

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 2ND DAY OF MARCH, NINETEEN HUNDRED NINETY-TWO, AT 7:10 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
Judith N. Knudson, Vice Chairman, Jamestown District

Perry M. DePue, Powhatan District (Absent)
David L. Sisk, Roberts District
Stewart U. Taylor, Stonehouse District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - February 18, 1992

Mr. Edwards noted that Mr. DePue was absent due to illness.

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

Mr. Edwards made a motion to approve the minutes.

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

C. CONSENT CALENDAR

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized by the Board to execute and file an application to the Virginia Department of Transportation, Commonwealth of Virginia, for a grant of Federal public transportation assistance authorized under Section 18 of the Intermodal Surface Transportation Efficiency Act of 1991, in the amount of \$331,643 to assist in the administrative, operating and capital costs of local public transportation services. The County Administrator shall be authorized to accept grant funds awarded and to furnish to the Virginia Department of Transportation documents and other information that may be required for processing this grant request.

BE IT FURTHER RESOLVED THAT the Board of Supervisors of James City County, Virginia certifies that the funds shall be used in accordance with the requirements of Section 18 of the Intermodal Surface Transportation Efficiency Act of 1991, that James City County may be subject to audit by the Virginia Department of Transportation and by the State Auditor of Public Accounts.

R E S O L U T I O N

REQUEST FOR STATE MATCHING FUNDS FY 93

WHEREAS, the Commonwealth of Virginia has made matching funds available in support of public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit system's operations.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized by the Board to execute and file an application to the Virginia Department of Transportation, Commonwealth of Virginia, for a grant of transportation special revenues authorized under Budget Item 644 of the 1982 Acts of the General Assembly, Chapter 648, Financial Assistance for Mass Transit. Amounts requested include \$46,671 to defray fifty percent (50%) of the local match for administrative expenses, \$21,700 to defray ninety-five percent (95%) of the local match for capital expenses and \$81,985 to defray ninety-five percent (95%) of the costs by James City County for the purchase of fuels, lubricants, tires and maintenance parts of an approved Federal Grant. The County Administrator shall be authorized to accept grant funds awarded and to furnish the Virginia Department of Transportation documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED THAT the Board of Supervisors of James City County, Virginia certifies that the funds shall be used in accordance with the requirements of FTA Section 18 Program and the State Appropriations Act of 1982, and that James City County may be subject to audit by the Virginia Department of Transportation and by the State Auditor of Public Accounts.

D. PUBLIC HEARINGS

1. Case No. SUP-40-91. James City Service Authority Communications Tower

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. Larry M. Foster, General Manager, on behalf of the James City Service Authority had applied for a special use permit to allow for the placement of an 80-foot tall communications tower on 5.01 acres zoned M-1, Limited Industrial, located at 107 Tewning Road further identified as Parcel (1-3) on James City County Tax Map No. (39-1).

Staff recommended approval as the proposal is generally consistent with the Comprehensive Plan. In concurrence with staff, the Planning Commission unanimously recommended approval of the special use permit with conditions listed in the resolution. Staff also recommended approval of the height limitation waiver.

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

Ms. Knudson made a motion to approve the resolutions.

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

R E S O L U T I O NCASE NO. SUP-40-91. JAMES CITY SERVICE AUTHORITYCOMMUNICATIONS TOWER

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, at their February 11, 1991, meeting voted unanimously to recommend approval of Case No. SUP-40-91 to permit an 80-foot communications tower in the M-1, Limited Industrial District on property identified as Parcel 1-3 on James City County Real Estate Tax Map No. 39-1.

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-40-91 as described herein with the following conditions.

1. This permit shall be for a freestanding radio communications tower 80 feet in height, and mounted on a 10 x 10 x 4-foot concrete pad. The tower shall be located on the east side of the new JCSA warehouse.

2. Interference studies shall be submitted for approval by the James City County Emergency Services Coordinator before the placement of any additional antennas, other than the 1 antenna originally proposed, on the tower. If interference is detected, the interfering operation shall cease until the problem is corrected, as determined by the Emergency Services Coordinator. If the interference problem cannot be corrected, the additional antenna shall be removed.
3. Prior to the placement of any equipment on the tower, the applicant shall submit to the County a certification from a professional engineer, licensed by the Commonwealth of Virginia, which indicates that the tower can safely support the loads caused by the placement of additional equipment on the tower. The applicant shall secure all necessary permits prior to altering, constructing, or modifying any portion of this tower.
4. No lighting of any kind shall be placed on this tower unless required by law in the future.
5. If construction of the tower has not begun within 18 months of the date of issuance of the special use permit, the permit shall become void.
6. If the tower is to be painted, it shall be painted a neutral color as approved by the Director of Planning. If required by law in the future, the tower may be painted another color upon approval by the Director of Planning.

R E S O L U T I O N

JAMES CITY SERVICE AUTHORITY COMMUNICATIONS

TOWER HEIGHT LIMITATION WAIVER

WHEREAS, the Board of Supervisors of James City County has adopted by Ordinance specific provisions for the waiver of height limitation requirements; and

WHEREAS, the applicant has requested a height limitation waiver to permit an 80-foot high communications tower in the M-1, Limited Industrial, district on property identified as Parcel (1-3) on James City County Real Estate Tax Map No. (39-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of a height limitation waiver as described herein with the following conditions.

1. This height limitation waiver shall apply specifically to the construction of an 80-foot high communications tower as described under Special Use Permit Case No. SUP-40-91.

2. Partial Vacation of Colonial Terrace Plat

Mr. Leo P. Rogers, Jr., Assistant County Attorney, stated that Mr. Thomas K. Norment, Jr., on behalf of Robert W. Vermillion, requested a vacation and amendment of a portion of the Plat of Colonial Terrace to extinguish certain lot lines and vacate the right-of-way for First Avenue.

Staff recommended approval of the proposed Ordinance.

Mr. Edwards 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 amendment.

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

3. Junior Firefighter Ordinance

Mr. Richard M. Miller, Fire Chief, stated that the proposed Ordinance, in compliance with State Code, would allow certain minors, 16 years of age or older to work or fully participate in the activities of a volunteer fire company.

Staff recommended approval of the Ordinance with conditions as listed.

Mr. Edwards 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: Taylor, Sisk, Knudson, Edwards
(4). NAY: (0).

4. Issuance of School Bonds - \$3,610,000

Mr. John E. McDonald, Manager of Financial Management Services, stated that the resolution authorized the issuance of bonds which would obligate the Board by pledging the full faith and credit of the County to repay the bonds and restrict the use of the bond proceeds to expenses incurred to construct the Roberts District elementary school.

Staff recommended approval of the resolution.

Mr. Edwards 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: Taylor, Sisk, Knudson, Edwards
(4). NAY: (0).

RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION
SCHOOL BONDS, OF JAMES CITY COUNTY, VIRGINIA, 1992 SERIES A,
IN AN AMOUNT NOT TO EXCEED \$3,610,000, TO BE SOLD TO THE
VIRGINIA PUBLIC SCHOOL AUTHORITY, AND PROVIDING
FOR THE FORM AND DETAILS THEREOF

WHEREAS, there has been filed with the Board of Supervisors (the "Board") of James City County, Virginia (the "County"), a certified copy of a resolution adopted by the Williamsburg-James City County School Board on February 18, 1992, determining the necessity and desirability of undertaking capital projects for public school purposes, requesting the Board to adopt a resolution authorizing the issuance of school bonds of the County in an amount not to exceed \$3,610,000 and consenting to the issuance of such bonds;

WHEREAS, the Board has determined that it is necessary and expedient to borrow not to exceed \$3,610,000 and to issue its general obligation school bonds for the financing of capital projects for school purposes;

WHEREAS, the County held a public hearing, duly noticed, on the date hereof, on the issuance of the Bonds, as defined below in accordance with the requirements of Section 15.1-227.8(A), Code of Virginia of 1950, as amended (the "Virginia Code");

WHEREAS, the Virginia Public School Authority, a State agency prescribed by the General Assembly of Virginia pursuant to Article VII, Section 10(b) of the Constitution of Virginia (the "VPSA"), has offered to purchase the County's school bonds in an amount not to exceed \$3,610,000 pursuant to a Bond Sale Agreement with the VPSA (the "Bond Sale Agreement").

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

1. Authorization of Bonds and Use of Proceeds. The Board determines that it is advisable to contract a debt and issue and sell general obligation school bonds in an aggregate amount not to exceed \$3,610,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of Bonds. It is determined to be in the best interest of the County to accept the offer of the VPSA to purchase, and the County to sell to the VPSA, the Bonds at par upon the terms established pursuant to this Resolution. The Chairman of the Board and the County Administrator, or either of them, are authorized and directed to execute the Bond Sale Agreement dated March 11, 1992, with the VPSA providing for the sale of the Bonds to the VPSA in substantially the form submitted to the Board at this meeting, which form is approved, and deliver it to the VPSA.

3. Details of Bonds. The Bonds shall be issuable in registered form in denominations of \$5,000 and whole multiples thereof; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, 1992 Series A;" shall bear interest payable semiannually on June 15 and December 15 (each an "Interest Payment Date") beginning December 15, 1992, at the rate or rates established in accordance

with paragraph 4 of this Resolution; and shall mature on December 15 in the years (each a "Principal Payment Date") and in the amounts, set forth on Schedule I attached hereto (the "Principal Installments"), subject to the provisions of paragraph 4 of this Resolution.

4. Interest Rates and Principal Installments. The County Administrator is authorized and directed to accept the interest rate or rates on the Bonds established by the VPSA, provided that no such interest rate shall be more than ten one-hundredths of one percent (0.10%) over the annual rate to be paid by the VPSA for the corresponding maturity of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that no interest rate on the Bonds shall exceed nine percent (9%) per year. The Principal Installments are subject to change at the request of the VPSA and upon approval by the County Administrator. The County Administrator is authorized to accept changes in the Principal Installments at the request of the VPSA, provided that the aggregate principal amount of the Bonds shall not exceed the amount authorized by this Resolution. The execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence such interest rate or rates established by the VPSA and the Principal Installments requested by the VPSA as having been so accepted as authorized by this Resolution.

5. Form of Bonds. For as long as the VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single, temporary typewritten bond substantially in the form of Exhibit A attached hereto. On 20 days' written notice from the VPSA, the County shall deliver, at its expense, Bonds in marketable form in denominations of \$5,000 and whole multiples thereof, as requested by the VPSA, in exchange for the temporary typewritten Bond. Such Bonds in marketable form shall be in substantially the form of Exhibit A attached hereto, with such changes as shall be necessary or appropriate for the Bonds to be in marketable form, as are not inconsistent with the terms of this Resolution and as may be approved by the County officials executing such Bonds.

6. Payment; Paying Agent and Registrar. The following provisions shall apply to the Bonds:

a. For as long as the VPSA is the registered owner of the Bonds, all payments of principal of, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. (Richmond, Virginia, time) on the applicable Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption, or if such date is not a business day for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. (Richmond, Virginia, time) on the business day next preceding such Interest Payment Date, Principal Payment Date or date fixed for prepayment or redemption.

b. All overdue payments of principal, and interest to the extent permitted by law, shall bear interest at the applicable interest rate or rates on the Bonds.

c. Central Fidelity Bank, Richmond, Virginia, is designated as Bond Registrar and Paying Agent for the Bonds (the "Registrar").

7. Prepayment or Redemption. The Principal Installments of the Bonds held by the VPSA coming due on or before December 15, 2001, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature on or before December 15, 2001, are not subject to prepayment or redemption prior to their stated maturities. The principal installments of the Bonds held by the VPSA coming due after December 15, 2001, and the definitive Bonds for which the Bonds held by the VPSA may be exchanged that mature after December 15, 2001, are subject to prepayment or redemption at the County's option prior to their stated maturities in whole or in part, on any date on or after I December 15, 2001, upon payment of the prepayment or redemption prices (expressed as percentages of principal installments to be prepaid or the principal amount of the Bonds to be redeemed) set forth below plus accrued interest to the date set for prepayment or redemption:

<u>Dates</u>	<u>Prices</u>
December 15, 2001 to December 14, 2002, inclusive	103%
December 15, 2002 to December 14, 2003, inclusive	102
December 15, 2003 to December 14, 2004, inclusive	101
December 15, 2004 and thereafter	100

Provided, however, that while the VPSA is the registered owner of the Bonds, the Bonds shall not be subject to prepayment or redemption prior to their stated maturities as described above without first obtaining the written consent of the VPSA. Notice of any such prepayment or redemption shall be given by the Registrar to the registered owner by registered mail not more than 90 and not less than 30 days before the date fixed for prepayment or redemption.

8. Execution of the Bonds. The Bonds shall be signed by the manual or facsimile signature of the Chairman or Vice Chairman of the Board, shall be countersigned by the manual or facsimile signature of the Clerk of the Board and the Board's seal shall be affixed thereto or a facsimile thereof printed thereon; provided, however, that if both of such signatures are facsimiles, no bond shall be valid until it has been authenticated by the manual signature of an authorized officer or employee of the Registrar and the date of authentication noted thereon.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of and premium, if any, and the interest on the Bonds as the same shall become due, the full faith and credit of the County are irrevocably pledged. In each year while any of the Bonds shall be outstanding, the Board shall levy and collect in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of and premium, if any, and the interest on the Bonds as such principal, premium, if any, and interest shall become due, which tax shall be without limitation as to rate or amount and in addition to all other taxes authorized to be levied in the County to the extent other funds of the County are not lawfully available and appropriated for such purpose.

10. Maintenance of Tax-Exemption. The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), or otherwise cause

interest on the Bonds to be includable in the gross income for federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the Bonds. The County shall pay any such required rebate from its general funds.

11. Use of Proceeds Certificate. The County Administrator and the County Treasurer, or either of them, are authorized and directed to execute a Certificate as to Arbitrage and a Use of Proceeds Certificate or Certificates setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Code, and applicable regulations relating to the exclusion from gross income of interest on the Bonds and on the VPSA Bonds. The Board, on behalf of the County, covenants that the proceeds from the issuance and sale of the Bonds will be invested and expended as set forth in such Certificate as to Arbitrage, Use of Proceeds Certificate and other Certificates and that the County shall comply with the other covenants and representations contained therein. Furthermore, the Board, on behalf of the County, covenants that the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal income tax purposes. Such Certificates may also provide for any elections such officers deem desirable regarding rebate of earnings to the United States for purposes of complying with the provisions of Code Section 148.

12. Restrictions on Private Use. The County covenants that it will not permit the gross proceeds of the Bonds to be used in any manner that would result in (a) 5% or more of such proceeds being used in a trade or business carried on by any person other than a governmental unit, as provided in Code Section 141(b), (b) 5% or more of such proceeds being used with respect to any "output facility" (other than a facility for the furnishing of water), within the meaning of Code Section 141(b) (4), or (c) 5% or more of such proceeds being used directly or indirectly to make or finance loans to any persons other than a governmental unit, as provided in Code Section 141(c); provided, however, that if the County receives an opinion of bond counsel to the County with respect to the Bonds, and bond counsel to the VPSA with respect to the VPSA Bonds, that compliance with any such restriction is not required to prevent interest on the bonds of both issues from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such restriction.

13. State Nonarbitrage Program: Proceeds Agreement. The Board determines that it is in the County's best interests to authorize and direct the County Treasurer to participate in the State Nonarbitrage Program in connection with the Bonds. The Chairman of the Board and the County Administrator, or either of them, are authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, the VPSA, Public Financial Management, Inc., as investment manager, and Central Fidelity Bank, as depository, substantially in the form submitted to the Board at this meeting, which form is approved.

14. Filing of Resolution. The appropriate officers or agents of the County are authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County.

15. Further Actions. The members of the Board and all officers, employees and agents of the County are authorized to take such action as they or any one of them may consider necessary or desirable in connection with the issuance and sale of the Bonds, and any such action previously taken is ratified and confirmed.

16. Effective Date. This Resolution shall take effect immediately.

E. BOARD CONSIDERATION

1. Norge Lane Duplex Options

Mr. O. Marvin Sowers, Jr., stated that the case involved consideration of Ordinance amendments to allow a duplex at 116 Norge Lane. He listed procedures to implement Alternative 1 - Delete Public Sewer Requirement and Alternative 2 - Add Waiver Provisions.

Board discussion followed regarding not setting a precedent with this case for future requests and County initiation of rezoning of the six lots on Norge Lane.

Mr. Edwards asked staff to prepare an additional clause to the resolution with reference to initiation of rezoning and delayed action on the matter until later in the meeting.

2. Landfill Elevating Scraper Contract

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that the bid price included purchase of the new equipment, trade-in of existing equipment, guaranteed maintenance and repair during the life of the equipment, and a guaranteed buy-back price at the end of the useful life of the equipment.

Staff recommended approval of the resolution.

Ms. Knudson made a motion approve the resolution.

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

R E S O L U T I O N

LANDFILL ELEVATING SCRAPER CONTRACT

WHEREAS, funds are appropriated in the FY 92 Landfill Operating Budget to purchase a replacement landfill elevating scraper at the Landfill; and

WHEREAS, requests for bids were issued, responses evaluated and the lowest bid meeting the critical specifications was determined; and

WHEREAS, it has been determined that the bid submitted by Carter Machinery Company, Inc., for a Caterpillar 615C Elevating Scraper in the amount of \$108,220 (Total Cost Bid) meets the critical specifications and was the lowest responsible/responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to enter into a contract with Carter Machinery Company, Inc., for the purchase of a Caterpillar 615C Elevating Scraper for the sum of \$140,060 (Initial purchase price) including trade-in.

Norge Lane Duplex Options

Mr. Edwards read staff's proposed BE IT FURTHER RESOLVED paragraph and made a motion to approve the amended resolution.

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

R E S O L U T I O N

ZONING ORDINANCE REVIEW RELATING TO THE PUBLIC SEWER

REQUIREMENTS FOR TWO-FAMILY DWELLINGS IN

GENERAL RESIDENTIAL DISTRICT, R-2

WHEREAS, in accordance with Section 15.1-491 of the Virginia State Code, the Board of Supervisors may initiate revisions to the County Zoning Ordinance regulations whenever the public necessity, convenience, general welfare, or good zoning practice require; and

WHEREAS, certain areas zoned R-2, General Residential, in James City County have partially developed under previous Zoning Ordinance regulations; and

WHEREAS, a portion of such areas may not be able to practically develop with more intensive land uses due to Zoning Ordinance regulations which require public sewer; and

WHEREAS, it may not be practical to provide public sewer to all parcels in such areas; and

WHEREAS, the Board of Supervisors finds that amendments to the public sewer requirements for two-family dwellings may be necessary in order to provide flexibility when public sewer is not provided.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, directs staff to prepare for review and consideration, revisions and amendments to the County Zoning Ordinance regulations regarding public sewer requirements for two-family dwellings in the General Residential District, R-2, which accomplish the above purposes.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, directs staff to initiate a rezoning application from A-1, General Agriculture District, to R-2, General Residential District, for the six lots located on Norge Lane more specifically identified as Parcels 10 through 15 on James City County Tax Map No. (23-2).

F. PUBLIC COMMENT

1. Mr. Jay Everson, 6648 Richmond Road, Lightfoot, noted a December meeting was held on the Sign Ordinances and attended by County staff and the business community. He emphasized that the Sign Ordinance was extremely restrictive and of great concern to the business community. He commented that a local businessman, who is a sign maker, would now have to acquire a contractor's business State license, and that signs are needed for livelihood of businesses. Mr. Everson requested that the Sign Ordinance be reviewed by community businessmen, staff and the Board.

Mr. David B. Norman, County Administrator, responded that the Sign Ordinance permitting signs on outside of windows was uniformly enforced by the 3-area jurisdictions and that the Chamber of Commerce was satisfied with the outcome of the December meeting.

2. Mr. R. M. Hazelwood, Jr., Toano, thanked staff for the prompt response to his correspondence, and asked that consideration be given for changes to the Well and Erosion and Sedimentation Ordinances regarding well curbs and silt fences.

3. Mr. Ed Oyer, 139 Indian Circle, expressed his view that according to the Virginia State Code on debt limit, "no City, County or Town shall carry more than 10 percent against valuation of real estate property." He stated that the Commonwealth of Virginia Department of Taxation showed \$500,000,000 outstanding from 36 different tax collections.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman announced the Town Meeting to encourage citizens to participate in the County budget process was scheduled for Wednesday, March 18, 1992, at Clara Byrd Baker Elementary School at 7:30 p.m.

Mr. John T. P. Horne, Manager, Development Management, announced the informational meeting for all interested parties on Lake Powell Road was scheduled for Thursday, March 12, 1992, in Building C Board Room, Government Center, at 7:00 p.m. He stated a public meeting notice would be advertised in The Virginia Gazette on Wednesday, March 4, 1992.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards requested that the Thomas O. Williams matter be placed on the Board of Supervisors' agenda for Monday, March 16, 1992.

Mr. Edwards asked the scheduled date of the meeting to discuss the Route 5 alternative.

Mr. Horne responded that the next meeting would be held March 10, 1992, in Building C Board Room, Government Center, at 7:00 p.m.

Mr. Edwards made a motion to adjourn.

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

The Board adjourned at 8:05 p.m.



David B. Norman
Clerk to the Board

MAR 2 1992

ORDINANCE NO. 176A-1

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED "PLAT OF COLONIAL TERRACE" AND MORE PARTICULARLY DESCRIBED AS THE VACATION OF FIRST AVENUE AND THE EXTINGUISHMENT OF CERTAIN LOT LINES.

WHEREAS, application has been made by Thomas K. Norment, Jr., on behalf of Robert W. Vermillion, to vacate certain lines, words, number and symbols on a plat more particularly described below; and

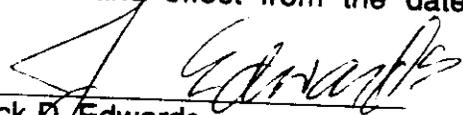
WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and 15.1-431 of the Code of Virginia 1950, as amended; and

WHEREAS, held a public hearing and considered such application on the 2nd day of March, 1992, pursuant to such notice and the Board of Supervisors was of the opinion that the vacation would not result in any inconvenience and is in the interest of public welfare.

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

1. That a portion of that certain subdivision plat entitled, "Plat of Colonial Terrace" be so vacated so as to permit the recordation of a new plat that will serve to remove certain lines, words, numbers and symbols as more specifically set forth in the above-mentioned plat and thereby vacating the right-of-way for First Avenue and extinguishing certain lot lines.
2. That a new plat entitled "Plat Showing Vacation of Portion of 'Plat of Colonial Terrace' Sections 1 and 2 and Extinguishment of Certain Lot Lines" dated February 28, 1991, prepared by Spearman & Associates, P.C., and approved by James City County, be put to record in the Clerk's Office of the Court House for the City of Williamsburg and County of James City, Virginia.

This Ordinance shall be in full force and effect from the date of its adoption.


Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

SUPERVISOR	VOTE
DEPUE	ABSENT
TAYLOR	AYE
SISK	AYE
KNUDSON	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of March, 1992.

MAR 2 1992

ORDINANCE NO. 186

JUNIOR FIREFIGHTER PROGRAM

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

WHEREAS, Chapter 5, Child Labor, or Title 40.1, Labor and Employment, of the Code of Virginia restricts the occupational activities of minors; and

WHEREAS, Virginia Code Section 40.1-79.1 empowers local governing bodies to enact ordinances which authorize minors, 16 years of age or older, to participate in Volunteer Fire Company activities; and

WHEREAS, the Board of Supervisors of James City County held a public hearing, pursuant to Virginia Codes Section 15.1-504, to consider this Ordinance.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, authorizes any person, between 16 and 18 years of age, to work or fully participate in the activities of a volunteer fire company, provided, however, that such person:

1. Obtained his or her parent's or guardian's written approval;
2. Attained certification under National Fire Protection Association 1001, level one, Fire Fighter Standards, as administered by the Department of Fire Programs; and
3. Meets and adheres to any restrictions, regulations and guidelines that may be adopted by the James City County Fire Chief.



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

SUPERVISOR	VOTE
DEPUE	ABSENT
TAYLOR	AYE
SISK	AYE
KNUDSON	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia,
this 2nd day of March, 1992.

1. Additional Allocation for Aid to Dependent Children/JOB/Transitional Day-Care and JOBS Administration

R E S O L U T I O N

APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Department of Social Services has provided supplemental funding to render additional services through the ADC/JOB/Transitional Day-Care Program; and

WHEREAS, additional funds for JOBS administration have also been provided; and

WHEREAS, sufficient local matching funds are available in Account No. 007-082-5722 and 007-081-2001.

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	\$39,128
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Expenditures:

JOBS Administration	\$ 2,100
ADC/Transitional Day-Care	41,142
Miscellaneous Public Assistance	(1,691)
Fringes	<u>(2,423)</u>
 Total	 <u>\$39,128</u>

2. FY 93 Section 18 Application - Transit Division

R E S O L U T I O N

REQUEST FOR FEDERAL MATCHING FUNDS - FY 93

WHEREAS, the Federal Government has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit system's operations.