

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 8TH DAY OF JULY, NINETEEN HUNDRED NINETY-SEVEN, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Robert A. Magoon, Jr., Chairman, Jamestown District (Absent)
Jack D. Edwards, Vice Chairman, Berkeley District

David L. Sisk, Roberts District
Perry M. DePue, Powhatan District
Stewart U. Taylor, Stonehouse District (Absent)
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

Mr. Edwards called the meeting to order. He stated Chairman Robert Magoon was out of town on business and Supervisor Stewart Taylor was unable to attend due to illness.

Mr. Edwards introduced L'ubica Mandicova and Krasimira Lackova, guests from Slovakia, who are visiting the Commonwealth of Virginia to learn about procedures and methods used by local governing bodies in America.

**B. MINUTES - June 10, 1997
June 24, 1997**

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

Mr. Sisk made a motion to approve the two sets of minutes.

On a roll call, the vote was: AYE: Sisk, DePue, Edwards(3). NAY: (0).

C. CONSENT CALENDAR

Mr. Edwards asked if a Board member wished to discuss the Consent Calendar.

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

On a roll call, the vote was: AYE: Sisk, DePue, Edwards (3). NAY: (0).

1. Carry Forward of Funds - Drainage**RESOLUTION****CARRY FORWARD OF FUNDS - DRAINAGE**

WHEREAS, the Board of Supervisors of James City County has been requested to carry forward monies from the FY 97 operating budget to the FY 98 operating budget in order to contract for improvements to areas with erosion and drainage problems.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia,, hereby adopts the following budget adjustment for the FY 98 operating budget:

Source of Funds:

Beginning Fund Balance	<u>\$50,000</u>
------------------------	-----------------

Use of Funds:

Environmental Services - Drainage	<u>\$50,000</u>
-----------------------------------	-----------------

D. PUBLIC HEARINGS1. Case No. SUP-9-97. Haynes Bed and Breakfast

Ms. Jill E. Schmidle, Planner, stated that the Board of Supervisors deferred this case at its June 24, 1997, meeting to allow staff to add conditions restricting this use permit for bed and breakfast only, and staff had included those two conditions in the resolution. She reiterated that Ms. Edith Haynes had applied for a special use permit to allow rental of two rooms for use as a bed and breakfast with a maximum of six guests in R-1, Limited Residential, located in an existing house at 1409 Jamestown Road, further identified as Parcel No. (4-16A) on James City County Real Estate Tax Map No. (48-1).

In concurrence with staff, the Planning Commission unanimously recommended approval of the special use permit. Since the Planning Commission approval, two additional conditions were added dealing with restricting the rental of rooms to visitors; requiring a visitor, as defined, to obtain both lodging and a meal; and restricting the length of stay to 21 consecutive days and restricting the action of renting of rooms to those individuals who reside at the dwelling.

Mr. Edwards stated that the public hearing had been closed at the June 24, 1997, Board of Supervisors meeting.

Mr. DePue made a motion to approve the resolution.

On a roll call, the vote was: Sisk, DePue, Edwards (3). NAY: (0).

RESOLUTION**CASE NO. SUP-9-97. HAYNES BED AND BREAKFAST**

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 May 5, 1997, unanimously recommended approval of Case No. SUP-9-97 to permit the operation of a bed and breakfast at 1409 Jamestown Road, further identified as Parcel No. (4-16A) on James City County Real Estate Tax Map No. (48-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-9-97 as described herein, with the following conditions:

1. The applicant shall not rent rooms unless and until the covenants pertaining to the property are amended to allow the bed and breakfast use. The applicant shall present evidence of this amendment acceptable to the County Attorney.
2. The applicant shall upgrade the James City Service Authority (JCSA) water meter, replace the meter setter, and pay any additional JCSA water and sanitary sewer fees associated with these requirements prior to the rental of rooms.
3. This special use permit shall apply to the rental of two rooms only, and no exterior changes to the building or increases in impervious surface including parking shall be permitted.
4. If a certificate of occupancy for this project has not been obtained within a period of 24 months from the date of issuance of this permit, this permit shall become void.
5. This special use permit shall allow the rental of two rooms to visitors. "Visitor" shall be defined as a person who secures lodging and a meal for less than 21 consecutive days for a consideration.
6. No persons other than members of the family, as defined in Section 20-2 of the James City County Zoning Ordinance, residing on the premises shall be involved in the rental of the permitted rooms.

2. Case No. SUP-19-97. Cobb's Striping Storage Tank

Mr. Matthew W. Maxwell, Senior Planner, stated that Ms. Patsy Cupp had applied for a special use permit to locate a 6,000 gallon storage tank to store Tarconite, a seal-coating material used to seal cracks in asphalt, zoned A-1, General Agricultural, located at 6361 Centerville Road, further identified as Parcel No. (1-13) on James City County Real Estate Tax Map No. (23-4).

Mr. Maxwell described the site, tank, and substance, Tarconite, as a brown/black viscous liquid with a tar odor.

Staff determined the use was not compatible with residential and semirural character of surrounding development and zoning and was inconsistent with the Low Density Residential land use of the Comprehensive Plan.

Staff recommended denial. The Planning Commission, by a 6-1 vote, recommended approval of the application with conditions listed in the resolution.

Mr. Edwards opened the public hearing.

1. Mr. Steve Cobb, owner of tank, and Ms. Elsie Manning, family member on behalf of the property owner, explained that the motor would not create excessive noise, the tank was on private property and did not emit odors, and nearby residents had not objected.

Board members discussed concerns of noise, odor, environmental issues and inconsistency with Comprehensive Plan.

Without objection, Mr. Edwards deferred the case until the August 19, 1997, Board of Supervisors meeting so action could be taken with all Board members present.

Mr. DePue asked staff to provide the names and telephone numbers of residents living near the storage tank so that he could make personal contact.

3. Case No AFD-5-86, Barnes Swamp (Hazelwood Addition

Mr. Gary A. Pleskac, Planner, stated that Mr. Donald A. Hazelwood had applied to add approximately 127 acres to the existing Barnes Swamp Agricultural and Forestal District (AFD), located on southerly side of Fire Tower Road and easterly side of Old Stage Road, further identified as Parcel Nos.(1-18) and (1-20) on James City County Real Estate Tax Map No. (4-2), and Parcel No. (1-1) on James City Real Estate Tax Map No. (4-4).

Staff determined the proposed addition met the minimum area and proximity requirements for inclusion into an AFD and would be reviewed with the existing AFD in October 1998. Staff recommended that land within 25 feet of the rights-of-way of Fire Tower Road and Old Stage Road be excluded from addition to the district to allow for sufficient right-of-way for possible future road and/or drainage improvements.

In concurrence with staff, the AFD Advisory Committee and the Planning Commission both unanimously recommended approval of the request.

Mr. DePue asked staff to review the Agricultural and Forestal District ordinance to see whether telecommunication towers should be permitted in the districts.

Mr. Edwards 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: Sisk, DePue, Edwards (3). NAY: (0).

4. Ordinance Amendment, Chapter 2, Administration, Article II, Magisterial District, Election Districts and Elections

Mr. Frank M. Morton, III, County Attorney, stated the proposed amendments would correct State Code citations which have changed in Sections 2-4 and 2-4.1 and would create Berkeley Precinct A with the polling place at the James City-Williamsburg Community Center and Berkeley Precinct B with the polling place at the Jamestown High School.

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

Mr. Edwards made a motion to approve the ordinance amendment.

On a roll call, the vote was: Sisk, DePue, Edwards (3). NAY: (0).

Mr. Sisk asked the County Attorney's office to address the possibility of providing a "satellite" polling place for the voters in the James Terrace area of Jamestown District.

5. Ordinance Amendment, Chapter 11, Motor Vehicles and Traffic, Articles I and II, Driving While Intoxicated and Traffic Enforcement

Ms. Leo P. Rogers, Deputy County Attorney, stated that the proposed amendments incorporated by reference the 1997 General Assembly amendments to the Driving While Intoxicated and traffic laws.

Staff recommended approval.

Mr. Edwards 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 amendment.

On a roll call, the vote was: AYE: Sisk, DePue, Edwards (3). NAY: (0).

6. Ordinance Amendment, Chapter 4.86-1, Cable Communications, Articles IV, V, and VI, Franchise Fee Books and Records

Mr. Rogers stated that proposed ordinance amendment would require monthly rather than yearly payment and financial reporting of franchise fees consistent with the collection of other County taxes, and reported to the Commissioner of the Revenue.

Staff recommended approval of the ordinance amendment.

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

Mr. DePue made a motion to approve the ordinance amendment.

On a roll call, the vote was: AYE: Sisk, DePue, Edwards (3). NAY: (0).

E. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, spoke about replacement costs of a baseball stadium in western United States; toxicity of sludge being used for fertilizer on crops in New Hampshire that cattle ingest; opposition to an advertised position in the Parks and Recreation Division; and rudeness of employees of the contractor installing sewer line on Indian Circle.

F. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner asked for a report on water usage from Mr. Foster.

Mr. Larry M. Foster, General Manager, James City Service Authority, stated that response to the voluntary water conservation efforts of advertising the need for lower consumption had resulted in a reduced demand. He recommended that the voluntary water conservation program be continued during the next eight to ten weeks of summer weather.

The Board discussed that the groundwater withdrawal permit application submitted to the State to permit the JCSA to pump more groundwater might be obtained within the next six months. The Board expressed its appreciation for Service Authority staff efforts during the critical period.

Mr. Wanner announced the National Association of Counties Achievement Awards for the Intern Assistant to the County Administrator and Toward 2007: Steering Our Course programs.

Mr. Wanner responded to Mr. Oyer's comment about the Parks and Recreation Division advertised position as one that was included in the FY 98 budget for a position for revenue generation, and asked Mr. Foster to follow up with Mr. Oyer's concern about the lack of professionalism on the part of the sewer line contractor's employees.

Mr. Wanner reported that negotiations entered into by the County Attorney's office with Virginia Department of Transportation and Primeco regarding construction of two telecommunication towers at the intersection of Interstate 64 and Route 30, and Interstate 64 and Route 607 had a positive outcome for the County. He stated that Hampton Roads Planning District Commission was taking the lead in bringing the regional localities' issues and desires regarding telecommunication towers to the attention of the Virginia Department of Transportation.

Mr. Wanner requested that the Board appoint the James City County Fair Advisory Committee for 1997 and to recess this meeting to 5:00 p.m., Tuesday, July 22, 1997, for a Route 5 Transportation Improvement District Commission work session.

G. BOARD REQUESTS AND DIRECTIVES

Mr. DePue complimented Robin Deacle, reporter for the Daily Press, on the article of her interview with Mr. Ed Overton regarding water conservation. He announced that he was informed this date of the death of the Reverend Junius Moody, a County community leader for many decades. Mr. DePue indicated that Reverend Moody would be missed by all citizens.


Mr. Edwards made a motion to approve the James City County Fair Advisory Committee for 1997 with names listed: Dwight Beamon, Liz Beckhouse, Andy Bradshaw, Nancy Bradshaw, Richard Bradshaw, Jim Bradsher, Audrey Branch, Hammond Branch, Delores Bryant, David Daigneault, Norman Danuser, Doris Heath, Pam Johnson, Katie Jones, Stephanie Masters, Lynn Miller, Richard Miller, Ed Overton, Diana Perkins, Jim Robertson, Edythe Stewart, Bill Porter, Shirley Webster, Kelly Wingard, Teresa Hintz, Ann Davis and Renee Dallman.

On a roll call, the vote was: Sisk, DePue, Edwards (3). NAY: (0).

Mr. Edwards made a motion to recess until 5:00 p.m., Tuesday, July 22, 1997, for a Route 5 Transportation Improvement District Commission work session.

On a roll call, the vote was: AYE: Sisk, DePue, Edwards (3). NAY: (0).

The Board recessed at 8:12 p.m.


Sanford B. Wanner
Clerk to the Board

JUL 8 1997

ORDINANCE NO. 167A-5BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIABARNES SWAMPAGRICULTURAL AND FORESTAL DISTRICT (AFD-2-86)HAZELWOOD ADDITION

WHEREAS, an Agricultural and Forestal District has been established in the Croaker 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 advertised, and public hearings have been held on the application for an addition to the Barnes Swamp Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on May 29, 1997, unanimously recommended approval of the application; and

WHEREAS, the Planning Commission following its public hearing on June 2, 1997, unanimously recommended approval of the application.

NOW, THEREFORE, BE IT ORDAINED,

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

Mr. Donald A. Hazelwood	(4-2)(1-20)	117.00 acres
	(4-2)(1-18)	3.46 acres
	(4-4)(1-1)	<u>6.90</u> acres
	Total:	<u>127.36</u> acres

2. That pursuant to the Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Barnes Swamp 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.



Jack D. Edwards
Vice Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 1997.

afd-2586.ord

JUL 8 1997

ORDINANCE NO. 55A-24

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, MAGISTERIAL DISTRICT, ELECTION DISTRICTS AND ELECTION PRECINCTS, BY AMENDING SECTION 2-4, ELECTION PRECINCTS AND POLLING PLACES ESTABLISHED; AND SECTION 2-4.1, CENTRAL ABSENTEE VOTER ELECTION DISTRICT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, is hereby amended and reordained by amending Section 2-4, Election precincts and polling places established; and Section 2-4.1, Central absentee voter election district.

Chapter 2. Administration

Article II. Magisterial District, Election Districts and Election Precincts

Sec. 2-4. Election precincts and polling places established.

(a) Pursuant to authority contained in the Code of Virginia, ~~Sections 24.1-37 through 24.1-39~~ ~~Chapter 24.2~~, the precincts and their respective polling places for the county are hereby created and established as set forth in this section.

(b) The precincts for each election district and the polling place for each precinct shall be as set forth below:

Berkeley Election District:

Berkeley Precinct ~~A~~- James City County-Williamsburg Recreation ~~Community~~ Center polling place.


~~Berkeley Precinct B - Jamestown High School polling place.~~

Ordinance to Amend and Reordain
 Chapter 2. Administration
 Page 2

Sec. 2-4.1 Central absentee voter election district.

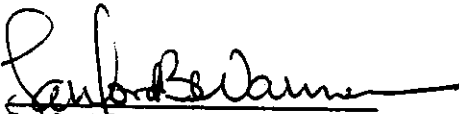
(a) There is hereby established for the county a central absentee voter election district for all elections as defined by section ~~24-1-1~~ ~~24-2-712~~ of the Code of Virginia (1950), as amended. The polling place of the central absentee voter election district shall be located in close proximity to the registrar's office.

(b) The central absentee voter election district shall conform in all aspects with section ~~24-1-233~~ ~~24-2-712~~ of the Code of Virginia (1950), as amended.



 Jack D. Edwards
 Vice Chairman, Board of Supervisors

ATTEST:



 Sanford B. Wanner
 Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 1997.

JUL 8 1997

ORDINANCE NO. 66A-40

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 11-7, ADOPTION OF STATE LAW; AND ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 11-28, ADOPTION OF STATE LAW, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 11-7, Adoption of state law; and Section 11-28, Adoption of state law, generally.

Chapter 11. Motor Vehicles and Traffic

Article I. In General

Sec. 11-7. Adoption of state law.

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, as amended, and in force on July 1, 1996, ~~1997~~, except those provisions and requirements the violation of which constitutes a felony and those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 2

as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia.

State law reference - General authority of County to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., § Section 15.1-132; authority to adopt state law on the subject, Code of Va., § 46.2-1313.

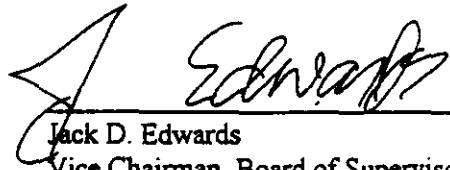
Article II. Driving Automobiles, Etc., While Intoxicated
or Under the Influence of any Drug

Sec. 11-28 Adoption of state law, generally.

Article 9 (Section 16.1-278 et seq.) of Chapter 11 of Title 16.1 and Article 2 (section 18.2-266 et seq.) of chapter 7 of Title 18.2, Code of Virginia, as amended and in force July 1, 1996-~~1997~~, is hereby adopted and made a part of this chapter as fully as though set out at length herein. It shall be unlawful for any person within the county to violate or fail, neglect or refuse to comply with any section of the Code of Virginia as adopted by this section.

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 3

State law reference - General authority of county to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., § 15.1-132; authority to adopt state law on the subject, Code of Va. § 46.2-1313.



Jack D. Edwards
Vice Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 1997.

MtrVehTr.ord

JUL 8 1997

ORDINANCE NO. 141A-9

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4-86.1, CABLE COMMUNICATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, CABLE COMMUNICATIONS ADMINISTRATOR AND CITIZENS COMMITTEE, SECTION 4-86.1.7, CABLE COMMUNICATIONS ADMINISTRATOR'S POWER AND RESPONSIBILITIES; ARTICLE V, FRANCHISE CONDITIONS, SECTION 4-86.1.13, FRANCHISE FEE; AND ARTICLE VI, SUBSCRIBER FEES AND RECORDS, SECTION 4-86.1.17, BOOKS AND RECORDS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 4-86.1, Cable Communications, is hereby amended and reordained by amending Section 4-86.1.7, Cable communications administrator's power and responsibilities; Section 4-86.1.13, Franchise fee; and Section 4-86.1.17, Books and records.

Chapter 4-86.1. Cable Communications

Article IV. Cable Communications Administrator and Citizens Committee

Sec. 4-86.1.7. Cable communications administrator's power and responsibilities.

(a) Day-to-day administration of cable television operations within the county may be assigned to a cable communications administrator. The administrator shall be designated by the county administrator and shall report directly to the county administrator. The administrator's powers and responsibilities shall include, but not be limited to, the following functions:

- (7) Reviewing all franchise records, ~~including the financial records as indicated in Section 4-86.1.17(b)~~; and reports as required by this chapter, as well as all franchise reports filed with the

An Ordinance to Amend and Reordain
Chapter 4-86.1. Cable Communications
Page 2

FCC, and, at the county administrator's discretion, requiring the preparation and filing of information in addition to that required therein, as may reasonably be required to accomplish the purposes of this chapter.

Article V. Franchise Conditions

Sec. 4.86.1.13. Franchise fee.

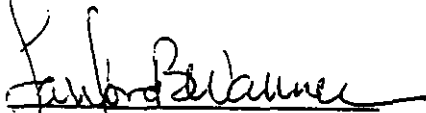
(a) In consideration of the grants contained herein, a grantee shall pay ~~annually~~ ~~monthly~~ to the county a sum equal to five percent of the gross ~~annual~~ ~~monthly~~ revenues. Such payment shall be made to the treasurer (payable to James City County) not later than ~~45 days after the close of the grantee's fiscal year~~ ~~the 20th day of the following calendar month~~. The ~~annual~~ ~~monthly~~ franchise fee shall be in addition to any other payment, charge, permit fee or bond owed to the county by the grantee and shall not be construed as payment in lieu of personal or real property taxes levied by the state, county or local authorities. Grantee agrees to provide a statement of the gross annual revenues within 60 days of the end of each calendar year (or grantee's fiscal year); ~~which for review by the Commissioner of the Revenue a statement of the gross monthly revenues by the 20th day of the following calendar month~~, which should be certified under oath by an officer of the grantee.


Article VI. Subscriber Fees and Records

Sec. 4-86.1.17. Books and records.

(b) A grantee shall file annually with the county ~~commissioner of the revenue~~, no later than ninety (90) days after the end of the grantee's fiscal year, a copy of a complete financial report applicable to the James City County Cable operation, including an income statement applicable to its operations during the preceding twelve-month period, a balance sheet, and a statement of its properties devoted to cable system operations, by categories, giving its investment in such properties on the basis of original cost, less applicable depreciation. This report shall be certified as correct by an authorized officer of the grantee and there shall be submitted along with it such other reasonable information as the county shall request with respect to the grantee's properties and expenses related to the system within the county. The county shall have access to records of financial transactions for the purpose of verifying burden rates or other indirect costs prorated to the system. The grantee's accounting records shall include sufficient detail as may be necessary to provide the county with the information needed to make accurate determinations as to the financial condition of the system.

ATTEST:


 Sanford B. Wanner
 Clerk to the Board


 Jack D. Edwards
 Vice Chairman, Board of Supervisors

SUPERVISOR	VOTE
TAYLOR	ABSENT
SISK	AYE
DEPUE	AYE
EDWARDS	AYE
MAGOON	ABSENT

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of July, 1997.