

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF JULY, NINETEEN HUNDRED NINETY, AT 1:04 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
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 (Absent)

B. MINUTES - July 2, 1990

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

Mr. Edwards made a motion to approve the minutes with amended page 9.

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 construction had begun on Centerville Road from James River Baptist Church to Longhill Road and on Route 611, Jolly Pond Road from Centerville Road to James City County Landfill and would continue for the next several months.

Mr. Hall stated materials have not been received for the Church Lane repairs; plans are underway for solving a problem of water standing on Route 5 across from the Williamsburg Crossing shopping center; and traffic engineers are studying the potential of a merge sign for traffic flow on Route 60 East near entrance to Route 199.

Mr. Edwards asked about the procedure for making citizens aware of the Adopt-a-Highway program.

Mr. Hall responded that VDOT has a brief presentation to give to civic associations and that certain County organizations also promote the program.

Ms. Knudson requested that the Department of Transportation consider lowering the weight limit for safety reasons on Lake Powell Road bridge.

Mr. Edwards asked whether the Department of Transportation would investigate if the Board of Supervisors voted to close the bridge for being unsafe.

Mr. Hall replied in the affirmative.

D. CONSENT CALENDAR

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

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

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

1. Emergency Home Repair Program

R E S O L U T I O N

AMENDMENT OF THE APPROPRIATION OF FUNDS FOR THE
EMERGENCY HOME REPAIR PROGRAM

WHEREAS, Virginia Department of Housing and Community Development has awarded James City County a grant of \$13,571 under the Emergency Home Repair Grant Program; and

WHEREAS, this grant requires a local match and funds appropriated by the Board of Supervisors for housing repair in the FY 1991 Budget are available to provide a portion of the required match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia authorizes that the appropriated funds for the Office of Housing and Community Development be amended as follows:

Revenues

State Emergency Housing Grant	\$13,571
Housing Grant Matching Funds	<u>8,000</u>
	\$21,571

Expenditure

General Emergency Housing Repairs	\$17,725
Energy Conservation Repairs	<u>3,846</u>
	\$21,571

2. VHPF Indoor Plumbing Program ApplicationR E S O L U T I O N

AUTHORIZATION TO SUBMIT AN APPLICATION TO ADMINISTER AN
INDOOR PLUMBING LOAN AND GRANT PROGRAM

WHEREAS, the Commonwealth of Virginia Department of Housing and Community Development has issued a Notice of Funding Availability and Request for Proposals under the Virginia Housing Partnership Fund Indoor Plumbing Program; and

WHEREAS, assistance is needed to effectively and adequately address the need for indoor plumbing, adequate water supply and sewage disposal systems for low-income persons within James City County; and

WHEREAS, James City County agrees to provide Indoor Plumbing Program loans and grants to eligible persons 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.

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 \$180,000 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.

3. Homeless Intervention Program - FY 1991 Grant

R E S O L U T I O N

APPROPRIATION OF FUNDS FOR THE

SHARE-HOMELESS INTERVENTION PROGRAM

WHEREAS, the Virginia Department of Housing and Community Development has awarded James City County a grant of \$109,471 under the Share-Homeless Intervention Program; and

WHEREAS, this grant was awarded subsequent to adoption of the FY 1991 Budget and is to be administered by the Office of Housing and Community Development.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to execute the grant agreement.

BE IT FURTHER RESOLVED that the appropriated funds for the Office of Housing and Community Development be amended as follows:

Revenue

Share-Homeless Intervention Program Grant \$109,471

Expenditures

Homeless Intervention Grants and Loans \$ 82,200

Homeless Intervention Program Administration 27,271

\$109,471

4. Little Creek Reservoir Park - Award of Fishing Pier and Boat Dock Construction Contract

R E S O L U T I O N

AWARD OF CONSTRUCTION CONTRACT

LITTLE CREEK RESERVOIR PARK - FISHING PIER AND BOAT DOCK

WHEREAS, funds are available in the FY 91 budget for construction of a fishing pier and boat dock at Little Creek Reservoir Park in James City County, Virginia; and

WHEREAS, bids for construction of a fishing pier and boat dock at Little Creek Reservoir Park were received on July 3, 1990, with Cedarcrest Marine, Inc., of Charles City, Virginia, submitting the low bid in the amount of \$93,029.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute a contract between James City County and Cedarcrest Marine, Inc., for construction of a fishing pier and boat dock at Little Creek Reservoir Park to Cedarcrest Marine, Inc., in the amount of \$93,029.

5. Hampton Roads Planning District Commission

R E S O L U T I O N

HAMPTON ROADS PLANNING DISTRICT COMMISSION

WHEREAS, the bylaws of the Hampton Roads District Planning Commission require that each respective governing body designates one Commission member to the Executive Committee; and

WHEREAS, James City County desires to nominate the County Administrator to serve on the Executive Committee.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, designates David B. Norman as the Executive Committee member to represent James City County on the Hampton Roads Planning District Commission.

E. PUBLIC HEARINGS

1. Case No. SUP 34-90. Owens-Illinois Warehouse Facility
2. Case No. SUP 35-90. Owens-Illinois Paved Surface Improvements

Mr. Darryl Cook, Development Engineer, stated that Mr. Robert E. Lachmiller had applied on behalf of the owner for special use permits to create more than 5,000 feet of impervious area within the Reservoir Protection Overlay District, site identified as Parcel No. (1-15) on James City County Real Estate Tax Map No. (12-4). Mr. Cook stated that SUP-34-90 involved construction of a warehouse, paved access driveways, trailer storage areas, other minor site improvements, and on SUP 35-90, the construction of a new parking area, widening of existing roadway, and removal of an existing roadway.

Mr. Cook also indicated a runoff analysis had been submitted and reviewed, and that after construction, the net impact of the projects would reduce sediment loads to the reservoir by 18% below existing levels, and increase phosphorus by 16%.

Staff recommended approval with conditions listed in the resolutions.

Mr. DePue opened the public hearings.

1. Mr. Dan DeYoung, of DeYoung Johnson, stated his firm supported the conditions listed in the resolutions.

Mr. DePue closed the public hearings.

Mr. Taylor made a motion to approve the resolution for Case No. SUP-34-90.

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 34-90. OWENS-ILLINOIS WAREHOUSE FACILITY

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 RPOD, Reservoir Protection Overlay District on property identified as Parcel (1-15) 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 34-90 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 trench to the Division of Code Compliance prior to final site plan approval to verify suitability of the soils for use with infiltration trenches.
3. The dry detention basin will be modified by creating a wetland marsh in the bottom of the entire basin, by increasing the detention time of 40 hours for the 1-inch volume of runoff from impervious areas, and by installing an infiltration trench at the outfall of the basin capable of infiltrating 0.05 inches of runoff from the site or 2,000 cubic feet.

Mr. Taylor made a motion to approve the resolution for Case No. SUP-35-90.

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-35-90. OWENS-ILLINOIS PAVED SURFACE IMPROVEMENTS

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 RPOD, Reservoir Protection Overlay District, on property identified as Parcel (1-15) 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-35-90 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.

F. BOARD CONSIDERATIONS

1. Office of Housing and Community Development Limited-Term Positions

Mr. Anthony Conyers, Jr., Manager, Community Services, expressed pride in the County's past successes in obtaining grant funds and noted that the State had approved a \$700,000 Community Development Block Grant and FY 1991 Homeless Intervention Grant of \$109,471. Mr. Conyers explained that the County's current program envisioned two limited-term positions to extend until June 30, 1992, funded entirely by administrative funds provided by the grants, to assist in administering those programs.

Staff recommended approval of the resolution.

Board discussion included the breakdown of the CDBG funds and area of the County designated to receive assistance.

Mr. Richard Hanson, Community Development Administrator, responded that the CDBG funds would be used to rehabilitate 43 houses, develop 12 new lots, and relocate 12 families from substandard housing in the upper County areas of Chickahominy Road, Little Creek Dam Road, Berkeley Town Road, Turners Neck Road and Cranston's Mill Pond Road.

Mr. Edwards 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

CREATION OF LIMITED TERM

OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT

POSITIONS TO ADMINISTER THE HOMELESS INTERVENTION PROGRAM

AND THE COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Virginia Department of Housing and Community Development has awarded James City County a grant of \$700,000 Community Development Block Grant; and

WHEREAS, the Virginia Department of Housing and Community Development has awarded James City County a grant of \$109,471 for the Homeless Intervention Program; and

WHEREAS, two additional staff positions are needed to responsibly administer both grants; and

WHEREAS, sufficient grant funds are available to completely fund both positions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does create a limited-term Housing Technician position and a limited-term Senior Office Assistant position within Housing and Community Development.

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, reported that the Farmer's Market had repaid its loan of \$65,000 to the Industrial Development Authority. He noted the next Board meeting would be August 6, 1990, with a James City Service Authority work session scheduled for 7:00 p.m. and the regular Board of Supervisors' meeting beginning at 8:00 p.m.

Mr. Norman recommended the Board go into executive session pursuant to Section 2.1-344(a)(1) of the Code of Virginia to consider acquisition and disposition of public property.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards commended Mr. John McDonald, Manager, and staff of Financial and Management Services for their accurate projections for FY 90 budget.

Mr. Edwards requested a work session in the near future on public health issues with staff providing recommendations for improvements to the health program.

Mr. Taylor asked that staff investigate why only one tennis court was in operation at Norge Elementary.

Mr. DePue asked whether notification had been received from the State regarding allocation of primary highway funds.

Mr. John Horne, Manager, Development Management, replied in the negative.

Mr. DePue requested a brief memo from staff regarding what other counties are doing in regard to maintaining their State roads and why some counties decided against local maintenance. He also inquired whether the State would continue to provide funds if the County assumed responsibility of certain State roads.

Mr. DePue suggested that the Board think about the possibility of defining the County's Resource Management Areas by characteristic descriptions rather than designated number of feet from Resource Protection Areas in the Chesapeake Bay Preservation Ordinance.

Mr. DePue mentioned an invitation from the Governor to attend the Local Government Officials' Working Conference on the Chesapeake Bay Preservation Act meeting on August 14, 1990, at the Omni Hotel in Richmond.

Mr. DePue recessed the Board for a meeting of the James City Service Authority Board of Directors at 1:56 p.m.

Mr. DePue declared the Board back in open session at 2:05 p.m.

Mr. Norment made a motion that the Board convene into executive session for the reasons stated above by the County Administrator.

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

Mr. DePue reconvened the Board into open session at 2:56 p.m.

Mr. Edwards made a motion to approve the executive session 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

MEETING DATE: July 16, 1990

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

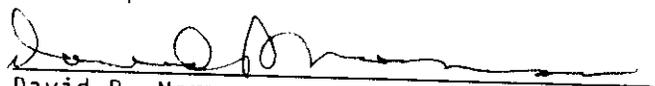
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge; (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mr. DePue made a motion to adjourn until 8:00 p.m., August 6, 1990.

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

The Board adjourned at 2:57 p.m.



David B. Norman
Clerk to the Board

AMENDMENT TO THE GRANT AGREEMENT

1989 SHARE - HOMELESS INTERVENTION PROGRAM GRANT

Grant #90-HP-04

The Amendment provides a change to the Grant Agreement dated September 8, 1989 by and between the Virginia Department of Housing and Community Development on behalf of the Commonwealth of Virginia and the Grantee, James City County.

The Amendment makes the following changes:

1. The Amendment extends the funding period to June 30, 1991.
2. The Department agrees, upon execution of the GRANT AMENDMENT, to provide the GRANTEE the amount of \$109,471.00 to undertake the project activities approved and set forth within the original GRANT AGREEMENT and here within.
3. Also incorporated as a part of this Amendment are the Revised Program Guidelines and Policy Revisions dated June 1990.
4. Section I. Project Description Funds Disbursement is hereby amended to read:

"SHARE - HIP funds will be used for Homeless Intervention activities as described in the GRANTEE'S approved 1990 revised budget and according to the following disbursement schedule:

40% may be requested by August 1, 1990
20% may be requested by October 1, 1990
20% may be requested by January 1, 1991
20% may be requested by April 1, 1991

The total grant must be expended by June 30, 1991."

5. Section II Conditions is amended to read:

A. Subsection A - Reports:

"GRANTEE will submit a monthly report for each of the 12 months of the grant period within 15 calendar days of the last day of the month. A financial closeout report must accompany the monthly report in which all grant funds have been expended."

B. In Subsection H, the term APPLICANT is revised to read GRANTEE.

6. Section III is omitted from the Agreement.

All other terms and conditions of the original Agreement continue to apply.

VIRGINIA DEPARTMENT OF HOUSING
AND COMMUNITY DEVELOPMENT

JAMES CITY COUNTY

By 
Signature


Signature

Robert J. Adams
Name

David B. Norman
Name

Deputy Director
Title

County Administrator
Title

June 21, 1990
Date

July 16, 1990
Date