

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 21ST DAY OF FEBRUARY, NINETEEN HUNDRED NINETY-FIVE, AT 5:04 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. WORK SESSION

1. Financial Trends

Mr. David B. Norman, County Administrator, introduced Mr. John E. McDonald, Manager of Financial and Management Services, who presented the Financial Trends for 1995-2000. He detailed the County's present financial condition and forecast future spending challenges.

Mr. DePue declared a break at 6:00 p.m.

Mr. DePue convened the regular meeting at 7:02 p.m.

C. PRESENTATIONS

1. Certificate of Recognition. The Virginia Gazette

Mr. DePue read a certificate of recognition for the local newspaper, The Virginia Gazette, for winning the W. S. Copeland Award for community service by the Virginia Press Association. Mr. DePue presented the resolution to Ms. Natalie Kostelni, who represented The Virginia Gazette.

On behalf of the newspaper, Ms. Kostelni thanked the Board.

CERTIFICATE OF RECOGNITION

THE VIRGINIA GAZETTE

WHEREAS, The Virginia Gazette has served the Williamsburg area since 1736; and

WHEREAS, The Virginia Gazette has supported community activism that has improved our daily lives; and

WHEREAS, The Virginia Gazette, in 1994, won the highest newspaper prize in the State, the W. S. Copeland Award for community services; and

WHEREAS, The Virginia Gazette is the first non-daily newspaper selected for this honor since 1985; and

WHEREAS, support for James City County's bond referendum of \$52 million and promotion of the Kidsburg project at the Mid-County Park, was included in the award winning package.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, hereby congratulates The Virginia Gazette and its staff for being recognized with the W. S. Copeland award by the Virginia Press Association.

2. Recreation Center Expansion/Renovation Project Update

Mr. Needham S. Cheely, III, Director of Parks and Recreation, briefly explained and showed preliminary drawings of the Recreation Center expansion and floor plan.

D. MINUTES - February 6, 1995

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

Mr. Taylor made a motion to approve the minutes.

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

E. HIGHWAY MATTERS

Mr. Quintin Elliott, Williamsburg Resident Engineer, Virginia Department of Transportation, was available for questions.

Mr. Magoon asked about the possibility of lowering the speed limit on Neck-O-Land Road (Route 682) to 25 miles per hour.

Mr. Elliott responded that a review of that request would be completed.

Mr. Magoon asked whether funding might be available for resurfacing since Neck-O-Land Road would not be widened.

Mr. DePue asked Mr. Elliott to respond with a brief report on the Neck-O-Land Road improvement request.

F. CONSENT CALENDAR

Mr. DePue asked if a Board member wanted to remove any item from the Consent Calendar, and requested removal of Item No. 1.

Mr. DePue made a motion to approve Item No. 2 on the Consent Calendar.

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

2. Dedication of Streets - Page Landing**RESOLUTION****DEDICATION OF STREETS IN PAGE LANDING**

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

1. Mid-County Park Scoreboard Donation

Mr. DePue expressed appreciation to Williamsburg Youth League Board of Directors and the Burger King Corporation for donation of the scoreboard, control box, cable, and other materials needed for installation.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION**MID-COUNTY PARK SCOREBOARD DONATION**

WHEREAS, Williamsburg Youth League, a cosponsored organization with the Division of Parks and Recreation has requested that a scoreboard be erected on the front baseball field at Mid-County Park; and

WHEREAS, Williamsburg Youth League has made provision in cooperation with the Burger King Corporation (C & N Dining), to pay for the purchase and installation of the scoreboard; and

WHEREAS, the County will be responsible for the securing of any and all necessary permits for the placement and installation of the scoreboard.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the donation and installation of a scoreboard for Mid-County Park from the Williamsburg Youth League and the Burger King Corporation.

G. PUBLIC HEARINGS

1. Case No. Z-10-94. Go-Karts Plus
2. Case No. SUP-34-94. Go-Karts Plus

Mr. Gary A. Pleskac, Planner, stated these cases were deferred at the February 6, 1995, Board of Supervisors' meeting for additional information regarding traffic and entrances. He reiterated that Mr. Robert E. Miller had applied to rezone approximately 3.84 acres from A-1, General Agricultural, to B-1, General Business, for expansion of the adjacent existing Go-Karts Plus facility at 6910 Richmond Road and for a special use permit to allow outdoor centers of amusement in B-1, property further identified as Parcel No. (1-18) on James City County Real Estate Tax Map No. (24-3).

Mr. Pleskac further stated that expansion of the facility would be compatible with surrounding development and consistent with the Comprehensive Plan, and staff recommended that the existing main entrance be closed and a new main entrance be opened that aligned with a crossover on Route 60.

In concurrence with staff, the Planning Commission voted 6-1 to approve the rezoning and the special use permit with conditions listed in the resolution.

Mr. DePue continued the public hearings.

1. Mr. Robert Miller, applicant, and Mr. Richard Costello, AES, stated agreement with staff recommendation and requested approval of the resolutions.

2. Mr. Martin Garrett, Member of Planning Commission, stated that the Planning Commission vote reflected long-term transportation access for a tourist business establishment that was demand driven.

Mr. DePue closed the public hearings.

Mr. Edwards made a motion to approve the resolutions.

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

RESOLUTION

CASE NO. Z-10-94. GO-KARTS PLUS

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-15 of the James City County Zoning Ordinance, a public hearing was advertized, adjoining property owners notified, and a hearing scheduled on Zoning Case No. Z-10-94 for rezoning approximately 3.84 acres of land from A-1 to B-1, further identified as Parcel No. (1-18) on James City County Real Estate Tax Map No. (24-3); and

WHEREAS, the Planning Commission of James City County, recommended approval of Case No. Z-10-94 by a vote of 6 to 1.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-10-94.

RESOLUTION

CASE NO. SUP-34-94. GO-KARTS PLUS

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 10, 1995, recommended approval of Case No. SUP-34-94, by a vote of 6 to 1, to permit the construction of an outdoor center of amusement, further identified as Parcel No. (1-18) on James City County Real Estate Tax Map No. (24-3).

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-34-94 as described herein with the following conditions:

1. If construction has not commenced on the project within twelve months from the issuance of the special use permit, it shall become void. During this twelve month period all permits pertaining to the construction shall be secured, connections to water and sewer shall be made, clearing and grading of the site shall be completed and footings and/or foundations shall be installed.
2. Site plan approval by the Development Review Committee shall be required, including the submittal of a landscaping plan which protects adjacent properties and minimizes any adverse impacts on Richmond Road's function as a corridor within an historic area.
3. This special use permit shall expire in five years from its issuance unless the applicant constructs a new, commercial grade, main entrance at the crossover in front of the new amusement site within 5 years from the issuance of the special use permit. When the new entrance is opened, the existing main entrance which served the original Go-Karts Plus site shall be closed. During the five-year period, the applicant can ask the Board of Supervisors to examine the need for a new entrance. It shall be the responsibility of the applicant to demonstrate to the Board of Supervisors that a new entrance at the crossover is not warranted.
4. The applicant shall show the future commercial main entrance located at the crossover on any future site plan details of the Go-Karts Plus facility.
5. Parking lots and pedestrian facilities between the new and existing sites shall be connected.
6. One and only one entrance shall serve the entire Go-Karts Plus outdoor amusement facility unless additional access points are required by fire or local law enforcement officials.

7. All statues, monuments and signs visible from Richmond Road shall be approved by the Director of Planning.
8. The use of this site shall be limited to structures, monuments, amusements devices and rides less than 35 feet in height considered part of or accessory to an outdoor center of amusement by the Zoning Administrator.
9. Final landscaping plan shall be approved by the Director of Planning.
10. Operation of the amusement center between 12:00 a.m. and 9:00 a.m. shall be prohibited.
11. All mini-race cars shall be equipped with mufflers, which are in good repair. Noise levels shall be less than that emanating from Richmond Road.

3. Case No. AFD-9-86. Gordon Creek Agricultural and Forestal District (Kane Addition)

Mr. Pleskac stated that Mr. William Kane had applied to add approximately 164 acres to Gordon Creek Agricultural and Forestal District (AFD-9-86), located along Route 633, Jolly Pond Road, further identified on James City County Real Estate Tax Map Nos. (29-4)(1-3), (30-3)(1-7), (35-2)(1-7), (36-1)(1-1), and (36-1)(1-2).

Staff determined the proposed addition is consistent with the Comprehensive Plan.

In concurrence with staff, the James City County Agricultural and Forestal District Advisory Committee and the Planning Commission, each unanimously recommended approval of the addition with conditions subject to the Gordon Creek AFD-9-86, expiration date December 1, 1998, and to include a condition that all land within 25 feet of the right-of-way of Jolly Pond Road be excluded from the addition to the AFD to allow for possible future road improvements.

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 ordinance.

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

4. Case No. SUP-2-95. Forrest L. Hazelwood Family Subdivision

Mr. Pleskac stated that Mr. Forrest L. Hazelwood had applied for a special use permit to allow a family subdivision of a 3.47-acre parcel into 2 parcels approximately 2.47 and 1.00 acres in size, zoned A-1, General Agricultural, located at 9239 Diascund Road, further identified as Parcel No. (1-23) on James City County Real Estate Tax Map No. (2-4).

Staff determined the proposal was consistent with the Comprehensive Plan, surrounding zoning and development, and recommended approval with the condition listed in the resolution.

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 resolution.

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

RESOLUTION**CASE NO. SUP-2-95. FORREST L. HAZELWOOD FAMILY SUBDIVISION**

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 requested a special use permit to allow a family subdivision with lot sizes less than three acres in size in the A-1, General Agricultural District, on property identified as Parcel No. (1-25) on James City County Real Estate Tax Map No. (2-4).

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-2-95 as described herein with the following condition:

1. Final subdivision approval shall be secured within 18 months from the date of issuance of SUP-2-95.

5. **Case No. SUP-4-95. Ila Mae Stewart Replacement of Manufactured Home**

Mr. John Patton, Development Management Technician, stated that Ms. Ila Mae Stewart had applied for a special use permit to allow replacement of an existing single-wide manufactured home with a double-wide manufactured home on a 4.8 acre parcel, zoned A-1, General Agricultural, located at 9433 Diascund Reservoir Road, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (2-3).

Mr. Patton further stated that the application was unique in that special use permits are not required for double-wide manufactured homes in the agricultural district, but with a change in State law that required jurisdictions to treat double-wide manufactured homes as conventionally built dwellings, the nonconforming section of the zoning ordinance provided that nonconforming manufactured homes in any agricultural district may be replaced with manufactured homes upon issuance of a special use permit. He noted this case would set a precedent for future similar requests.

Staff 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. Taylor made a motion to approve the resolution.

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

RESOLUTION**CASE NO. SUP-4-95. ILA MAE STEWART, REPLACEMENT OF MANUFACTURED HOME**

WHEREAS, it is understood that all conditions for the consideration of an application for a special use permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a Special Use Permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant: Ila Mae Stewart

Real Estate Tax Map ID: (2-3)

Parcel No: (1-9)

Address: 9570 Richmond Road
(9433 Diascund Reservoir Road)

District: Stonehouse

Zoning: General Agricultural

Conditions:

1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standard.
3. The existing septic drain field shall be expanded to accommodate the additional bedroom in accordance with Health Department requirements prior to occupancy.
4. The manufactured home currently existing on the property shall be removed prior to placement of the new unit.

6. Case No. SUP-6-95. Williamsburg-James City County School Board. Temporary Classroom Trailers, Lafayette High School

Mr. Curtis Hancock, on behalf of the Williamsburg-James City County School Board, had applied for a special use permit to allow relocation of three temporary classroom trailers and the placement of up to an additional 18 trailers at Lafayette High School, on 50 acres, zoned R-2, General Residential, located at 4460 Longhill Road, further identified as Parcel No. (1-1) on James City County Real Estate Tax Map No. (32-3).

Staff recommended approval with the condition listed in the resolution.

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

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION**CASE NO. SUP-6-95. WILLIAMSBURG-JAMES CITY COUNTY SCHOOL BOARD.****TEMPORARY CLASSROOM TRAILERS**

WHEREAS, it is understood that all conditions for the consideration of an application for a special use permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a Special Use Permit be granted for the placement of eighteen additional temporary class room trailers and the relocation of three temporary classroom trailers on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Williamsburg-James City County Schools
Real Estate Tax Map ID:	(32-3)
Parcel No:	(1-1)
Address:	4460 Longhill Road
District:	Powhatan
Zoning:	R-2, General Residential
Conditions:	1. This permit shall be valid until July 1, 1998.

H. BOARD CONSIDERATIONS

1. **Case No. SP-15-95. Jack L. Massie Contractor, Inc., Equipment and Storage Yard - Cement Treated Aggregate Facility Height Limitation Waiver**

Mr. Pleskac stated that Mr. Gary Massie of Jack L. Massie Contractor, Inc., had applied for a height limitation waiver for a cement-treated aggregate structure approximately 70 feet in height, located at 3900 Cokes Lane, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (13-3).

Staff determined the structure met Zoning Ordinance Section 20-444 criteria and recommended approval of allowing maximum height of 80 feet for the cement treated aggregate structure as noted in the resolution.

The Board, staff, and applicant agreed that the maximum height of 80 feet would be applicable if expansion occurred in the future.

Mr. Taylor made a motion to approve the resolution.

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

RESOLUTION**CASE NO. SP-15-95. JACK L. MASSIE CONTRACTOR, INC., EQUIPMENT AND STORAGE****YARD - CEMENT TREATED AGGREGATE FACILITY 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 waiver process; and

WHEREAS, the applicant has requested a height limitation waiver to allow the placement of a cement treated aggregate facility that is in excess of 60 feet in height in the M-2, General Industrial District, on property identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (13-3); and

WHEREAS, the applicant has submitted a site plan application processed under Case No. SP-15-95 that shows the proposed location of the cement treated aggregate facility; and

WHEREAS, the applicant has submitted a drawing by Astec Industries, Inc., of the proposed cement treated aggregate facility showing that the structure would be approximately 70 feet in height.

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 for the herein described cement treated aggregate facility with a maximum height of 80 feet in the location shown on the site plan for Case No. SP-15-95.

2. **Little Creek Reservoir - Architectural and Engineering Services Contract Award**

Mr. Needham S. Cheely, III, Director of Parks and Recreation, stated that staff had negotiated architectural and engineering services for design and contract administration for development of park facilities at Little Creek Reservoir with the firm of Caro, Monroe and Liang in the amount of \$69,100.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

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

RESOLUTION**CONTRACT AWARD - ARCHITECTURAL AND ENGINEERING****SERVICES FOR LITTLE CREEK RESERVOIR**

WHEREAS, James City County owns and operates the Little Creek Reservoir Park; and

WHEREAS, the County has allocated funds in the Capital Improvement Program for the development of new facilities at Little Creek Reservoir; and

WHEREAS, the contract was negotiated with Caro, Monroe, and Liang Architects in the amount of \$69,100.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the award of a contract for the provision of architectural and engineering services for improvements to Little Creek Reservoir in the amount of \$69,100 to Caro, Monroe, and Liang Architects.

3. Participation in Expanded King William Reservoir Project

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that the City of Newport News was sponsoring on behalf of the Regional Raw Water Study Group (RRWSG) an application for a permit to build a reservoir in King William County to produce approximately 25 million gallons of water per day (mgd) with a pumpover from the Mattaponi River and an enhanced project with a second pumpover from the Pamunkey River would increase safe yield to approximately 35 mgd for future regional water needs.

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

PARTICIPATION IN THE EXPANSION OF KING WILLIAM RESERVOIR PROJECT

WHEREAS, James City County has identified the need for an additional 4 million gallons of water per day from a surface water source to meet the County's water demands in areas of the County outside the Newport News retail service area through 2040; and

WHEREAS, the City of Newport News, in conjunction with the Regional Raw Water Study Group, has prepared a draft Environmental Impact Statement and filed an application with the Corps of Engineers for a permit to construct a water supply reservoir in King William County on Cohoke Mill Creek; and

WHEREAS, the City of Newport News advises that this project, if enhanced through an additional pump over or by other means, can supply more water than required by the Regional Raw Water Study Group through 2040; and

WHEREAS, the City of Newport News has expressed a willingness to share water from this project with James City County, if it obtains the permits necessary to construct a reservoir on Cohoke Mill Creek of sufficient water supply capacity; and

WHEREAS, the Board of Supervisors of James City County desires to support the efforts of the City of Newport News and the Regional Raw Water Study Group to obtain the necessary permits for construction of this project so long as there may be a reasonable possibility that such permits may be issued; and

WHEREAS, the City of Newport News has advised James City County that in the absence of a second pumpover it can supply the County with an additional two million gallons of water per day.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, intends to contract with the City of Newport News in order to obtain the rights to a 4 million gallon per day supply from the King William Reservoir Project if a project of sufficient yield is constructed in a timely manner.

BE IT FURTHER RESOLVED that the Board directs County staff to support the City of Newport News' efforts to obtain permits for a water supply reservoir in King William County as well as to explore all other potentially feasible sources of long-term supply that may become available to James City County. County staff is also directed to develop, if and when appropriate, an Agreement for consideration by the Board that provides for the reservation of 4 million gallons of safe yield and defines how, when and under what terms such water will be delivered to the County for its treatment and distribution.

4. Mid-Year Budget Adjustments

Mr. John E. McDonald, Manager of Financial and Management Services, briefly explained the proposed FY 95 Operating Budget changes and the proposed Capital Budget changes as summarized in the resolution.

Staff recommended approval of the resolution.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

MID-YEAR BUDGET ADJUSTMENTS

WHEREAS, the Board of Supervisors of James City County has been asked to consider certain mid-year budget adjustments in both the Capital and Operating Budgets for FY 95.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the following budget changes:

Operating Revenues

State - Commonwealth Attorney	\$ 5,000
Excess Fees - Clerk	16,000
Excess Fees - Health Department	27,600
State - Social Services Fund	<u>39,006</u>
	<u>\$ 87,606</u>

Operating Expenses

Contingency	\$ (50,000)
Court Services	50,000
CSA - Social Services Fund	39,006
WAMAC	27,000
Treasurer	8,000
Clerk	8,000
Commonwealth Attorney	5,000
Direct Local Effort	<u>600</u>
	<u>\$ 87,606</u>

Capital Revenues

Jail Bond Proceeds	\$(650,000)
State Conservation Grant	200,000
City of Williamsburg	<u>182,500</u>
	<u>\$(267,500)</u>

Capital Spending

Regional Jail	\$(650,000)
Environmental Protection	(145,000)
Community Access Fund	(105,000)
Road Match	(35,000)
Courthouse	500,000
Little Creek Reservoir	200,000
Mid-County Park	58,000
Contingency	<u>(90,500)</u>
	<u>\$(267,500)</u>

I. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, spoke regarding future consequences to County of State and Federal programs that might be unfunded; noted uncertainty of implications of heavy metals in sludge; and, reported on various General Assembly bills being considered.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman recommended that the Board go into executive session pursuant to Section 2.1-344(A)(3) of the Code of Virginia to consider a personnel matter, appointment of individuals to County boards and/or commissions.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Magoon asked staff to review with the Williamsburg Resident Engineer the Virginia Department of Transportation's road overlay policy.

Mr. DePue recessed the Board for a James City Service Authority meeting, at 8:17 p.m.

Mr. DePue reconvened the Board at 8:30 p.m.

Mr. Frank M. Morton, III, County Attorney, requested response from the Board to Registrar Judith Trautman's request to place on the Board's agenda a request to split Powhatan and Stonehouse Districts each into two polling places.

Without Board objection, Mr. DePue asked that the request be brought forward on a future Board of Supervisors' agenda.

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

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

Mr. DePue reconvened the Board into open session at 8:48 p.m. and made a motion to approve the executive session resolution.

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

RESOLUTION

MEETING DATE: February 21, 1995

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 appoint Maggie Barnes, Gilbert Bartlett, Karen Bartlett, Norman Beatty, Donna Young Whitley, Paul Cathcart, Viola Cowles, Ulysses Davenport, Beulah Davis, Terrie Edwards, Teresa Graves, Charles Hemming, Tom Hardin, Robert Hershberger, Ethell Hill, Ann Horton, Scottie Howard, Rosemary Isaac, Kenneth Johnston, Margaret Kutz, Helen Malechek, Kim Malonesy, Kevin McCoy, John McCrimmon, Virginia McLaughlin, Waide Robinson, Mary Sawyer, Wayne Schroepfer, David Tetrault, Bill Tolbert, Billy Tose, Clifford Williams, Jonathon Wilson, Robert Ryalls and the United Way Executive Director to the Neighborhood Connections Steering Committee for a 2-year term, term expiring 2/21/97, and to appoint James Richardson to the Agricultural and Forestal District Advisory Committee to serve at the pleasure of the Board.

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

Mr. DePue made a motion to recess until 2:00 p.m., Friday, February 24, 1995, for a retreat at 4-H-Airfield Conference Center, Wakefield, Virginia.

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

The Board recessed at 8:49 p.m.



David B. Norman
Clerk to the Board

FEB 21 1995

ORDINANCE NO. 170A-6

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

GORDON CREEK AGRICULTURAL AND FORESTAL DISTRICT (AFD-9-86)

KANE ADDITION

WHEREAS, an Agricultural and Forestal District has been established in the Gordon Creek area; 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 advertized, and public hearings have been held on the application for an addition to the Agricultural and Forestal District in the Gordon Creek; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on February 8, 1995, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on February 14, 1995, voted 6-0 to recommend approval of the application.

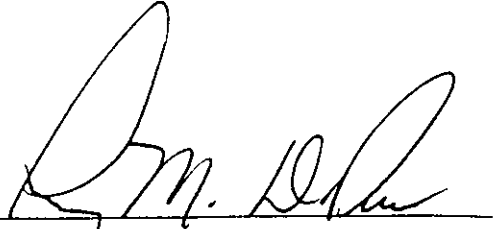
NOW, THEREFORE, BE IT RESOLVED

1. The Gordon Creek Agricultural and Forestal District is hereby amended by the addition of the following parcels:

Mr. William Kane	(29-4)(1-3)	4.00 ac.
Mr. William Kane	(30-3)(1-7)	8.00 ac.
Mr. William Kane	(35-2)(1-7)	131.00 ac.
Mr. William Kane	(36-1)(1-1)	8.33 ac.
Mr. William Kane	(36-1)(1-2)	<u>13.00 ac.</u>

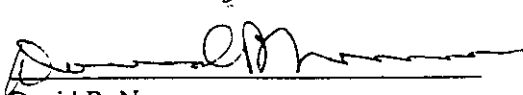
Total: 164.33 ac.

2. That pursuant to the 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 to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
 - b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district.
 - c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1 1506 et. seq. which are not in conflict with the policies of this district.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
SISK	AYE
EDWARDS	AYE
MAGOON	AYE
TAYLOR	AYE
DEPUE	AYE

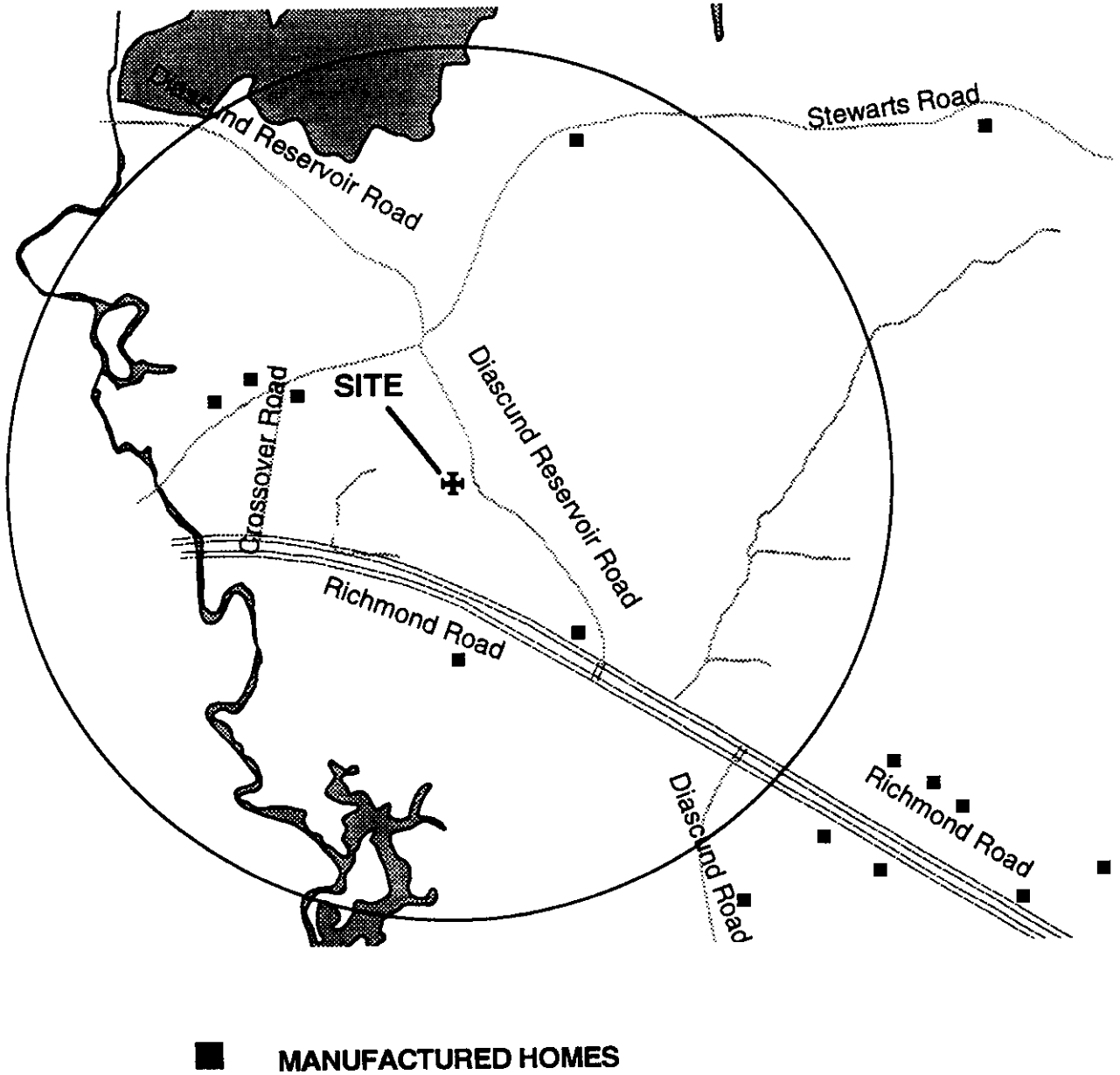
Adopted by the Board of Supervisors of James City County, Virginia, this 21st day of February, 1995.

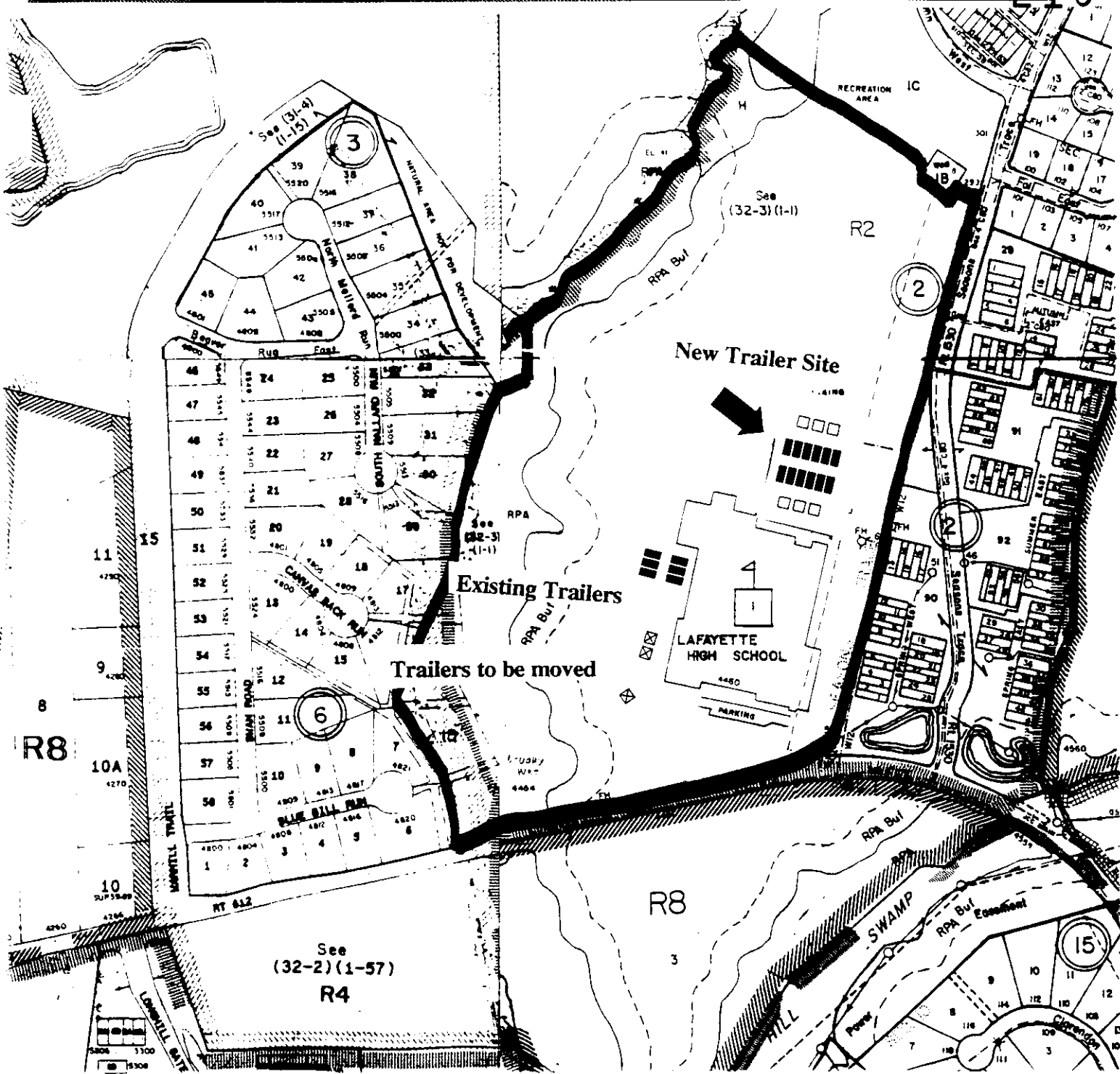
kaneadd.res

SUP - 4 - 95

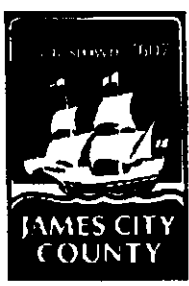
ILA MAE STEWART

REPLACEMENT MANUFACTURED HOME

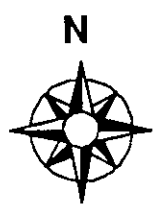




SCALE 1"=400 Feet



Case No: SUP-6-95
 Name : Lafayette High School Temporary Classroom Trailers



Attachment 1

PLANNING DIVISION