

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 3RD DAY OF DECEMBER, NINETEEN HUNDRED NINETY, AT 7:02 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

B. MINUTES - November 19, 1990

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

Mr. Edwards made a motion to approve the minutes with revised pages, regarding Personnel Policies and Procedures Manual resolution.

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

C. CONSENT CALENDAR

Mr. DePue asked if any Board member wished to remove an 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. Colonial Group Home Commission Search Committee

R E S O L U T I O N

COLONIAL GROUP HOME COMMISSION SEARCH COMMITTEE

WHEREAS, James City County has a vacancy on the Colonial Group Home Commission due to a member's relocation; and

WHEREAS, a member of the James City County Colonial Group Home Commission Search Committee is currently filling the existing vacancy on the Colonial Group Home Commission; and

WHEREAS, according to State law, a Search Committee shall be appointed to recommend nominations to the Board for the Colonial Group Home Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby reappoints Ann Yankovich and appoints John Holdren to the Colonial Group Home Commission Search Committee.

E. PUBLIC HEARINGS

1. Case No. AFD-2-86. Croaker Agricultural and Forestal District

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Ms. Audre S. Atkins had applied to add Parcels (15-3)(1-29) 31.86 acres, (15-3)(1-18) 16.42 acres, and (15-3)(1-19) 16.42 acres, located along Riverview Road and Saddletown Road in the vicinity of the entrance to York River State Park, to Croaker Agricultural and Forestal District (AFD-2-86).

In concurrence with staff, the Planning Commission unanimously recommended approval with conditions listed in the ordinance.

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 ordinance.

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

2. Case No. AFD-7-86. Mill Creek Agricultural and Forestal District

Mr. Sowers stated that Mr. Steve Massie had applied to remove approximately 4.82 acres, of a 136.93-acre tract in the Mill Creek Agricultural and Forestal District (AFD-7-86), located at 2404 Forge Road, further identified as Parcel (1-6) on James City County Real Estate Tax Map No. (11-4) to be subdivided and sold.

In concurrence with staff and the Agricultural and Forestal District Advisory Committee, the Planning Commission by a 6-3 vote recommended approval.

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

Mr. Norment made a motion to approve the ordinance.

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

3. Case No. Z0-16-90. Zoning Ordinance Amendment/Manufacture of Wine

Mr. Sowers stated that the proposed amendments would add the manufacture of wine to permitted uses in the M-1 and M-2 industrial districts.

In concurrence with staff, the Planning Commission, by a 9-1 vote, recommended approval of the ordinance.

The Board questioned whether this amendment could be considered during the Comprehensive Plan update and how it might impact future applications.

Staff responded that this amendment was a housekeeping item to make the ordinance current, rather than presenting it at a later date with a case.

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 ordinance.

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

F. BOARD CONSIDERATIONS

1. Capital Project Balances

Mr. John E. McDonald, Manager, Financial and Management Services, stated that adjustments would transfer \$2,358,000 from certain existing capital project balances to the Capital Contingency Account, and also reduce both revenues and spending by \$200,000 in State recordation taxes.

Mr. McDonald clarified the amounts, \$635,000 - Elementary School, and \$200,000 - Recordation Tax Revenues for the Board.

Mr. DePue 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

AMENDMENTS TO THE CAPITAL PROJECTS BUDGET

WHEREAS, the Board has reviewed the Capital Projects Budget for the current year and has directed the staff to prepare a resolution to incorporate certain adjustments.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adjusts the Capital Budget as follows:

Transfer Funds From:

Landfill Land Acquisition	\$ 440,000
Dirt Streets	90,000
Road Match Funds	45,000
Industrial Property Acquisition	300,000
Library	250,000
Courthouse	50,000
School Site Community Access	100,000
Upper County Park	50,000
Mid County Park	28,800
River Park	170,000
High School	400,000
Elementary School	<u>635,000</u>
Totals	<u>\$2,558,800</u>

Transfer Funds To:

Capital Contingency	\$2,358,800
Recordation Tax Revenues	<u>200,000</u>
Totals	<u>\$2,558,800</u>

2. Request for Position - Commonwealth Attorney

Mr. Sanford B. Wanner, Assistant County Administrator, stated that Commonwealth Attorney George C. Fairbanks, IV had submitted a request for a new, permanent full-time, locally funded Assistant Commonwealth Attorney position.

Staff recommended that the Commonwealth Attorney use existing funds and \$2,500 each from the County and the City of Williamsburg to provide full-time temporary prosecutor services for the remainder of FY 1991.

George C. Fairbanks IV, Esq., reported an increase in caseloads over the past few years and stated that many felons and victims are not County residents. He requested funds to cover FY 1991 and indicated he would submit a request for a full-time permanent position during the budget process for FY 1992.

Dee Linhart, Police Investigator, showed slides of the drug impact in several areas of the community.

Mr. Fairbanks noted that the County receives monies from its participation in area drug confiscations and from drunk driving fines.

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 NTRANSFER OF FUNDS - LEGAL SERVICES

WHEREAS, the Commonwealth Attorney has identified a need for temporary prosecutor services; and

WHEREAS, the Board of Supervisors of James City County has agreed to a request to provide supplemental funding for the Office of the Commonwealth Attorney.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes, for the period January 1 through June 30, 1991, the transfer of \$2,500 from Legal Services to the salary accounts within the budget of the Commonwealth Attorney to fund a new, temporary position of Attorney.

BE IT FURTHER RESOLVED, that the authority for this position be contingent on shared funding with the City of Williamsburg.

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR - None

I. BOARD REQUESTS AND DIRECTIVES - None

Mr. DePue stated that he and Mr. Norman had attended the Hampton Roads Local Officials luncheon this past week and stated that Mr. Norman had provided a draft State Mandate Inventory for any additions or comments.

Mr. DePue emphasized that the localities are not opposed to the actions, but rather the principle of the mandates' impact which requires spending local monies not by choice.

Mr. Edwards made a motion to adjourn.

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

The Board adjourned at 7:59 p.m.



David B. Norman  
Clerk to the Board

CROAKER (ATKINS ADDITION)

AGRICULTURAL AND FORESTAL DISTRICT

DEC 3, 1990

(AFD-2-86)

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

WHEREAS, an Agricultural and Forestal District in the Croaker area has been established by the James City County Board of Supervisors; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an Agricultural and Forestal District in the Croaker area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on October 30, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on November 13, 1990, recommended approval of the application.

**NOW, THEREFORE BE IT ORDAINED:**

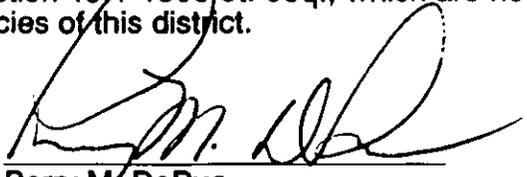
1. That the Croaker Agricultural and Forestal District is hereby amended by the addition of the following parcels:

(15-3)(1-29)	Audre S. Atkins	31.86 ac.
(15-3)(1-18)	Audre S. Atkins	16.42 ac.
(15-3)(1-19)	Audre S. Atkins	16.42 ac.

provided, however, that all land within 30 feet of the centerline of Riverview Road (Route 606) and Saddletown Road shall be excluded from the district. The following property necessary for drainage easements associated with the improvement of Saddletown Road described as an area 20 feet in width measured from the southern property line of Parcel (1-29) on James City County Real Estate Tax Map No. (15-13) extending west from Saddletown Road a distance of 700 feet; an area 30 feet in width measured from the northern property line of Parcel (1-18) on James City County Real Estate Tax Map No. (15-3) extending east from Saddletown Road a distance of 250 feet; an area 30 feet in width measured from the southern property line of Parcel (1-18) on James City County Real Estate Tax Map No. (15-3) extending east from Saddletown Road a distance of 300 feet shall also be excluded from the district.

2. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Croaker Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
  - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.

- b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
- c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.



Perry M. DePue  
Chairman, Board of Supervisors

**ATTEST:**



David B. Norman  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,  
this 3rd day of December, 1990.

1572w

**RESOLUTION****CASE NO. AFD-7-86. MILL CREEK AGRICULTURAL AND FORESTAL DISTRICT**

WHEREAS, a request to withdraw 4.82 acres owned by Steve L. Massie and identified as part of Parcel (1-6) on James City County Real Estate Tax Map No. (11-4) from the 2,854.89-acre Mill Creek Agricultural and Forestal District has been filed with the James City County Board of Supervisors; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its October 30, 1990, meeting recommended approval of the withdrawal; and

WHEREAS, the Planning Commission of James City County, at its November 13, 1990, meeting recommended approval of the withdrawal; and

WHEREAS, in accordance with Section 15.1-1513 of the Code of Virginia, a public hearing has been advertised and held by the Board; and

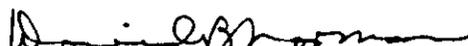
WHEREAS, the Board finds that good and reasonable cause exists for the withdrawal.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby removes that 4.82 acres owned by Steve L. Massie and identified as part of Parcel (1-6) on James City County Real Estate Tax Map No. (11-4) from the Mill Creek Agricultural and Forestal District.



**Perry M. DePue**  
Chairman, Board of Supervisors

ATTEST:

  
David B. Norman  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,  
this 3rd day of December, 1990.

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DEC 9 1990

ORDINANCE NO. 31A-128

BOARD OF SUPERVISORS  
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 IV. DISTRICTS, DIVISION 13. LIMITED INDUSTRIAL DISTRICT, M-1, SECTION 20-350. PERMITTED USES, AND DIVISION 14. GENERAL INDUSTRIAL DISTRICT, M-2, SECTION 20-375. PERMITTED USES.

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 20-350. Permitted Uses, and Section 20-375. Permitted Uses.

Chapter 20.

Article IV. Districts

Division 13. Limited Industrial District, M-1

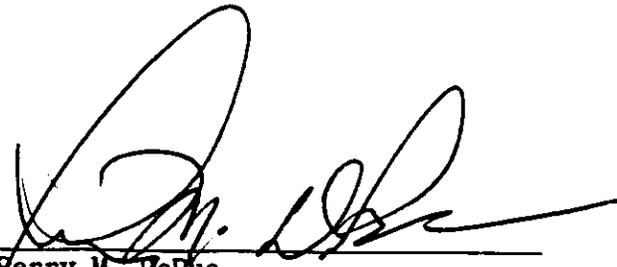
Section 20-350. Permitted Uses.

Manufacture and bottling of soft drinks and wine.

Division 14. General Industrial District, M-2.

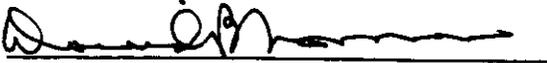
Section 20-375. Permitted Uses.

Manufacture and bottling of soft drinks and wine.



Perry M. DePue  
Chairman, Board of Supervisors

ATTEST:



David B. Norman  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia,  
this 3rd day of December, 1990.

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