

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 15TH DAY OF MAY, NINETEEN HUNDRED NINETY-FIVE, AT 5:03 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. Solid Waste Collection

Mr. Sanford B. Wanner, Assistant County Administrator, presented details of solid waste collection.

The Board and staff discussed various trash collection alternatives and the costs involved.

Mr. DePue declared a recess for dinner at 6:00 p.m.

Mr. DePue reconvened the Board at 7:05 p.m.

C. PRESENTATION

1. Neighborhood Connections Update

Ms. Veronica Nowak, Communications and Neighborhood Connections Coordinator, described the neighborhood connections vision, spoke of challenges, successes and failures, staff commitment and future efforts.

On behalf of the Board, Mr. Edwards complimented staff for the success of the program.

**D. MINUTES - April 25, 1995 - Budget Work Session
May 1, 1995 - Regular Meeting**

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

Mr. Edwards made a motion to approve the two sets of 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, stated his office was researching ways to improve community service with a reduction in staff.

Mr. DePue stated that grass in medians, along rights-of-way, etc., needed to be mowed in several areas of the County. He also noted that he was looking forward to the successful completion of the Centerville Road project.

F. CONSENT CALENDAR

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

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

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

1. Emergency Medical Services Week, May 15-21, 1995

RESOLUTION**EMERGENCY MEDICAL SERVICES WEEK**

WHEREAS, the Emergency Medical Services System in the Peninsulas region of Eastern Virginia is maintained by emergency medical technicians, nurses, physicians, educators, administrators, and telecommunicators; and

WHEREAS, by providing these services in a prompt and efficient manner the EMS system fulfills its primary goal to reduce death and disability due to accident and illness; and

WHEREAS, the citizens of James City County benefit daily from the knowledge and skill of these trained individuals; and

WHEREAS, the men and women of the EMS system dedicate their time and energy to saving the lives of others; and

WHEREAS, it is appropriate to recognize the value and accomplishments of the EMS system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim the week of May 15-21, 1995, as EMERGENCY MEDICAL SERVICES WEEK and encourages County citizens to observe this week with appropriate programs, ceremonies, and activities.

Mr. DePue presented resolutions to Paramedic John Alpers and Firefighter Sharon Hamlin.

2. Industrial Appreciation Week**RESOLUTION****INDUSTRY APPRECIATION WEEK - MAY 21 - 27, 1995**

WHEREAS, James City County is fortunate to have a strong industrial base that provides much needed jobs for the citizens of James City County; and

WHEREAS, these same industries provide local taxes from which the entire local citizenry benefit; and

WHEREAS, these industries contribute in many ways to the life of the community.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby salutes our existing industry base, and gives notice to our citizens that Virginia industries are building a better Commonwealth.

BE IT FURTHER RESOLVED that the week of May 21-27, 1995, is hereby designated Industry Appreciation Week in James City County.

Mr. DePue presented the resolution to Mr. Keith Taylor, Economic Development Director.

G. PUBLIC HEARINGS1. Case No. SUP-18-95. Mary M. Mullis, Manufactured Home

Mr. John Patton, Development Management Technician, stated that Mrs. Mary M. Mullis had applied for a special use permit to allow the placement of a single-wide manufactured home on 2.2 acres, in R-8, Rural Residential, located at 2925 Little Creek Dam Road, and further identified as Parcel No. (I-36A) on James City County Real Estate Tax Map No. (21-4).

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 special use permit.

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

RESOLUTION**CASE NO. SUP-18-95. MARY M. MULLIS 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:	Mary M. Mullis
Real Estate Tax Map No.:	(21-4)
Parcel No:	(1-36A)
Address:	2595 Little Creek Dam Road
District:	Stonehouse
Zoning:	R-8
Conditions:	<ol style="list-style-type: none"> 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 manufactured home shall be connected to an approved septic drain field and well in accordance with Health Department requirements prior to occupancy.

2. Case No. Z-9-95. Williamsburg Crossing Multifamily Units

Mr. Allen J. Murphy, Jr., Principal Planner, stated that Mr. Alvin Anderson had applied on behalf of University Square Associates to rezone approximately 13.46 acres from B-1, General Business, to MU, Mixed Use, with proffers, located southwest of Kings Way, further identified as Parcel No. (15-5) on James City County Real Estate Tax Map No. (47-2).

Mr. Murphy further stated the property owner wished to develop the property with proffers which were approved with Case No. Z-7-92 on July 19, 1993, by the Board of Supervisors.

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

The Board asked for clarification about access to Williamsburg Crossing Shopping Center from the planned units.

Mr. Murphy responded that no access from Carolina Boulevard was currently proposed.

Mr. DePue opened the public hearing.

1. Ms. Ingrid Jahn, 118 Dover Road, spoke of environmental damage if developer removed all vegetation. She requested permission from the developer to transplant pink lady-slipper plants to the wildflower area of the College of William and Mary at the appropriate time.

Mr. DePue closed the public hearing.

Mr. Magoon made a motion to approve the resolution.

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

RESOLUTION

CASE NO Z-9-95. WILLIAMSBURG CROSSING MULTIFAMILY UNITS

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-13 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified and a hearing scheduled on Zoning Case No. Z-9-95 for rezoning approximately 13.46 acres from B-1, General Business, to MU, Mixed Use, with proffers, on property identified as Parcel No. (15-5) on James City County Real Estate Tax Map No. (47-2); and

WHEREAS, the Planning Commission of James City County has unanimously recommended approval of Case No. Z-9-95.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-9-95 as described herein with proffers recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and James City County on pages 0904 through 0906 of Deed Book 0689.

3. **Mooretown Neighborhood Streets Construction Easements**

Mr. Richard B. Hanson, Housing and Community Development Administrator, explained that the engineer for the Mooretown Neighborhood Streets Projects provided information that all construction easements were required to be in place for construction to proceed. Mr. Hanson further stated that funds for the required temporary construction easements were available from previously appropriated Community Development Block Grant program income.

Staff recommended approval of the resolution and Attachment A.

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).

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Mr. DePue closed the public hearing.

Mr. Magoon made a motion to approve the resolution.

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

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WHEREAS, the Planning Commission of James City County has unanimously recommended approval of Case No. Z-9-95.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Zoning Case No. Z-9-95 as described herein with proffers recorded in the Clerk's Office of the Circuit Court of the City of Williamsburg and James City County on pages 0904 through 0906 of Deed Book 0689.

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Staff recommended approval of the resolution and Attachment A.

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**TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY IN****JAMES CITY COUNTY, VIRGINIA, FOR PUBLIC PURPOSES AND CONSTRUCTION****EASEMENTS FOR ROADWAYS AND DRAINAGE****JAMES CITY COUNTY, VIRGINIA**

WHEREAS, the Board of Supervisors of James City County, Virginia, has determined by Resolution dated September 6, 1994, that a public necessity exists for the acquisition of certain real property hereafter more particularly described in James City County, Virginia, for the construction of a roadway, drainage easements, and drainage basins in James City County, Virginia, for public purposes and the preservation of the health, safety, peace, good order, comfort, convenience, morals, and welfare of James City County, Virginia; and

WHEREAS, public hearings were held pursuant to Section 15.1-238 E of the Code of Virginia, 1950, as amended, on the proposed acquisition.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board declares it desirable to acquire the property and hereby declares that a public necessity therefore exists and the Board further finds as follows:

1. The County Attorney and/or William R. Bland, Esq., be, and they are hereby authorized and directed to acquire in the manner provided by Section 15.1-236 et. seq. of the 1950 Code of Virginia, as amended, and by Section 33.1-89 et. seq. of the 1950 Code of Virginia, as amended, certain real property for construction easements in James City County, Virginia, together with all rights and appurtenances thereto, for public purposes, and for construction of a roadway and drainage facilities in the County of James City.
2. The County Administrator is authorized and directed to act for, and on behalf of, the County in agreeing or disagreeing with the owners of the properties upon the compensation and damages, if any, to be paid.
3. The names of the present owners of the properties to be acquired as provided in Section 1 of the Resolution together with limited descriptions of the parcels and compensation therefore, are identified in "Attachment A" which is attached hereto and made a part hereof.
4. The County Attorney and/or William R. Bland, Esq., shall notify the property owners of the compensation and damages by the County forthwith on or before May 30, 1995.
5. That in the event of the property described in Section 3 of this Resolution has been conveyed, the County Attorney and/or William R. Bland, Esq., are authorized and directed to institute proceedings against successors in title.
6. That this Resolution shall be in effect from the date of its passage.

H. BOARD CONSIDERATIONS

1. Lake Powell Pedestrian/Bicycle Bridge

Mr. John T. P. Horne, Manager of Development Management, stated that the budget of \$52,315 for a 75-foot x 8-foot pedestrian/bicycle bridge across the Lake Powell spillway was presented for consideration.

The Board questioned whether the bridge was for pedestrian traffic only. Staff responded in the affirmative.

Without objection, the Board allowed public comment.

1. Mr. Cliff Guertin, 2141 Lake Powell Road, spoke in opposition to the bridge width of 8 feet and suggested building a platform so as not to disturb soil beneath.

2. Mr. William Matthews, 2148 Lake Powell Road, asked about spending some of the requested funds for landscaping to combat erosion.

3. Mr. Armand Campbell, 2140 Lake Powell Road, spoke of his concern that the only entrance/exit for residents or emergency vehicles was the long-way-around to Jamestown Road. He also was concerned that the cost was too expensive for the number of citizens who would benefit from the project.

Mr. Magoon made a motion to approve the resolution.

The Board discussed the County's liability for the spillway; level of the County's responsibility in maintenance; building a bridge on unstable soil; bid process for project; and, bollards would be installed to ensure no vehicular traffic.

Staff responded that time was needed to address those issues.

Mr. Magoon suggested deferral until June 5, 1995, Board of Supervisors' meeting to allow staff time to respond to Board questions.

2. Woodmont Drive

Mr. Horne stated that residents in Oakland Estates have requested Woodmont Drive be accepted into the State Secondary Road System. He explained that the street did not meet the Virginia Department of Transportation three-dwelling requirement until 1992 and that the estimated cost for including Woodmont Drive in the State system would be \$39,000.

Staff recommended approval of the resolution.

Mr. Taylor made a motion to approve the resolution.

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

RESOLUTION

WOODMONT DRIVE

WHEREAS, it is necessary to improve Woodmont Drive to Virginia Department of Transportation's, VDOT standards.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the transfer of \$19,000 from Capital Contingency to Dirt Streets to completely fund this project.

3. **Drainage Studies: Gatehouse Farms, Greensprings Road Area, Fieldcrest**

Mr. Horne stated that proposals for the drainage studies were received from two firms.

Staff recommended that the firms of Mitchell Wilson for the Greensprings Road Area Watershed and Fieldcrest Subdivision and Smith, Demer, Normann for Gatehouse Farms be employed for the respective drainage studies.

Mr. DePue asked whether his concern of how County procedures might be improved or changed would be addressed.

Mr. Horne responded that the study would not include an analysis of County procedures, but the County has a watershed model for the area and, thereby, the ability to compare with the studies.

Mr. Taylor expressed concern about the cost of the studies.

Mr. Horne described the difference in the engineering tasks for the three separate drainage studies.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

DRAINAGE STUDIES: GATEHOUSE FARMS, GREENSPRINGS ROAD AREA, FIELDCREST

WHEREAS, it is necessary to perform drainage studies in the Gatehouse Farms, Greensprings Road Area, and Fieldcrest areas of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes appropriation of \$20,535 from capital contingency for this project.

4. **Relocation of Neighborhood Connections, Contingency Transfer**

Mr. Sanford B. Wanner, Assistant County Administrator, stated that the Neighborhood Connections office was located in Building A in cramped quarters.

Staff reviewed the space needs for the Neighborhood Connections office and recommended temporary relocation to rented space and a budget transfer from Operating Contingency to cover associated costs.

The Board asked for a brief report showing relocation costs.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

NEIGHBORHOOD CONNECTIONS CONTINGENCY TRANSFER

WHEREAS, the Neighborhood Connections Office was established by the Board in October 1994; and

WHEREAS, the Neighborhood Connections Office requires space to meet its mission; and

WHEREAS, rented space is available in the Olde Towne corridor adjacent to the Community Services building.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the relocation of the Neighborhood Connections Office; appropriates from Operating Contingency the amount of \$39,000 to support this move; and, authorizes the County Administrator to execute a lease within the terms of the recommended budget.

5. Solid Waste Collection - Bid Award

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that the County's contract for collection and disposal of solid waste from County building dumpsters, Convenience Centers, and the Williamsburg/James City County Schools, including provisions for collection and disposal of recyclable materials, would expire on July 1, 1995.

He further stated bids were received and staff recommended approval of the resolution authorizing the bid for solid waste/recycling services to Waste Management of Hampton Roads.

Mr. DePue asked that allocated monies be included in future bid award memorandums.

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

SOLID WASTE COLLECTION - BID AWARD

WHEREAS, James City County has advertised and publicly opened bids submitted by interested firms for collections and disposal of solid waste and recycling services at County buildings and schools; and

WHEREAS, the low bid for the service was submitted by Waste Management of Hampton Roads with an estimated annual cost of \$61,899; and

WHEREAS, the bid is within the budget allocation for the service.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, awards the contract for collection and disposal of solid waste and recycling to Waste Management of Hampton Roads.

I. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, spoke of concerns about County code violations and excessive noise at the trailer park adjoining his property.

Mr. DePue asked staff to investigate and provide a report.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman recommended the Board go into executive session pursuant to Section 2.1-344(A) (1) to consider a personnel matter, the appointment of individuals to County boards and/or commissions.

K. BOARD REQUESTS AND DIRECTIVES

Mr. DePue referenced the Reading File memorandum from Mr. Horne on drainage activities, and expressed a concern about expectations of the Homeowners' Association responsibilities.

Mr. Horne asked Mr. DePue to contact him for clarification of that memorandum.

Mr. DePue recessed the Board for a James City Service Authority Board of Directors' meeting at 9:25 p.m.

Mr. DePue reconvened the Board and made a motion to go into executive session as recommended by the County Administrator at 9:33 p.m.

Mr. DePue reconvened the Board into open session at 9:45 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: May 15, 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 Heidi Crapol, Kay Greenwood, and Arlene Simons to the Neighborhood Connections Steering Committee.

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

Mr. DePue made a motion to recess until Thursday, May 18, 1995, at 5:00 p.m. for a briefing on Enterprise Zone program.

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

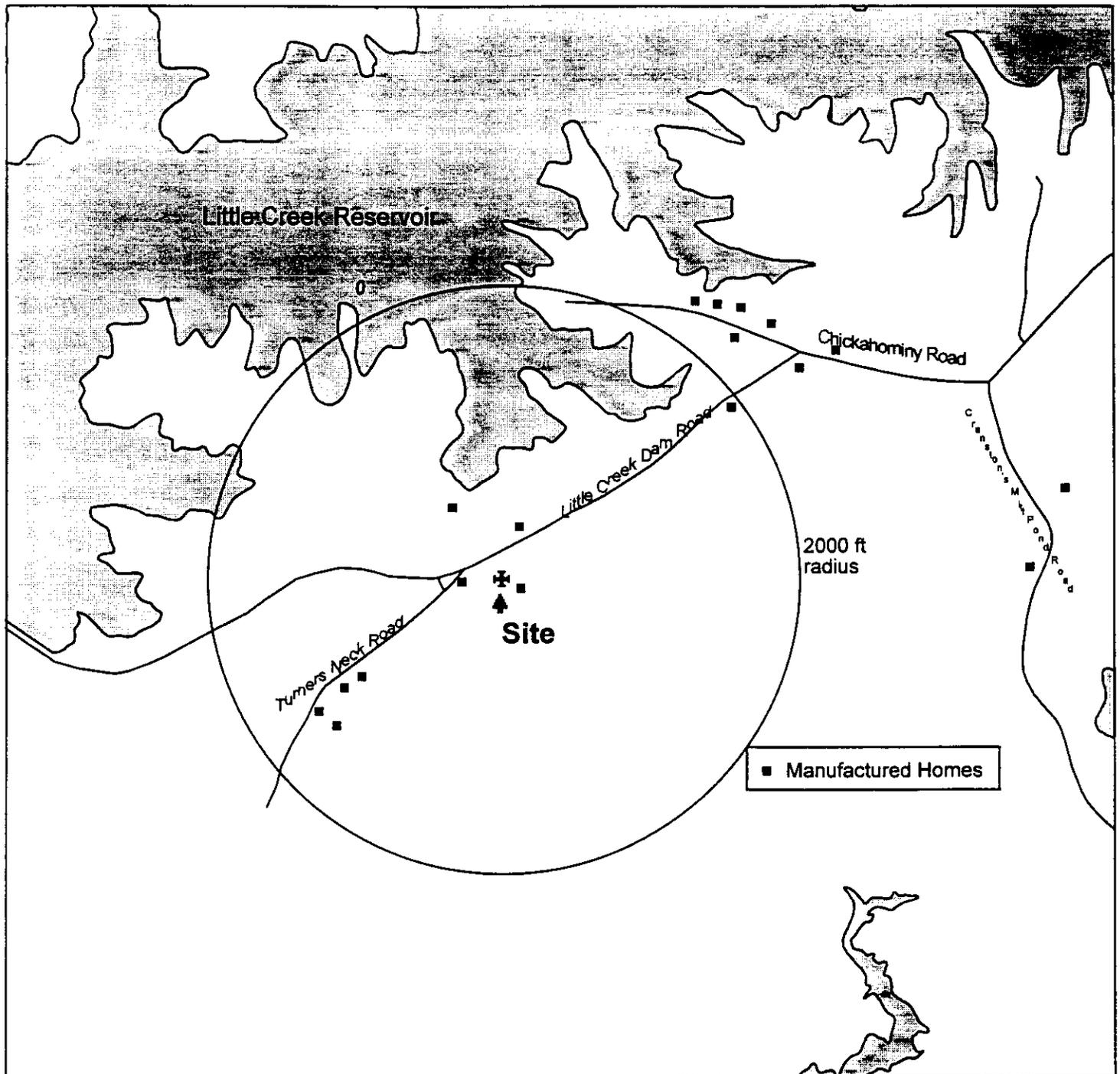
The Board recessed at 9:49 p.m.



David B. Norman
Clerk to the Board

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SUP-18-95 Mary Mullis Manufactured Home



ATTACHMENT "A"

<u>Property Owner</u>	<u>Property Address</u>	<u>Tax Map No.</u>	<u>Construction Easement Acres</u>
Reid, Mary E.	6141 Mooretown Road	33-1, 1-6	.08
Fauntleroy, Earl	123 Clark Lane	33-1, 1-7	.05
Williams, Joyce M.	125 Clark Lane	33-1, 1-8	.03
Williams, Joyce M.	127 Clark Lane	33-1, 1-9A	.04
Moore, Charlotte Rebecca	131 Clark Lane	33-1, 1-9	.05
Smith, Sarah I.	113 Clark Lane	32-2, 1-56	.08
Brown, Roy Lee	143 Clark Lane	32-2, 1-55	.04
Ratcliff, Robert	149 Clark Lane	32-2, 1-54	.04
Hill, Wilbert J.	159 Clark Lane	32-2, 1-50	.13
Ratcliff, Vernon & Vernon Ratcliff, Jr.	163 Clark Lane	32-2, 1-49	.03
Nedd, Virginia	167 Clark Lane	32-2, 1-48	.06
Moore, John	6155 Mooretown Road	33-1, 1-2	.07
Frazier, Alexander Jose	149 Catalpa Drive	32-1, 1-42	.08
Cowles, Maude E. & Ernest N. James	137 Catalpa Drive	32-2, 1-46A	.15
Taylor, Mary A. Est. E.T., ALS & Pauline T. Williams	6171 Mooretown Road	32-2, 1-40	.51
Ashby, Antoine & Lisa	6195 Mooretown Road	32-2, 1-39	.05
Wallace, Charles H. Jr.	6197 Mooretown Road	32-2, 1-38	.05
Frazier, Hezekiah B., Jr.	6203 Mooretown Road	32-2, 1-37	.23
Piggott, Eddie	6217 Mooretown Road	32-2, 1-30	.10
Taylor, Charles S. & Yvette B.	5013 O. L. Taylor Drive	32-2, 1-28D	.06
Commonwealth of Virginia		32-2, 1-27	.04
Fraizer, George & Lillian	6209 Mooretown Road	32-2, 1-34	.25
Taylor, Earl M. & Marion	6219 Mooretown Road	32-2, 1-31	.66
Curry, Clarence F.	6213 Mooretown Road	32-2, 1-33	.31