

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 7TH DAY OF FEBRUARY, NINETEEN HUNDRED NINETY-FOUR, AT 7:05 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  
David L. Sisk, Vice Chairman, Roberts District

Jack D. Edwards, Berkeley District  
Robert A. Magoon, Jr., Jamestown District  
Stewart U. Taylor, Stonehouse District  
David B. Norman, County Administrator  
Frank M. Morton, III, County Attorney

**B. MINUTES - January 18, 1994**

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

Mr. Taylor made a motion to approve the minutes.

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

**C. CONSENT CALENDAR**

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

Mr. Sisk asked that Item No. 1 be removed.

Mr. DePue made a motion to approve Item Nos. 2, 3 and 4 on the Consent Calendar.

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

**2. Additional State Allocations, Social Services Division**

**RESOLUTION**

**APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT**

WHEREAS, the State Department of Social Services has provided additional Administration allocations for salaries to increase the reimbursement to James City County by 2 percent effective December 1993. This is a result of an increase in the State reimbursement; and

WHEREAS, the 20 percent local match for the \$11,609 is located in the salary line item No. 007-081-1001; and

- WHEREAS, no local matching funds are required for the \$463 portion of salaries allocated to the JOBS program; and
- WHEREAS, additional funds have also been provided for the Auxiliary Grants-Disabled line item No. 007-082-5703; and
- WHEREAS, the 20 percent local matching funds for Auxiliary Grants Disabled are located in Account No. 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:

Salaries - Administration (007-081-1001)	\$12,072
Auxiliary Grants - Disabled (007-082-5703)	<u>9,304</u>
	<u>\$21,376</u>

Expenditures:

Salaries - Administration (007-081-1001)	\$14,974
Auxiliary Grants Disabled (007-082-5703)	11,630
Fringes (007-081-1001)	(2,326)
Salaries - Administration (007-081-1001)	<u>(2,902)</u>
Total	<u>\$21,376</u>

3. Emergency Medical Services Budget Amendment, State Reimbursement

**RESOLUTION**

**BUDGET AMENDMENT - EMERGENCY MEDICAL SERVICES**

WHEREAS, the Board of Supervisors of James City County has been requested to approve the reimbursement by the Virginia Department of Health to James City County Office of Emergency Medical Services to replace the existing Hurst Tool system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the Emergency Medical Services FY 94 Budget, as follows:

Revenues:

Department of Health	<u>\$6,667.50</u>
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Expenditures:

Operating Equipment Replacement	<u>\$6,667.50</u>
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4. Budget Amendments - Civil Defense and Juvenile Court

**RESOLUTION**

**BUDGET AMENDMENT - CIVIL DEFENSE AND JUVENILE COURT**

WHEREAS the Board of Supervisors has set aside a contingency account within its operating budget to use to cover unexpected expenditures.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 94 Operating Budget, as follows:

Expenditures:

From: Operating Contingency \$9,200

Expenditures:

To: Juvenile Court \$1,200  
Civil Defense 8,000

\$9,200

1. Procurement Approval, Bus Replacement, Transit

Mr. Sisk asked for background information on bus replacement.

Mr. Richard Drumwright, Transit Administrator, stated the new vehicles would replace older, high mileage vehicles experiencing increased operation costs, and help meet the Federal regulations that call for wheelchair accessible buses. He further stated the new buses were important in future efforts to link transit systems in the Peninsula Transportation District.

Mr. Sisk made a motion to approve the resolution.

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

**RESOLUTION**

**PROCUREMENT APPROVAL (BUS REPLACEMENT)**

WHEREAS, the Commonwealth of Virginia and the Federal Government have provided FY 94 revenues in support of this capital need; and

WHEREAS, the Board of Supervisors desires to expend these funds in support of James City County Transit Operations in FY 94.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following amounts are hereby adopted for capital in the amounts shown below to fund the procurement of two replacement Transit buses.

Account 009-011-4215

Vehicles	<u>\$207,769</u>
<u>Revenues:</u>	
Federal	167,715
State	15,689
Transit Fund Balance	<u>24,365</u>
Total	<u>\$207,769</u>

**D. PUBLIC HEARING**

1. Case No. SUP-32-93. Girard Olexson - Accessory Apartment

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. Girard Olexson had applied for a special use permit to allow conversion of a portion of the ground level of his home into a 450 square foot accessory apartment, located at 125 Ferncliff Drive, further identified as Parcel (6-35) on James City County Real Estate Tax Map No. (38-4).

Mr. Sowers further stated that the project was generally consistent with the Comprehensive Plan and surrounding development and zoning.

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

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

Mr. Sisk made a motion to approve the special use permit.

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

**RESOLUTION**

**CASE NO. SUP-32-93. GIRARD OLEXSON - ACCESSORY APARTMENT**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on January 11, 1994, unanimously recommended approval of Case No. SUP-32-93 to allow an accessory apartment in the R-1, Low Density Residential district on property identified as Parcel (6-35) on James City County Real Estate Tax Map No. (38-4).

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-32-93 as described herein with the following conditions:

1. This special use permit shall remain in effect for a period of 18 months from the date of issuance. If within this time building permits are issued, the special use permit shall remain in effect for the term of those permits. Issuance of a Certificate of Occupancy would preserve the rights of the special use permit.
2. The accessory apartment shall be limited to 450 square feet.
3. The entire dwelling shall be limited to four bedrooms.

**E. BOARD CONSIDERATION**

1. Ordinance Amendment, Chapter 3, Animals and Fowl, Repeal Sections 3-1 through Section 3-24, Replace Sections 3-1 through 3-67

Mr. Leo P. Rogers, Assistant County Attorney, stated that the proposed ordinance, in response to recent amendments of State Code and changes within the County, would repeal and reenact Chapter 3, Animal Control, of the County Code.

Without objection from the Board, Mr. DePue allowed Mr. H. D. Tooley to speak.

1. Mr. H. D. Tooley, 8908 Hicks Island Road, Lanexa, spoke in opposition to the ordinance stating that increased fees would not solve the problems, and some of the new regulations would take away citizens' rights.

After discussion, Mr. DePue asked staff to review Sections 3-6, 3-8, 3-23 and 3-49 and include explanation and implication of changes of ordinance in a memorandum brought back at the Board of Supervisors' meeting on February 22, 1994.

Mr. Sisk asked that consideration be given to increase revenue by allowing a 60-day amnesty for dog owners who are delinquent in getting license.

Mr. Magoon asked that consideration be given to allow dog license to be purchased at animal clinic when dog owner brings pet for inoculation.

Mr. Norman stated that staff would respond in written form.

**F. PUBLIC COMMENT**

1. Mr. Thomas O. Williams, 706 Jackson Drive, spoke to the problems of violence in today's society.

2. Mr. Lee Whedbee, 2824 Number Ten Lane, Chesapeake, Virginia, of Dome Satellite, asked the Board to consider word changes to the cable franchise to include Country Village Mobile Home Park as a multi-unit dwelling exempt from franchise fee.

Mr. DePue asked staff to provide a report on Mr. Whedbee's request at the February 22, 1994, Board of Supervisors' meeting.

3. Mr. Ed Oyer, 139 Indian Circle, stated that the County's debt service should have a limit; spoke in opposition to Disney's America in Northern Virginia because two-thirds of the project would be housing and hotel resort complex development; and, emphasized the importance of technical training for area citizens.

4. Mr. Russell Carlton, 2866 Sandy Bay Road, stated that a hunt club with 30 to 35 dogs, each requiring 4 to 5 licenses, was an asset to the County.

5. Ms. Linda Tiexeira, 904 Wood Duck Commons, reiterated her concerns with the County building codes.

#### **H. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. David B. Norman, County Administrator, reported a Transportation Improvement District Commission meeting following adjournment. He announced Mr. Larry Foster, General Manager, James City Service Authority, would present an update on recycling, the transfer station and convenience centers.

Mr. Foster detailed the coupon system, usage per day, budget impacts, curbside collection and transfer station tonnage.

Board and staff discussed the items and concluded further discussions would be held during the upcoming budget process.

#### **I. BOARD REQUESTS AND DIRECTIVES**

Mr. Magoon suggested Mr. Foster meet with media and distribute the updated information on trash to them.

Mr. Norman reminded the Board of the three upcoming Citizen Information Fairs being held on the Schools, Library, and Parks and Recreation referenda.

Mr. DePue mentioned that he and Mr. Magoon had attended a Safe Schools Seminar, conducted by regional superintendents of schools group, on violence in schools and how to prevent it.

Mr. Magoon made reference to a reading file memorandum on the toll-free calling proposal which excludes exchange 566 by Bell Atlantic - Virginia.

Mr. DePue requested a presentation on the toll-free calling proposal at the February 22, 1994 Board of Supervisors' meeting.

Mr. Magoon mentioned reading an article in a national publication about Patrick and Peggy Duffeler and The Williamsburg Winery. He expressed pride in having their business in James City County.

Mr. Taylor made a motion to adjourn.

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

The Board adjourned at 9:02 p.m.



David B. Norman  
Clerk to the Board

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