

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF OCTOBER, NINETEEN HUNDRED NINETY-FIVE, 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. MINUTES - October 2, 1995

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

Mr. Edwards made a motion to approve the minutes.

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

C. HIGHWAY MATTERS

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

Mr. Magoon requested that a street sign for West Kingswood Drive be posted at the intersection of West Kingswood Drive and Spring Road.

Mr. Magoon also inquired why the concrete gutter and curbing system had been placed along Greensprings Road at the Fernbrook entrance. He stated that the system detracted from the aesthetics of the neighborhood. He feels this is inappropriate and that more creative design should be considered to maintain the integrity of the neighborhoods.

Mr. John T. P. Horne, Manager of Development Management, agreed that while not aesthetically pleasing there are significant trade-offs for each alternative design such as the removal of a larger number of trees used for drainage and buffering.

Mr. Magoon agreed that there are trade-offs in each circumstances, however, he does not like the current solution so would like to investigate other alternatives along with their subsequent trade offs.

Mr. Edwards requested that the Board be involved in the approval process if another entrance should be proposed for the Greensprings Road area.

Mr. Horne agreed to investigate other alternatives and trade-offs and involve the Board in future road/entrance developments consideration to Greensprings Road.

D. 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 Services Budget Amendment - State Reimbursement

RESOLUTION

BUDGET AMENDMENT - EMERGENCY SERVICES

WHEREAS, the Board of Supervisors of James City County has been requested to approve the reimbursement by the Virginia Department of Emergency Services to James City County Office of Emergency Services to reimburse drill expenses and purchase supplies and equipment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends the FY 96 Operating Budget, as follows:

Revenues:

Department of Emergency Services	<u>\$14,000</u>
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Expenditures:

Emergency Services-Capital Outlay	<u>\$14,000</u>
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2. Establishment of Limited-Term Assistant Commonwealth Attorney Position

RESOLUTION

LIMITED-TERM ASSISTANT COMMONWEALTH ATTORNEY POSITION

WHEREAS, the funds have appropriated by the State, the City, and the County to establish an additional Assistant Commonwealth Attorney position; and

WHEREAS, the position will be abolished July 1, 1996, if Compensation Board funds are not continued.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the establishment of a limited-term Assistant Commonwealth Attorney position in the Office of the Commonwealth Attorney effective November 1, 1995.

3. Appropriation - Transit Study

RESOLUTION

APPROPRIATION - TRANSIT STUDY

WHEREAS, James City County and the City of Williamsburg wish to conduct a study of James City County Transit in an effort to increase efficiency, increase ridership, relieve traffic congestion and parking problems in downtown Williamsburg, and to build partnerships; and

WHEREAS, this study will be funded through contributions from the City of Williamsburg and the Commonwealth of Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the following appropriation amendments within the FY 96 Transit Fund:

Revenues:

Revenues from the Commonwealth	\$14,844
Revenues from the City of Williamsburg	<u>14,844</u>
	<u>\$29,688</u>

Expenditures:

Transit Study	<u>\$29,688</u>
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4. Operating Budget Contingency Transfer - Communications

RESOLUTION

OPERATING BUDGET CONTINGENCY TRANSFER - COMMUNICATIONS

WHEREAS, all citizens need to be informed about the issues related to the Comprehensive/Strategic Management Plan update; and

WHEREAS, additional funds are needed in order to support the communication plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby transfer \$21,000 from Operating Contingency to Communications.

E. PUBLIC HEARINGS

1. Case No. ZO-8-91, Zoning Ordinance Amendment/Timbering

Mr. John T. P. Horne, Manager of Development Management, stated that the Board requested a proposed amendment to the Zoning Ordinance previously considered and deferred indefinitely in 1991. The Ordinance would regulate timbering activities in most zoning districts with the exception of A-1. He also stated that due

to advertising conflicts the MU, M-3, PUD, and R-4 districts could not be ready for inclusion in this ordinance, however, staff would bring those districts forward in the near future.

Mr. Horne also suggested that an administrative permit process, following similar guidelines as the ordinance, might be an alternative. At this time, this process is still under review.

Mr. DePue inquired as to the benefits of an administrative process rather than a special use permit.

Mr. Horne stated that an administrative process would be a staff decision while a special use permit involved both the Board and the Planning Commission for approval.

Mr. DePue and Mr. Magoon requested clarification on the special use permit guidelines included in the proposed ordinance.

Mr. Apperson of the State Forestry Department answered several Board questions on State regulations regarding forestry and timbering.

Mr. Sisk requested that Real Estate Assessments (GIS) produce a map of several controversial areas and what they might have looked like if this ordinance had been in effect.

Mr. Magoon stated that he would not support the special use permit approach; however, believes that appropriate buffers for adjacent properties and roadways should still be discussed between staff and the Board.

Mr. Taylor supported the Department of Forestry's methodology and felt that the proposed ordinance was inappropriate.

Mr. DePue also suggested the ordinance is not what the Board requires at this time. However, discussion regarding a special use permit process and/or an administrative policy should be further investigated.

Mr. DePue opened the public hearing.

Several citizens concurred with the Board's decision to defeat the proposed ordinance and outlined grievances to the Board regarding what they felt as an infringement of their rights by County staff.

Mr. DePue closed the public hearing.

Mr. Taylor made a motion to defeat the proposed ordinance.

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

Mr. DePue acknowledged public input, however, stated that there is public concern for clear cut land visible from County roads. He asked the public to regulate themselves on this matter by maintaining the beautification of the County.

Mr. DePue also requested that the Board consider administrative practices to regulate all timbering with the exception of A-1 land.

Mr. Edwards made a motion that staff place an administrative policy on the agenda for consideration and also include a corresponding item in the Comprehensive Plan.

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

Mr. Magoon stated that the Board should define its concerns on this matter, and search for a way to modify this section of the Zoning Ordinance. He stated that concerns should be addressed through the Zoning Ordinance rather than an administrative procedure.

Mr. DePue concurred and made a motion to have Mr. Morton examine the legal viability of a process that would define either an administrative procedure or modify the Zoning Ordinance.

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

Mr. DePue declared a break at 9:00 p.m.

Mr. DePue reconvened the Board into open session at 9:10 p.m.

2. Transfer of Property Acquired for Ware Creek Reservoir

Mr. Frank M. Morton, III, County Attorney, stated that the three deeds convey property acquired in expectation of construction of Ware Creek Reservoir. As per instructions from the Board, it is proposed to sell these properties to the original owners for the price the County paid to acquire them.

Mr. Morton recommended the Board adopt the resolution authorizing execution of the deeds.

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 resolution.

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

RESOLUTION

TRANSFER OF PROPERTY ACQUIRED FOR WARE CREEK RESERVOIR

WHEREAS, James City County acquired certain properties in expectation of construction of the Ware Creek Reservoir which Reservoir is no longer a viable consideration; and

WHEREAS, the Board of Supervisors desires to offer the original owners of the property an opportunity to purchase the properties; and

WHEREAS, the Grantees in the attached deeds wish to reacquire the described properties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the Chairman of the Board to execute the attached deeds dated October 16, 1995, conveying property acquired in expectation of the construction of the Ware Creek Reservoir back to the original owners for the price the County paid to acquire said properties.

F. BOARD CONSIDERATION

1. Resolution Authorizing Certain Preliminary Actions in Connection with the Issuance of General Obligation Public Improvement Bonds, Series 1995.

Ms. Carol Davis, Assistant Manager of Financial and Management Services, requested that the Board consider a resolution to authorize certain actions in preparation for issuing the next portion of the referendum

bonds. If approved, staff would advertise for bids on October 23, close bids on November 2, request the Board to award a bid at its November 6 meeting, and finalize bonds on November 29.

Mr. Sisk asked if the money would be secured prior to being spent.

Mr. Chip Bassett, financial advisor, stated that the proceeds would be invested prior to spending year-end 1996. Current interest rate is 5-1/4 percent.

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).

I. PUBLIC COMMENT

1. Mr. David Brown, 213 Nelson Street, expressed his dissatisfaction with the County Office of Code Compliance.

2. Col. Edwin Riley, 611 Tam-O-Shanter Road, commented on the overpopulation of deer in the County and the dangers of Lyme disease ticks.

3. Mr. Ed Oyer, 139 Indian Circle, addressed the Board on the inappropriate placement of the Hampton Roads Sanitation District Composting Facility in the lower end of the County.

J. REPORTS OF THE COUNTY ADMINISTRATOR

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

K. BOARD REQUESTS AND DIRECTIVES

Mr. DePue made a motion to recess for a James City Service Authority Board of Directors meeting at 9:50 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 and made a motion to convene into executive session as recommended by the County Administrator at 10:00 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 10:07 p.m.

Mr. DePue 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: October 16, 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. Edwards made a motion to appoint John Labanish to a 3-year term, term expiring August 31, 1998, and appoint Sharon Keith to serve an unexpired term, term expiring August 31, 1996 on the Historical Commission; and to appoint James Parker to the Virginia Peninsulas Public Service Authority Citizen Advisory Board 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. Taylor made a motion to recess until 5:00 p.m., Monday, November 6, 1995, for a work session.

The Board recessed at 10:10 p.m.



David B. Norman
Clerk to the Board

EXEMPT FROM GRANTOR'S TAX PURSUANT TO
SECTION 58.1-811C OF THE CODE OF VIRGINIA,
AS AMENDED

THIS DEED, made this 16th day of October, 1995, by and between COUNTY OF JAMES CITY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as GRANTOR, and LACY F. HALL and CORINE L. HALL, husband and wife, hereinafter referred to as GRANTEES.

WITNESSETH: that for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and for other good and valuable considerations, the receipt of which is hereby acknowledged, the GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY, with SPECIAL WARRANTY OF TITLE, unto the said GRANTEES, the following described property, to-wit:

All those certain lots, pieces, or parcels of land situate, lying and being in James City County, Virginia, known and designated as Lot Numbered SIXTEEN (16) and Parcel Numbered and Lettered SIXTEEN-A (16A), on that certain plat entitled, "A Survey For Conveyance to Lacy F. And Corine L. Hall, Lot 16 and Parcel 16A, Section I, Temple Hall Subdivision, Lying in James City County, Virginia," made by Woodson, Littlepage and DeYoung, Inc., Engineers, Surveyors and Planners, Williamsburg, Virginia, dated September 27, 1976, a print of which said plat is duly of record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City, Virginia, at Deed Book 171, page 744, to which reference is here made for a more complete description of the property herein conveyed.

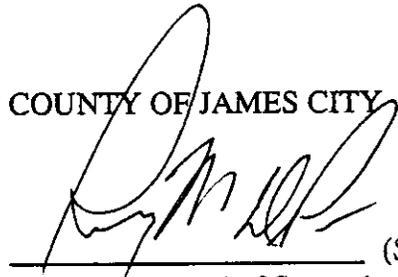
Subject, however, to the covenants, restrictions, and easements of record against this property.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

Being the same property as that conveyed to the Grantor herein by Deed dated April 5, 1993, from Lucy F. Hall and Corine L. Hall, husband and wife, of record in the aforesaid Clerk's Office at Deed Book 612, page 200.

WITNESS the following signatures and seals:

COUNTY OF JAMES CITY



(SEAL)

Chairman, Board of Supervisors

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF James City, to wit:

I, Mary Frances Rieger, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that Perry M. dePue, whose name is signed to the foregoing writing bearing date on the 16th day of October, 1995, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand this 16th day of October, 1995.

Mary Frances Rieger
NOTARY PUBLIC

My commission expires on: October 31, 1997.

EXEMPT FROM GRANTOR'S TAX PURSUANT TO
SECTION 58.1-811C OF THE CODE OF VIRGINIA,
AS AMENDED

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THIS DEED, made this 16th day of October, 1995, by and between COUNTY OF JAMES CITY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as GRANTOR, and CLINTON W. FROST and BILLIE S. FROST, husband and wife, hereinafter referred to as GRANTEES.

WITNESSETH: that for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and for other good and valuable considerations, the receipt of which is hereby acknowledged, the GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY, with SPECIAL WARRANTY OF TITLE, unto the said GRANTEES, the following described property, to-wit:

PARCEL I

0.94 acres of land, more or less, in James City County, Virginia, shown as "PARCEL 'A' on a plat entitled, "SURVEY FOR CONVEYANCE PARCEL 'A' BEING A PORTION OF LOT 18 TEMPLE HALL ESTATES OWNED BY: CLINTON W FROST AND BILLIE FROST, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated November 28, 1983, prepared by Buchart-Horn, Inc., Consulting Engineers and Planners, recorded in the Circuit Court for the City of Williamsburg and County of James City in Plat Book 263 page 458.

Together with a non-exclusive easement over, across and through 0.63 acres of land, more or less, in James City County, Virginia, shown as "REMAINDER LOT 18" on a plat entitled "SURVEY FOR CONVEYANCE PARCEL 'A' BEING A PORTION OF LOT 18 TEMPLE HALL ESTATES OWNED BY: CLINTON W. FROST AND BILLIE FROST, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated November 28, 1983 prepared by Buchart-Horne, Inc., Consulting Engineers and Planners.

PARCEL II

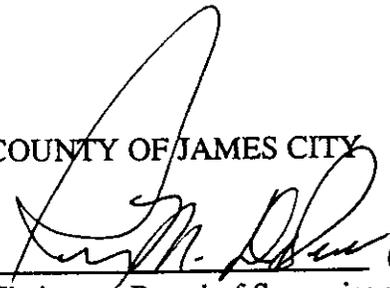
1.07 acres of land, more or less, in James City County, Virginia, shown as "PART OF LOT 4" on a plat entitled, "SURVEY FOR CONVEYANCE BEING A PORTION OF LOT 4 OF TEMPLE HALL ESTATES OWNED BY: CLINTON W. FROST AND BILLIE FROST, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated November 28, 1983, prepared by Buchart-Horn, Inc., Consulting Engineers and Planners, recorded in the Circuit Court for the City of Williamsburg and County of James City in Plat Book 263 page 459.

PARCEL III

0.67 acres of land, more or less, in James City County, Virginia, shown as "PART OF LOT 5" on a plat entitled "SURVEY FOR CONVEYANCE BEING A PORTION OF LOT NO. 5 OF TEMPLE HALL ESTATES

OWNED BY: CLINTON W. FROST AND BILLIE FROST,
STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated
November 28, 1983, prepared by Buchart-Horn, Inc., Consulting Engineers
and Planners, recorded in the Circuit Court for the City of Williamsburg and
County of James City in Plat Book 263 page 460.

WITNESS the following signatures and seals:

COUNTY OF JAMES CITY

(SEAL)
Chairman, Board of Supervisors

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF James City, to wit:

I, Mary Frances Rieger, a Notary Public in and for the jurisdiction
aforesaid, do hereby certify that Perry M. DePue, whose name is signed to the
foregoing writing bearing date on the 16th day of October, 1995, has acknowledged the same
before me in the jurisdiction aforesaid.

GIVEN under my hand this 16th day of October, 1995.

Mary Frances Rieger
NOTARY PUBLIC

My commission expires on: October 31, 1997.

EXEMPT FROM GRANTOR'S TAX PURSUANT TO
SECTION 58.1-811C OF THE CODE OF VIRGINIA,
AS AMENDED

THIS DEED, made this 16th day of October, 1995, by and between COUNTY OF JAMES CITY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as GRANTOR, and WALTER R. MARTIN and JAI R. MARTIN, husband and wife, hereinafter referred to as GRANTEES.

WITNESSETH: that for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and for other good and valuable considerations, the receipt of which is hereby acknowledged, the GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY, with SPECIAL WARRANTY OF TITLE, unto the said GRANTEES, the following described property, to-wit:

All that certain lot, piece or parcel of land situate, lying and being in the County of James City, Virginia, known and designated as Lot Numbered FIFTEEN (15) as shown on that certain plat entitled "PLAT OF THE SUBDIVISION OF TEMPLE HALL ESTATES, LOCATED IN JAMES CITY COUNTY, VIRGINIA," dated August 1959, made by Vincent J. McManus, and recorded in the Clerk's Office of the Circuit Court for the County of James City, Virginia, in Plat Book 18, page 12, to which reference is here made.

AND

That certain strip of land lying between Lot FIFTEEN (15) and U.S. Route 168, in James City County, Virginia. It being a part of the same strip

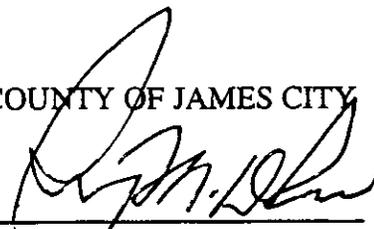
conveyed to Bernard J. Davis, Sr., and Joseph T. Welstead by the Commonwealth of Virginia, by deed dated August 2, 1960, and recorded in the Clerk's Office of the Circuit Court for the County of James City, Virginia, in Deed Book 76, page 127.

Together with all and singular the buildings and improvements thereon, rights and privileges, tenements, hereditaments, easements and appurtenances unto the said land belonging or in anywise appertaining.

Subject, however, to restrictions, easements and rights-of-way of record affecting said property.

Being the same property as that conveyed to the Grantor herein by Deed dated September 5, 1991 from Walter R. Martin and Jai R. Martin, husband and wife, of record in the aforesaid Clerk's Office at Deed Book 530, page 344.

WITNESS the following signatures and seals:

COUNTY OF JAMES CITY


Chairman, Board of Supervisors (SEAL)

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF James City, to wit:

I, Mary Frances Rieger, a Notary Public in and for the jurisdiction aforesaid, do hereby certify that Perry M. DePue, whose name is signed to the foregoing writing bearing date on the 16th day of October, 1995, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand this 16th day of October, 1995.

Mary Frances Rieger
NOTARY PUBLIC

My commission expires on: October 31, 1997.

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF JAMES CITY COUNTY, VIRGINIA
AUTHORIZING CERTAIN PRELIMINARY ACTIONS
IN CONNECTION WITH THE ISSUANCE OF ITS
GENERAL OBLIGATION PUBLIC IMPROVEMENT BONDS, SERIES 1995**

WHEREAS, James City County, Virginia (the "County") proposes to issue its General Obligation Public Improvement Bonds, Series 1995 (the "Bonds");

WHEREAS, the proceeds of the Bonds will be used to finance (1) a portion of the costs of a school construction program, including the acquisition of land and equipment and the design and construction of new school facilities and the renovation and expansion of existing facilities; (2) a portion of the costs of library facilities, including the acquisition of land and equipment and the design and construction of a new library building; (3) a portion of the costs of park and recreation facilities, including the acquisition and development of land and equipment and the design and construction of new park and recreation facilities and the renovation and expansion of existing recreation facilities; and (4) the costs associated with the issuance of the Bonds;

WHEREAS, the issuance of the Bonds was approved by the voters of the County at a referendum held on March 1, 1994 (the "Referendum") and the Bonds will be issued pursuant to the Public Finance Act of 1991 (Chapter 5.1, Title 15.1, Code of Virginia of 1950, as amended) (the "Act");

WHEREAS, the officers and staff of the County will need to take certain actions prior to the final authorization of the Bonds in order to assist with the offering, sale and issuance of the Bonds in a timely and orderly manner; and

WHEREAS, there has been presented to the Board of Supervisors of James City County, Virginia (the "Board") drafts of a Preliminary Official Statement, Notice of Sale, Summary Notice of Sale, Bid Form and Continuing Disclosure Certificate for the Bonds, all as defined and described below;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA:

1. The Board determines that it is in the best interests of the County to sell by public sale through competitive bidding its Bonds in an aggregate principal amount not to exceed \$_____.

2. The officers and staff of the County are authorized to (a) advertise all or a portion of the Bonds for public sale, (b) fix the amounts, dates, maturity, redemption provisions and other terms of the Bonds, consistent with the requirements of the Act and the Referendum, (c) determine the terms upon which bids

must be made and the amount of any required good faith deposit, (d) prepare, distribute and publish, as appropriate, the Notice of Sale, Summary Notice of Sale and Bid Form, all subject to the approval and ratification of the Board.

3. The Bonds will be offered for sale pursuant to a Notice of Bond Sale (the "Notice of Sale"), a Summary Notice of Bond Sale (the "Summary Notice of Sale") and an Official Bid Form (the "Bid Form"), the forms of which have been presented to this meeting of the Board. The Notice of Sale, the Summary Notice of Sale and the Bid Form are hereby approved in substantially the forms submitted to this meeting, with such changes, insertions or omissions (including, without limitation, changes necessary to reflect the terms of the Bonds, as described in Paragraph 2 above) as may be approved by the County Administrator. The delivery of the Notice of Sale, the Summary Notice of Sale and the Bid Form to Craigie Incorporated, as the County's financial advisor (the "Financial Advisor") shall be conclusive evidence of such approval by the County Administrator. The delivery of the Notice of Sale, the Summary Notice of Sale and the Bid Form to the Financial Advisor and the offering of the Bonds pursuant to such documents are authorized and directed.

4. The officers and staff of the County are authorized to prepare an offering document (the "Preliminary Official Statement") which will describe the County, the Bonds, the security therefor and the purposes for which the Bonds are being issued. The County Administrator is authorized, on behalf of the County, to deliver the Preliminary Official Statement to the Financial Advisor and to deem the Preliminary Official Statement to be in final form as of its date within the meaning of Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), except for the omission of certain pricing and other information allowed to be omitted pursuant to the Rule. The delivery of the Preliminary Official Statement to the Financial Advisor shall be conclusive evidence that it has been deemed final as of its date by the County Administrator, except for the omission of such pricing and other information. The Financial Advisor is authorized to arrange for the distribution of the Preliminary Official Statement to potential bidders for the Bonds.

5. The officers and staff of the County are authorized to take such actions as shall be necessary or appropriate (a) to make application to a qualified securities depository to act as securities depository for the Bonds during any period ownership of the Bonds is to be evidenced by book-entry and (b) to make application to a Moody's Investors Service, Inc. and/or Standard & Poor's Ratings Group to secure a rating on the Bonds.

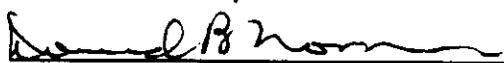
6. The Rule will require the County to agree to disseminate annual reports and reports of certain material events to certain information repositories. These requirements will be set forth in a Continuing Disclosure Certificate (the "Continuing Disclosure Certificate") to be given by the County. The

Continuing Disclosure Certificate is hereby approved in substantially the form submitted to this meeting, with such changes, insertions or omissions (including, without limitation, changes necessary to reflect the information provided in the final draft of the Preliminary Official Statement, as described in Paragraph 4 above) as may be approved by the County Administrator, whose approval shall be evidenced conclusively by the execution and delivery of the Continuing Disclosure Certificate. The execution and delivery by the County Administrator and the performance by the County of the Continuing Disclosure Certificate are authorized and directed.

7. The officers and staff of the County are further authorized to take any other actions that they may feel are necessary or expedient in connection with the offering, issuance or sale of the Bonds.

8. This resolution shall take effect immediately upon its adoption.

Adopted: October 16, 1995

A copy teste: 
Clerk, Board of Supervisors of
James City County, Virginia

[SEAL]