

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 6TH DAY OF JUNE, 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

B. PRESENTATIONS

1. Employee Outstanding Service Awards

Mr. David B. Norman, County Administrator, described the Recognition Program as one designed to recognize exceptional achievement of employees.

Mr. DePue presented plaques to individuals - Shirley E. Jenkins and Preston "Mac" Julian; and to groups - Craig Nordeman, Mike Gentry, Tim Rogers, Dennis Leonituk, Kim Byers, Adam Levy, Alonzo Williams, Jim Hall, Lawrence Brooks, Ellis Jones, James Hurst, Joe Jones and Grace Boone; and, Ronnie Nowak, Veda McMullen, Richard Lee, Rick Rose, Sanford Wanner, John McDonald, Frank Morton, John Home, Tony Conyers, Terri Salnoske, Betty Pettengill, Debbie Merritt, Carol Schenk, Linda Odell, Gene Canova, and Judy Trautman.

C. MINUTES - May 16, 1994

Mr. DePue 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: 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 asked that Item No. 1 be removed and 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. Appropriation of Unanticipated Revenue, Parks and Recreation

RESOLUTION

APPROPRIATION OF UNANTICIPATED REVENUE

WHEREAS, \$31,000 in yet to be appropriated funds exists within the Parks and Recreation Division; and

WHEREAS, both the Division of Parks and Recreation and the Division of Housing and Community Development are in dire need of expanded work space; and

WHEREAS, the majority of the cost of providing such work space can be met by the use of these funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby appropriate funds as follows:

From:

Recreational Program Fees	\$ 8,500
Williamsburg-James City Community Action	<u>22,500</u>
Total	<u>\$31,000</u>

To:

Parks and Recreation 001-156-0318	\$10,000
OHCD	<u>21,000</u>
Total	<u>\$31,000</u>

3. Personnel Policies and Procedures Manual Change, Section 5.3.C.3. Sick Leave

RESOLUTION

CHANGE TO SICK LEAVE POLICY

WHEREAS, the County wishes to make the time frame for sick leave use consistent with other types of leave; and

WHEREAS, a change from calendar year to fiscal year will make the leave usage easier to track.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revision to Section 5.3.C.3. of the Personnel Policies and Procedures Manual to change the time frame in which employees use sick leave for the immediate family from the Calendar Year to the Fiscal Year effective July 1, 1994.

4. Additional State Allocations, Comprehensive Services Act for At-Risk Youth and Families

RESOLUTION

APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State has awarded \$2,750 to James City County to administer the Comprehensive Services Act for At-Risk Youth and Families; and

WHEREAS, the State has also awarded \$1,360 for the Adult Services Program; and

WHEREAS, local matching funds are available in Jobs Day-Care Account No. 007-083-5725.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenues:

Revenues from the Commonwealth	\$ 4,110
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Expenditures:

JOBS Day Care (No. 007-083-5725)	(2,590)
Adult Services (No. 007-083-5723)	1,700
Administration - Comprehensive Services Act for At-Risk Youth and Families	<u>5,000</u>
 Total	 <u>\$ 4,110</u>

1. Fiftieth Anniversary of D-Day

Mr. DePue read the resolution.

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**FIFTIETH ANNIVERSARY OF D-DAY**

WHEREAS, June 6, 1994, is the Fiftieth Anniversary of D-Day; and

WHEREAS, D-Day has become symbolic of the many battles faced and fought during World War II by members of all the Armed Forces and Merchant Marine in defense of democracy throughout the world; and

WHEREAS, the freedoms, rights, and bounties we enjoy today are in large part the direct result of the courage and sacrifices that exemplifies this honored generation of American men and women; and

WHEREAS, the lessons of history and the obligations of a free society are too soon forgotten when not properly honored and dutifully imparted to successive generations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby commemorates this date and recognizes all those who served their Country during the Years 1941-45, most particularly those citizens of James City County, that we may continue to enjoy the freedoms for which they fought so valiantly.

E. PUBLIC HEARINGS**1. Case No. AFD-9-86. Gordon Creek Agricultural and Forestal District (Gordon Addition)**

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mrs. Linda H. Gordon had applied to add a parcel to the Gordon Creek Agricultural and Forestal District (AFD-9-86) of 35.3 acres, zoned A-1, General Agricultural, located west of John Tyler Highway's intersection with Brick Bat Road, further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (34-2).

In concurrence with staff, the Agricultural and Forestal Districts Advisory Committee and the Planning Commission unanimously recommended approval of the special use permit for four years 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: Magoon, Edwards, Sisk, Taylor, DePue (5). NAY: (0).

2. Case No. SUP-7-94. Stonehouse, Inc. (RPOD)

Mr. Bernard E. Farmer, Jr., Zoning Administrator, stated that Mr. Norman Mason of Langley and McDonald had applied on behalf of Stonehouse, Inc., for a special use permit to create more than 5,000 square feet of impervious area within the Reservoir Protection Overlay District, located at the main entrance to the

Stonehouse project off State Route 30, near the Barhamsville interchange with Interstate 64, further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (6-4).

Staff recommended approval of the special use permit with conditions listed in the resolution.

The Board discussed the different levels of sediment/phosphorus loadings and follow-up after development.

Mr. Edwards requested a table showing sediment/phosphorus loading for predevelopment, development with no runoff control and development with runoff control conditions in future RPOD cases.

Mr. Farmer responded in the affirmative.

Mr. DePue mentioned follow-up of the analysis after areas are developed.

Mr. John T. P. Home, Manager, Development Management, stated that Stonehouse, Inc., financed a water monitoring program with baseline data of predevelopment and further monitoring after development.

Mr. DePue opened the public hearing.

1. Mr. Robert Stoddard, 186 The Maine, agreed that follow-up of runoff controls was an excellent idea.

Mr. DePue closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

(1). On a roll call, the vote was: AYE: Edwards, Taylor, Sisk, DePue (4). NAY: (0). ABSTAIN: Magoon

RESOLUTION

CASE NO. SUP-7-94. STONEHOUSE, INC.

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 applicant has applied for a special use permit to develop land in the RP, Reservoir Protection Overlay District, a portion of the Stonehouse, Inc., planned community project zoned Planned Unit Development, Commercial, on property identified as Parcel (1-1) on James City County Real Estate Tax Map No. (6-4).

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-7-94 as described herein with the following conditions:

1. An Inspection/Maintenance Agreement as approved by the County Attorney shall be executed for the entire project prior to final approval of the first site or subdivision plan containing impervious surface.

2. All BMP facilities will be either infiltration trenches or wet pond facilities. These structures shall be designed as either design 7 wet ponds or design 8 infiltration trenches in accordance with the James City County Chesapeake Bay 3-Step Evaluation Procedure or other procedure adopted pursuant to the Chesapeake Bay Preservation Regulations. Both of these facilities are 9-point BMPs that are designed to remove 50 percent of the phosphorous loads.
3. Each section of the Stonehouse project will meet the 10-point criteria as required under the Chesapeake Bay Preservation Regulations, or other procedure adopted pursuant to those regulations.
4. Soils tests shall be provided to the Division of Code Compliance for any infiltration BMP prior to final site plan approval to verify the suitability of the soils for the infiltration of water. Construction of any infiltration BMPs shall be delayed until disturbed areas draining to the trenches are stabilized. This shall be noted on the approved development plans.
5. If the water quality monitoring program reveals that the stormwater management plan developed is not achieving the assumed level of pollutant control, additional stormwater control measures can be required by James City County for future site or subdivision plans in the Stonehouse project.

F. BOARD CONSIDERATIONS

1. Case No. SP-44-94. Busch Gardens Expansion, Phase II - Height Limitation Waiver Request

Mr. Sowers stated that the case was deferred at the May 16, 1994, Board of Supervisors' meeting. He reiterated that Mr. Ronnie Orsborne of Langley and McDonald had applied on behalf of Busch Entertainment Corporation for a height limitation waiver for a Special Effects Building, 75 feet tall, located in Italian Village section of Busch Gardens, further identified as Parcel (1-8) on James City County Real Estate Tax Map No. (51-4).

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

CASE NO. SP-44-94. BUSCH GARDENS 1995 EXPANSION - PHASE II

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

WHEREAS, the applicant has requested a height limitation waiver to permit a structure in excess of 60 feet in height within Busch Gardens on property identified as Parcel (1-8) on James City County Real Estate Tax Map No. (51-4); and

WHEREAS, the proposed building is 75 feet tall; 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 County Building Official and the County Fire Chief.

- 2. Williamsburg Area Medical Assistance Corporation (WAMAC) Position Request

Mr. Anthony Conyers, Jr., Manager, Community Services, stated that WAMAC had requested several limited-term positions to allow movement of six positions funded by Comprehensive Health Investment Program from Community Action Agency. He further stated the Executive Director position was needed for full-time management, and funding that position would be the responsibility of WAMAC.

Staff recommended approval of the limited-term positions.

The Board asked about the funding source for the position.

Mr. David Bush, WAMAC Board of Directors, responded that funding was primarily from Williamsburg Community Hospital contributions.

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

WAMAC POSITION REQUEST

WHEREAS, WAMAC is desirous of directly administering the Comprehensive Health Investment Program (CHIP) which is currently administered by the Community Action Agency using six grant-funded positions; and

WHEREAS, an Executive Director position is necessary to provide for the full-time, long-term management of WAMAC; and

WHEREAS, two full-time temporary positions are needed to work on a permanent basis; and

WHEREAS, James City County is the Fiscal Agent for the Williamsburg Area Medical Assistance Corporation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby create the following limited-term positions:

WAMAC Executive Director
 CHIP Outreach Worker (3)
 CHIP Registered Nurse (Part-time)
 CHIP Registered Nurse
 CHIP Senior Office Assistant

and change the following positions from temporary to limited-term:

Patient Services Representative (2).

This resolution shall be effective on and after July 1, 1994.

3. Position Changes - Community Services, Job Training Services and Virginia Cooperative Extension

Mr. Conyers stated that Community Services Department requested elimination of two limited-term positions from Social Services because the renewal grant from Job Training Services for continuation of James City County Accelerated Career Training Center was not awarded; elimination of a secretarial position in the Extension Office would provide funds that had previously been provided by the State to combine with the Department's one-third share for total County funding of an Extension 4-H Agent; and, reclassification of a limited-term Teacher/Coordinator to a limited-term social worker for Family Self-Sufficiency Section Eight Housing.

Staff recommended approval of the position changes.

Mr. Magoon made a motion to approve the resolution.

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

RESOLUTION

POSITION CHANGES - COMMUNITY SERVICES DEPARTMENT

- WHEREAS, Job Training Services and the Virginia Cooperative Extension Service has reduced funding to James City County; and
- WHEREAS, several positions must be eliminated as a result of these reductions; and
- WHEREAS, the James City County Board of Supervisors is desirous of continuing critical services provided by the affected offices; and
- WHEREAS, the effective date will be July 1, 1994, and no additional local funding is required to accomplish this.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby eliminate the following positions:

1. Teacher - Social Services (limited-term)
2. Teacher's Aide - Social Services (limited-term)
3. Secretary - Cooperative Extension Office (permanent)

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, reclassifies the following position: Teacher/Coordinator to Social Worker - Social Services (limited-term).

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, will locally fund the following position: Extension 4-H Agent - Cooperative Extension Office (permanent).

4. Middle Peninsula Juvenile Detention Commission

Mr. Sanford B. Wanner, Assistant County Administrator, stated that the authorization was requested to become a member of the Commission planning to construct and operate a 32-bed juvenile detention facility and appointment of Mr. John E. McDonald as the initial James City County member of the Commission. Mr. Wanner further stated that this action would formalize the relationship of the nineteen participating jurisdictions.

Staff recommended approval of becoming a member of the Commission and determined that the County would be requested to participate in financing the local share after the General Assembly approved its percent of funding of the facility's construction costs.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

MIDDLE PENINSULA 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 these 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 desire to form the Middle Peninsula Juvenile Detention Commission (the "Commission"), and are planning to construct a Juvenile Detention Center to be located centrally 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 have requested 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; and
- WHEREAS, following the formation of the Commission, a Service Agreement will be presented to the Participating Jurisdictions for adoption which will detail the responsibilities of the Commission and the Participating Jurisdictions, with the Participating Jurisdictions having no obligation to fund the construction of the Juvenile Detention Center until the Service Agreement is approved.

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

1. That the County agrees to become a member of the Middle Peninsula Juvenile Commission, as authorized by Section 16.1-315 of the Code of Virginia (1950), as amended.
2. That, following consultation with the Chief Judge of the Juvenile and Domestic Relations Court, the Board appoints John E. McDonald as the initial member of the Commission, to serve a four-year term beginning July 1, 1994.
3. The Commission shall have such powers as are set forth in Article 13 of Title 16.1 of the Code of Virginia (1950), as amended, and such other powers authorized by law.

G. PUBLIC COMMENT

1. Mr. Robert Stoddard, 186 The Maine, stated that in his opinion the proposed task force for shrink-swell soils should have female representation.
2. Mr. Ed Oyer, 139 Indian Circle, read from a Supreme Court ruling that allowed trash haulers to deliver solid waste to the jurisdiction of their choice.
3. Ms. Linda Tiexeira, 904 Wood Duck Commons, stated that she would follow the activities, recommendations and actions taken by the Shrink-Swell Soils Task Force, and would continue to attend meetings.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman recommended the Board go into executive session pursuant to Sections 2.1-344(A)(7) and 2.1-344(A)(1) of the Code of Virginia to consult with legal and staff members on a legal matter and on a personnel matter, the appointment of individuals to County boards and/or commissions.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards commended James City Service Authority for implementing changes of accepting plastics and bi-metal cans at the convenience centers and allowing small businesses to use the Tewning Road convenience center.

Mr. Magoon stated that a meeting was held with 8 property owners of Gate House Farms regarding drainage problems.

Mr. Magoon asked staff to provide comparison of costs for staff to close the landfill versus hiring a private contractor.

Mr. DePue asked for a Board member to represent him at a meeting on June 10, 1994, regarding Urban Deer Management.

Mr. Sisk responded in the affirmative.

Mr. Magoon stated that a citizen from the Kingspoint subdivision would like to attend the Urban Deer Management meeting if it were public.

Mr. DePue asked staff to look at ways to augment police actions in the Forest Glen subdivisions situation.

The Board discussed a timbering ordinance to include buffer zones and stated some area jurisdictions have such ordinances.

Mr. Magoon advised that he would visit Development Management to review files regarding the previously brought forward timbering ordinance.

Mr. DePue made a motion to go into executive session as recommended by the County Administrator, at 8:35 p.m.

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

Mr. DePue reconvened the Board into open session and made a motion to approve the executive session resolution.

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

RESOLUTION

MEETING DATE: June 6, 1994

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 nominate Gloria W. Wallace to the Circuit Court Judge for appointment to the Board of Zoning Appeals to fill an unexpired term, term expiring March 31, 1998.

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

Mr. DePue made a motion to appoint as members of the Shrink-Swell Soils Task Force: Chairman, William D. Johnson, Jr., Zan Cartwright, John Kniest, John Shostak, Michael Matthews, Stephen J. Lock, Stephen Campitell, Myrl Hairfield and Joel Sheppard, and as advisory members: Robert L. Hodges and Robert C. Moss, III.

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

Mr. DePue declared a recess until Wednesday, June 8, 1994, at 6:30 p.m. for an executive session to discuss a personnel matter, evaluation.

The Board recessed at 10:08 p.m.



David B. Norman
Clerk to the Board

- G. Absences By Exempt Employees Who Have No Accumulated Leave - To the extent required by the Fair Labor Standards Act and the regulations promulgated pursuant to that Act, salaried employees who are exempt from the overtime provisions of that Act and have no accumulated leave applicable to such an absence, shall not receive deductions from their compensation for periods of less than one day, unless the absence is the result of a disciplinary action. This provision is effective as of April 15, 1986.

Section 5.3 Sick Leave

- A. Accrual of Leave - The amount of sick leave which an employee accrues per month is determined by dividing the number of hours per year which the position is authorized in the budget by 260, which is the number of days in a year excluding weekends. Sick leave is accrued semimonthly upon completion of each full pay period of employment. However, leave shall be earned for pay periods during which an employee is on leave without pay or a leave of absence only as outlined in Section 5.9(C) and Section 5.10(H), below.
- B. Maximum Accrual Unlimited - There is no maximum limit to the amount of sick leave which may be accrued.
- C. Purpose of Leave - Sick leave may be used by an employee to provide paid absences for the following reasons:
1. A personal illness, injury or disability not incurred in the line of duty, which incapacitates the employee from being able to perform assigned duties;
 2. Appointments for examination and treatment related to health when approved in advance by the department manager and when such appointments cannot reasonably be scheduled during nonwork hours.
 3. An illness or appointment for examination and treatment related to health of an immediate family member (spouse, parent, spouse's parent, son, daughter, brother, sister, grandparents, grandchildren, step-children, step-parents, guardian, and any persons residing in the same household of the employee) requiring the attendance of the employee as approved by the department manager, not to exceed three (3) working days per fiscal year. Additional leave requested in excess of the permitted allowance, unless recommended by the department manager and approved by the Human Resource Manager, shall be deducted from annual leave. If the employee has exhausted annual leave, it shall be regarded as leave without pay. (Rev. 12-21-87, 6-6-94)

JUN 6 1994

ORDINANCE NO. 170A-4BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA**CASE NO. (AFD-9-86). GORDON CREEK AGRICULTURAL
AND FORESTAL DISTRICT GORDON ADDITION**

WHEREAS, an Agricultural and Forestal District in the Gordon Creek 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, property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the application for an addition to an Agricultural and Forestal District in the Gordon Creek area; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on April 27, 1994, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on May 10, 1994, unanimously recommended approval of the application.

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

1. That an addition to the Gordon Creek Agricultural and Forestal District is hereby amended by the addition of the following parcel:

(34-2)(1-1)	Gordon	35.3 acres
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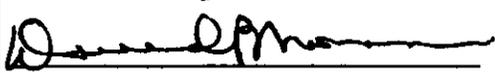
provided, however, that all land within 10 feet of the right-of-way of Bush Neck Road (State Route 633) shall be excluded from the district.

2. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Gordon Creek 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 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 the 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>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 6th day of June, 1994.

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