration date on an existing temporary classroom trailer on property identified as Parcel (6-171A) on James City County Real Estate Tax Map No. (48-1).

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-21-90 and approves the expiration date extension of SUP-13-88 as described herein with the following conditions:

1. This permit shall be valid until July 1, 1993.
2. Landscaping shall be provided adjoining the temporary classrooms. The landscaping shall be placed in a manner which would create an effective visual screen from adjoining properties and Laurel Lane. Such landscaping shall be shown on the site plan and approved by the Planning Director, and shall be installed before any Certificate of Occupancy is issued for any of the temporary classroom trailers.

9. Case SUP-23-90. Jehovah's Witness Hall

Mr. Bernard M. Farmer, Jr., Director of Code Compliance, stated that Mr. Stephen O. Wigley of AES, a professional corporation, on behalf of the owner, had applied for a special use permit to create more than 5,000 square feet of impervious surface area within the Reservoir Protection Overlay District, further identified as Parcel (1-16D) on James City County Real Estate Tax Map No. (13-4).

Staff, after addressing topics in Section 20-534 of the County Zoning Ordinance, recommended approval with conditions listed in the resolution.

Mr. Taylor 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.

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On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

### R E S O L U T I O N

#### CASE NO. SUP-23-90. JEHOVAH'S WITNESS HALL

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 construction in excess of 5,000 square feet of impervious surface in the RP, Reservoir Protection Overlay District on property identified as Parcel (1-16D) on James City County Real Estate Tax Map No. (13-4).

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-23-90 as described herein with the following conditions:

1. The final design for the infiltration trench reflecting an increase in size of 825 cubic feet shall be submitted along with the final site plan for the project. The trench shall be designed in accordance with the James City County Design Manual for Runoff Analysis.
2. An Inspection/Maintenance Agreement as approved by the County Attorney shall be executed prior to final site plan approval.
3. A soils test shall be provided for the infiltration trench to the Division of Code Compliance Prior to final site plan approval to verify the stated infiltration rate.
4. An observation well shall be provided in the center of the infiltration trench. Details of the well shall be shown on the site plan prior to site plan approval.
5. Construction of the infiltration trench shall be delayed until the disturbed areas draining to the trench are stabilized. This shall be noted on the site plan.

10. Case No. SUP-24-90. Sheldon Lumber Company

Mr. Farmer stated that Mr. Howard Sheldon, owner, had applied for a special use permit to create more than 5,000 square feet of impervious surface area within the Reservoir Protection Overlay District, further identified as Parcel (1-30) on James City County Real Estate Tax Map No. (12-4).

Staff, after addressing topics in Section 20-534 of the County Zoning Ordinance, recommended approval with conditions listed in the resolution.

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

Mr. Norment made a motion to approve the resolution.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

### R E S O L U T I O N

#### CASE NO. SUP-24-90 SHELDON LUMBER COMPANY

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 construction in excess of 5,000 square feet of impervious surface in the RP, Reservoir Protection Overlay District on property identified as Parcel (1-30) 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-24-90 as described herein with the following conditions:

1. An Inspection/Maintenance Agreement as approved by the County Attorney shall be executed prior to final site plan approval.
2. A soils test shall be provided for the infiltration trenches to the Division of Code Compliance prior to final site plan approval to verify the stated infiltration rate.
3. Any modifications to the design necessary due to the soils test data shall be made prior to final site plan approval.

11. Case No. Z0-9-90. Zoning Ordinance Amendment - Site Plan Cutoff Date Revision

Mr. Sowers stated that the ordinance amendment proposed to extend the time between submittal of site plans and consideration by the Development Review Committee from 30 days to 41 days. He further stated this additional time would allow consideration of the site plan prior to the Planning Commission meeting.

In accordance with staff, the Planning Commission unanimously recommended approval.

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

Ms. Knudson made a motion to approve the Ordinance amendment.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

F. BOARD CONSIDERATIONS

1. Budget Appropriation FY 1991

Mr. John E. McDonald, Manager, Financial and Management Services, stated that budget work sessions were held and the appropriation resolution incorporated the changes made by the Board at those work sessions.

Staff recommended approval of the resolution.

The Board thanked staff for an informative, well-prepared budget.

Mr. Edwards made a motion to approve the resolution to appropriate funds and set the tax rate at \$.71 on each \$100 of assessed value.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson (3). NAY: Taylor (1). ABSENT: DePue.

R E S O L U T I O N

RESOLUTION OF APPROPRIATION

WHEREAS, the County Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1990, and ending June 30, 1991, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein and to set tax rates on real estate, tangible personal property and machinery and tools to provide certain revenue in support of those appropriations.

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

1. The following amounts are hereby appropriated in the General Fund for the offices and activities in the amounts as shown below:

GENERAL FUND EXPENDITURES

Legislative Services	\$ 496,330
Administrative Services	651,042
Elections	139,765
Financial Administration	1,486,773

General Services	\$ 1,256,583
Development Management	2,048,248
Judicial Administration	496,490
Public Safety	5,947,177
Community Services	1,595,810
Education	21,602,456
Public Health and Welfare	1,017,796
Contributions	880,643
Nondepartmental	845,000
Contributions - Capital Projects	<u>2,070,000</u>
Total General Fund Expenditures	<u>\$40,534,113</u>

The appropriation for education includes \$18,206,156 as a contribution to the Williamsburg-James City County Schools.

#### GENERAL FUND REVENUES

General Property Taxes	\$25,226,357
Other Local Taxes	6,668,000
Licenses, Permits and Fees	2,986,600
Fines and Forfeitures	130,000
Revenue from Use of Money and Property	1,350,000
Revenue from the Commonwealth	3,956,856
Revenue from the Federal Government	2,100
Charges for Current Services	57,000
Miscellaneous Revenues	<u>157,200</u>
Total General Fund Revenues	<u>\$40,534,113</u>

2. That the tax rates be set on the following property for the amounts shown below and revenues appropriated in the following classifications:

#### TAX RATES

Real Estate on each \$100 Assessed Value	\$ .71
Tangible Personal Property on each \$100 Assessed Value	4.00
Machinery and Tools on each \$100 Assessed Value	4.00

3. That the following amounts are hereby appropriated for the funds as indicated in the amounts as shown below:

#### CAPITAL PROJECTS FUND

##### Revenues:

Current Year Fund Balance	\$ 1,334,099
Contribution - General Fund	2,070,000
Proceeds From Sale of Property	56,000
Prior Year Fund Balance	208,940
Recordation Tax	200,000

Lease Purchase Deposit	240,000
Bonded Indebtedness	<u>21,400,000</u>

Total Capital Projects Fund Revenues	<u>\$25,509,039</u>
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Expenditures:

Schools	\$22,590,639
Recreation	468,000
Public Safety	306,000
Development Projects	1,514,000
Community Services	480,000
General	<u>150,400</u>

Total Capital Projects Fund Expenditures	<u>\$25,509,039</u>
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DEBT SERVICE FUND

Beginning Fund Balance	<u>\$ 3,551,041</u>
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Revenues:

From General Fund - General	\$ 250,000
From General Fund - Schools	3,385,000
Interest on Bond Proceeds	<u>215,000</u>

Total Debt Service Fund Revenues	<u>3,850,000</u>
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Total Revenues and Fund Balance	<u>\$ 7,401,041</u>
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Current Year Expenditures	<u>\$ 3,049,378</u>
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Ending Fund Balance	<u>\$ 4,351,663</u>
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VIRGINIA PUBLIC ASSISTANCE FUNDRevenues:

From the Federal Government/Commonwealth	\$1,108,311
From the General Fund	455,589
Fund Balance	<u>60,520</u>

Total Virginia Public Assistance Fund Revenues	<u>\$1,624,420</u>
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Expenditures:

Administration and Assistance	<u>\$1,624,420</u>
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Total Virginia Public Assistance Fund Expenditures	<u>\$1,624,420</u>
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COMMUNITY DEVELOPMENT FUNDRevenues:

General Fund	\$ 146,578
Grants	48,800
Generated Program Income	<u>70,000</u>
Total Community Development Fund Revenues	<u>\$ 265,378</u>

Expenditures:

Administration and Programs	<u>\$ 265,378</u>
Total Community Development Fund Expenditures	<u>\$ 265,378</u>

4. The County Administrator be authorized to transfer funds and personnel from time to time within and between the offices and activities delineated in this Resolution as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.
5. The County Administrator be authorized to administer the County's Personnel Policy and Pay Plan as previously adopted by the Board of Supervisors with a 3.0 percent employee salary and wage increase to be granted effective July 1, 1990. The average merit increase for the employees shall be funded at 4.0 percent of salaries with a range from 0 to 6.0 percent.

2. Award of School Bonds, Series of 1990A

Mr. McDonald stated that Hunton and Williams, County's bond counsel, had ratified the award of \$6,600,000 to the Virginia Public School Authority for school construction pursuant to the County's Board resolution approved February 26, 1990.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 16th day of April, 1990, at which the following members were present and absent:

## PRESENT:

Jack D. Edwards  
 Judith N. Knudson  
 Thomas K. Norment, Jr.  
 Stewart U. Taylor

## ABSENT:

Perry M. DePue

the following resolution was adopted by a majority of all members of the Board of Supervisors by a roll call vote, the ayes and nays being recorded in the minutes of the meeting as shown below:

MEMBERVOTE

Perry M. DePue (Absent)  
 Jack D. Edwards  
 Judith N. Knudson  
 Thomas K. Norment, Jr.  
 Stewart U. Taylor

Aye  
 Aye  
 Aye  
 Aye

RESOLUTION RATIFYING AWARD OF \$6,600,000 SCHOOL BONDS, SERIES OF 1990A, OF JAMES CITY COUNTY, VIRGINIA, TO VIRGINIA PUBLIC SCHOOL AUTHORITY.

WHEREAS, by resolution adopted on February 26, 1990 (the "Bond Resolution"), the Board of Supervisors of James City County, Virginia (the "County"), provided for the issuance of \$6,600,000 School Bonds, Series of 1990A (the "Bonds"), of the County to the Virginia Public School Authority (the "Authority");

WHEREAS, such resolution authorized the County Administrator to award the Bonds to the Authority at such interest rate or rates as would produce a differential in each year of not more than one-tenth of one percent (1/10 of 1%) over the annual rate to be paid by the Authority on the bonds it sold to provide funds to purchase the Bonds, provided that the true interest cost to the County should not exceed 9 percent per year;

WHEREAS, on April 16, 1990, the County Administrator on behalf of the County awarded the Bonds, bearing interest at the annual rates and maturing on December 15 in years and amounts as shown on Exhibit A hereto, to the Authority;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA:

1. The action of the County Administrator in awarding the Bonds to the Authority is hereby ratified, approved and confirmed, and the Bonds shall bear interest at the annual rates and shall mature on December 15 in years and amounts as shown on Exhibit A.

2. The Bonds and the Bond Sale Agreement between the County and the Authority providing for the issuance of the Bonds shall be in substantially the forms approved by the Bond Resolution, with such changes as may be necessary or appropriate to conform them to the provisions of this resolution.

3. This resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board of Supervisors held in 16th day of April, 1990, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my signature and the seal of the Board of Supervisors of James City County, Virginia, this 16th day of April, 1990.

#### G. PUBLIC COMMENT

Mr. Jay Everson, 130 Oslo Court, thanked the Board for increasing funds for tourism.

#### H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, expressed appreciation to the Board for its input and support of the Budget.

#### I. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards suggested recessing to a special meeting for an executive session on property and personnel matters for Monday, April 30, 1990, at 7:00 p.m. in the Board Room of Building C of the Government Complex.

Mr. Taylor recessed the Board for a work session on Solid Waste Franchising at 2:05 p.m.

Mr. Frank Miller, Executive Director, Virginia Peninsulas Public Service Authority (VPPSA), presented an overview of the draft Solid Waste Management Plan as prepared by the engineering firm of Malcolm-Pirnie for the VPPSA. Mr. Miller responded to various questions from Board members regarding incineration, landfilling options, etc. He advised the Board that a public input session would be held in May on the Plan prior to finalizing the Plan for submission to the jurisdictions for their approval.

Mr. Taylor recessed the Board for a James City Service Authority meeting at 3:00 p.m. Mr. Taylor reconvened the Board into a work session on International Marketing at 3:15 p.m.

Mr. Keith Taylor, Economic Development Coordinator, introduced Birgit Starmanns and Stuart Payne, students of the College of William and Mary's Graduate School of Business Administration on international marketing to targeted countries and industries. Ms. Starmanns and Mr. Payne presented the study which identified Japan, Finland and Austria and the pharmaceutical and telecommunications industry groups as targets for the County's international economic development efforts.

Mr. Myrl Hairfield, Chairman of the Industrial Development Authority, was present. He stated that the IDA thought the report was excellent and hoped that all recommendations could ultimately be implemented.

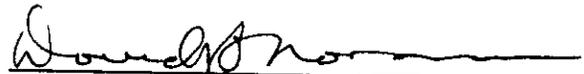
The Board thanked the students for their efforts.

Mr. Taylor reconvened the Board into open session at 3:38 p.m.

Mr. Taylor made a motion to recess until 7:00 p.m., Monday, April 30, 1990.

On a roll call, the vote was: AYE: Norment, Edwards, Knudson, Taylor (4). NAY: (0). ABSENT: DePue.

The Board recessed at 3:40 p.m.



David B. Norman  
Clerk to the Board

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, LANDFILL ORDINANCE, SECTION 8-9, HOUSEHOLD WASTE; SECTION 8-10, INDUSTRIAL REFUSE; AND SECTION 8-13, USER CHARGES BY VOLUME.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Health and Sanitation, is hereby amended and reordained by amending Section 8-9, Household waste; Section 8-10, Industrial refuse; and Section 8-13, User charges by volume.

Chapter 8. Health and Sanitation.

Article II. Landfill Ordinance.

Section 8-9. Household waste.

(a) Individuals using an automobile, station wagon, half-ton panel truck or half-ton pickup truck, with a valid county motor vehicle tag, decal or sticker, for the purpose of disposing of household refuse at the county landfill shall not be required to pay for disposal of refuse, provided, that the refuse being disposed of was neither collected nor hauled for a fee. Commercial haulers, under contract with the county to service county refuse containers, shall not be required to pay for disposal of refuse collected from county refuse containers.

(b) Commercial, industrial and governmental waste generators who bring their own refuse to the landfill, and commercial refuse operators-haulers regardless of the origin of the refuse shall pay the following fees:

Twenty-five dollars (\$25.00) per ton, computed on the basis of twenty-five cents (\$0.25) per each twenty (20) pounds or fraction thereof. Such charge shall be computed to the next highest one cent (\$0.01). The minimum charge shall be two dollars and twenty-five cents (\$2.25) per load.

Any person exempted from payment of the charge for the disposal of refuse as provided in paragraph (a) above will not be assessed any charges as provided in this paragraph.

(c) The manager may promulgate reasonable rules and regulations to permit certain materials (for example, soil or gravel) determined to be beneficial in the proper operation and maintenance of the landfill to be disposed of without charge to the hauler.

(d) Tires. Whenever more than two (2) passenger car tires are disposed of on any occasion at the county landfill by any person, firm or corporation, a separate fee of seventy-five cents (\$0.75) shall be charged for each tire above two (2). The manager may at his discretion authorize the disposal of tires other than passenger car tires, at a charge per tire to be negotiated between the manager and hauler disposing of the tires.

Section 8-10. Industrial refuse.

(a) Prior to the acceptance of industrial refuse at the landfill, the person desiring to dispose of same shall secure a permit from the manager. Prior to the issuance of such a permit, the manager shall determine the compatibility of the specific refuse with the landfill method of disposal. In determining such compatibility, the manager shall consider disposal volume, difficulty of handling, employee safety, likelihood of equipment damage, any unusual health and environmental problems, and current state and federal regulations.

(b) The disposal charge for industrial refuse that does not require disposal in a separate location (trench) from household or commercial waste shall be assessed on the basis of the charges defined in Section 8-9 (b) unless covered by paragraph (d) below.

(c) The disposal charge for industrial wastes requiring separate disposal locations shall be a minimum of twenty-one dollars (\$21.00) per ton but may be higher as determined by the manager. In establishing the fee for disposal of a specific waste requiring separate disposal, the manager shall determine the costs to maintain the separate disposal and for special handling requirements, the potential for damage to landfill equipment, environmental effects the refuse may have, state and federal rules and regulations regarding the waste, and other factors determined to be appropriate for the specialized handling of such waste.

(d) Separate contracts. The administrator may negotiate separate contracts for industrial refuse with large waste generators if it is determined that the volume is predictable and the wastes involved require minimal handling. Such contracts shall guarantee negotiated payments to the county annually, and may be offered to generators that exceed eight thousand (8,000) tons per year. No such contract shall guarantee the county less than two hundred thousand dollars (\$200,000.00) per year.

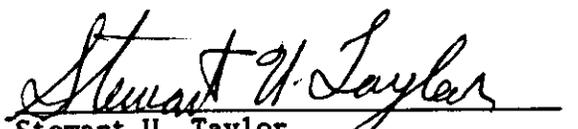
Section 8-13. User charges by volume.

(a) Should the landfill scales be inoperative, the manager shall base the charges applied upon weight data previously generated for the vehicle hauling such waste and the nature of the waste. The weight data shall consist of no fewer than fifteen (15) previous weighings by the vehicle carrying such waste and shall be modified by visual inspection of the vehicle if such is feasible.

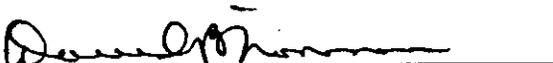
(b) For vehicles for which no history of previous weigh data exists as described in paragraph (a) above, the following rates shall apply:

- (1) Uncompacted refuse, two dollars and fifty cents (\$2.50) per cubic yard of truck capacity.
- (2) Compacted refuse, six dollars and twenty-five cents (\$6.25) per cubic yard of truck capacity.
- (3) The minimum fee for refuse charged for on a volume basis shall be two dollars and twenty-five cents (\$2.25) per load.

This ordinance shall be effective on and after July 1, 1990.

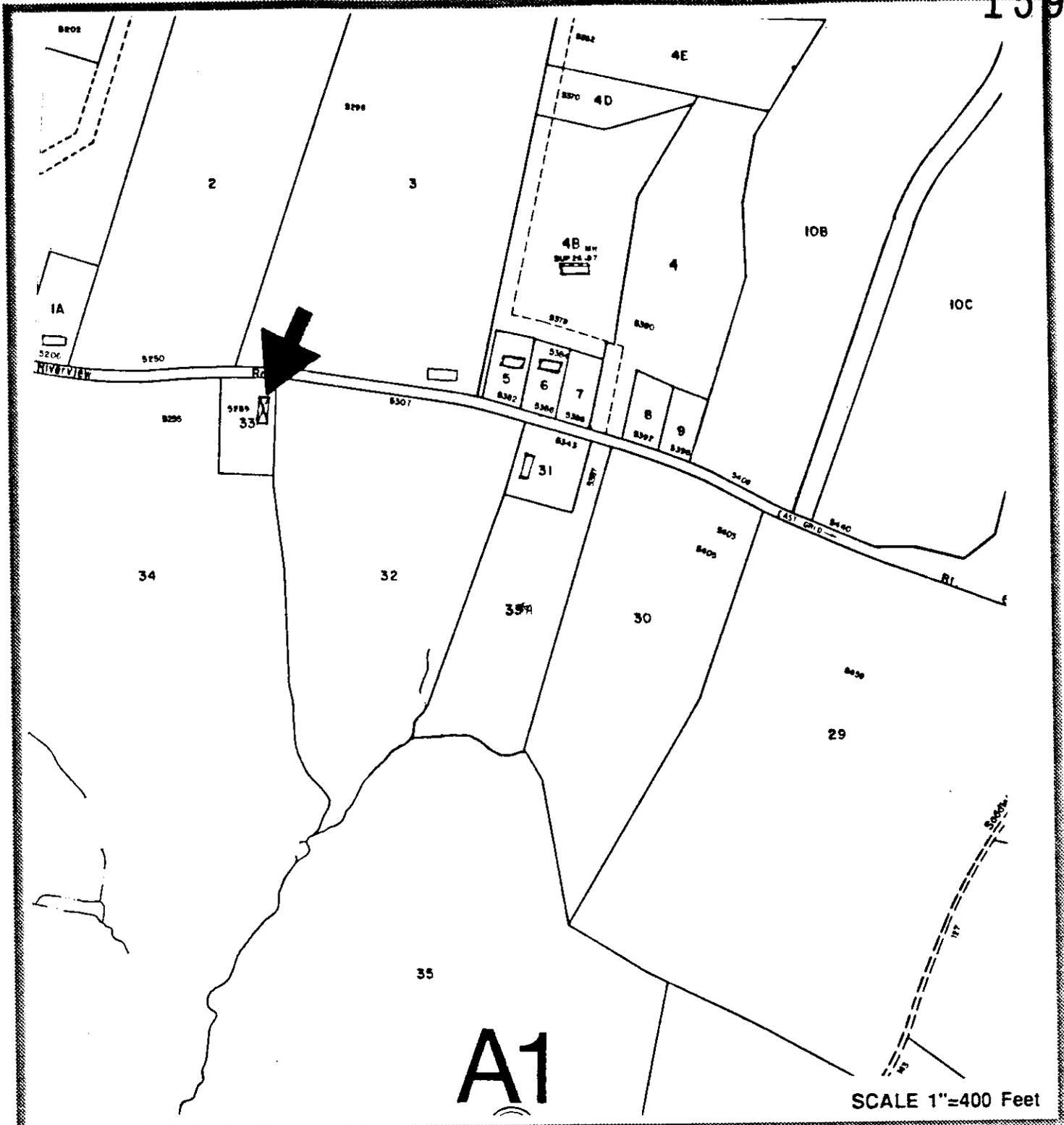
  
Stewart U. Taylor  
Vice Chairman, Board of Supervisors

ATTEST:

  
David B. Norman  
Clerk to the Board

SUPERVISOR	VOTE
NORMENT	AYE
EDWARDS	AYE
KNUDSON	AYE
DEPUE	ABSENT
TAYLOR	NAY

Adopted by the Board of Supervisors of James City County, Virginia,  
this 16th day of April, 1990.



-  EXISTING MANUFACTURED HOME
-  PROPOSED MANUFACTURED HOME

Case No: **SUP-15-90**

Name : **HAZEL & CLARENCE RICHARDSON, JR.**



# PLANNING DIVISION

ORDINANCE NO. 31A-120

APR 16 1990

BOARD OF SUPERVISOR:  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, SITE PLAN, SECTION 20-37. SITE PLAN--SUBMITTAL GENERALLY.

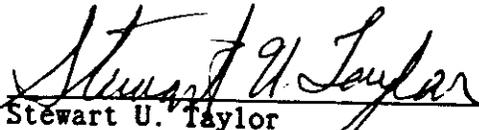
BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Zoning, is hereby amended and reordained by amending Section 20-37. Site plan--Submittal Generally.

Chapter 20. Zoning

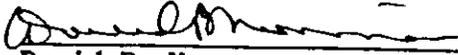
Article II. Site Plan

Section 20-37. Site Plan--Submittal Generally.

Ten copies of a site plan shall be submitted to the Planning Director, or his designee, who shall review the plans for compliance with these regulations and the requirements for site plans. If such plans do not qualify for consideration by the Zoning Administrator under Section 20-38, such plans shall require consideration by the Development Review Committee and Planning Commission. In order for site plans to be considered by the Development Review Committee at one of its regularly scheduled monthly meetings, such site plans (meeting all submittal requirements) shall be received by the Planning Division at least 5 weeks in advance of the respective Development Review Committee meeting. The Planning Director shall transmit such plans to the Development Review Committee at the appropriate meeting with his comments for their review. The Committee shall consider the site plan submittal within forty-one (41) days from the last cut off date for a scheduled Development Review Committee meeting. The Planning Commission shall consider it at its first meeting after a recommendation is made by the Development Review Committee.

  
Stewart U. Taylor  
Vice Chairman, Board of Supervisors

ATTEST:

  
David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NORMENT	AYE
EDWARDS	AYE
KNUDSON	AYE
DEPUE	ABSENT
TAYLOR	AYE

Adopted by the Board of Supervisors of James City County, Virginia,  
this 16th day of April, 1990.

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