

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 4TH DAY OF APRIL, NINETEEN HUNDRED NINETY-FOUR, AT 7:00 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  
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

Mr. DePue recessed the Board for a James City County Transit Company meeting.

Mr. DePue reconvened the Board at 7:03 p.m.

**B. PRESENTATIONS**

1. Racetrack, New Kent County, Garrett Hart

Mr. Garrett Hart, County Administrator, New Kent County, described the proposed multifamily housing and commercial development for employees associated with the racetrack development, and explained that the golf course would be an additional attraction to draw tourists to the area. He expressed anticipation that the future tourist market would link jurisdictions from Richmond to Hampton Roads.

2. Virginia Association of Counties, James E. Campbell

Mr. James E. Campbell, Executive Director, Virginia Association of Counties, explained VACo's role in lobbying at the General Assembly in Richmond. He mentioned several publications, meetings and upcoming events of interest to County officials.

Mr. Edwards commended Mr. Campbell and VACo staff for their excellent work.

3. Capital Improvements Program, Planning Commission

Mr. Alexander Kuras, Chairman, Planning Commission, presented the Capital Improvements Program requests in priority ranking of high, medium and low. He emphasized dollar amount was not considered in the ranking.

**C. MINUTES - March 21, 1994**

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

Mr. Sisk made a motion to approve the minutes.

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

**D. 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: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

1. National Telecommunicator's Week

**RESOLUTION**

**NATIONAL TELECOMMUNICATOR'S WEEK**

WHEREAS, Central Dispatch provides a vital contribution to the quality of life enjoyed by citizens and visitors to James City County; and

WHEREAS, access to a 911 center dramatically improves the response to a Police, Fire, or Emergency Medical call; and

WHEREAS, the telecommunicators are trained, prepared, and ready; and

WHEREAS, National Telecommunicator's Week will serve to recognize the telecommunicators of James City County who provide a vital public safety operation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby proclaims the week of April 10-16, 1994, as National Telecommunicator's Week in James City County and encourages County citizens to observe this week with appropriate programs, ceremonies, and activities.

2. Child Abuse Prevention Week

**RESOLUTION**

**CHILD ABUSE PREVENTION MONTH**

WHEREAS, Virginia faces a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, in James City County, Virginia, we have dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain the assistance they need; and

WHEREAS, the Child Protective Service Social Workers in James City County have maintained leadership roles in the State of Virginia through the development of progressive and effective programs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City, Virginia, proclaims the month of April, 1994, as CHILD ABUSE PREVENTION MONTH recognizing the efforts of Diana Hutchens, Iris Street, Diana Smith, Romona Robinson, Renee Dallman, Wilnette Sublett and Diane Thomas, and calls upon County citizens to observe the month with appropriate programs, ceremonies, and activities.

3. Volunteer Appreciation Week, April 17-23, 1994

**RESOLUTION**

**VOLUNTEER APPRECIATION WEEK**

WHEREAS, in the proud tradition of our rich heritage, James City County volunteers continue to be our most valuable resource; and

WHEREAS, volunteering is an undisputed part of the essence of our country and is essential to its social and civic life; and

WHEREAS, volunteerism offers opportunities to every citizen to participate in their government in order to meet community needs; and

WHEREAS, the citizens of James City County are deserving of recognition for their commitment and hard work in improving the quality of life for all James City County residents by providing services that might otherwise not be provided.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors, James City County, Virginia, that it hereby designates the week of April 17-23, 1994, as Volunteer Appreciation week and calls its significance to all of our citizens.

4. Operation Prom/Graduation Months

**PROCLAMATION**

**OPERATION PROM/GRADUATION MONTHS**

WHEREAS, our goal is to change how peer pressure can influence youth and to change misconceptions in attitudes concerning alcohol; and

WHEREAS, our objective is to disseminate information pertaining to alcohol use and abuse that students have not heard in the past; and

WHEREAS, our objective is to realize peers have different positions regarding the use of alcohol and bring into focus that current trends or thoughts may not be consistent with a group's real value system, but contrived from one or two leaders; and

WHEREAS, our objective is to present a program in a nonthreatening and thought-provoking manner which will elicit responses enabling our youth to make responsible decisions, and to instill a feeling of maturity and responsibility in selecting one of the alternatives presented.

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Board of Supervisors of James City County, Virginia, hereby proclaims the months of May and June 1994, as

**OPERATION PROM GRADUATION MONTHS**

and urges the support of this program by the entire community in order to make this time of our young people's lives a truly happy and memorable time.

- 5. Newport News Shipbuilding and Dry Dock Company Apprentice School's 75th Anniversary

**RESOLUTION**

**COMMENDING THE APPRENTICE SCHOOL OF THE NEWPORT NEWS**

**SHIPBUILDING AND DRY DOCK COMPANY ON THE OCCASION OF ITS 75TH**

**ANNIVERSARY**

WHEREAS, apprenticeship as a form of education is almost as old as recorded history, and its survival is a testimonial to the effectiveness of the system in developing professionals with advanced skills in their trades; and

WHEREAS, apprenticeship has developed from an informal system of learning to a structured, highly effective instructional system combining classroom instruction, skills training, and job experience; and

WHEREAS, today, the Apprentice School of the Newport News Shipbuilding and Dry Dock Company is a prime example of how apprenticeship programs have been redesigned to teach the major aspects of a skilled trade while providing an educational program rich in academic instruction, craft training, and extracurricular activity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby expresses its congratulations to the Apprentice School of the Newport News Shipbuilding and Dry Dock Company on 75 years of preparing a skilled work force capable of keeping American companies competitive internationally.

- 6. Financial Reporting

**RESOLUTION**

**FINANCIAL REPORTING**

WHEREAS, the Board of Supervisors of James City County has accumulated a fund balance in the Debt Service Fund.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the transfer of the fund balance in the Debt Service Fund to the County's General Fund with the provision that all such funds be designated in the General Fund balance as Dedicated for Capital Projects.

Mr. DePue read and presented the resolution designating National Telecommunicator's Week to Ms. Barbara Paquette and Mr. Hershel Kreis of Central Dispatch.

Mr. DePue read and presented the resolution for Child Abuse Prevention Week to Diana Hutchens, Social Services Worker Supervisor and Iris Street, Child Abuse Protection Coordinator.

**E. PUBLIC HEARING**

1. Case No. SUP-1-94. Powhatan Creek Small Boat Access

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. David B. Norman, on behalf of James City County, had applied for a special use permit for a hand-carried boat launching facility on 1.2 acres zoned LB, Limited Business, located off Jamestown Road on Powhatan Creek across from Cookes Greenhouse, adjacent to the northeast side of Jamestown Road Powhatan Creek bridge, identified as Parcel (1-1) on James City County Real Estate Tax Map No. (47-3).

He stated the facility would be partially funded by a grant from the Virginia Department of Environmental Quality and the National Oceanic and Atmospheric Administration, and with conditions, was consistent with the Comprehensive Plan and surrounding development and zoning.

In concurrence with staff, the Planning Commission unanimously recommended approval of the special use permit 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. Edwards made a motion to approve the resolution.

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

**RESOLUTION**

**CASE NO. SUP-1-94. POWHATAN CREEK SMALL BOAT ACCESS**

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 the construction of a hand carried boat launching facility on property identified as Parcel (1-1) on James City County Real Estate Tax Map No. (47-3).

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-1-94 as described herein with the following conditions:

1. This special use permit shall remain in effect for a period of 18 months. If within this time a land disturbing permit is issued, the special use permit shall remain in effect for the term of that permit. Issuance of a Certificate of Occupancy would preserve the rights of the special use permit.
2. With the exception of shoreline stabilization and a footpath, no land disturbing activities shall occur on slopes greater than 15 percent or between such slopes and mean low water of Powhatan Creek.
3. A minimum of 70 percent natural open space shall be provided.
4. The site shall be used as a launching facility for hand carried boats. No launching ramps for trailered watercraft shall be constructed, and a sign shall be erected that prohibits gasoline powered craft. Fencing and curbing shall be installed to prevent vehicles from being driven down to the water's edge.
5. A landscape plan shall be approved by the Planning Director.
6. A lockable security barrier shall be provided across the vehicular entrance.

**F. BOARD CONSIDERATIONS**

1. Patriot's Colony - Height Limitation Waiver

Mr. Michael A. Freda, Senior Planner, stated that Mr. James E. Toth of Architectural Concepts, Inc., on behalf of Greensprings Planation Inc., and Patriot's Colony, had applied for a height limitation waiver for a 5-story building in excess of 60 feet, located within the proposed Patriot's Colony Retirement Community within Greensprings Plantation Community off John Tyler Highway, further identified as Parcel (1-1) on James City Real Estate Tax Map No. (46-1).

The Board and staff discussed visibility impact on nearby sites. It was noted that the Greensprings development and Patriot's Colony were aware of the height limitation waiver request.

Mr. Taylor made a motion to approve the resolution.

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

**RESOLUTION**

**PATRIOT'S COLONY - HEIGHT LIMITATION WAIVER**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a height limitation wavier for structures; and

WHEREAS, the applicant has requested a height limitation wavier to permit a structure in excess of 60 feet in height within the Greensprings Plantation development on property identified as Parcel (1-1) on James City County Real Estate Tax Map No. (46-1); and

WHEREAS, the Board has reviewed the proposal and finds the structure would not have an adverse effect on adjacent properties.

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

1. The building shall contain a sprinkler system approved by the Building Official and the Fire Chief.

2. Marriott Manor Club at Ford's Colony - Signage

Ms. Elizabeth R. Friel, Senior Planner, stated that Mr. Stephen O. Wigley of AES, on behalf of Realtec, Inc., and Marriott Ownership Resorts, had applied for approval of an additional sign for the Williamsburg Manor Club time-share development at Ford's Colony primary entrance on Longhill Road, identified as the northeastern portion of Parcel (1-2) on James City County Real Estate Tax Map No. (31-4). She further stated the unique signing system existed in that Marriott's Manor Club was a separate entity owned and operated by Marriott Resorts Hospitality Corporation.

In concurrence with staff, the Planning Commission unanimously recommended approval of the proposal.

Mr. DePue made a motion to approve the resolution.

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

## RESOLUTION

### MARRIOTT'S MANOR CLUB AT FORD'S COLONY

WHEREAS, in accordance with Section 20-292 of the James City County Zoning Ordinance, within areas zoned R-4, Residential Planned Community District, unique signing systems may be approved by the Board of Supervisors; and

WHEREAS, the applicants have requested a 10-square foot sign be permitted at the intersection of Ford's Colony Drive and Longhill Road to indicate the existence of an internal business, Marriott's Manor Club at Ford's Colony. The sign would be placed on property zoned R-4, Residential Planned Community District, and is identified as a the northeastern portion of Parcel (1-2) on James City County Real Estate Tax Map No. (31-4); and

WHEREAS, the James City County Planning Commission unanimously moved to approve the proposed sign finding it in accordance with Zoning Ordinance criteria.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the proposed sign in accordance with Section 20-292 of the James City County Zoning Ordinance.

3. James City County Road Construction Revenue Sharing

Mr. John T. P. Horne, Manager, Development Management, stated that Board authorization was requested to participate in the Virginia Department of Transportation Revenue Sharing Program in an amount not to exceed \$210,000. He further stated the projects to be funded were early design of reconstruction of News Road; local match for bikeway development funds; and, early design of the final linkage of the Centerville Road reconstruction.

Mr. David B. Norman, County Administrator, advised the Board that the bikeway design could be delayed for up to three years by VDOT.

Mr. Magoon asked staff to send a letter to the State representatives encouraging them to pursue expediting VDOT's design of bikeway.

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**

**VIRGINIA DEPARTMENT OF TRANSPORTATION REVENUE SHARING PROGRAM**

WHEREAS, the James City County Board of Supervisors has decided to participate in the Virginia Department of Transportation Revenue Sharing Program for fiscal year 1994-95; and

WHEREAS, VDOT requires written notification of the County's intent to participate by April 22, 1994.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Chairman is authorized to notify VDOT of the County's intention to participate in the Revenue Sharing Program for FY 94-95, in an amount not to exceed \$210,000.

4. Juvenile Detention Facility

Mr. John E. McDonald, Manager of Financial and Management Services, stated that the County and eighteen other jurisdictions were seeking approval from the State Department of Youth and Family Services (DYFS) for a new juvenile detention facility. He explained the General Assembly had authorized a Middle Peninsula Juvenile Detention Commission with the powers of an authority.

Mr. Edwards made a motion to approve the resolution.

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

**RESOLUTION**

**JUVENILE DETENTION FACILITY**

WHEREAS, nineteen jurisdictions in the Ninth and Fifteenth Judicial Districts, specifically the Cities of Poquoson and Williamsburg and the Counties of Caroline, Charles City, Essex, Gloucester, Hanover, James City, King George, King and Queen, King William, Lancaster, Mathews,

Middlesex, New Kent, Northumberland, Richmond, Westmoreland, and York (the "Participating Jurisdictions"), have determined that the need for a secure juvenile detention facility (the "Juvenile Detention Center") exists in those jurisdictions; and

WHEREAS, the need for the Juvenile Detention Center was further identified in the Juvenile Detention Needs Assessment dated June 1, 1993, and approved by the Board of Youth and Family Services on September 9, 1993; and

WHEREAS, the Participating Jurisdictions are in the process of forming the Middle Peninsula Juvenile Detention Commission (the "Commission"), and are planning to construct the Juvenile Detention Center in a central location among the jurisdictions with an initial capacity of 32 beds; and

WHEREAS, the Participating Jurisdictions are anticipating that the Juvenile Detention Center will be operational on or before June 30, 1996; and

WHEREAS, the Participating Jurisdictions are requesting reimbursement of one-half of the eligible construction cost of the Juvenile Detention Center from the Commonwealth of Virginia, and have submitted to the Board of Youth and Family Services for approval the Program Design and Planning Study required by the Board for such purpose.

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

1. That the County intends to become a member of the Commission and, subject to approval of the specific language, intends to enter into an agreement to construct and use the Juvenile Detention Center for its juvenile detention needs.
2. That the County, along with the remaining Participating Jurisdictions, requests the Commonwealth of Virginia, subject to applicable regulations and other laws, to reimburse the Commission for one-half of the eligible construction costs of the Juvenile Detention Center.
3. That the County requests the Board of Youth and Family Services to approve the Program Design and Planning Study which has been submitted to the Board as a prerequisite to receiving such reimbursement.

**G. PUBLIC COMMENT**

1. Mr. Glenn Cornelisse, 250 Nina Lane, spoke of drainage problems on his property.

Mr. DePue asked staff to provide a report on Mr. Cornelisee's drainage issue.

2. Ms. Linda Tiexeira, 904 Wood Duck Commons, again requested action on homeowners' problems of drainage, slope grade and shrink/swell soils. She mentioned she had provided Mr. DePue a resume from a man in Florida with work experience in this field.

**H. REPORTS OF THE COUNTY ADMINISTRATOR - None**

**I. BOARD REQUESTS AND DIRECTIVES**

Mr. DePue announced the shrink/swell soils work session would be held at the Board of Supervisors' May 16, 1994, meeting, and that the first budget work session would be April 19, 1994. He urged citizens to send suggestions or comments in written form prior to those scheduled work sessions.

Mr. DePue requested a written report from staff regarding a sign on Centerville Road.

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 8:40 p.m.



David B. Norman  
Clerk to the Board

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