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July 12, 1971

At a regular meeting of the Board of Supervisors of The County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of July, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMEYER, Chairman, Berkeley District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

The minutes of the previous meeting were approved.

RE: REPORTS

APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
DOG WARDEN REPORT

The above reports were approved by the Board

RE: PUBLIC HEARING - ELECTRICAL CODE ORDINANCE - PROPOSED AMENDMENT

Mr. Woody read the proposed change, as follows:

Add Section 16:

If for any reason any power company disconnects the service from any building structure or unit, before reconnecting, the electrical service shall be reworked, if needed, to meet the requirements of the National Electrical Code as adopted by the Board of Supervisors on February 1, 1971.

Mr. Woody advised the Board that the Electrical Examining Board has requested that the following paragraph be added to the proposed amendment:

There is specifically excepted from this section, and no other, those residential single family dwellings resided, occupied, and inhabited by the owners or owner of said residential single family dwelling.

Mr. Woody stated that the Commonwealth's Attorney concurs with this change as this would be making the amendment less restrictive.

There was no public comment.

Mr. Pettengill asked what the reasoning was behind the addition to the amendment.

Mr. Woody explained a number of people might have their service disconnected because of non-payment of their electric bill or if the property changes hands.

Mr. Pettengill stated that sometime in the future this might have to be deleted as he felt it will not work.

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the heretofore mentioned amendment, together with the additional paragraph.

RE: RESCIND SOCIAL SERVICE APPOINTMENT - NEW APPOINTMENT

Mr. Pettengill explained that due to recent enactment of State Law, Mrs. Person is not eligible to serve on the Social Services Board, as only two terms can be served.

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby rescinds the appointment of Mrs. Person to the Social Services Board, made on June 30, 1971 and appoints James E. Hicks for a term of four years.

Mr. Pettengill requested that a letter be written to Mrs. Person, stating the Board's regrets and thanking her for her services.

RE: SERVICE AUTHORITY REAPPOINTMENT

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby reappoints R. M. Hazelwood, Jr. and John H. Gardner to the James City, Service Authority for a term of ~~four~~ <sup>three</sup> (3) years.

RE: SIGNS- MR. SCOUSE

Mr. Scouse from Holiday Inn Trav L Park appeared before the Board in reference to the sign moratorium called by the Board.

Mr. Scouse advised the Board that permits for five directional signs were on

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Mr. Kincaid's desk before the Board meeting, in which the moratorium was called. He asked that these permits be issued for that reason. He stated that this was causing a great expense to his firm.

After a general discussion, the Board agreed that these permits could not be issued and Mr. Scouse was informed to keep in touch with Mr. Scruggs, Chairman of the Planning Commission, as they are working on a plan for signs and should have it ready before the moratorium ends.

RE: PROPOSED AMENDMENTS TO ZONING ORDINANCE - ADD TO PERMITTED USES IN A-1, A-2, B-1, and M-1 - BANKS

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing, on August 9, 1971, at 7:30 P. M. in the Courthouse the following:

Proposed amendment to the Zoning Ordinance Use Regulations to include banks in the Agricultural General District A-1, the Agricultural Limited District A-2, the Business General District B-1 and the Industrial Limited District M-1.

RE: WOODLAND FARMS SUBDIVISION - REQUEST - BOND

Mr. McAllister representing the Woodland Land Trust appeared before the Board requesting that in lieu of a bond, that the Board accept a letter of commitment from the Newport News First City Bank, stating that funds are available to improve streets for acceptance into the secondary highway system.

After a general discussion the following motion was presented:

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby states that there will be no deviation and that Woodland Land Trust will be required to have a performance bond.

RE: APPOINTMENT - WATER AND SEWERAGE COMMITTEE

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby reappoints D. C. Renick to the Water and Sewerage Committee of the Peninsula Planning District Commission.

RE: ASC OFFICE - LEASE

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to sign the new lease.

After a general discussion the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby denies the request from Old Dominion Hunt Club to lease the sanitary landfill land for one year and directs the Executive Secretary to write a letter to that affect.

RE: COMMITTEE - ZONING AND SUBDIVISION

Mr. Woody stated that there were numerous sections in the Zoning and Subdivision Ordinances that need to be interpreted and clarified and suggested that the Board consider appointing a committee consisting of a member from the local Board of Realtors, local Bar Association and local Society of Professional Engineers.

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby concurs with Mr. Woody's suggestion and directs Mr. Woody to write a letter to the Board of Realtors, Bar Association and Society of Professional Engineers, requesting a member from each for this committee.

RE: CONTRACT - HAMPTON ROADS SANITATION DISTRICT COMMISSION

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia hereby authorizes the Executive Secretary to engage the services of Harry Frazier to draw the necessary papers for a



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contractual agreement between the Board of Supervisors and Hampton Roads Sanitation District Commission, in reference to the Commission's constructing a trunk line to serve the Powhatan Creek area and a trunk line to serve Sanitary District #2.

RE: PROPOSED LIMIT - SCHOOL ADMINISTRATIVE SALARIES

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to write a letter to the Chairman of the James City County School Board, requesting information as to the proposed salaries of teachers and administrative officers, by name, for the year 1971 - 72. As these figures pertain to personnel, they will not be available for public information.

RE: SOCIAL SERVICES

Mrs. Douglas, Chairman of the Social Services Board, appeared before the Board explaining the "on the job training" that James City County gives, only for the other counties to "reap the benefit". She stated that this was not ethical and asked if something could be done.

Mr. Quittmeyer suggested that the James City Board and the York County Board get together and discuss the problem as well as Mr. Woody and Mr. Larew.

RE: BERKELEY LAUNDRY AND DRY CLEANERS

Mr. O'Neal of Berkeley Corporation, located on 1208 Jamestown Road, appeared before the Board, requesting the Board's permission to obtain a water connection from the City of Williamsburg.

After discussing the matter with Mr. Martin, County Engineer, the following motion was presented:

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby grants Berkeley Corporation permission to apply to the City of Williamsburg, for a water connection, with the condition that when water is available in the County through Sanitary District III, that Berkeley Corporation will disconnect from the City and connect to Sanitary District III.

RE: LITTLE CREEK RESERVOIR

Rev. Moody asked if anyone has been authorized by the Board to purchase the land for the reservoir.

Mr. Woody advised Rev. Moody that this would originate with Newport News and not the Board. That originally the Board concurred with the development of the Little Creek Reservoir by approving the Malcolm Pirnie Report.

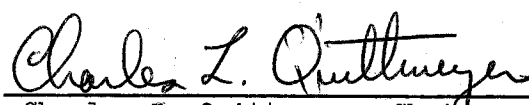
Rev. Moody inquired that if someone comes to buy this land, should not the owner ask what authority he has.

Mr. Woody stated that the buyer should have some form of identification.

Rev. Moody stated concern for the people in that area as he fears that some, not knowing what was taking place, may be hurt.

There being no further business, the meeting was adjourned to reconvene at the call of the Chairman.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a joint public hearing by the Board of Supervisors and the Planning Commission of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the nineteenth day of July, nineteen hundred and seventy-one, there were present from the Board of Supervisors: MR. CHARLES L. QUITTMEYER, CHAIRMAN, Berkeley District, MR. RICHARD W. COAKLEY,

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Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District, and MR. GARLAND L. WOODY, Executive Secretary. Those present from the Planning Commission were as follows: MR. WALTER J. SCRUGGS, Chairman, MR. A. G. BRADSHAW, Vice-Chairman, MR. JAMES W. KINCAID, Secretary, MR. JAMES E. HICKS, MR. GERALD H. MEPHAM, MR. RAYMOND H. MINKINS, MR. WILLIAM F. PETTENGILL and MR. ALBERT L. WHITE, III.

Mr. Quittmeyer turned the Chair over to Mr. Scruggs, in order to establish whether or not the Planning Commission had a quorum. After the quorum was established, Mr. Scruggs returned the Chair to Mr. Quittmeyer.

RE: PUBLIC HEARING

Mr. Kincaid read the following descriptions of the properties proposed to be rezoned:

Rezoning of certain areas in Roberts Magisterial District from A-2 to M-2 and certain property in Berkeley Magisterial District from A-2 to R-4.

Area #1

A portion of the properties South of Route 60, known as the "Green Tract" and "Cole Tract".

Area #2

A portion of the "Curtis Farm" between 143 and the C & O Railroad tract and Route 60 in the vicinity of the Morning Star Church.

Area #3

Approximately 530 acres known as the "Renick Farm" in the vicinity of Route 615 and Routes 613.

RE: AREA #1

Mr. Duncan Cocke, representing Colonial Williamsburg and with reference to the "Green Tract", stated that Colonial Williamsburg considers this proposed rezoning very logical and are very much in favor of the Board of Supervisors taking action in this respect.

Mr. Don Ripley, representing Miss Nora Cole asked how this would affect surrounding areas.

Mr. Woody explained that the property just before Bow Badische Company is already zoned M-2. He advised that the strip on Route 60 is included in the rezoning and that the area across from Dow is zoned B-1 and does not affect this tract as far as rezoning.

RE: AREA #2

Mr. Robert Ripley, property owner in the area asked if zoned, would taxes be increased considerably.

Mr. Scruggs replied that the taxes would not increase due to the zoning, but could be reappraised at a later date.

RE: AREA #3

Mr. Carneal, representing General Enterprises, introduced Mr. John Flora, planner for the firm.

Mr. Flora explained the entire concept of the proposed planned community, including donation of land for school and fire house and the proposed widening of News Road.

Mr. Minkins asked Mr. Flora how he had determined that News Road would be widened.

Mr. Flora answered that he had checked with the Highway Department and been told funds had been allocated to upgrade News Road.

Mrs. Helene Ward questioned the desirability of the development and described the community project as "a further proliferation of over \$30,000.00 homes". She stated she thought it was immoral. She described a Fairfax County Ordinance requiring low cost housing in new subdivisions and suggested the Board study same.

Mr. Robert Hanny stated that the County can't pay for their school children now, how do they expect to pay for those within the 4500 people this project will bring in. He also asked about the drainage and where the water will run-off. Mr. Hanny also expressed concern about the roads and improvement of same.



July 19, 1971

Mr. Flora replied that the townhouses and apartments will produce fewer school children than the single family dwellings. He further stated it was impossible for subdivisions to pay their way, but felt with the shopping center which would be included in the development, would be ample to take care of these children.

Mr. Flora explained that the streets would be curbed and guttered and the water would be taken to collection points and eventually empty into the James River.

He agreed that Iron Bound Road is a problem and the Highway Department is aware of this, but no improvements can be made until traffic warrants it.

Mr. Hanny questioned the sewerage facilities and Mr. Woody advised him that this area is in the Service Authority Project Area #3 and would be served by the Powhatan Creek Interceptor.

Mr. Scruggs stated that this development would be less expensive for the County than most as they would have water and sewerage; there would be one pick up for school children; a shopping mall; adequate drainage.

Mr. Hicks stated that the need for housing in James City County is excessive and he felt this development would be an asset to the County.

The public hearing was drawn to a close.

Mr. Quittmeyer recessed the meeting for five minutes.

Mr. Quittmeyer called to order the recessed meeting of June 30, 1971.

RE: REZONING CASES

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia hereby accepts the recommendation of the Planning Commission and rezones certain areas as follows:

Area #1

A portion of the properties South of Route 60, known as the "Green Tract" and "Cole Tract", from A-2 to M-2.

Area #2

A portion of the "Curtis Farm" between Route 143 and the C & O Railroad tract and Route 60 in the vicinity of the Morning Star Church, from A-2 to M-2.

Area #3

Approximately 530 acres known as the "Renick Farm" in the vicinity of Route 615 and Route 613, from A-2 to R-4.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: OPERATING POLICY - SANITARY DISTRICT #II


On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing on August 9, 1971, at 7:30 P.M., the operating policy ordinance for Sanitary District #II.


RE: WATER DISTRIBUTION FOR SANITARY DISTRICT #II

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia hereby instructs the Executive Secretary and the Chairman to make application for a \$350,000.00 low interest loan from the Farmers Home Administration for the purpose of the installation of a water distribution system for Sanitary District #II.

There being no further business the meeting adjourned to reconvene at the call of the Chairman.

July 30, 1971  
July 19, 1971

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirtieth day of July, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

Minutes of the previous meetings were approved.

RE: HIGHWAY MATTERS  
ROUTES 610, 629 and 603

Mr. Stoddard, Supervisor of Transportation, Williamsburg-James City County School System, appeared before the Board to discuss the various bridges in the area. Mr. Stoddard stated that restrictive changes as to tonage had taken place and the school buses would not be able to cross them.

Mr. Jeffrey replied that Route 603 bridge had been changed to four ton, but the others had not been changed.

Mr. Stoddard told Mr. Jeffrey that if a turn around was not proved on Route 629, school children will be forced to walk to Iron Bound Road or Route 5 to catch the school buses.

Mr. Jeffrey advised that the highway department had tried for two years to obtain the necessary right of way to straighten the curve at the bridge, but had failed to do so.

Mr. Pettengill suggested the County may have to start condemnation suits in order to get the necessary right of ways.

Mr. Jeffrey introduced Mr. C. M. Clark, Assistant District Engineer of Maintenance.

RE: 1971-72 SECONDARY HIGHWAY BUDGET

Mr. Jeffrey presented the 1971-72 Secondary Highway Budget to the Board for review and asked that action be taken at the next regular meeting.

Mr. Coakley asked if the amount for rural additions had been increased.

Mr. Jeffrey replied that the amount is \$6,300.00, an increase of \$1,300.00.

RE: RURAL ADDITION FUNDS - POWHATAN DRIVE

Mr. Jeffrey read the following letter:

July 6, 1971

Powhatan Drive  
James City County

The Honorable Russell M. Carneal  
226 Thomas Nelson Lane  
Williamsburg, Virginia, 23185

Dear Mr. Carneal:

Reference is made to Mr. S. M. Adams' letter of May 17, 1971 to me, which was hand-delivered by you, concerning a requested improvement to Powhatan Drive in James City County.

At the time that you discussed this with me I did not realize that the request for improvement on Powhatan Drive was actually a request for an addition to the State-maintained Secondary System. In fact, as I recall, I inquired as to the route number of this section of road and discussed with you the fact that

July 30, 1971

at the end of a fiscal year any balances which exist on the Secondary System are carried forward to the following fiscal year and any deficits which might exist would have to be taken care of prior to the distribution of the following fiscal years' funds. In no case are Secondary funds lost, but they are reallocated after the close of the fiscal year.

Highway Commission policy allows us to expend a maximum of 2% of the initial Secondary allocation on additions to the Secondary System. In order for additions to be eligible for acceptance, an unrestricted right of way, with additional widths as may be needed for cuts, fills, and drainage easements, must be made available at no cost to the highway fund. These roads provide service to the property owners thereon and we, as well as the Boards of Supervisors of the several counties, look to the property owners to furnish this unrestricted right of way. The funds available for rural additions are not allocated to an individual section until such time as the road becomes a part of our Secondary System. Commission policy therefore is to the effect that rural addition funds not allocated to a specific addition are redistributed to improvements on the existing system at the close of the fiscal year. The funds of course are not lost to the Secondary System within the county.

I have been furnished a copy of the resolution passed by the Board of Supervisors of James City County on June 14, 1971 requesting the Highway Department to carry forward \$5,000 of the 1970-71 rural addition funds to be spent during the 1971-72 fiscal year on Powhatan Drive.

In discussing this matter with our field engineers, I find that I apparently misled you in our discussion and it was based on this discussion that you indicated to the Board that these rural addition funds can be carried forward. I can assure you that this was not my intent and, as always, the Highway Department is certainly going to carry through on any commitment made. Therefore, I am advising our field engineers that it will be satisfactory on this specific addition of Powhatan Drive that these funds be carried forward to the 1971-72 fiscal year. This is an exception to our policy, and I would certainly suggest that the property owners on Powhatan Drive make available the necessary right of way at the earliest possible date in order that this section of road may be added to the Secondary System for improvements and maintenance. If this is not accomplished in sufficient time for us to make the improvements during the 1971-72 fiscal year, then these funds would have to be reallocated to the many needed improvements on our Secondary System in James City County.

I certainly apologize for any misunderstanding that might have resulted from our previous discussion and trust that this will clarify the matter for all parties concerned. If, however, I can furnish additional information, I would be glad to do so.

Sincerely,

/s/ C. A. Palmer

C. A. Palmer  
Secondary Roads Engineer

CAP:j

CC: Mr. J. T. Warren  
Mr. W. C. Jeffrey

RE: WATER CONNECTION - BERKELEY CLEANERS

Mr. Woody told the Board that the City of Williamsburg would not accept their previous resolution on Berkeley Cleaners under the conditions stated. He explained that the City Manager and himself felt that this line will continue to serve this area even after the County has water. It was his suggestion that the Board pass a resolution deleting the portion in reference to Berkeley Cleaners disconnecting from the City and connecting to the County when water is available.

After a general discussion the following motion was presented:

On a motion by Mr. Pettengill, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby grants Berkeley Corporation permission to apply to the City of Williamsburg for a water connection.

RE: S. J. BAKER - CHAIRMAN - SCHOOL BOARD

Mr. Baker made the following statement:

"In coverage of a meeting of this Board held on July 12, 1971, according to reports in the local press on July 13, 1971, this Board agreed to ask school officials for a list of administrative salaries. At its regularly scheduled meeting on July 13, 1971 the School Board of James City County elected me its Chairman, and directed that I respond to this inquiry, when received, at your next regularly scheduled meeting. At 2:00 o'clock, yesterday, July 29, 1971, no official notification had reached me from this Board, but pursuant to directions that I respond for your School Board, I wish to respond as follows:

1. Being mindful of the provisions of Virginia Code Section 22-127, which says in part, "Notwithstanding any other provisions of law, the amount appropriated by the governing body for public schools shall relate to its total only, or to such major classifications as may be prescribed by the State Board of Education, and such funds shall be expended on order of the School Board in



July 30, 1971

accordance with said classification", your County School Board elected to retain the salary scales previously reached in agreement with the School Board of the City of Williamsburg for administrative personnel and for other personnel charged in the supervisory section of the budget, other than classroom teachers. These proposed salary scales have been previously submitted with the exception of recent personnel changes and assignments.

2. In view of the reduction of the overall school budget by the sum of \$100,000.00, appropriate budget cuts were made by this School Board which, among other things, reduced the amount of teachers' raises by an increment of \$50.00 in each and every category. Otherwise, the previously supplied list of teachers by name and salary remains the same except for recent resignations or new teachers hired since the list was prepared and supplied to this Board.

I have had handed to me this morning, for the first time, copies of the original resolutions of June 4th and of your resolutions of July 12th, and respectfully submit that I have attempted to respond to these inquiries without exact knowledge of their contents. May I further respectfully submit on behalf of the other members of the School Board of James City County that this School Board would welcome more direct communication, and hopefully more effective communication, from either this Board collectively or individually."

Mr. Quittmeyer asked if the salaries for the administrators were set as per the request of the Board.

Mr. Baker replied that the proposed raises earlier submitted to the Board were not reduced and that the teachers salaries were reduced \$50.00 across the board.

Mr. Coakley stated there was a communications problem. He explained that two years ago the Board of Supervisors met with the School Board informally at one of the schools' for lunch and discussed various problems. He further stated these were discontinued for some reason. He said he would like to see these meetings start again.

Mr. Baker stated that the School Board was expecting a return of approximately \$40,000.00 for 1970-71 fiscal year.

Mr. Woody said it would have helped the Board of Supervisors if they had known this earlier.

Mr. Baker commented that they were still not sure of the exact figure.

Mr. Coakley made a motion that any money to be returned to the General Fund from the operation of schools for the past fiscal year, that these funds be made available to the schools in the new fiscal year.

Mr. Pettengill stated he was not agreeable to such a resolution and Mr. Quittmeyer said the Supervisors should have some say so on the use of the funds.

Mr. Baker explained that the present school board's quarters are unsatisfactory and the lease on the building will expire in a few months. He also stated that the maintenance program has suffered.

Mr. Quittmeyer suggested that this be tabled until a later date and the Board concurred.

Mr. Pettengill said that it is not right for the School Board to set a salary scale for the County. Other County employees cannot be paid on this scale. He said it was unfair to the taxpayers.

Mr. Baker reported that the average increase for the administrators salaries, which includes the Superintendent is \$701.23; without Superintendent's salary \$619.94.

RE: EMERGENCY ORDINANCE - UNNECESSARY, ETC., NOISE PROHIBITED

Mr. Quittmeyer read the following proposed emergency ordinance:

It shall be unlawful to create or allow on any premises in his possession and control any unreasonably loud and unnecessary noise or a noise of such character, intensity and duration as to be detrimental to or disturb the quiet, comfort and repose of or the peace and dignity of any neighborhood within the County.

Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00).

July 30, 1971

Mrs. Ann Unger of Berkeley District spoke against the ordinance, stating it was aimed at the band that practices in her garage.

Mr. Mayo Waltrip, Powhatan District asked what affect it would have on the farmers with their use of various farm equipment.

Mr. Pettengill said this would not apply.

After a general discussion the Board agreed not to pass this as an emergency ordinance and to advertise it for a public hearing as per the following motion:

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the Noise Ordinance for a public hearing to be held September 13, 1971, 7:30 P. M. at the Courthouse, Williamsburg, Virginia.

RE: REFUND - CONDITIONAL USE PERMIT

On a motion by Mr. Pettengill, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to reimburse Mrs. Delores S. Wallace in the amount of \$20.00. Said reimbursement is in reference to a Conditional Use Permit fee.

RE: GENERAL FUND - LOAN

On a motion by Mr. Coakley, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Executive Secretary to negotiate a short term loan from United Virginia Bank of Williamsburg, not to exceed \$100,000.00, bearing interest of 3% for the General Fund, to be repaid on or before December 15, 1971. Also, the Board instructs the Chairman, Executive Secretary and Treasurer to sign said note.

RE: JEFFCO

Mr. Quittmeyer read the following letter:

July 22, 1971

Dr. Charles L. Quittmeyer  
Chairman, Board of Supervisors  
James City County, Virginia

Dear Dr. Quittmeyer:

I would like to express my appreciation to you and the members of the Board of Supervisors and Planning Commission of James City County of Virginia for the many courtesies extended me and my associates.

Last Monday night I spoke to you and to several members of the Board of Supervisors and the Planning Commission as to the high regard that I and my associates in Ball Corporation and Jeffco Manufacturing Company hold your Executive Secretary Garland Woody.

Since we decided to locate in James City County, Garland Woody has done everything possible to help us. He has made his knowledge which is considerable available to us, he has personally been available at any time of the day or night for consultation. His dedication to his position and the County is indeed rare, and we feel very fortunate to have had his advice and guidance.

Again, thanking you and the members of the Board of Supervisors and Planning Commission, I am

Sincerely yours,

/s/ W. L. Bramble

W. L. Bramble

RE: INSURANCE - COUNTY

Mr. Quittmeyer stated that the County's Group Hospitalization Insurance was up for renewal and the Board was interested in receiving bids from other companies on same.

On a motion by Mr. Pettengill, seconded by Mr. Quittmeyer and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia,

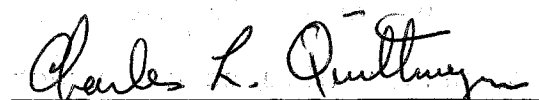
August 9, 1971  
July 30, 1971

hereby directs the Executive Secretary to advertise for bids from insurance companies, stating that the necessary information regarding benefits will be in the Executive Secretary's Office, on a Group Hospitalization Plan for James City County.

Checks #3390 to #4114, totalling \$288,065.78, were certified for payment from the General Fund for the month of July, 1971.

There being no further business the meeting was adjourned to reconvene at the call of the Chairman.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the ninth day of August, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

Minutes of the previous meeting were approved.

RE: REPORTS

APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: PUBLIC HEARING - PROPOSED AMENDMENT - ZONING ORDINANCE - PERMITTED USE - BANKS

Mr. Woody read the following proposed amendment to the Zoning Ordinance:

Amendment of the Zoning Ordinance Use Regulations to include banks in the Agricultural General District A-1, the Agricultural Limited District A-2, the Business General District B-1, and the Industrial Limited District M-1.

There being no public comment the following motion was presented:

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the heretofore mentioned amendment.

RE: PUBLIC HEARING - OPERATING POLICY - SANITARY DISTRICT #11

There was no public comment.

Mr. Frink stated that certain changes will have to be worked out, but could be done later.

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the Operating Policy for Sanitary District 11, said policy being on file in the Executive Secretary's Office.

RE: CALVIN STREET

Mr. Woody stated that he had a request from Mrs. Elizabeth Patterson to have Calvin Street taken into the Secondary System.

The Board referred this to the Road Viewers.

RE: WATER REQUEST - HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody reported that Hampton Roads Sanitation District Commission



August 11, 1971  
August 9, 1971

is in the process of constructing a water line in Sanitary District #11 and has requested the Board of Supervisors to participate in the cost of the line.

The Board agreed that when a meeting was set up to work on Sanitary District #11, this would be discussed.

RE: CROFFTON

Mr. Flora appeared before the Board and requested approval of the plans for Croffton as a Master Plan.

After a general discussion it was agreed that this plan would be approved as a preliminary plan, as per the following motion:

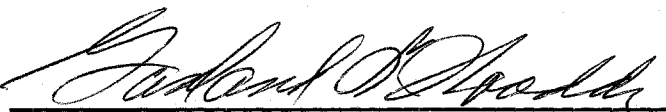
On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves Croffton's Plans as preliminary master plan, subject to approval of the final plan.


RE: FABRIC SHOP - NORGE

The owner of the Fabric Shop in Norge, Mrs. Oliver, appealed to the Board to consider allowing her to put up a sign for a new business.

The Board suggested that she contact Mr. Kincaid, giving him the necessary information for the sign and present it to the Planning Commission for their comments.

There being no further business, the meeting was recessed to reconvene August 11, 1971 at 4:00 P. M.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eleventh day of August, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

RE: ROUTE 199 - WILLIAMSBURG SOUTHERN BY PASS

The Board directed Mr. Woody to draft a letter to Mr. Fugate, Commissioner, Department of Highways, in reference to Route 199 tying into Route 64. They asked that he request Mr. Fugate to transfer the funds allocated for the widening of Route 60 East to Route 199, if possible.

RE: HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody advised the Board that the contract for the force main at the east end of the County from Kingspoint up Route 31, would be ready for the Chairman's signature at the next meeting.

Mr. Frink asked that arrangements be made with Newport News for fire hydrants to be installed in Grove.

Mr. Woody explained that the financing for same would have to be paid from the General Fund, to be repaid once the Sanitary District is funded.

The Board directed Mr. Woody to work out the necessary agreement on fire hydrants.

August 31, 1971  
August 11, 1971

RE: RICHARDSON-MEADOWS TRACT-REZONING

On a motion by Mr. Pettengill, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby declines to accept the recommendation of the Planning Commission, to rezone the Richardson-Meadows Tract to B-1.

RE: SIGN - MRS. OLIVER

Mr. Pettengill stated that Mrs. Oliver, who recently opened a Fabric Shop in Norge, had not been very successful, due to the lack of an advertisement sign at her place of business. He further stated that Mrs. Oliver has requested that the Board give consideration on allowing her to place a 4' x 8' sign, attached to her building, to advertise her business.

Mr. Pettengill recommended that this be declared an exception to the moratorium and allow Mrs. Oliver to put up a sign on her place of business.

The Board concurred with Mr. Pettengill's suggestion.

Mr. Coakley stated that there is more than one business that this moratorium has been a burden to. He further stated that there were several businesses formed when the moratorium was called.

Mr. Pettengill explained that whenever you start a business, you need a sign.

RE: PETITION - SETTLERS LANE

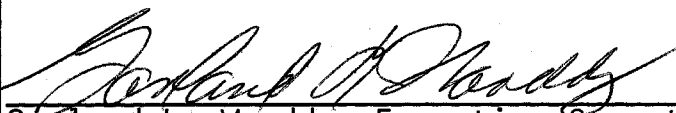
Mr. Woody told the Board that a petition had been received from the residents of Settlers Lane in James-Shire Subdivision, to discontinue the mosquito spraying.

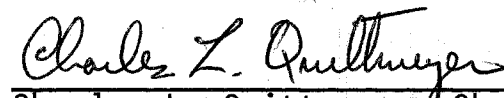
The Board agreed to leave it to the judgement of Mr. Woody.

RE: WATER CONNECTION - SANITARY DISTRICT II

Mr. Woody explained to the Board that numerous requests were being made for water connections in Sanitary District #II. He suggested that something should be done during the interim period awaiting financing of this system. The Board agreed to discuss these requests at the work session to be set up on Sanitary District #II.

There being no further business, the meeting was adjourned to reconvene at the call of the Chairman.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of August, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

The minutes of the previous meetings were approved.

August 31, 1971

RE: BIDS - GROUP INSURANCE

Mr. Woody announced that the following companies had made bids for Group Life and Hospitalization Insurance for County employees:

1. Prudential Insurance Company of America
2. Equitable Life Assurance Society
3. North Carolina Mutual
4. Aetna Life and Casualty
5. Travelers

Mr. Quittmeyer accepted the bids on behalf of the Board of Supervisors and stated an Executive Session would be held on the matter on September 13, 1971 at 6:00 P. M.

RE: 1971-72 SECONDARY SYSTEM HIGHWAY BUDGET

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves the Secondary Road Budget for \$368,640.00, as prepared and presented by the State Highway Department for the fiscal year 1971-72.

RE: CORRECTED RESOLUTION - EWELL HALL

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the developer of Ewell Hall Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Ewell Hall Subdivision, Powhatan Magisterial District, County of James City in the State Secondary Highway System.

Description:	Queen Mary Court	-	From: Route 658
			To: King William Drive 0.21 Mi.
	King William Drive	-	From: Route 658
			To: Cul-de-sac 0.22 Mi.

A Right of Way of 50 feet is guaranteed as evidenced by plat of record, entitled Ewell Hall Subdivision, Plat Book 24, Page 10.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Ewell Hall Subdivision and the Resident Engineer of the Department of Highways.

RE: REPLY - MR. FUGATE

Mr. Woody read the following letter from Mr. Fugate:

August 20, 1971

Proposed Improvements -  
Routes 199 and 60  
City of Williamsburg,  
James City and York Counties

Mr. Garland L. Woody  
Executive Secretary  
James City County Courthouse  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

Thank you very much for your letter of August 12, relating to the Board's concern regarding our planning for Routes 199 and 60.

I am taking the liberty of attaching a copy of my letter of August 18, to Mr. Walter E. Diggs, Jr., President of Busch Properties, Inc., which I trust will rather fully explain the Department's thoughts on the matter.

It would be appreciated if you would also advise the Board that the Highway Commission is certainly doing everything possible within our present financial framework to expedite all of the work on Route 199. Their interest and comments in this most important matter is always appreciated.



August 31, 1971

Sincerely,

/s/ Douglas B. Fugate

Douglas B. Fugate, Commissioner

Attachment

Mr. Woody then read the last paragraph of the letter to Mr. Diggs, Busch Properties from Mr. Fugate:

"A committee of the Virginia Advisory Legislative Council is now engaged in a rather detailed review of the Commonwealth's street and highway needs and is due to report their recommendations for dealing with some of our pressing problems to the January session of the General Assembly. I am hopeful that the General Assembly will see fit to provide additional highway revenues; and if so, I trust that all of the urgently needed highway improvements in the Williamsburg area as well as throughout the State can be accelerated."

Mr. Woody suggested that the Board may be interested in contacting members of this committee, prior to the Legislature meeting in January. The Board requested Mr. Woody to get a list of said members.

RE: SHERMAN - RIGHT OF WAY

Mr. Sherman, his wife and son appeared before the Board, appealing to them to get the Highway Department to build an entrance into their home on Route 168. Mr. Quittmeyer requested that this matter wait until Mr. Jeffrey arrived at the meeting.

RE: AUTO DECALS

Mr. Woody reported he had received a price for decals which amounted to 6¢ or 7¢ a piece against the 17¢ a piece for the metal tags.

Mr. Quittmeyer stated he would rather have Mr. Pettengill present, since he favored the metal tags and with the Board's concurrence directed Mr. Woody to advertise for bids.

RE: MRS. ZUZMA - SPECIAL PERMITTED USE

Mr. Kincaid, Assistant Executive Secretary, explained that Mrs. Zuzma had moved a mobile home from one A-2 zone to another A-2 zone, located on Hickory Sign Post Road. He further explained that it was a non-conforming use to begin with, therefore could not be moved into another A-2 zone, as A-2 does not provide for a single mobile home.

Mrs. Zuzma made the following statement:

"In the booklet which I purchased from Mr. Woody's office on 23rd August 1971, there reads (in my copy):

On Page 7 under "Use Regulations"  
3-1-1. Single-Family dwellings.

On Page 9 under "Area Regulations"  
3-2. The minimum lot area for permitted uses shall be twenty thousand (20,000) square feet or more.

On Page 68 under "Definitions"  
17-20. Dwelling: any structure which is designed for use for residential purposes, except hotels, boarding houses, lodging houses, tourist cabins, apartments, and automobile trailers.

17-23. Dwelling, Single-Family: A structure arranged or designed to be occupied by one (1) family, the structure having only one (1) dwelling unit.

On Page 69 under "Definitions"  
17-24. Dwelling Unit: One or more rooms in a dwelling designed for living or sleeping purposes, and having at least one (1) kitchen.

17-25. Family: One or more persons occupying a premises and living in a single dwelling unit, as distinguished from an unrelated group occupying a boarding house, lodging house, tourist home or hotel.

On Page 74 under "Definitions"  
17-53. Mobile Home: A mobile home is a single-family dwelling designed for transportation, after fabrication, on streets and highways on its own wheels or on flatbed or other trailers,

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and arriving at the site where it is to be occupied as a dwelling, complete and ready for occupancy, except for minor an incidental unpacking and assembly operation, location on jacks or permanent foundations, connection to utilities and the like.

So by virtue of the fact that the very own definitions outlined on pages 7, 9, 68, 69, 72 and which definitions were decided upon and declared by the persons assembling the Ordinance, the following has to be factual and indisputable:

A Dwelling is: A structure designed for use for residential purposes.

A Family is: One or more persons occupying a premises and living in a single dwelling unit.

A Single family dwelling: A structure arranged or designed to be occupied by one (1) family.

A Mobile Home: A single family dwelling.

A single family dwelling is a permitted use in A-2 zones of James City County, Virginia.

Our son and his wife and their baby are a family, and they wish to occupy a single family dwelling. This single family dwelling was located in this same particular A-2 zone before zoning became effective in James City County, March 1, 1969. It was moved from one particular portion of this same particular A-2 zone into another particular portion of this same A-2 zone. Not from any other zone into this zone. Not from any other A-2 zone. Not from outside of James City County."

Mr. Quittmeyer stated that this was a legal matter. He suggested that Mrs. Zuzma be given a permit to locate her trailer in this A-2 zone for one year and further suggested that Mr. Carneal, Mrs. Zuzma's attorney work out the necessary legal matters and place same on the agenda at the next 10:00 A. M. meeting in September.

Mr. Frink disagreed and stated the Board should wait and see what is worked out between Mr. Carneal and Mr. Person. He also said if the law states that mobile homes are not allowed in certain zones, they should stick with this.

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby allows this trailer to be a non-conforming use in this particular area for a period of one year.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Nay

Motion carried by a majority vote of two to one.

RE: ROUTE 143 - PENNIMAN ROAD - LIGHT

Mr. Woody asked Mr. Jeffrey if a delayed green could be put up for the west bound traffic on Route 143 at Penniman Road.

Mr. Jeffrey stated that a review was being made now at the Richmond Office.

RE: POWHATAN DRIVE

Mr. Woody stated that Mrs. Dillard is receptive to donating the easement necessary if pipe drainage is put in.

Mr. Jeffrey stated that the State did not have the funds for this, but would provide the estimate cost to the County by September 13, 1971.

RE: SHERMAN - ROUTE 168

Mr. Jeffrey stated that the Highway Department had been involved with the Shermans for fifteen years. He stated the Department will not build him a driveway back to his place. He further stated that the old road, that he had entrance from was abandoned in 1962.

Mr. Coakley asked why everyone else has an access except this one family.

Mr. Jeffrey stated the property where the access would have gone, belongs to someone else.

After further general discussion, it was agreed that Mr. Sherman, Mr. Pettengill and Mr. Jeffrey meet on the matter.

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RE: APPOINTMENTS - REVIEW COMMITTEE ON ZONING ORDINANCE AND SUBDIVISION ORDINANCE

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John Moneymaker, Mr. John N. Daniel and Mr. Joseph S. Phillips, Jr. to serve on a committee to review the Zoning Ordinance and Subdivision Ordinance.

RE: SANITARY LANDFILL

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors has contracted to purchase real estate for dumping waste material from Donald Earl Hayes, et als, by contract dated April 15, 1971, and the purchase will be consummated by deed from Donald Earl Hayes to the County of James City, Virginia; and

WHEREAS, pursuant to law, the deed must be accepted by the County of James City, which acceptance shall appear on the face thereof and shall be executed by a person authorized to act on behalf of the County, pursuant to Resolution duly adopted by the governing body of such County;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA: That the deed conveying approximately 190 acres situate and lying in James City County, Virginia, from Donald Earl Hayes, et us, is hereby accepted by the County of James City, Virginia, when approved by the Commonwealth attorney; and Charles L. Quittmeyer, Chairman, is hereby authorized to act on behalf of the County and execute said deed, when approved by the Commonwealth Attorney.

Mr. Hinton Hogge complained about the pollution the landfill would cause to the pond. \$60,500.00

Mr. Woody explained that they were buying 1000 feet back from the pond and the Health Department has agreed to work with the Board on laying trenches.

RE: HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody requested permission to write Hampton Roads Sanitation District in reference to expediting the construction of a trunk line from Kingspoint to State Route 31. Mr. Woody pointed out that this was necessary in order to serve areas in Sanitary District III, which will be ready for service prior to the installation of the Powhatan Creek trunk line. The Board concurred.

RE: MR. GENE AUGSBURGER - DISTRICT FORESTER

Mr. Scruggs, Forest Warden introduced Mr. Augsburger.

Mr. Augsburger explained the Reforestation of Timberlands Program, which converts worthless brushland into profitable pine.

RE: DRUG GRANT

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the Peninsula Planning District Commission's filing of a program plan for Drug Abuse Control Action Grant, as outlined by letter and attachments dated July 21, 1971.

RE: HOLIDAY - SEPTEMBER 6, 1971 (LABOR DAY)

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, and passed by a unanimous vote,

WHEREAS, in accordance with Section 2-19, Code of Virginia, 1950, as amended, the sixth day of September (Labor Day), shall be a legal holiday as to the transactions of all county business.

It is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the sixth day of September 1971, as a legal holiday for county offices and employees.

RE: TOURIST CAMPS - B-1 ZONE

Mr. Woody suggested to the Board that since tourist camps are a business and one of the largest ones in the County is in a B-1 zone, that they



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might consider requesting the Planning Commission to study this problem.

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby requests the Planning Commission to study the matter of putting tourist camps in a B-1 zone and forward their recommendations to the Board.

RE: ELECTRICAL PERMIT FEE - MODULAR HOME

Mr. Woody read the following letter to the Board:

August 20, 1971

Board of Supervisors  
James City County

Gentlemen:

Inasmuch as there is no set electrical fee for Modular Type Homes, we recommend that the fee for electrical inspection for Modular Type Homes shall be:

For 60 amp service.....	\$ 8.00
For 100 amp service.....	10.00
For 150 amp service.....	15.00
For each additional 50 amps add.....	5.00

These fees concur with the fees set by York County, Hampton and Newport News.

/s/ W. R. Hutchens  
W.R. Hutchens  
BUILDING OFFICIAL

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing on Electrical Fees for Modular Type Homes, to be held on October 11, 1971 at 7:30 P. M.

RE: MODULAR HOME - GAYLE WRIGHT

Mr. Frink stated that there is a resident in the County that owns a lot in Grove, who wants to place a modular home on same. He further stated she would put in a solid foundation and later brick it. Mr. Frink remarked that there are a great many people in the County who can not afford anything but a trailer. He explained that he did not vote against Mrs. Zuzma because she had her trailer in an A-2 zone, but because a public hearing should be held to provide a special permitted use in that area. He stated that Grove has a unique problem with Trailers due to the closeness of Fort Eustis and the area is not zoned for trailers. He said he has always told the people, when asked, that trailers are not allowed in Grove and has never suggested that they come before the Board for a Special Permitted Use.

Mr. Woody explained that the modular home is one brought in on a truck in two pieces and put on a permanent foundation and can't be moved. A mobile home is one brought on a truck in two pieces, but could be moved at a later date. He stated that the problem was that once the unit is set up on a lot, it is difficult to tell if it is a mobile home or a modular home.

The Board agreed to have Mr. Person make a determination on whether the home in question is a mobile home or modular home.

RE: LEGAL SERVICES CONTRACT - SANITARY DISTRICT #11

On a motion by Mr. Frink, seconded by Mr. Coakley, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to enter into a legal service agreement with William T. Stone, Attorney at Law. Said Agreement refers to necessary legal services for the organization, financing, construction and initial operation of the water and sewerage system for James City County Sanitary District #11.

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RE: RESOLUTION - APPLICATION FOR FHA LOAN - SANITARY DISTRICT II

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

BE IT HEREBY RESOLVED, that the Board of Supervisors of James City County, acting for James City County Sanitary District No. 2 hereby approves the content of and authorize the execution of Forms FHA 400-4, Nondiscrimination Agreement, and FHA 400-1, Equal Opportunity Agreement, by its chairman, Charles L. Quittmeyer.

BE IT FURTHER RESOLVED that the said chairman be here by authorized to execute such other forms and documents, including Promissory Notes, Bonds, Security Instruments, Loan Agreements, Grant Agreements and any others as may be required in obtaining loan and/or grant assistance from the United States of America, acting through the Farmers Home Administration.

RE: AMENDMENT - WATER AND SEWERAGE PLAN

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the first amendment to the Water and Sewerage Facilities Plan developed by Malcolm Pirnie Engineers. This amendment deletes pages C-47 through C-56 and deletes plates 4 and 5 and adds a new plat, numbered 6.

RE: PERSONAL PROPERTY TAXES - PETER AND CELIA FERGERSON

Mr. Woody explained that in 1957, a lien was placed against Peter and Celia Ferguson for non-payment of personal property taxes. He further explained that they are attempting to clear property for a highway project, and the \$8.63 lien prevents them from doing this.

After a general discussion and after reading a letter from Mr. Marston, certifying that said persons did not own any personal property at that time, the following motion was presented:

On a motion by Mr. Quittmeyer, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to release the lien against Peter and Celia Ferguson in the amount of \$8.63.

RE: GENERAL FUND - TEMPORARY LOAN

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Executive Secretary to negotiate a short term loan from United Virginia Bank of Williamsburg, not to exceed \$205,000.00, bearing interest of 3% for the General Fund, to be repaid on or before December 15, 1971. Also, the Board instructs the Chairman, Executive Secretary and Treasurer to sign said note.

RE: REIMBURSEMENT - REAL ESTATE TAXES - GARY E. BAKER

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote,

WHEREAS, Gary E. Baker was erroneously assessed by the Commissioner of Revenue of James City County for Real Estate Taxes, in the year 1967, in the amount of \$44.96, and

WHEREAS, It was determined by the Commissioner of Revenue of James City County, that Gary E. Baker was erroneously assessed for Real Estate Taxes in the year 1967, and that the amount of \$44.96 was paid to the Treasurer of James City County.

Be It Further RESOLVED, that the Board of Supervisors of James City County, Virginia, agrees that the taxes were erroneously assessed and therefore approves the amount of \$44.96 to be paid from the General Fund to reimburse Gary E. Baker for the erroneous assessment of Real Estate Taxes.

Mr. Coakley said he had received complaints as to excessive numbers of dogs and cats owned by people in residential areas. He suggested that the Planning Commission study the situation, possibly limiting the number of animals owned by one person, and make their recommendations to the Board.

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Checks #4115 through #4233, totalling \$346,881.16, were certified for payment from the General Fund for the month of August, 1971.

There being no further business, the meeting was adjourned to reconvene at the call of the Chairman.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirteenth day of September, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District, MR. W. L. PERSON, JR., Commonwealth's Attorney, and MR. GARLAND L. WOODY, Executive Secretary.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: PUBLIC HEARING - NOISE ORDINANCE

Mr. Woody read the following Ordinance:

UNNECESSARY, ETC., NOISE PROHIBITED

It shall be unlawful to create or allow on any premises in his possession and control any unreasonably loud and unnecessary noise or a noise of such character, intensity and duration as to be detrimental to or disturb the quiet, comfort and repose of or the peace and dignity of any neighborhood within the County. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00).

Mr. Quittmeyer opened the hearing for public comment.

Mr. Cummings, Berkeley District, stated that the ordinance infringes on the benefit of a free man. He further stated that teenagers don't have any place to go now and if they can't go home, where can they go to play their music.

Mr. Frank Myers of Berkeley District asked what brought the matter up.

Mr. Quittmeyer replied that there was a neighborhood situation that could not be worked out and as the "disturbing of the peace" is a common law and difficult to enforce, it was felt that under these circumstances, the County should have a law to determine any flagrancy.

Mr. Lang Richardson, Powhatan District, advised that turkey shoots were held at night at Waltrip's Gravel Pit. He asked how this would affect them.

Mr. Quittmeyer replied that this was not located in a residential neighborhood and therefore felt it would not apply.

Mr. Von Bayer, Berkeley District, spoke for the ordinance, stating that the rights of the people who have to put up with the noise must not be forgotten.

Mr. Ruben Hill stated that he cut trees for people, which caused a great deal of noise.

Mr. Quittmeyer replied that this would not come under the ordinance as this was part of life.

Mr. Jim Anthony said the ordinance would be effectual when the noise goes beyond the point of being considerate to your neighbors.



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Mr. Mayo Waltrip, Powhatan District, said that if this is a common law, that all you would have to do is call the Sheriff and he would take care of it.

Mr. Person stated that a loud noise was not a legal charge under the "disturbing of the peace" law.

Mr. Frank Myers stated he was in favor of not seeing this ordinance passed.

Mrs. Cummings suggested instead of the ordinance, to have a curfew.

Mr. Hanaforde, Mr. Fehrenbach, Mrs. Claude Slauson, Mrs. Helene Ward, and Mrs. Ruth Whitman spoke in favor of the ordinance.

Mr. Mayo Waltrip, Powhatan District, stated that a law had been drafted that could not be judged.

Mr. Person said that it is difficult to draft such an ordinance. He further stated it is hard not to be vague and unconstitutional.

After further general discussion, Mr. Quittmeyer called the public hearing to a close.

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby adopts the Noise Ordinance.

With Mr. Quittmeyer's permission, Mr. Coakley amended the Ordinance by adding a sentence at the end of the first paragraph to read:

"This ordinance will apply to residential zoned areas only."

Mr. Pettengill asked Mr. Person if the ordinance was constitutional and Mr. Person replied he did not know. Mr. Pettengill stated he did not think the ordinance is proper at this time.

Mr. Frink asked if the owner of an airport could be arrested from the noise of a plane taking off.

Mr. Person replied he could be arrested but not convicted, in his opinion.

Mr. Frink stated he doubted the ordinance could be enforced.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	--	Aye
Mr. Quittmeyer	--	Aye
Mr. Pettengill	--	Nay
Mr. Frink	--	Nay

Motion tied two to two.

Mr. Woody was directed to contact Mr. James Maloney, the tie breaker.

Mr. Quittmeyer called a five minute recess.

The recessed meeting was called to order and Mr. Woody advised the tie breaker was not available.

Mr. Quittmeyer stated that this meeting, when finished would be adjourned to reconvene on September 30, 1971, at 10:00 A. M., at which time the tie breaker would be present.

RE: GROUP INSURANCE

Mr. Quittmeyer stated that the Board, with the absence of Mr. Coakley, agreed to accept the Travelers' bid for Group Insurance. Mr. Woody was instructed to negotiate with Travelers' on dental insurance.

RE: REDISTRICTING - DEPARTMENT OF JUSTICE

Mr. Woody read the following letter:

Department of Justice  
Washington  
Sept. 9, 1971

September 13, 1971

Mr. Garland L. Woody  
Executive Secretary  
Courthouse  
Post Office Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

This is in reference to the changes in election districts, precincts, and polling places in James City County, Virginia, submitted by you on July 16, 1971, to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended.

The Attorney General does not interpose any objections to the changes in question. However, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of such changes.

Sincerely,

/s/ David L. Norman

David L. Norman  
Assistant Attorney General  
Civil Rights Division

Mr. Coakley commented that many hours of work have been put into the redistricting and the Board of Supervisors wished to give Mrs. Winstead, Registrar, Mrs. Trautman, Ass't. Registrar, and Mr. Kincaid, Assistant Executive Secretary a vote of thanks.

RE: AGREEMENT - HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody reported that the Agreement in reference to the 24" force main beginning at the Williamsburg Treatment Plant and terminating at Dow Chemical Company was ready for signature.

On a motion by Mr. Coakley, seconded by Mr. Pettengill, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Chairman and Executive Secretary to sign said agreement.

RE: POWHATAN DRIVE

Mr. Woody reported that Mr. Jeffrey had called him advising that the cost of the 15" drain pipe would be approximately \$230.00.

Mr. Woody stated that it might be possible to use another lot for a ditch drainage and he was trying to contact Mr. Stein the lot owner.

Mrs. Adams, property owner on Powhatan Drive, said she had recently talked with Mr. Jeffrey and he said Mr. Steins's land is too high.

Mr. Woody said he would discuss it further with Mr. Jeffrey.

RE: PUBLIC LANDING - DIASCUND CREEK - LETTER

Mr. Woody read the following letter:

2106 Springdale Road  
Richmond, Virginia  
September 2, 1971

Mr. Garland Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia

Dear Mr. Woody:

Some thirty or more years ago my father gave James City County a small piece of land in order to have a road through his property. The piece of land is located on Hicks Island on Diascund Creek.

Since that time the land was turned over to the State. The property is very small and as of yet the State has not used it. If the State has no need of said property I should like to have the land returned to me.

I should appreciate it if you would investigate this matter for me.

Cordially,

/s/ Mrs. Lillian Hicks Taylor

Mr. Pettengill stated that several years ago, this was a public

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landing on deep water. He further stated that the State was contacted in reference to putting up money for the land, but there was not enough area available for parking. Mr. Pettengill suggested that Mr. Person check to see if any conveyance was made.

RE: JOINT PUBLIC HEARING - OCTOBER 11, 1971

On a motion by Mr. Coakley, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby agrees to hold a joint public hearing with the Planning Commission and instructs the Executive Secretary to advertise for a joint public hearing to be held October 11, 1971, at 7:30 P. M., to consider the following:

a. Rezoning the Riverview Plantation Subdivision from A-1 to R-1. This subdivision is located on the York River at the end of State Route 606 and is adjacent to the northern boundary of Camp Peary.

Copies of the map of the proposed change are on file in the Executive Secretary's office for review.

b. Amendment of Article 13 of the Zoning Ordinance to include authorization for the Board of Zoning Appeals to hear and decide applications concerning special exceptions and interpretation of the district zoning map in accordance with Section 15.1-495, Code of Virginia (1950, as amended). Amendment also includes provisions for all members to be residents of James City County and every appeal shall be accompanied by a certified check for fifty dollars (\$50.00).

A more complete description of the proposed amendment of Article 13 of the Zoning Ordinance is on file in the Executive Secretary's office for review.

RE: ELECTRICAL EXAMINING BOARD

Mr. Woody read the following letter:

September 10, 1971

Board of Supervisors  
James City County

Gentlemen:

The Electrical Examining Board and I request the Board of Supervisors to change the Electrical Code Ordinance wording, Paragraph 1, Line 6 to read:

"particularly the 1971 Edition thereof and the whole thereof".

/s/ W. R. Hutchens  
W. R. Hutchens  
BUILDING OFFICIAL

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Executive Secretary to advertise for a public hearing to be held October 11, 1971 at 7:30 P. M. on the aforementioned amendment to the Electrical Code Ordinance.

RE: REQUEST - THOMAS NELSON COMMUNITY COLLEGE

Mr. Woody read the following letter:

September 9, 1971

Mr. Garland L. Woody, Executive Secretary  
Board of Supervisors, James City County  
Post Office Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

As you may know, Thomas Nelson Community College has been fortunate enough to have the Virginia Community College System allocate funds to modify our present facilities so that our students may have a temporary student lounge. The construction has begun and it should be between 90 and 120 days before it is completed.

Inasmuch as we serve five political subdivisions, one of which is James City County, it is requested that consideration be given to the following request. I am proud of our institution and equally as proud of our students. Since we do have students from your area and you help to support our institution, we would like to publicly display this aforementioned pride. Therefore, it is requested James City County donate a flag representing James City County, approximately 2' x 4' or 3' x 5' (the standard size) that we may hang it in our new student union.



September 13, 1971

We do like to see the decor of our new student center reflect all of our supporting political areas.

If I may be of any assistance to you, please do not hesitate to contact me.

Sincerely yours,

/s/ Tom C. Barrett

Tom C. Barrett  
Dean of Student Services

Mr. Woody told the Board that the County does not have an official flag or seal.

Mr. Coakley stated he felt the County should have an official flag and seal.

Mr. Woody said he would try to have one designed for the Board's approval.

RE: HIGHWAY WEEK - LETTER

Mr. Woody read the following letter:

September 8, 1971

Re: Highway Week

Mr. G. L. Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia

Dear Mr. Woody:

The Williamsburg Residency plans to hold Open House on Friday, September 24, 1971 from 8:30 a. m. to 4:30 p. m. The Open House is planned to provide area citizens a special opportunity to discuss their road problems and to become better acquainted with the local highway staff. As you are aware, the highway program is a partnership between state, local and federal governments and the people of the state and we, of course, rely on public support for the program.

We have scheduled at the Williamsburg Residency to have some of our highway equipment on display, and representatives in the various departments within the Residency be present to discuss the status of current road improvement projects and plans for future improvements.

We are looking forward to your possible attendance.

Sincerely,

/s/ W. C. Jeffrey

W. C. Jeffrey  
Resident Engineer

RE: CONGRESSMAN'S BUSINESS DEVELOPMENT CONFERENCE - LETTER

Mr. Woody read the following letter:

September 8, 1971

Dear Friend:

The Peninsula Chamber of Commerce, the Williamsburg-James City County Chamber of Commerce, and working with the U. S. Department of Commerce have agreed to sponsor the Congressman's Business Development Conference.

In an effort to acquaint you with the services and opportunities available to you from the federal government, as they pertain to the welfare of the business community, I have arranged this conference which I hope you will attend.

The conference will be held at the Chamberlin Hotel on September 24, 1971 beginning at 10 a. m. and finishing at 3 p. m. The registration fee is \$5 which includes lunch. Reservations will be made on a first come first serve basis.

Thanking you in advance for your support and endorsement. Looking forward to see you on September 24th.

Warmest personal regards,

/s/ Thomas N. Downing

Thomas N. Downing  
Congressman

COMMITTEE CHAIRMEN

Mr. Troy L. Davis, Pres. PCC  
Mr. William B. Guerrant, Pres. WCC  
Mr. T. Melvin Butler  
Mr. A. G. Clark, Jr.

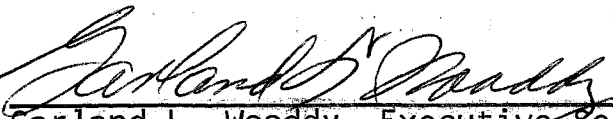
Mr. Alphonso M. King  
Mr. Kearn F. Lanier  
Col. Thomas L. Lyons  
Mr. John W. Underwood  
Mr. G. Guy Via  
Mr. E. A. Williams

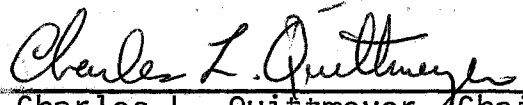
September 30, 1971  
September 13, 1971

RE: SPECIAL MEETINGS

Mr. Cole from the Times Dispatch called the Board's attention to the Freedom of Information Act.

There being no further business, the meeting was adjourned to reconvene on September 30, 1971.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirtieth day of September, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

Mr. Quittmeyer welcomed approximately 100 students from James Blair High School government classes under the direction of Mr. Hobson.

RE: 4-H WEEK - MRS. BOOR - YOUTH COORDINATOR

Mrs. Boor announced that October 3rd through the 9th is 4-H Week.

Debbie Mayfield, 4-h member presented a cake to the Board of Supervisors, thanking them for opening a position for 4-H Youth Coordinator.

RE: NOISE ORDINANCE - TIE BREAKER

Mr. Woody read the following ordinance:

UNNECESSARY, ETC., NOISE PROHIBITED

It shall be unlawful to create or allow on any premises in his possession and control any unreasonably loud and unnecessary noise or a noise of such character, intensity and duration as to be detrimental to or disturb the quiet, comfort and repose of or the peace and dignity of any neighborhood within the County. This ordinance applies to Residential zoned areas only. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00).

Mr. Maloney, Tie Breaker stated that he believed that every person had a right to make as much noise on their property as they wanted to, but also felt the person suffering from such unreasonable noise, should have the right to do something about it.

Mr. Maloney cast his vote in favor of the Noise Ordinance, giving a majority vote of three to two.

Mr. Quittmeyer stated that with consent of the Board, he had formed a Commission on Recreation Opportunities. He explained that this commission would recommend to the Board such places where young people may be active freely in music and entertainment. He named the following persons as members of this commission:

Miss Deborah White, President, James Blair Student Body  
Billie S. Scruggs, Jr., President, Senior Class  
Mrs. Clarence L. Cummings  
Robert J. Fehrenbach, Associate Professor of English  
Judge D. R. Taylor  
S. J. Baker, Chairman, James City County School Board  
Abram Frink, Board of Supervisors, Temporary Chairman of Commission

RE: HIGHWAY MATTERS  
HOLDING LANE - WILLIAMSBURG CAMPSITE

September 30, 1971

Mr. Woody stated he had a request from Williamsburg Campsite for a holding lane at their entrance on Route 60 West.

Mr. Jeffrey replied that a list is made once a year on various places that need a holding lane and he would add Williamsburg Campsite to this list.

RE: SETTLERS LANE - POT HOLES AND SHOULDERS

Mr. Woody reported that Settlers Lane, recently accepted into the Secondary Highway System, has several pot holes and the shoulders are giving away.

RE: C & O RAILROAD CROSSING - ROUTES 60 - 143

Mr. Frink asked why the railroad crossing beyond Black's Crossing was closed.

Mr. Jeffrey replied that it was a permanent closing and was closed by C & O, because the Highway Department no longer maintained same. Mr. Jeffrey said the Highway Department had maintained it up until eighteen months ago, but after he found out that he was not required to maintain this crossing they discontinued same.

Mr. Frink suggested that a meeting be set up between C & O Officials, Mr. Jeffrey, Mr. Larew, York County Executive Secretary, Mr. Woody, York County and James City County Commonwealth's Attorneys. The Board concurred and Mr. Woody was directed to set up same.

RE: CULVERT - PATRICK HENRY DRIVE

Mr. Woody reported that the culvert on Patrick Henry Drive is half filled with silt from the heavy rains.

Mr. Jeffrey said he would look into the matter.

RE: JAMES TERRACE

Mr. Coakley said the streets in James Terrace are in bad need of repair.

Mr. Jeffrey said that his was due to failure of the sewage line. He said that Mr. Larew, Manager of James-York Sanitary District #1 has been notified and has stated they will be fixed.

RE: POWHATAN DRIVE

Mr. Pettengill asked what had been done on Powhatan Drive.

Mr. Jeffrey said he and Mr. Woody would have to get together on this.

RE: STREET LIGHTS - DRUID HILLS

Mr. Woody reported he had a request for street lights in Druid Hills.

This was referred to the street light committee.

Mr. Coakley asked about Settlers Lane.

Mr. Woody replied that Settlers Lane is on the list.

Mr. Pettengill reminded the Board that these streets lights have to be paid for through assessments of adjacent property.

RE: HALF-WAY HOUSE - MENTAL HEALTH SERVICES BOARD

Mr. Treece, Director of Mental Health and Mental Retardation Services Board for Williamsburg, York County and James City County, appeared before the Board requesting that the Board agree to the operation of a Half-Way House for persons with a history of emotional problems; for persons who after being discharged and have no other place to go. He stated this would require no local funds as reimbursement would come from the State.

After a general discussion the following motion was presented:



September 30, 1971

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the addendum to the agreement between the Mental Health and Mental Retardation Services Board for Williamsburg, York County and James City County and the Department of Vocational Rehabilitation.

RE: UNITED FUND - RESOLUTION

On a motion by Mr. Coakley, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS; The WILLIAMSBURG - JAMES CITY COUNTY UNITED FUND has been serving our Community for Twenty-two years by raising funds for various Civic Agencies; and,

WHEREAS; Through the United Fund Drive and the generosity of our Citizens, countless dollars have been raised to aid those less fortunate; and

WHEREAS; This year's United Fund Drive will be held during the month of October; and,

WHEREAS; We are desirous of expressing our support for this most worthwhile endeavor; now therefore,

BE IT RESOLVED, that the month of October be proclaimed United Fund Month.

BE IT FURTHER RESOLVED, that all of the Citizens of Williamsburg and James City County are urged to give generously to this year's United Fund Drive, as they have done in the past.

RE: ADDITIONAL MEMBER - PLANNING DISTRICT 21

Mr. Woody reported of the need of an additional member to be appointed to Planning District 21.

With the Board's concurrence, Mr. Quittmeyer suggested the appointment be made after the November 2, 1971 Election.

RE: SUB-STANDARD HOUSING

Mr. Quittmeyer read the following letter:

Mrs. George J. Douglas  
111 Anthony Wayne Road  
Williamsburg, Virginia 23185

September 19, 1971

Mr. Chas. L. Quittmeyer  
Chairman, JCC Board of Supervisors  
210 Kingswood Drive  
Williamsburg, Va. 23185

Dear Mr. Quittmeyer:

The dictionary defines TENEMENT HOUSES in part, as follows: "often used to denote such a dwelling that is in the poorer section of the city --- dirty or deteriorated."

Not true! Some rental properties in James City County not more than six years old are already in a dirty and deteriorated condition. This is the end result of absentee landlordism.

The time is long past when this county can exist without a Sub-standard housing ordinance. Although it might be felt on the part of some citizens that such an ordinance would be aimed, primarily, at those least able to afford decent housing, such would not be the case. It would prove to the best advantage of all residents of the community.

With this thought in mind, I would ask that the matter be brought before the Board of Supervisors for further study at the September 30, 1971 meeting.

Cordially,

/s/ Irene

After a general discussion the Board agreed to table the request for further study.

RE: GENERAL FUND - TEMPORARY LOAN

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Executive Secretary to negotiate a short term loan from United Virginia Bank of Williamsburg, not to exceed \$150,000.00 bearing interest of 3%, for the General Fund, to be repaid on or before December

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15, 1971. Also, the Board instructs the Chairman, Executive Secretary and Treasurer to sign said note.

RE: EQUALIZATION BOARD

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, in accordance with Section 58-898, Code of Virginia, 1950 as amended, the Board of Supervisors may request the Circuit Court to appoint an Equalization Board, and

WHEREAS, the Board of Supervisors of the County of James City deems it to be in the best interest of the citizens of the County to create said Board.

NOW, THEREFORE, BE IT RESOLVED, the Board respectfully requests the Circuit Court to appoint three members to said board.

BE IT FURTHER RESOLVED, the per diem compensation for said board members shall be \$35.00.

RE: SANITARY DISTRICT #1 - LIENS

On a motion by Mr. Coakley, seconded by Mr. Quittmeyer, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of James City County, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such system was made and for which the charge was imposed.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E. of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

JAMES CITY COUNTY - SANITARY DISTRICT #1 LIEN LIST

<u>A/C #</u>	<u>Name &amp; Address of Property</u>	<u>Description of Property</u>	<u>Amount Due</u>	<u>Fee</u>	<u>Total</u>
58	Mrs. Hattie Lee Kearney Thomas & L. K. Thomas - 1305 Oak Drive	Deed Book 50/400 (name changed by Roberts Dist. marriage)	48.33	1.00	49.33
80	Roland E. Collier & Ethel E. Collier 706 Mosby Drive	Lot 97, Sec. 5 James Terrace	77.49	1.00	78.49
109	Leslie L. Chalkley & Eileen J. Chalkley 706 Coleman Drive (judgements)	Lot 11, Sec 9, James Terrace	78.00	1.00	79.00
116	Mrs. Sophie A. Klimenko & Nicholas Klimenko - 918 Foley Drive	Lot 26, Sec 8, James Terrace	78.00	1.00	79.00
121	Mrs. Alease Bankston & Wilbur E. Bankston 1203 Merrimac Trail	Part of Wm. M. Lee one-half acre and being 56/456	47.25	1.00	48.25
122	Andrew Ellis & Mary Ellis 1409 Merrimac Trail	Lot 8 & lot 9 Solomon Orange Subdivision	46.50	1.00	47.50
157	Carol J. & Hubert Paul Linton 914 Foley Drive	Lot 28, Sec. 8 James Terrace	46.50	1.00	47.50
171	Roland E. Michelli 918 Coleman Drive	Lot 1, Sec. 8, James Terrace	78.00	1.00	79.00
178	Arthur R. Williams & Rebecca W. Williams 1343 Merrimac Trail	Lot fronting 60 ft. on Merrimac Trail Plat Book 11, page 4, adj. Solomon Orange	78.00	1.00	79.00
190	Winfrey L. Fowler & Minnie Fowler Route 168 Box 1447, Williamsburg	Solomon Orange Subdivision Deed Book 73/330; Plat Book 7/16 (lot 50 ft. by 100 ft.)	78.00	1.00	79.00
265	James A. Kern & Carolyn A. Kern 711 Adams Road	Lot 11 Sec 1, Colonial Park Plat Book 12/41	78.00	1.00	79.00
279	Mark Lust & Katherine B. Lusk 1207 Penniman Road	Lot fronting 95 ft on Penniman Rd. Shown as Lot 28-3 on JCC property maps	78.00	1.00	79.00



<u>A/C #</u>	<u>Name &amp; Address of Property</u>	<u>Description of Property</u>	<u>Amount Due</u>	<u>Fee</u>	<u>Total</u>
280	Mark Lusk & Katherine B. 1209 Penniman Road	Lot part of Estate of J. P. Sharp	78.00	1.00	79.00
328	Franklin Long & Thelma Long 103 Wallace Road	Lot 6 Solomon Orange Subdivision Pt. Sarah Wallis Est. Deed Book 80/303; Plat Book 61/492	78.00	1.00	79.00
336	James E. Davis & Eva Mae Davis 1237 Oak Drive	lots 1 & 2 Old Penniman Road Estate of Thomas Kearney	156.00	1.00	157.00
338	James C. Patterson & Ruth A. Patterson 1315 Oak Drive	Lot 3 Pt. John Cary Estate	78.00	1.00	79.00
344	Ella Mae Cherry & Roosevelt Cherry 1417 Merrimac Trail	Lot C Solomon Orange Subdivision 106/28 (A.B. 55/364 for Sub.); Plat Book 65/287	78.00	1.00	79.00
358	Robert T. Walker & Sarah Walker 1419 Merrimac Trail	Lot 7 Old Penniman Road Pt. Estate of Thomas Kearney	93.75	1.00	94.75
373	Donald Irvin Heath & Nancy L. Heath 909 Coleman Drive	Lot 40, Sec. 8, James Terrace	79.50	1.00	80.50

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RE: SANITARY LANDFILL

Mr. Woody reported the transfer of deed to James City County on September 29, 1971.

Mr. Pettengill stated the land needed posting.

Mr. Woody said he would see that it was posted.

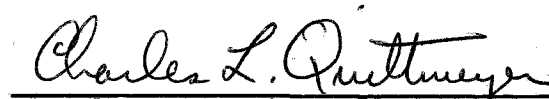
RE: PUBLIC HEARING - C & P TELEPHONE COMPANY

Mr. Scruggs reported that Mr. Carneal, Delegate ably represented James City County at the public hearing in Richmond on C & P's request for a rate increase. He further reported that the 564 numbers will be given some consideration.

Checks #4234 through #4358, totalling \$282,911.76, were certified for payment from the General Fund for the month of September, 1971.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eleventh day of October, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. W. F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

Those present from the Planning Commission: MR. W. J. SCRUGGS, Chairman, MRS. INA FRIEDMAN, MR. JAMES E. HICKS, MR. R. H. MINKINS, MR. W. F. PETTENGILL and MR. A. L. WHITE, III. The Secretary, MR. J. W. KINCAID, performed as recorder for the Planning Commission.

RE: MINUTES

Minutes of the previous meeting were approved.

RE: REPORTS

TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the board.

RE: JOINT PUBLIC HEARING - REZONING - RIVERVIEW PLANTATION - A-1 to R-1

The Chairman, Board of Supervisors opened the joint public hearing and relinquished the Chair to Mr. Scruggs, Chairman of the Planning Commission. Following roll call and determination of a quorum, public comments were solicited concerning rezoning of Riverview Plantation from A-1 to R-1.

Mr. Robert W. Leonard, Stonehouse District, a property owner and spokesman for other residents of Riverview Plantation stated that he had initiated the petitions, was the applicant on behalf of the residents, and that the desire for rezoning was almost unanimous by the homeowners. The Chairman inquired whether deed restrictions were similar to those of a R-1 District. The reply was in the affirmative.

Mr. Percy Carmel of Hampton, Virginia, one of the developers stated that there was no objection to rezoning from A-1 to R-1. However, while most of the property had been platted and recorded, some has not been and he could

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not say whether rezoning to R-1 of the entire subdivision would be good for the unplatted portion. Therefore, he requested that only that portion which had been platted and recorded be rezoned.

Mr. Coakley asked the Zoning Administrator whether the application for rezoning included only the platted portion. He was advised that the application requested rezoning of the entire subdivision.

Mr. Carmel showed the Board members a site plan of the subdivision, pointing out the platted and unplatted areas.

Mr. Leonard stated that the entire subdivision should be rezoned.

Mr. and Mrs. George Douglas commented individually that they felt the entire subdivision should be rezoned.

Mr. Russell Deering of Hampton, one of the property owners stated he was in favor of rezoning only the platted portion.

Mrs. Vaiden identified herself as a local realtor and developer and inquired as to whether property not subdivided could be rezoned. Mr. Scruggs replied that it could.

Mr. John E. Knemeyer, property owner in Riverview Plantation, stated that when he purchased the property he was assured that the subdivision would be developed as residential. He believed that splitting the subdivision as to zoning would not be in the best interest of all.

There being no further comments, the Chairman of the Board of Supervisors closed the public hearing on the matter and as requested by the Chairman of the Planning Commission, permitted deferral of a recommendation until after the next joint public hearing was completed.

RE: JOINT PUBLIC HEARING - PROPOSED AMENDMENTS -BOARD OF ZONING APPEALS

The Chairman of the Board of Supervisors opened the joint public hearing for consideration in amending the Zoning Ordinance by the following proposed amendments, concerning the Board of Zoning Appeals:

Section 13-1-1

Insert the words "residents of the County of James City as " between the words "five" and "members" in the first sentence to read "A board consisting of five residents of the County of James City as members shall be appointed by the Circuit Court of James City County."

Section 13-5-2

Delete the words "requiring an advertised public hearing." The section will read "Appeals shall be accompanied by a certified check for fifty dollars (\$50.00) payable to the Treasurer."

Add new Section -  
Section 13-2-3

To hear and decide appeals from the decisions of the Zoning Administrator, on application for special exceptions for use of property in a manner contrary to provisions of the Zoning Ordinance, provided such use subserves the general welfare and protects community interests. The Board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, and may require a guarantee or bond to insure that the conditions imposed are being, and will continue to be, complied with.

No such special exception may be granted except after notice and hearing as provided by Section 15.1-431 of the Code of Virginia, 1950, as amended.

Add new Section -  
Section 13-2-4

To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by any such question, and after public hearing with notice as required by Section 15.1-431 of the Code of Virginia 1950, as amended, the board may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. The board shall not have the power, however, to rezone property or substantially to change the locations of district boundaries as established by ordinance.

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There being no public comments or any from members of the Board of Supervisors or the Planning Commission, the hearing was closed by the Chairman of the Board of Supervisors and a five minute recess was declared.

The meeting was reconvened and on a motion by Mr. White, seconded by Mrs. Friedman and passed by a unanimous vote, the Planning Commission of the County of James City, VIRGINIA, recommends to the Board of Supervisors that the entire subdivision of Riverview Plantation be rezoned to R-1 from A-1. This recommendation is based upon two reasons: (1) the best interests of the people would be served and (2) complete rezoning would be best for the orderly development of the county.

As to the second joint public hearing, on a motion by Mr. White, seconded by Mr. Minkins and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors, that the amendment to the Zoning Ordinance concerning the Board of Zoning Appeals be adopted.

The Planning Commission then adjourned their meeting.

RE: REZONING - RIVERVIEW PLANTATION A-1 to R-1

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission and rezones the entire subdivision, Riverview Plantation from A-1 to R-1.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED AMENDMENTS - ZONING ORDINANCE - BOARD OF ZONING APPEALS

On a motion by Mr. Pettengill, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission to amend the Zoning Ordinance concerning the Board of Zoning Appeals as the the aforementioned amendments.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	-	Aye
Mr. Pettengill	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - PROPOSED AMENDMENTS - ELECTRICAL CODE ORDINANCE

Mr. Woody read the following proposed amendments to the Electrical Code Ordinance:

- Proposed amendment to the Electrical Code Ordinance that the following fees be set for electrical inspection for Modular Type Homes:  

For 60 amp service.....	\$ 8.00
For 100 amp service.....	10.00
For 150 amp service.....	15.00
For each additional 50 amps add.....	5.00
- Proposed to change the Electrical Code Ordinance wording in Paragraph 1, Line 6 to read:  

"particularly the 1971 Edition thereof and the whole thereof."



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There being no public comment the following motion was presented:

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the aforementioned amendments to the Electrical Code Ordinance.

RE: HAMPTON ROADS SANITATION DISTRICT - KINGSPPOINT TO ROUTE 31

The Board authorized Mr. Woody to contact Hampton Roads Sanitation District Commission to draw a formal agreement on the extension of a trunk line from the area of Kingspoint to Route 31. Mr. Woody said this was necessary, to serve the Powhatan Creek Project and certain areas in Sanitary District #III.

RE: APPOINTMENT - PENINSULAR BICENTENNIAL COMMISSION

The Chairman appointed the following persons to the Peninsular Bicenntennial Commission:

Mr. Howard C. Sawyer  
Mr. Richard W. Coakley

RE: APOINTMENT - SUB-STANDARD HOUSING

The Chairman appointed the following persons to a committee to investigate the advisability of adopting a Substandard Housing Ordinance:

Mr. Warfield Roby  
Mr. Albert White, III, Temporary Chairman  
Mr. Charles S. Steen

RE: RECOMMENDATION FROM PLANNING COMMISSION - RESIDENTIAL AGRICULTURE DISTRICT RA

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission to consider the RA District to be included in the Zoning Ordinance, and tables it for further investigation and study by the Board.

RE: RECOMMENDATION - JOINT PUBLIC HEARING - TOURIST CAMPS - B-1 ZONE

On a motion by Mr. Pettengill, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a joint public hearing at the next regular meeting on November 8, 1971 to add Tourist Camps as a permitted use to the B-1 zone in which camp sites have a setback of two hundred (200) feet or more.

Mr. Woody inquired of Mr. Scruggs, Chairman of the Planning Commission, if the setback of 200 feet or more applies to all sides of a tourist camp if bounded by more than one public road.

Mr. Scruggs replied that the setback was intended to apply to any public road.

RE: DOG AND CAT ORDINANCE

On a motion by Mr. Pettengill, seconded by Mr. Frink, and passed by a majority vote, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission that an ordinance to control the number of dogs and/or cats in a household not be considered.

RE: KOA TOURIST CAMP

Mr. J. Owen Jones, Jr., a partner of Kampgrounds of America, Inc., explained the preliminary sketch of a proposed Tourist Camp in James City County.

Mr. Pettengill pointed out that the entrance as proposed was at the bottom of a steep hill and due to the possible hazardous conditions which might be present, had reservations as to whether the Highway Department would approve the entrance at that location.

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On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves the location of the proposed tourist camp, subject to its being built to meet the provisions of the various ordinances involved and obtaining the approval of the various cognizant authorities.

RE: RECOMMENDATION - JOINT PUBLIC HEARING - REZONING OF EPPS PROPERTY - R3 to B1

Mr. Woody read the following motion made by the Planning Commission:

Mr. J. F. Phillips, Jr., of the Carneal, Smith and Athey Law Firm presented an application for rezoning on behalf of the heirs of the Peter Epps Estate. It is desired to rezone from R3 to B1 two lots fronting on U. S. Highway 60 between Forrest Heights Street and Lightfoot for the purpose of building a restaurant. The property involved is approximately 342 feet by 1400 feet.

On a motion by Mr. Taylor, seconded by Mr. White and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, refers the matter to the Board of Supervisors with the recommendation that, subject to concurrence of the Board, a joint public hearing be held to consider rezoning of the property as indicated in rezoning application 71-7.

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the rezoning of the Epps property for a joint public hearing to be held November 8, 1971.

RE: STREET LIGHTS - JACKSON DRIVE AND THE HAMLET

The Board referred this to the street light committee for their recommendation.

RE: BOYER AND TROTH - INDUSTRIAL AUTHORITY

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby reappoints W. Clyde Boyer and James R. Troth to the Industrial Development Authority for a term of four years.

It was agreed by the Board that Mr. Quittmeyer write to Mr. Boyer, Vice-Chairman of the Authority, to encourage them to take the initiative in bringing in clean types of development to broaden the tax base.

RE: HOLIDAY - OCTOBER 25, 1971 - VETERANS DAY

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote,

WHEREAS, in accordance with Section 2-19, Code of Virginia, 1950, as amended, the 25th day of October (Veterans Day) shall be a legal holiday as to the transaction of all business.

It is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the 25th day of October, 1971 as a legal holiday for county offices and employees.

RE: VIRGINIA HIGHWAY CONFERENCE - VMI

Mr. Woody advised the Board of the Virginia Highway Conference in Lexington on October 28 and 29, 1971.

RE: SEMINAR - EROSION AND SEDIMENT CONTROL - W & M

Mr. Woody reported the seminars on Erosion and Sediment Control will be held beginning October 12, 1971 at 7:45 P. M. through February, 1972. He stated that he and Mr. Kincaid planned to attend some of these seminars.

RE: SECTION 15.1-473 - CODE OF VIRGINIA

Mr. Woody stated correspondence had been received from Prince Edward County asking the Board to consider legislation changing the recording of Subdivision Plats.

The Board requested that the Commonwealth's Attorney attend the next meeting to state his opinion on same.

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RE: SEMINAR - SANITARY LANDFILL

Mr. Woody reported that he and Mr. Kincaid planned to attend the seminar on Sanitary Landfills to be held in Richmond next week.

RE: REGIONAL MEETINGS - LEGISLATIVE PROGRAM 1972

Mr. Woody advised the Board of a regional meeting to be held by the Virginia Association of Counties on October 15, 1971 in Yorktown on the Legislative Program for 1972.

RE: INVITATION - YORKTOWN DAY CELEBRATION

Mr. Woody told the Board of an invitation to the Yorktown Day Celebration to be held October 18 and 19, 1971.

RE: HUD MEETING - NOVEMBER 3, 1971

Mr. Woody advised the Board of a Hud meeting to be held on November 3, 1971, in Richmond the the availability of various HUD programs.

RE: SANITARY DISTRICT II

Mr. Coakley reported that application for a grant in the amount of \$130,000.00 for Sanitary District II had not received priority enough to be considered by the State Water Control Board.

He asked the Board's assistance in sending a telegram to Governor Holton for his aid.

After a general discussion, the following motion was presented:

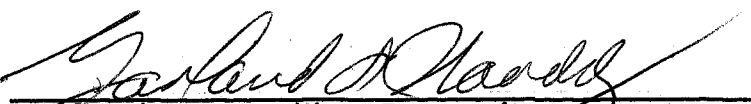
On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia hereby agrees to send the following telegram to be signed by all the Board members:

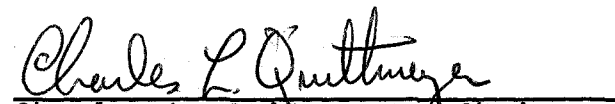
We are asking for your assistance in obtaining reconsideration of James City County Sanitary District #II for a Federal-State grant of \$130,000.00. This area is largely populated by black citizens of a low income level. The area is characterized by ineffective septic tanks, sewerage bubbling from the ground, etc. Many of the wells in the area are contaminated. Yet, the Hampton Roads Sanitation District treatment plant is being built nearby and the waste lines from the Anheuser-Busch plant will pass through the immediate area. This community recently voted overwhelmingly in favor of a bond issue for sewerage. The residents of this district desperately need financial assistance. Thank you for your consideration.

Mr. Quittmeyer suggested that Mr. Frink and Mr. Coakley get together and make recommendations to this Board on specifically what to do in getting help, so the Board can take action along this line.

Mr. Pettengill suggested that Mr. Frink and Mr. Coakley talk to the Chairman of the Service Authority on perhaps the Board using the Authority engineer on a part time basis.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

October 29, 1971

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-ninth day of October, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. WILLIAM F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

The minutes were deferred until the next meeting.

RE: HIGHWAY MATTERS

DRAINAGE, POTHOLES, ETC. - WICKRE STREET

Mr. Woody, requested Mr. Evans, Assistant Resident Engineer to go with him to look at the problem on Wickre Street.

RE: GROVE CROSSING

Mr. Frink reported that he along with Mr. Woody, Mr. Larew, Executive Secretary, York County, both Commonwealth's Attorneys from York and James City County, Highway Department and the C & O Officials, met to discuss the crossing in Grove. He stated that C & O Officials want to keep the crossing closed, due to the danger. Mr. Frink further reported that a letter had been received from Mr. Larew, stating that his Board of Supervisors has requested that the crossing remain closed and that a study be made on the relocation of same.

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Quittmeyer and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby agrees that Mr. Woody and Mr. Frink draw a resolution, to be presented at the November 8, 1971 meeting, recommending that C & O reopen the crossing in Grove and that the Highway Department study same for relocation.

RE: ROUTE 60 - 4-LANING

Mr. Frink said that it had been brought to his attention, that perhaps the Board had made a mistake in requesting the Highway Department to transfer the 4-laning funds of Route 60 from the City Limits to Black's Crossing, to Route 199.

After a general discussion, the following motion was presented:

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia hereby requests the State Highway Department to proceed with the widening and improvements of Route 60 from the City Limits to Black's Crossing.

Mr. Woody suggested that a letter be written to the Highway Department, explaining the reason for the Board's action. The Board concurred.

RE: COUNTY STREET SIGNS

Mr. Quittmeyer asked about the progress of placing street signs in the County.

Mr. Woody replied that \$3,000.00 worth of signs had been placed in the County and \$1,000.00 worth were on order. Mr. Woody advised that the Highway Department put the signs up.

RE: PELICAN CORPORATION

Mr. Pettengill asked Mr. Evans if the Pelican could be distributed in



October 29, 1971

James City County.

Mr. Evans replied he did not know. He stated that these trash cans work well in some areas, but have found in other areas, people use them for dumping their household garbage.

RE: NORGE SCHOOL - CROSSWALK

Mr. Wooddy asked Mr. Evans to have Mr. Jeffrey check his records for a letter concerning a crosswalk on Route 60, in front of the Norge Elementary School.

RE: REPLY - GOVERNOR - TELEGRAM

Mr. Wooddy read the following letter:

Commonwealth of Virginia  
Office of the Governor  
Richmond 23219

October 18, 1971

Messrs: Charles L. Quittmeyer  
Richard W. Coakley  
W. F. Pettengill  
Abram Frink  
Board of Supervisors  
County of James City  
Williamsburg, Virginia

Gentlemen:

In Governor Holton's absence, I should like to thank you for your telegram requesting his assistance in obtaining a Federal-State grant for James City County Sanitary District #2.

I know the Governor will want to have your request, and I shall bring it to his attention when he returns to Richmond.

Sincerely,  
/s/ Alexander G. Gilliam, Jr.  
Special Assistant

RE: BUSINESS AND PROFESSIONAL LICENSE TAX ORDINANCE

On a motion by Mr. Pettengill, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing, to be held December 13, 1971 at 7:30 P. M., the proposed James City County License Tax Ordinance.

RE: PROBATION DEPARTMENT - GRANT APPLICATION

Mr. Wooddy reported that he had a grant application request for the joint probation operation by Williamsburg, James City and York County, for setting up a probation house not to exceed twelve residents. He explained that the Board's concurrence was needed. He also told the Board that York County had concurred and the City had not taken any action. He stated that this will be funded 100% by Federal and State grants.

Mr. Pettengill objected, stating that once the program is set up, the Federal and State funds will be withdrawn and then County funds must be used.

After further general discussion, the following motion was presented:

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the Probation Department Grant Application.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 3 to 1.

October 29, 1971

RE: SCHOOL BONDS

Mr. Quittmeyer asked Mr. Woody to point out the various bond issues the County has.

Mr. Woody replied as follows:

1954 Bond Issue	-	James Blair
1964 Bond Issue	-	Addition to James Blair
		and the building of Rawls
		Byrd and Berkeley
1968 Bond Issue		Norge Elementary School
GO Water Bonds		

Mr. Woody advised he had been working with the County's financial advisors, Wheat and Company and have found that around November 23 will be a good time to sell bonds on the new high school. He stated that resolution would be drawn for the November 8, 1971 meeting for the sale of these bonds. Mr. Woody said that he would have to have authorization from the Board for him to arrange for the sale of these bonds.

On a motion by Mr. Frink, seconded by Mr. Pettengill and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, here directs the Executive Secretary to make the necessary arrangements for the sale of the school bonds for the new high school.

RE: EMERGENCY EMPLOYMENT ACT 1971

Mr. Woody explained that under the President's new Emergency Employment Act of 1971, approximately \$71,000.00 was approved for salaries to be divided between York County, James City County, Gloucester and Williamsburg.

He advised that a letter was written to the Virginia Employment Commission, stating the possibility of hiring a planner under the Federal and State program. He explained that the Board must authorize the Chairman to sign the necessary applications for funds.

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to sign the applications for the aforementioned funds.

Mr. Woody told the Board that this would not commit them.

RE: CONTRACT - JAMES CITY SERVICE AUTHORITY

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to draw a contract between the James City Service Authority and the Board of Supervisors, in reference to the operation and maintenance of the Sanitary Districts.

RE: VIRGINIA ASSOCIATION OF COUNTIES MEETING

Mr. Quittmeyer reported that the Virginia Association of Counties meeting will be held in Fredericksburg on November 7, 8, and 9, 1971.

RE: PARKING LINES - EOC PARKING LOT

Mr. Pettengill asked if parking space lines could be painted on the parking lot at the EOC Building.

Mr. Woody advised that parking spaces would be lost if lines were drawn. He suggested expansion of the parking lot and advised that funds were included in the budget for same.

RE: SOCIAL SERVICES - TRAILER

Mr. Pettengill recommended that the Board investigate the feasibility of putting a trailer with canopy at the back of the EOC Building for the expansion

November 8, 1971  
October 29, 1971

of the Social Services Department. He also suggested that plans begin for finishing the basement in the Courthouse for office spaces.

The Board directed Mr. Wooddy to approach City Council on the matter of the basement and contact the Superintendent of Schools on the cost of trailers for office space.

RE: ROAD VIEWERS

Mr. Frink asked about the disposition of the Road Viewers. Mr. Wooddy stated he had not had time to meet with them and would try to do so as soon as possible.

Mrs. Douglas, Berkeley District commented that Route 60 East, where the widening of Route 60 is being considered, should have sidewalks put in for the safety of the citizens.

Mrs. Linn advised the Board that on November 8, 1971 approximately 20 to 30 American Association of University women will attend the Board meeting.

Checks #4359 through #4459, totalling \$212,540.21, were certified for payment from the General Fund for the month of October, 1971.

There being no further business, the meeting was adjourned.

Garland L. Wooddy, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighth day of November, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMEYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. ABRAM FRINK, Roberts District, MR. MAYO W. WALTRIP, Powhatan District and MR. GARLAND L. WOODDY, Executive Secretary.

Those present from the Planning Commission were: MR. W. J. SCRUGGS, Chairman, MR. A. G. BRADSHAW, Vice-Chairman, MRS. INA M. FRIEDMAN, MR. J. E. HICKS, MR. B. N. HOAR, MR. G. H. MEPHAM, MR. R. H. MINKINS, MR. W. E. SICKLES, MR. A. L. WHITE, III and MR. J. W. KINCAID, Secretary.

Mr. Quittmeyer welcomed Mr. Mayo Waltrip, Powhatan District to the Board.

RE: MINUTES

The minutes of the two previous meetings were approved.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: JOINT PUBLIC HEARING - REZONING OF PETER EPPS ESTATES FROM R-3- TO B-1

The Chairman of the Board of Supervisors opened the joint public hearing and relinquished the Chair to Mr. Scruggs, Chairman of the Planning Commission. Following roll call and determination of a quorum, public comments concerning re-zoning of the property of the Peter Epps Estate from R-3 to B-1 were solicited.

Mr. Russell M. Carneal of Carneal, Smith and Athey law firm, represented the heirs of the Peter Epps Estates. Mr. Carneal spoke in favor of rezoning to permit selling of the property, so that a seafood restaurant could be built by

November 8, 1971

Fass Brothers, Incorporated.

Mr. Coakley inquired as to whether the property, was originally zoned for industry and was advised that it was A-2.

Mr. Quittmeyer inquired as to why it was zoned R-3. The Chairman of the Planning Commission stated that it was zoned R-3 to protect the property owners in the area.

Rev. Junius H. Moody spoke as representative of the Improvement League of Lightfoot, advising that seventy-five persons had signed a request to have the area remain R-3. He indicated the proposal appears to be spot zoning. He posed in essence the following several questions:

Does spot zoning set an undersirable precedence for James City County?

Will business be beneficial to James City County and not detrimental to the community?

In the future will spot zoning result in homes being surrounded by undesirable businesses?

There being no further comments, the Chairman of the Board of Supervisors closed the joint public hearing and with concurrence of the Planning Commission, deferred receiving a recommendation from the Commission until after the next joint public hearing was completed.

RE: JOINT PUBLIC HEARING - AMENDMENT OF USE REGULATIONS TO PERMIT TOURIST CAMPS IN B-1 DISTRICTS

The Chairman of the Board of Supervisors opened the joint public hearing for consideration of amending the Use Regulations for the B-1 District to permit Tourist Camps with a setback of two hundred feet for the camp sites.

The Chair was relinquished to the Chairman of the Planning Commission.

Mr. Earl Heath from Powhatan District, stated he was in favor of amending the Use Regulation with a setback of one hundred feet. He was interested in having a tourist camp on the former Indian Village site on Route 31 and believed that the camp sites would be screened from Route 31 by the heavy trees.

Mr. Scruggs inquired as to the number of camp sites on the road. Mr. Heath stated that thirty-five camp sites would be located on the road, each site would contain about two thousand square feet and a miniature golf course would be in the front of the sites.

Mr. Coakley asked Mr. Scruggs if the effect on Jamestown Road and the future development of Route 31 had been considered. Mr. Scruggs advised that tourist camps with a setback of two hundred feet might be included in a new business zone, which is under study.

Mr. Frink asked Mr. Scruggs what would be within the two hundred feet setback. Mr. Scruggs advised that swimming pools, etc., was contemplated which in turn would result in more quietness for the campers.

Mr. Coakley commented that if problems were considered haphazardly, James City County would have nothing but tourist camps and mobile home parks. Also, he felt that this use should be interspersed with other uses. He then asked whether building of the tourist camp as proposed on Route 31 would present a conflict with future use of the highway.

Mr. White replied that the Planning Commission considered tourist camps to be of a temporary nature, that is useful for ten or twelve years. As to the future, these camps would be coming and going and since little money is



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invested they could be torn down if necessary.

Alice Elliott, a member of the American Association of University Women inquired as to whether Mr. Heath had started work and how long would the camp be used.

Mr. Heath stated that he had a twelve year lease and in response as to the number of units stated that two hundred and four sites were envisioned.

She then asked whether at the end of twelve years more sites would be wanted. Mr. Heath advised that the parcel involved thirty-five acres.

Mr. Waltrip asked whether a Conditional Use Permit would be required. Mr. Woody advised in the affirmative.

Mr. Frink inquired as to whether a variance was being requested.

Mr. Scruggs replied that consideration was being given for amending the uses in the B-1 District to permit tourist camps with two hundred feet setback for the camp sites.

Mr. Woody commented that Mr. Heath asked for a setback of one hundred feet versus two hundred feet and that the site plan had not been submitted for review.

Mr. Heath stated that the largest camp site in James City County is in a B-1 zone and improvements are being made. He felt that camp sites certainly are businesses. Further, he did not object to a setback of two hundred feet for campsites, because he would be able to obtain additional property.

There being no further comments the hearing was closed by the Chairman of the Board of Supervisors and a five minute recess was declared.

The meeting was reconvened to consider the rezoning of the Epps Estate and on motion by Mr. Sickles, seconded by Mr. Minkins, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the property not be rezoned to B-1 as requested and that consideration not be given until such time as the majority of the residents of the area request rezoning.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Scruggs	-	Aye
Mr. Bradshaw	-	Aye
Mrs. Briedman	-	Aye
Mr. Hicks	-	Aye
Mr. Hoar	-	Nay
Mr. Mephram	-	Aye
Mr. Minkins	-	Nay
Mr. Sickles	-	Aye
Mr. White	-	Aye

Motion carried by a majority vote.

As to the joint public hearing to consider amendment of Use Regulations to permit Tourist Camps in a B-1 District, on a motion by Mrs. Friedman, seconded by Mr. Mephram, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that Tourist Camps be included as a use in the B-1 District with a setback of two hundred feet or more for camp sites.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Scruggs	-	Aye
Mr. Bradshaw	-	Aye
Mrs. Friedman	-	Aye
Mr. Hicks	-	Aye
Mr. Hoar	-	Aye
Mr. Mephram	-	Aye

November 8, 1971

Mr. Minkins	-	Aye
Mr. Sickles	-	Aye
Mr. White	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting of the Planning Commission was adjourned.

RE: REZONING - PETER EPPS ESTATES - R-3 TO B-1

On a motion by Mr. Frink, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: PROPOSED AMENDMENT - TOURIST CAMPS - B-1

On a motion by Mr. Coakley, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby agrees that the recommendation of the Planning Commission be tabled for further study by the Planning Commission to determine the future of such uses, not only in B-1, but A-1 and A-2.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SCHOOL BONDS (11/23/71 - Special Meeting - 11:00 A.M.)

On a motion by Mr. Coakley, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF  
\$3,820,000 SCHOOL BONDS OF JAMES CITY COUNTY,  
VIRGINIA, HERETOFORE AUTHORIZED, AND PROVIDING  
FOR THE FORM, DETAILS AND PAYMENT THEREOF

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

1. The contracting of a debt and the issuance of school bonds of James City County, Virginia, in the maximum amount of \$3,824,100, having been approved at an election held in the County on January 26, 1971, and none of such bonds having been sold, there are hereby authorized to be issued and sold \$3,820,000 bonds of such authorized amount.

2. The bonds shall be coupon bonds without privilege of registration, shall be designated "School Bonds," shall be dated December 1, 1971, shall be of the denomination of \$5,000 each, shall be numbered from 1 to 764, inclusive, and shall mature in annual installments of \$100,000 on January 1 in each of the years 1974 to 1978, inclusive, \$250,000 on January 1 in each of the years 1979 to 1990, inclusive, and \$320,000 on January 1, 1991, without option of prior redemption. The bonds shall bear interest at such rate or rates as determined at the time of sale, payable on July 1, 1972, and thereafter semiannually on January 1 and July 1. Both principal and interest shall be payable at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, or the Bank of New York, New York, New York, at the option of the holder.

3. The bonds shall be signed by the facsimile signature of the Chairman of the Board of Supervisors, shall be countersigned by the Clerk of the Board and a facsimile of the Board's seal shall be printed on the bonds. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the Chairman and Clerk.

4. The bonds and coupons shall be in substantially the following form:

November 8, 1971

## (FORM OF BOND)

No. \_\_\_\_\_

\$5,000

UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA  
JAMES CITY COUNTY

School Bond

James City County, Virginia, for value received, hereby acknowledges itself indebted and promises to pay to bearer upon presentation and surrender hereof the sum of

FIVE THOUSAND DOLLARS (\$5,000)

on January 1, 19\_\_\_\_, and to pay interest thereon from the date hereof to maturity at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per year, payable on July 1, 1972, and thereafter semiannually on January 1 and July 1 upon presentation and surrender of the attached coupons as they become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York at the option of the holder.

This bond is one of an issue of \$3,820,000 school bonds of like date and tenor, except as to number, rate of interest and maturity, authorized at an election in the County on January 26, 1971, and is issued pursuant to the Public Finance Act, as amended, to provide funds for public schools.

The full faith and credit of James City County are hereby irrevocably pledged for the payment of principal of and interest on this bond.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of James City County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by the facsimile signature of its Chairman, to be countersigned by its Clerk, a facsimile of its seal to be printed hereon, the attached interest coupons to be authenticated by the facsimile signatures of its Chairman and Clerk, and this bond to be dated as of December 1, 1971.

COUNTERSIGNED:

(SEAL)

\_\_\_\_\_  
Clerk, Board of Supervisors  
of James City County,  
Virginia

\_\_\_\_\_  
Chairman, Board of Supervisors  
of James City County,  
Virginia

## (FORM OF COUPON)

No. \_\_\_\_\_

\$ \_\_\_\_\_

January  
On July 1, 19\_\_\_\_, James City County, Virginia, will pay to bearer the amount shown hereon in lawful money of the United States of America at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York, at the option of the holder, being the semiannual interest then due on its School Bond dated December 1, 1971, and numbered \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of Supervisors of  
James City County, Virginia

\_\_\_\_\_  
Chairman, Board of Supervisors of  
James City County, Virginia

5. The full faith and credit of James City County are hereby irrevocably pledged for the payment of principal of an interest on the bonds. There shall be levied and collected annually on all locally taxable property in the County an ad valorem tax over and above all other taxes authorized or limited by law sufficient to pay such principal and interest as the same respectively become due and payable.

6. The Clerk is hereby authorized and directed to take all proper steps to advertise the bonds for sale substantially in accordance with the Notice of Sale attached hereto as Exhibit A.

7. After bids have been received and the bonds awarded, the Chairman and Clerk are hereby authorized and directed to take all proper steps to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to the purchaser thereof upon payment therefor.

8. The proceeds from the sale of the bonds shall not be invested, except for a temporary period until such proceeds are needed for the purpose specified herein, in securities the yield on which in the aggregate exceeds by more than one-half of one percent the yield of the bonds (such yields computed on an adjusted basis permitted by regulations adopted to implement Section 103(d) of the Internal Revenue Code of 1954, as amended).

9. The Clerk is hereby authorized and directed to see to the immediate filing of a certified copy of this resolution with the Circuit Court for the City of Williamsburg and the County of James City.

November 8, 1971

10. This resolution shall take effect immediately.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Woody read the following letter:

HUNTON, WILLIAMS, GAY, POWELL & GIBSON  
700 East Main Street  
P. O. Box 1535  
Richmond, Virginia 23212

November 3, 1971

Board of Supervisors of  
James City County  
Williamsburg, Virginia

Virginia Conflict of Interest Act

Gentlemen:

The undersigned with whom you have contracted and propose to continue to contract for legal services as your bond counsel in connection with the issuance and sale of bonds of James City County and its sanitary districts makes the disclosure shown on the attached list of the members or associates (or their spouses) who are officers or employees of "governmental agencies" of the Commonwealth of Virginia. This disclosure is being made pursuant to § 3 (a) (2) of the Virginia Conflict of Interest Act.

Very truly yours,

/s/ Hunton, Williams, Gay,  
Powell & Gibson

213/267  
Attachment

cc: Dr. Lucien D. Adams  
Superintendent  
Richmond Public Schools

Hon. John B. Boatwright, Director  
Division of Statutory Research  
and Drafting

Hon. Marvin M. Sutherland  
Director  
Board of Conservation and  
Economic Development

J. Robert Bray, Esquire  
Counsel  
Virginia Port Authority

STATEMENT OF "INTERESTS" IN GOVERNMENTAL AGENCIES  
BY MEMBERS OR ASSOCIATES (OR THEIR WIVES) OF HUNTON,  
WILLIAMS, GAY, POWELL & GIBSON

<u>Name of Partner or Associate</u>	<u>Agency</u>	<u>Relationship</u>
Randolph F. Totten	City of Richmond School Board	Wife, Virginia H. Totten, is employed as a teacher
Joseph C. Carter, Jr.	Board of Conser- vation & Economic Development	Member
Eugene E. Derryberry	City of Richmond School Board	Wife, Evelyn Derry- berry, is employed as a teacher
George H. Hettrick	Virginia State Ports Authority	Member
Lewis T. Booker	City of Richmond School Board	Trustee
Mark S. Dray	City of Richmond	Wife, Jonadell Dray is employed as a teacher
While it is considered that the Division of Statutory Research and Drafting is an "advisory agency" not included within the definition of "governmental agencies" the following additional disclosure is made in case of any doubt.		
Allen C. Goolsby, III	Division of Statutory Research & Drafting	Wife, Katherine L. Goolsby, is employed as staff attorney
Harry J. Warthen, III	Division of Statutory Research and Drafting	Wife, Sally T. Warthen, is employed as staff attorney



November 8, 1971

On a motion by Mr. Coakley, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of James City County has for some time retained the firm of Hunton, Williams, Gay, Powell & Gibson, Richmond, Virginia, as its bond counsel in connection with the issuance and sale of all bonds of the County and proposes to retain such firm for its several sanitary districts; and

WHEREAS, the Board of Supervisors has received a disclosure by Hunton, Williams, Gay, Powell & Gibson pursuant to § 3(a) (2) of the Virginia Conflict of Interest Act of certain members and associates of such firm, and spouses of members or associates, who serve governmental agencies other than the County;

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

1. Hunton, Williams, Gay, Powell & Gibson, Richmond, Virginia, shall be retained as bond counsel in connection with the issuance and sale from time to time of bonds of James City County and its sanitary districts.

2. The agreement to retain Hunton, Williams, Gay, Powell & Gibson as bond counsel is a contract for legal services which, in the judgment of the Board of Supervisors, in the public interest should not be acquired through competitive bidding.

3. This resolution shall be filed as a matter of public record with the minutes of this meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows;

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Woody advised the Board that bids for the bonds will be opened November 23, 1971 in Richmond and it will be necessary for the Board to call a special meeting for that day.

RE: GROVE CROSSING - ROUTE 60 EAST

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City, Virginia, has been advised that the grade crossing of the C & O Railway on Route 60 East, known as the Grove Crossing, has been closed by the Railway Company; that the C & O Railway has by letter dated October 19, 1971, outlined its reasons for closing same; that this crossing is not in the highway system; that in order to cross the C & O tracks the traveling public must now use the Black's Crossing or Lee Hall crossing; that the closing of this crossing has inconvenienced the citizens of the Grove area of James City County and the general motoring public, and

WHEREAS, the people have used said crossing for a period exceeding twenty (20) years and that such use has been exclusive, lasting, uninterrupted, visible and actual; that the people have acquired a right to use said crossing and further, that this right has developed into an easement by prescription and it is unlawful for C & O Railway to revoke said right, and

WHEREAS, the Board of Supervisors of James City County has considered the matter and are of the opinion, that the heretofore mentioned grade crossing should be reopened; that a study should begin immediately in an effort to relocate Grove Crossing.

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

1. The Grove Crossing be reopened in the best interest of the public.
2. That the Highway Department of the Commonwealth of Virginia is hereby requested to conduct a study and survey for the relocation of this crossing, preferably east of the present location.

Mr. Frink stated that the Virginia Gazette had printed that there were 25 signatures on the petition to reopen the Grove Crossing and he wanted the figure to be corrected to read 135.

RE: REGISTRAR - MRS. TRAUTMAN

Mr. Woody reported that Mrs. Winstead had resigned her position as General Registrar, which the Electoral Board has accepted, appointing Mrs. Judith E. Trautman, as a full time registrar.

On a motion by Mr. Frink, seconded by Mr. Waltrip and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby

November 8, 1971

directs the Executive Secretary to draw a resolution for the next meeting, for transferring the necessary funds.

On a motion by Mr. Coakley, seconded by Mr. Quittmeyer and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby offers Mrs. Winstead their vote of thanks for the many long hours and hard work.

RE: SHERIFF BRENEGAN - DEPUTIES

On a motion by Mr. Frink, seconded by Mr. Coakley and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to write a letter to Mr. Rasnick, Executive Secretary of the Compensation Board, requesting said Board that a minimum salary be set in the amount of \$6,570.00 for the Sheriff's Deputies.

RE: RICHARDSON - MEADOWS TRACT

Mr. Woody read the following resolution from the James City County School Board:

28 October 1971

WHEREAS, the School Board of James City County has declared the Richardson-Meadows tract surplus for school building purposes; and

WHEREAS, there is a pending acquisition by the State Highway Department of portions of this property; and

WHEREAS, there are indications of considerable interest in the purchase of this land; and

WHEREAS, the School Board of James City County feels that this property should be returned to productive use and placed on the county tax rolls.

BE IT HEREBY RESOLVED, that the James City County School Board request that the James City County Board of Supervisors take immediate action to have the Richardson-Meadows tract appropriately rezoned.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to turn this request over to the Planning Commission for their consideration and recommendations.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF SEASON'S TRACE SUBDIVISION AREA FROM A-1 TO R-3

Mr. Woody read the extract from the Planning Commission's minutes on Season's Trace Subdivision as follows:

"Following a general discussion of the Application for Rezoning of the Season's Trace Subdivision area, including the advisability of extending the area involved, upon a motion by Mr. White, seconded by Mr. Sickles and passed by a majority vote, the Planning Commission of the County of James City, Virginia, refers the matter to the Board of Supervisors with the recommendation that subject to concurrence of the Board, a joint public hearing be held during the regular December meeting, to consider rezoning only the property indicated in rezoning application 71-8. In the event the Board of Supervisors does not concur with a joint public hearing, the Secretary is directed to advertise for a public hearing by the Planning Commission."

After a general discussion, the Board agreed that separate public hearings should be held by the Planning Commission and the Board of Supervisors to give the Board time to digest comments from the public.

RE: SPECIAL USE APPLICATION OF B. E. GEDDY

Mr. Quittmeyer read the following extract from the minutes of the Planning Commission:

"Consideration was given to the special use application submitted by Mr. B. E. Geddy in his letter of October 21, 1971 for construction of a single family dwelling on his property in an M-1 district at Toano, Virginia. Upon motion by Mr. White, seconded by Mr. Sickles and passed by a majority vote, the Planning Commission of the County of James City, Virginia, refers the matter to

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the Board of Supervisors with the recommendation that, subject to concurrence of the Board, a joint public hearing be held to consider application as it might be applicable to Section 12-4 of the Zoning Ordinance. In the event the Board of Supervisors does not concur with a joint public hearing, the Secretary is directed to advertise for a public hearing by the Planning Commission."

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby returns the recommendations on Season's Trace and B. E. Geddy to the Planning Commission, so that separate public hearings can be held on same.

RE: TWIN OAKS MOBILE HOME PARK/TOURIST CAMP

Mr. Woody read the following extract from the minutes of the Planning Commission:

"Mr. Worth L. Lyerly of the Great Atlantic Real Estate Agency presented a preliminary sketch of the proposed Twin Oaks Mobile Home Park/Tourist Camp in the area at the termination point of Route 674. Upon a motion by Mr. Mephram, seconded by Mr. Hoar, and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the preliminary sketch be approved in principle, subject to approval of sanitary facilities by the Board of Health, to permit formulating of a preliminary or final plan for further review."

After a general discussion the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby approves the preliminary sketch in principle, subject to approval of sanitary facilities by the Board of Health, to permit formulating of a preliminary or final plan for further review.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Nay
Mr. Quittmeyer	-	Nay
Mr. Frink	-	Aye

Mr. Woody reported a tie vote and stated that according to the State Code, that when a tie vote occurs, with a member absent, that the matter is tabled until all members are present. He said he would place this on the agenda for the next regular meeting.

RE: REQUEST - HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody read the following letter:

November 2, 1971

James City Service Authority

Mr. Garland Woody  
Executive Secretary  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

It would be appreciated if you would request permission from the Hampton Roads Sanitation District Commission to tie our proposed sewage work Project #3 - Route 60 East into the Hampton Roads - Williamsburg force main. We would like to tie into their force main at approximately station 124 \* 15, (their station).

As you know we expect to advertise our project in the very near future and would therefore appreciate having permission granted at their earliest convenience.

Yours sincerely,

/s/ W.C. Johnson

W. C. Johnson  
Administrator

On a motion by Mr. Coakley, seconded by Mr. Frink and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to request Hampton Roads Sanitation

November 8, 1971

District Commission for a tie-in for James City Service Authority Project 111.

RE: HOLIDAY - NOVEMBER 25, 1971 (THANKSGIVING DAY)

On a motion by Mr. Coakley, seconded by Mr. Frink, and passed by a unanimous vote,

WHEREAS, In accordance with Section 2-19, Code of Virginia, 1950, as amended, the 25th day of November (Thanksgiving Day) shall be a legal holiday as to the transaction of all business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the 25th day of November, 1971 as a legal holiday for county offices and employees.

RE: MAINTENANCE AGREEMENT - MOTOROLA

On a motion by Mr. Coakley, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees that all maintenance on radio equipment, tower, etc., be put together in a single package for bids to other companies other than Motorola.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote.

On a motion by Mr. Quittmeyer, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to do whatever needs to be done in the interim, until a decision is made on a maintenance contract.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SIGN ORDINANCE


Mr. Coakley reminded the Board that nothing had been done on a sign ordinance for James City County. He stated he had studied the sign ordinance which York County has and is in favor of adopting a similar ordinance.

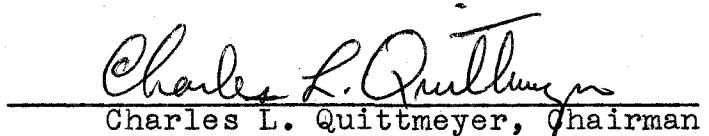
Mr. Frink asked Mr. Scruggs about the status of the sign ordinance drawn by the Planning Commission.

Mr. Scruggs stated it had been presented to the Board on an unofficial basis and was returned to the Planning Commission.

The Board agreed that the present sign ordinance prepared by the Planning Commission be presented to the Board on an official basis at their earliest convenience.

There being no further business, the meeting was adjourned to reconvene November 23, 1971 at 11:00 A. M.

  
Garland L. Wooddy, Executive Secretary

  
Charles L. Quittmeyer, Chairman



November 30, 1971

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirtieth day of November, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. W. F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District, MR. MAYO W. WALTRIP, Powhatan District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

The minutes of the previous meeting were approved.

RE: DECALS/LICENSE - BIDS

Mr. Woody read the following bids:

J. P. Bell Company, Inc.

November 26, 1971

James City County  
Mr. Garland Woody  
Executive Secretary  
Williamsburg, Virginia

Dear Mr. Woody:

We are pleased to give you the following price and information on your 1972 Auto License Decal requirements:

14,000 - Dry Seal Decals, Size 3 x 3, using the picture of  
Ship on clear background with one color of ink on  
Front and instructions printed on Back  
.....\$840.00 lot, plus  
45.00 set up charge

These prices are F. O. B. Williamsburg, Virginia and delivery would be 4 - 5 weeks after return of proof.

Enclosed are samples of decals we are selling to other counties and cities.

Thank you for this opportunity.

Sincerely yours,  
J. P. Bell Company, Inc.  
/s/Curtis W. Merritt

Curtis W. Merritt  
Sales Representative

Shelburne Advertising, Inc.

November 26, 1971

Mr. Garland L. Woody  
Executive Secretary  
James City County  
P. O. Box JC  
Williamsburg, Virginia 23185

Re: - Vehicle License Decal Quotation

- #1. Quantity: 13,000 to 15,000
- #2. Size: 3" x 3"
- #3. Material: Acetate for inside use and vinyl for outside use.  
Transparent backing sheet for all inside decals.
- #4. Numbering: As requested
- #5. Printing: One color on a different color background with  
instructions on backside.
- #6. Our decals are manufactured within the State of Virginia here  
in Virginia Beach.
- #7. Delivery: Not later than 2/10/72 or as requested.
- #8. All prices F. O. B. Virginia Beach: Original setup \$20.00.
- #9. Price per 1,000 decals - \$44.72.
- #10. Please submit bid summary.
- #11. Please note all above specifications were given to me by the Executive  
Secretary's Secretary, on 11/23/71 and any deviation thereof will void  
this quotation.

/s/R. M. Shelburne

After a general discussion, the following motions were presented:

On a motion by Mr. Quittmeyer, the Board of Supervisors of the County of James City, Virginia, hereby agrees to replace automobile license tags with decals.

November 30, 1971

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Pettengill, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby accepts Shelburne Advertising, Inc. bid for decals at \$44.72 per 1,000 with an additional charge of \$20.00 for a setup fee.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Pettengill, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby agrees that the decals will become effective March 15, 1972 and that a fee of \$.50 be charged per transfer.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby agrees to keep the red metal fire tags for the Fire Department and Rescue Squad.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
DRAINAGE - HOLLY ROAD

Mr. Woody read a letter from Mr. Page Blanks, Holly Road concerning "an intolerable drainage situation existing along Holly Road and at the intersection of Oak and Spring Roads." The letter further stated that due to the stagnant water at these locations during the summer months, the mosquitoes were almost unbearable.

Mr. Woody explained when these mosquito request come in, he turns the request over to the person in charge of spraying. He stated he did not recall whether he had contacted Mr. Jeffrey on this drainage problem.

Mr. Jeffrey stated he would check into the matter.

RE: DRAINAGE - CARRIAGE ROAD AND DEBRA CIRCLE

Mr. Woody reported that some time ago, highway personnel opened up a drainage culvert. He stated that the drainage from the road stands in peoples

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yards everytime it rains. Mr. Wooddy suggested that the culvert be closed so the water will go to natural drainage.

RE: DRAINAGE - WICKRE STREET

Mr. Wooddy asked Mr. Jeffrey if Mr. Evans had looked into the drainage problem on Wickre Street.

Mr. Jeffrey replied that he would check with Mr. Evans.

RE: POTHOLES - ROUTE 612

Mr. Wooddy asked Mr. Jeffrey to check the potholes on Route 612, specifically in front of John Minor's home.

RE: CUL-DE-SACS - GROVE

Mr. Frink asked about the progress on the cul-de-sacs in Grove.

Mr. Jeffrey replied that the funds are available, together with rights of ways, but delay has been due to the rain.

RE: POWHATAN DRIVE

Mr. Jeffrey reminded the Board of the easement for Powhatan Drive, as he did not want the County to get into past situations of losing the funds.

Mr. Wooddy stated he had sent the easement contract to Mr. Stein sometime ago, but has not heard from him. He commented he would call him.

Mr. Jeffrey also mentioned Cypress Drive and the easements necessary there.

Mr. Wooddy told Mr. Jeffrey that he would send him a list of the roads he has on file.

RE: TWIN OAKS MOBILE HOME PARK/TOURIST CAMP - TIE VOTE

On a motion by Mr. Pettengill, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees that the preliminary sketch be approved in principle, for Twin Oaks Mobile Home Park/ Tourist Camp, subject to approval of sanitary facilities by the Board of Health and with the understanding that the property owner will meet the requirements of the various ordinances.

Mr. Pettengill stated that he had looked at the property several times and it had a natural buffer zone and screening and since major highways would be used, he foresaw no traffic problem.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SCHOOL BONDS - RESOLUTION

Mr. Wooddy read the following resolution:

WHEREAS, the Board of Supervisors of James City County on November 8, 1971 adopted a resolution entitled "Resolution Authorizing the Issuance and Sale of \$3,820,000 School Bonds of James City County, Virginia, Heretofore Authorized, and Providing for the Form, Details and Payment Thereof," to which was attached a Notice of Sale providing for the public sale of said bonds on November 23, 1971; and

WHEREAS, subsequent to the adoption of said resolution officials of the County were advised by Wheat & Co., Inc., the County's financial advisors, to postpone indefinitely the sale of said bonds due to the decision by major New York underwriters to suspend bidding on local school bonds until legal questions raised by litigation attacking local real estate taxes as the basis for financing public education have been resolved; and

WHEREAS, in accordance with said advice the bond sale was called off;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, that the action of representatives of the County in calling off the bond sale are

November 30, 1971

hereby approved and the aforesaid resolution is hereby rescinded and shall be of no further force and effect.

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above resolution.

Mr. Coakley explained that pending litigation before the U. S. Supreme Court concerning the use of real estate taxes to support school systems was causing the delay in selling the school bonds.

Mr. Quittmeyer asked Mr. Donaldson, Supervisor-elect for Jamestown District, advice on the matter. Mr. Donaldson suggested that Mr. Miller, State Attorney General be asked to intervene at the U. S. Supreme Court.

After further general discussion, the Executive Secretary was directed to ask Mr. Person, Commonwealth's Attorney to take the necessary steps for this procedure.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPLY - GOVERNOR'S OFFICE - SANITARY DISTRICT #11

Mr. Woody read the following letter:

Commonwealth of Virginia

Office of the Governor

Richmond 23219

November 19, 1971

Messrs. Charles L. Quittmeyer  
Richard W. Coakley  
W. F. Pettengill  
Abram Frink  
Board of Supervisors  
County of James City  
Williamsburg, Virginia

Gentlemen:

I am responding on behalf of Governor Holton to your telegram which was acknowledged earlier by Mr. Alexander Gilliam.

We can appreciate the concern of the James City County Board of Supervisors over this matter, however, based on the information that was obtained from the State Water Control Board, a more appropriate solution to the problem appears to be proper operation and maintenance of the septic tank systems. We realize, of course, that this is only an interim solution to the problem, but it would abate the potential health dangers that now exist until the project can receive sufficient priority points under the Board's Grants Program. Staff of the State Water Control Board have advised that they will re-rate this project on or about May 1, 1972.

In the event that this problem becomes one of stream pollution, please inform the Water Control Board. You may be assured that the Board will look upon the County's request in a more favorable light when the streams of the Commonwealth become involved.

Thank you for bringing this problem to our attention.

Sincerely,

/s/ T. Edward Temple

T. Edward Temple

cc; Mr. A. H. Paessler

Mr. Woody said the County has applied to the Farmers Home Administration for a \$129,000.00 addition to a loan already secured for the project. Mr. Woody further states that if the Water Control Board approves the application



November 30, 1971

for EPA funds in May, these funds can be applied to repayment of the FHA loan.

RE: SANITARY DISTRICT #111

Mr. Coakley asked what the situation is on Sanitary District #111.

Mr. Woody replied that the county engineer has proven that the joint water and sewerage program for Sanitary District #111 is not feasible. He further explained that the county engineer is drafting a separate proposal for a sewerage project, to be presented to HUD.

RE: REPLY - MR. FUGATE - ROUTE 60 EAST

Mr. Woody read the following letter:

Department of Highways

November 22, 1971

Proposed Improvements -  
Routes 199 and 60  
City of Williamsburg  
James City and York Counties

Mr. Garland L. Woody  
Executive Secretary  
James City County Courthouse  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

I would like to acknowledge and thank you for your letter of November 17, together with an extract of the minutes of your Board's meeting of October 29, all pertaining to the subject matter.

Will you please advise the Board that the Highway Commission has not transferred any funds earmarked for Route 60 to the Route 199 project. It has always been our thinking that if sufficient funds are available it would be highly desirable to schedule that Route 60 project concurrently with one of the projects on Route 199.

You may be sure that the Highway Commission is aware of the Board's interest in both of these projects. We are hopeful that the coming session of the General Assembly will see fit to provide additional revenue whereby this critically needed work can be provided at an early date.

Sincerely,

/s/ Douglas B. Fugate

Douglas B. Fugate, Commissioner

RE: EMPLOYEES HOSPITALIZATION INSURANCE - ORDINANCE

Mr. Woody reported that Mr. Person, Commonwealth's Attorney, has advised him that an ordinance will be necessary for obtaining or changing the Employees Hospitalization Program.

Mr. Woody read the following proposed ordinance:

AN ORDINANCE TO ESTABLISH A SYSTEM OF GROUP HEALTH AND LIFE INSURANCE COVERING THE OFFICERS AND EMPLOYEES OF THE COUNTY OF JAMES CITY, VIRGINIA, ESTABLISHING A FUND FOR THE PAYMENT OF A PORTION OF THE PREMIUMS PURSUANT TO THE AUTHORITY OF 51-112 OF THE 1950 CODE OF VIRGINIA AS AMENDED.

Be it ordained by the Board of Supervisors of the County of James City, Virginia, pursuant to 51-112 of the 1950 code of Virginia as amended as follows:

SECTION 1: There is hereby established a fund for the payment of premiums for group health and life insurance to be funded from time to time by such amounts as may be necessary from the treasury of the County of James City and through payroll deductions from the participants in such proportion as may be prescribed by resolution of the Board of Supervisors of the County of James City, Virginia.

SECTION 2: The Board of Supervisors of the County of James City, Virginia, is authorized and empowered to contract with any insurance company or companies to implement and carry into effect such group policies.

SECTION 3: The effective date of this ordinance shall be the date of adoption.

Mr. Woody suggested that the Board declare this an emergency ordinance, to enable the County to transfer to Travelers Insurance Company on December 15, 1971.

On a motion by Mr. Coakley, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby adopts the heretofore mentioned ordinance on an emergency basis.

November 30, 1971

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise said proposed ordinance for a public hearing to be held January 10, 1972 at 7:30 P. M.

RE: REPAY - GENERAL FUND LOANS  
SCHOOL CONSTRUCTION LOAN

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to repay the County loans as funds become available and to set up school construction loans.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REFUND OF REAL ESTATE TAXES - McCALL - BOARD OF EQUALIZATION

On a motion by Mr. Pettengill, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Equalization of Real Estate Assessment for the County of James City, has entered an order dated November 15, 1971, changing the assessment of Lot 94, Section B, Plat 3, Birchwood, recorded in the James-town Land Book, Page 61, Line 22, from \$8,790.00 to \$7,770.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, Wilfred J. and Virginia McCall have paid the amount of \$369.18 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$42.84.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, directs the Executive Secretary to draw a check in the amount of \$42.84, payable to Wilfred J. and Virginia McCall.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - WILLIAMSBURG-JAMES CITY COUNTY COMMUNITY ACTION AGENCY

Mr. Woody said that the Community Action Agency, by letter, is requesting the Board's cooperation to help the family of Mrs. Elizabeth Owens. The letter explained that the Board of Supervisors were holding a lien judgment in the amount of \$11.18 plus interest from January 1, 1958 to present, against the property of Preston Owens, Sr., deceased. They asked the Board to consider the following:

1. not charging interest, only changing balance;
2. disregarding the whole bill.

The Board directed the Executive Secretary to ask the Commonwealth's Attorney's opinion on same.

November 30, 1971

RE: REQUEST - SERVICE AUTHORITY - PROJECT #4

Mr. Wooddy read the following letter:

November 18, 1971

James City Service Authority

Mr. Garland Wooddy  
 Executive Secretary  
 P. O. Box JC  
 Williamsburg, Virginia

Dear Mr. Wooddy:

I have been advised by members of the James City Service Authority that after their study of the Feasibility Report for Water and Sewage Facilities in the Busch Development Area, they are willing to undertake this project.

As a result, it would be appreciated if you would take the necessary steps to have the area involved designated as a Project Area of the James City Service Authority.

Yours sincerely,

/s/ W. C. Johnson

W. C. Johnson  
 Administrator

Mr. Frink suggested that this matter should be tabled and a meeting set up with the Service Authority, Board members and new Board members. Mr. Frink said he was not satisfied with the report and felt that the Board should read it, before any action is taken. He said the report left a lot of questions unanswered. He explained that Busch Properties will own property in Service Authority Projects three and four and Sanitary District #11, if this project is approved. Mr. Frink said that he felt that this area in the proposed Project 4, perhaps should have been included in Project 3.

The Board concurred with Mr. Frink on tabling the matter and Mr. Quittmeyer asked Mr. Frink to coordinate on setting up the work session.

RE: STREET LIGHT - NORGE HALL

This matter was referred to the street light committee.

RE: SOCIAL SERVICES

Mr. Pettengill reported to the Board that Otis Brown, Director of Virginia Department of Welfare and Institutions has worked up a plan to present to the next General Assembly, to take over all Social Services. He further reported that if this was passed, James City County would be linked with Newport News, with a field office in James City and a contact station in Williamsburg. It was Mr. Pettengill's opinion that the State should fund the program, but that the administration should be left in local hands.

On a motion by Mr. Pettengill, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby requests that the administration of the Social Services Program remain in the hands of the local Social Services Board. The Board also requests that copies of this motion be sent to Senator Fears, Delegates Carneal and Quinn and Otis Brown.

Mrs. Douglas, Chairman of James City County Social Services Board, concurred with Mr. Pettengill's motion.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

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RE: SUPPLEMENTAL PAY - DEPUTIES

Mr. Wooddy stated that the Board requested the Compensation Board to increase the deputies starting salaries to \$6,570.00. The Compensation Board set the starting salaries at \$5,830.00.

On a motion by Mr. Pettengill, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby agrees to subsidize the deputies starting salary \$550.00, bringing the total starting salary to \$6,380.00.

Mr. Coakley stated that the Compensation Board "has long since passed its usefulness." He felt the Board of Supervisors was in a better position to determine how many deputies are needed and he stated he doubted if the Compensation Board knows what wages are paid by industry in this area.

After a general discussion, Mr. Quittmeyer appointed Mr. Frink and Mr. Waltrip to go with Mr. Wooddy to the next Compensation Board's meeting to appeal the decision.

The Executive Secretary was directed to take a roll call vote on the heretofore mentioned motion, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED AMENDMENT - TOURIST CAMPS - B-1

On a motion by Mr. Pettengill, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby rescinds their previous action taken and agrees that Tourist Camps will be allowed in a B-1 zone with 200 feet setback and further, the Planning Commission consider as soon as possible, the desirability of requiring 200 feet setback for camp sites in all zones.

After a general discussion, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

The Board requested that an extract of the minutes pertaining to this matter be sent to the Planning Commission.

Mr. Douglas, Berkeley District said he felt the deputies should get as much salary as the Virginia State Police.

Mr. Pettengill said the Attorney General is working on a plan for a standard salary for all police officers.

Mrs. Harris from Carriage Road stated she felt the extension of Carriage Road, Route 672 was more important then the drainage problem.

Mr. Wooddy advised her that this was on the Road Viewers list.

Mr. Pettengill commented on his trip to the Virginia Association of Counties meeting in Fredericksburg, together with Mr. Coakley. He said he felt that all Board members and the Executive Secretary should attend these meetings.

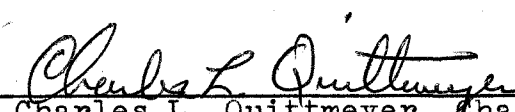
Checks #4460 through #4610, totalling \$318,758.23, were certified for payment from the General Fund for the month of November, 1971.



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There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirteenth day of December, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. W. F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District, MR. MAYO W. WALTRIP, Powhatan District, MR. GARLAND L. WOODY, Executive Secretary and MR. W. L. PERSON, JR., Commonwealth's Attorney.

RE: MINUTES

The minutes of the previous meeting were approved.

RE: REPORTS

APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: PUBLIC HEARING - BUSINESS AND PROFESSIONAL LICENSE TAX ORDINANCE

Mr. Quittmeyer explained to the public that the Board would not vote on the ordinance until December 31, 1971, due to the legalities involved. He also pointed out that the Board has the authority to amend the ordinance, to less-~~en same, but~~ cannot if it increases same. He further explained that if the ordinance is passed, the State law requires that Merchants Capital Tax must be dropped. He said the Board will have to amend the ordinance, if passed, to exclude from the gross receipts, county/state sales tax and state motor fuel tax.

After setting up the ground rules for the hearing, Mr. Quittmeyer opened same for public comment.

Rev. Tabb suggested that a committee of local business men meet with the committee who wrote the ordinance and go over it again.

Mr. Ezekiel Lee stated the ordinance was against the act of God.

Mr. Lawrence Walk, Jamestown District urged the Board to adopt the ordinance.

Mr. Charles E. Wright, Roberts District said he was in favor of the adoption of said ordinance.

Mr. Pete Farmer, Jamestown District handed the Board petitions, with 378 signatures against the ordinance. He stated the ordinance was highly discriminatory and wholly unjust.

Mr. Phil Richardson, local contractor stated that taxing the contractor on gross receipts was unfair, since 80% of his work is given to sub-contractors who also are taxed on that 80%. He advised that in the West Point Ordinance, sub-contractors contracts can be deducted from the gross receipts.

Mr. J. Menzel of Menzel Brothers Seafood said the ordinance was a gross injustice.

Mr. Reuben Hill asked how many Board members were in business for themselves.

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Mrs. Wanda Heath, Powhatan District stated her opposition to the ordinance.

Mr. J. C. Richardson of Jamestown District stated he had read in the paper that \$80,000.00 was in the budget, to be collected from taxes under this ordinance and it was the first time the public knew about it. He reminded the people of the cost of enforcing such an ordinance.

Mr. Frink informed Mr. Richardson that the \$80,000.00 in the budget was not a secret, it has been in the budget all year.

Mr. Stewart Taylor, Supervisor Elect for Stonehouse District, said he was against this tax and all other taxes. He stated it was time to cut the budget and let the chips fall where they may.

Mr. Dow Jones, Engineer for WBCI and WMBG stated that to be employed as an engineer he had to pay a federal government license fee and if the ordinance is passed he will have to pay another license fee.

A representative of Humble Oil questioned various sections of the ordinance.

Mr. Amil Menzel stated his opposition to the ordinance.

Mr. Dow Jones questioned Mr. Person on a recent article in the paper on telephone compaines being exempt from this tax.

Mr. Person replied that this was only the opinion of the Attorney General.

Mrs. Watkins voiced her opinions against the ordinance.

There being no further comments, the public hearing was closed.

RE: INSURANCE

On a motion by Mr. Quittmeyer, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Chairman to enter into an agreement with the Travelers Insurance Company for hospitalization insurance.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LICENSE TAG ORDINANCE

The Board granted Mr. Woody permission to revise the License Tag Ordinance to concur with the recent passage of decal use and instructed him to meet with Commonwealth's Attorney for guidance on where to place the decals on motorcycles and mini bikes.

RE: HOLIDAY - CHRISTMAS EVE - 12/24/71 and 12/27/71 - MONDAY AFTER  
HOLIDAY - NEW YEAR'S DAY - 1/3/72 - MONDAY AFTER

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolutions:

WHEREAS, In accordance with Section 2-19, Code of Virginia, 1950, as amended, December 24, 1971 and December 27, 1971, shall be legal holidays as to the transactions of all county business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does pro-

December 13, 1971

claim December 24, 1971 and December 27, 1971 as legal holidays for county offices and employees.

WHEREAS, In accordance with Section 2-19, Code of Virginia, 1950, as amended, the third day of January, 1972, shall be a legal holiday as to the transaction of all county business.

It Is, Therefore, RESOLVED, that the Board of Supervisors does proclaim the third day of January, 1972, as a legal holiday for county offices and employees.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: REIMBURSEMENT OF REAL ESTATE TAXES - C. LINWOOD SWEENEY ESTATE BOARD OF EQUALIZATION

On a motion by Mr. Coakley, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Equalization of Real Estate Assessment for the County of James City, has entered an order dated November 18, 1971, changing the assessment of Lots 9 through 15 Toano Terrace, recorded in the Powhatan Land Book, Page 104, Line 22, from \$6,090.00 to \$5,790.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, C. Linwood Sweeney Estate has paid the amount of \$255.78 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$12.60.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, directs the Executive Secretary to draw a check in the amount of \$12.60, payable to C. Linwood Sweeney Estate.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REIMBURSEMENT OF REAL ESTATE TAXES - BOOKER AND ROSA BELLE JOHNSON/NORTH CAROLINA MUTUAL LIFE INS. CO.

On a motion by Mr. Frink, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Equalization of Real Estate Assessment for the County of James City, has entered an order dated November 18, 1971, changing the assessment of a lot, recorded in the Powhatan Land Book, Page 91, Line 28, from \$8,310.00 to \$6,960.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, North Carolina Mutual Life Insurance Company has paid the amount of \$349.02 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$56.70.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, directs the Executive Secretary to draw a check in the amount of \$56.70, payable to North Carolina Mutual Life Insurance Company, Durham, North Carolina 27701

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

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Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REAPPOINTMENT - PLUMBING AND ELECTRICAL EXAMINING BOARDS

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby re-appoints the following persons for a term of one year beginning December 31, 1971:

Plumbing Examining Board

Contractor	-	James Parsley
Journeyman	-	Thomas Samuel
Citizen	-	J. H. Robertson
Health Department	-	E. A. Riley

Electrical Examining Board

Contractor	-	Peter Paluzsay
Journeyman	-	Morris Cox
Citizen	-	John H. Gardner
VEPCO Represent.	-	James Bowry

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SANITARY LANDFILL - ROUTE 60 - EAST

Mr. Woodydy informed the Board that he had a request from the owner of the Jefferson Motel for the Board to reconsider using First Street as an entrance to the landfill area on Route 60 East.

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to table the matter and directs the Executive Secretary to obtain a copy of the landfill plans to be reviewed by the Board.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST EXTENSION - INDIGO PARK

Mr. Woodydy advised the Board of a request for the extension of the Sydnor Pump and Well system in Indigo Park.

The Board agreed to refer this matter to the county engineer for his advice.

RE: WATER REQUEST-DORSEY

Mr. Woodydy advised the Board of a request from Mr. Dorsey, to allow him to connect to the City of Williamsburg waterline to serve one lot in Hollybrook.

The Board agreed to refer this matter to the county engineer for his advice.



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RE: REZONING - HERTZLER BROTHERS TRACT - A-1 TO R-3

Mr. Woody advised the Board that the Planning Commission has recommended to the Board the rezoning of the above property.

The Board directed the Executive Secretary to advertise same for a public hearing to be held January 10, 1972 at 7:30 P. M.

RE: SPECIAL USE REQUEST - B. E. GEDDY

Mr. Woody advised the Board that the Planning Commission has recommended to the Board that the Special Use application of Mr. Geddy for a single family dwelling in the M-1 zoned district at Toano, be approved and suggested that due to a hardship the public hearing be held on December 31, 1971.

The Board concurred with Mr. Woody's suggestion and directed him to advertise for a public hearing to be held December 31, 1971 at 10:00 A. M.

RE: TOURIST CAMP - FORMER INDIAN VILLAGE SITE

Mr. Woody advised the Board that the Planning Commission has recommended the approval of the preliminary sketch of a tourist camp located off Route 31, to allow the developer to begin field engineering.

On a motion by Mr. Waltrip, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby approves the preliminary sketch, in principal, of a tourist camp off Route 31, west of Lake Powell subject to conformance with all applicable laws and ordinances of James City County and the Health Department.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - MENTAL HEALTH SERVICES BOARD UNEXPIRED TERM OF MRS. MILLER - 12/31/72

On a motion by Mr. Quittmeyer, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Ruell Blair, Health and Physical Education Teacher at James Blair High School, to the Mental Health Services Board, to fill the unexpired term of Mrs. Miller, expiring December 31, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REAPPOINTMENTS - MENTAL HEALTH SERVICES BOARD - RADCLIFFE AND WELSH - TERM EXPIRATION 12/31/71

On a motion by Mr. Quittmeyer, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby reappoints Mrs. Eula Radcliffe and Mrs. Robert E. Welsh to the Mental Health Services Board for a term of three years.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

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Mr. Pettengill stated that several people had said that the Board had made up their mind on the Business and Professional License Tax Ordinance and there was no need for the public hearing. He advised the public that the ordinance has not been voted on yet.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of December, nineteen hundred and seventy-one, there were present: MR. CHARLES L. QUITTMAYER, Chairman, Berkeley District, MR. RICHARD W. COAKLEY, Vice-Chairman, Jamestown District, MR. W. F. PETTENGILL, Stonehouse District, MR. ABRAM FRINK, Roberts District, MR. MAYO W. WALTRIP, Powhatan District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

Minutes of the previous meeting were approved.

RE: BUSINESS AND PROFESSIONAL LICENSE TAX ORDINANCE

On a motion by Mr. Quittmeyer, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby adopts the Business and Professional License Tax Ordinance, on file in the Executive Secretary's office in the Courthouse, Williamsburg, Virginia.

Mr. Waltrip suggested that adoption of this ordinance be deferred until the new board can study same.

Mr. Quittmeyer stated several reasons why he felt it should be adopted:

1. The county sources of revenue is limited.
2. The need for more revenue in the foreseeable future.
3. Time for all segments of economy to share the burden.
4. Agrees that some sections need interpretation.

Mr. Pettengill stated that a couple of months ago a large group of people came to the Courthouse, protesting the increase in Real Estate taxes. He further explained that the tax base must be broadened and adopting this ordinance will help. He said that bonds for new schools, etc., cannot be adopted unless there is a means to pay for them. He agreed with Mr. Quittmeyer that many things will have to be worked out regarding the ordinance.

Mr. Waltrip said the Board had received a letter from a prominent local lawyer, pointing out twelve items that could cause controversy.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: PUBLIC HEARING - SPECIAL USE - B. E. GEDDY

Mr. Woody explained that this is a request to construct a single family dwelling in an area zoned M-1. He further explained that three homes

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are located in the area now.

Mr. Wright from Roberts District asked Mr. Wooddy to explain the request again and Mr. Wooddy reciprocated.

Mrs. Eula Radcliffe of Roberts District said that several special permitted uses had been asked for in Grove, but were refused.

Mr. Wooddy replied that no formal applications had been filed on there requests.

There being no further comments, the hearing was closed.

On a motion by Mr. Pettengill, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants the special permitted use to Mr. B. E. Geddy to construct a single family dwelling in an M-1 zone.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
POWHATAN DRIVE

Mr. Wooddy reported that the necessary easement had been obtained and the deed and plat has been recorded.

Mr. Jeffrey said construction won't be started until March, but as soon as the road is accepted into the secondary system, the Highway Department will have to maintain it.

\* RE: JAMES TERRACE

Mr. Coakley reported he had received several complaints about the condition of the streets in James Terrace. He stated it was his understanding the potholes were caused from problems concerning the Sanitary District in that area.

After a general discussion it was agreed that this matter be taken before the Joint Sanitary District #1 Board.

RE: SIGNS

Mr. Pettengill asked Mr. Jeffrey if he had noticed signs disappearing in the County.

Mr. Jeffrey said the Highway Department recognized the problem which is occurring all over the State and there is nothing that can be done.

RE: DRAINAGE - PENNIMAN ROAD

Mr. Coakley inquired about the work to be done on the drainage problems on Penniman Road.

Mr. Jeffrey replied the work would begin in the next three weeks on Route 642 and Penniman Road.

RE: DRAINAGE - GROVE

Mr. Frink asked Mr. Jeffrey the status of the drainage problem on Church Road in Grove.

Mr. Jeffrey replied there is no status as there is nothing more the Highway Department can do.

After a discussion with a lady from the audience, Mr. Quittmeyer

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suggested that she get together with Mr. Jeffrey and Mr. Frink to discuss the matter.

RE: CAUTION LIGHT - FIVE FORKS

Mr. Gilley asked what had to be done to get a caution light at Five Forks.

Mr. Quittmeyer suggested that Mr. Gilley contact Mr. Jeffrey on the matter.

RE: RUSSELL M. CARNEAL

Mr. Russell M. Carneal, member of the General Assembly appeared before the Board to receive their requests and suggestions to be taken to the General Assembly.

Mr. Coakley stated that he hoped Mr. Carneal would look into the legislative recommendations and represent James City County in what would be most beneficial to them.

Mr. Carneal stated he would do the best he could on any matters that would benefit James City County.

Mr. Pettengill suggested amending the Blue Law to allow local option. Further, to have staggering terms of office for the Board of Supervisors. He also reminded Mr. Carneal of the resolution recently sent to him on the Social Services.

Mr. Quittmeyer recommended that the General Assembly consider changing the time period for allowing counties to change their form of government from five to two years and possibly make it retroactive.

Mr. Coakley recommended that something be done to obtain additional funds for rural additions as the \$5,000.00 presently allotted is not enough.

Mr. Carneal replied that the General Assembly has nothing to do with the distribution of funds as it rests with the Highway Commission.

Mr. Coakley stated he disagreed with the attitude the Highway Commission takes.

Mr. Frink recommended that the present law pertaining to the State Water Control Board on upgrading of sewerage systems which states that state and federal funds must be available before upgrading is mandatory, remain in effect.

Mr. S. U. Taylor, Supervisor Elect for Stonehouse District, said he believed Mr. Carneal had received a resolution pertaining to Land Use Tax for farmers.

Mr. John Donaldson, Supervisor Elect for Jamestown District requested that adequate cooperation be given from the State Compensation Board. He further stated that there is a need to make additional revenue sources available to the county.

Mr. Jack Edwards, Supervisor Elect for Berkeley District said he agreed with Mr. Donaldson's second point and hoped the General Assembly will consider same.

Mr. Coakley recommended that the General Assembly give serious thought again to a bridge from Jamestown to Surry.

Mr. Waltrip said he would like to reiterate on the fundings to the county and cooperation from the Compensation Board on local salaries.



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Mr. Carneal requested that the Board pass a resolution on their recommendation on the Blue Law.

On a motion by Mr. Pettengill, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby recommends to the General Assembly that they amend the Blue Law, allowing local option and that a copy of the minutes be sent to the General Assembly members.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SCHOOL BOARD REQUEST

Dr. Renz appeared before the Board requesting that the School Board be allowed to transfer \$2,315.60 from Instructional Salaries to Other Instructional Costs to pay tuition for seven mentally retarded five-year old children.

Mr. Frink asked if the Chapter 10 Board will match these funds.

Dr. Renz replied that the Chapter 10 Board will match these funds.

After a general discussion the following motion was presented:

On a motion by Mr. Quittmeyer, seconded by Mr. Coakley, the Board of Supervisors of the County of James City, Virginia, hereby grants permission to the School Board to transfer \$2,315.60 from Instructional Salaries to Other Instructional Costs.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: STREET LIGHTS

Mr. Wooddy reported that he and Mr. Pettengill were out one night last week to review twenty requests for street lights.

Mr. Wooddy stated that there are three areas, James Terrace, Norge and Chickahominy Haven, which have the old type light, which does not cover a very large area.

He further stated that the committee recommends to the Board that they have Vepco make a survey of the areas needing lights.

On a motion by Mr. Pettengill, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby requests Vepco to make a survey of the twenty requests for street lights and to survey those areas that should be replaced with new lights.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

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RE: WATER REQUEST - DORSEY AND INDIGO PARK

Mr. Martin recommended that Mr. Dorsey be allowed to hook onto City water for the one lot in Hollybrook, with the understanding that when the County obtains water, he will then hook on to the County water system.

Mr. Martin further recommended that Sydnor Pump and Well in Indigo Park be allowed to extend to the remaining lots, but that a 6" line be used at the point of the fire hydrant rather than a 4" line.

After a general discussion, the following motions were presented:

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby tables the Indigo Park request until the engineer can confer with Sydnor Pump and Well on the 6" line.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby requests the City of Williamsburg to allow Mr. Dorsey to connect one lot in Hollybrook to the City water with the understanding that when county water is available, he will connect to same.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: WATER AND SEWERAGE REQUEST - ROUTE 5 AND ROUTE 31

Mr. Harris, Attorney for James City Land Corporation and Pilot Life appeared before the Board requesting permission from the Board to seek water and sewerage from the City of Williamsburg. He explained that one piece of property belongs to Pilot Life and plans for a \$12,000,000.00 shopping center are completed. The James City Land property is located on Route 31.

After a general discussion, the following motion was presented:

On a motion by Mr. Quittmeyer, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby tables this request until the next Board meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SEWERAGE REQUEST - CHICKAHOMINY HOUSE

Mr. Woody explained the continuing problems with the septic tank

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at the Chickahominy House and that it has become a health problem.

After a general discussion, the following motion was presented:

On a motion by Mr. Coakley, seconded by Mr. Pettengill, the Board of Supervisors of the County of James City, Virginia, hereby gives permission to the owners of Chickahominy House to request the City of Williamsburg for a sewerage connection, contingent upon tying into County lines when available.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Coakley said Berkeley Cleaners is in a similar situation and for the new Board to look for a request in the future. It was his suggestion that the county engineer take a look at the situation.

RE: SERVICE AUTHORITY - PROJECT IV

Mr. Frink requested that the Board members attend the Service Authority meeting January 3, 1972. He further requested that the advertisement for a public hearing on this Project be expedited to save time.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise Project IV for a public hearing to be held January 31, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: FULL TIME BUILDING OFFICIAL ASSISTANT

Mr. Woody reported that due to the increase in work load, the Building Official has requested a full time assistant.

On a motion by Mr. Coakley, seconded by Mr. Frink the Board of Supervisors of the County of James City, Virginia, hereby agrees to hire a full time Building Official Assistant at an annual salary of \$8,000.00.

After a general discussion on the salary, Mr. Frink made a motion to amend the previous motion to read that the salary is to be negotiated by the new Board.

The Executive Secretary was directed to take a roll call vote on the amendment, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Nay
Mr. Quittmeyer	-	Nay
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

The Executive Secretary was then directed to take a roll call vote on the motion as amended, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Coakley	-	Aye
Mr. Quittmeyer	-	Aye
Mr. Pettengill	-	Aye
Mr. Frink	-	Aye

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Motion carried by a unanimous vote.

RE: POWHATAN CREEK SEWERAGE

Mr. Woody reported that the Water Control Board has by letter ballot approved the Powhatan Creek Project. He stated he expected final approval very soon. He said the final drawings were delivered to EPA last Tuesday and the Service Authority hoped to advertise for bids in January.

RE: LIBRARY CONFERENCE

Mr. Woody reported that a Library Conference will be held January 6, 1972 at 7:30 P.M., in the Hampton City Council Chambers.

RE: SANITARY DISTRICT #11 - GROVE

Mr. Woody advised the Board on receiving a letter from the State Water Control Board, in reference to their re-rating of Sanitary District #11 between May 1 and June 1, 1972. He further advised that the filing of application must be in no later than April 1, 1972.

Mr. Quittmeyer conveyed to the new Board good wishes and stated he felt that the old Board members would be willing to give them their co-operation. The other Board members concurred.

Mr. Woody expressed his appreciation to the three outgoing Board members for their very warm relationship.


Mr. Quittmeyer replied the same to Mr. Woody.

Mrs. Douglas gave her heartfelt thanks to the outgoing members and her cooperation to the incoming members.

Checks #4611 through #4720, totalling \$601,128.84, were certified for payment from the General Fund for the month of December, 1971.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Charles L. Quittmeyer, Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the tenth day of January, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK EDWARDS, Berkeley District, MR. JOHN DONALDSON, Jamestown District, MR. S. U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, Executive Secretary.

RE: ELECTION OF CHAIRMAN

Mr. Woody opened the meeting and explained the procedure for the nomination of Chairman.

Mr. Edwards nominated Mr. Frink for Chairman of the Board of Supervisors to serve until the first meeting held in January, 1973 and upon motion by Mr. Donaldson, the nominations were closed.

The Executive Secretary was instructed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Taylor	-	Aye
Mr. Donaldson	-	Aye
Mr. Frink	-	Abstain



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Motion carried by a majority vote.

Mr. Wooddy presented the gavel to Mr. Frink.

RE: ELECTION OF VICE-CHAIRMAN

Mr. Donaldson nominated Mr. Waltrip for Vice-Chairman of the Board of Supervisors to serve until the first meeting held in January, 1973 and upon motion by Mr. Taylor, the nominations were closed.

The Executive Secretary was instructed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - EMPLOYEES HOSPITALIZATION INSURANCE ORDINANCE

Mr. Frink opened the hearing for public comments.

There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following ordinance:

AN ORDINANCE TO ESTABLISH A SYSTEM OF GROUP HEALTH AND LIFE INSURANCE COVERING THE OFFICERS AND EMPLOYEES OF THE COUNTY OF JAMES CITY, VIRGINIA, ESTABLISHING A FUND FOR THE PAYMENT OF A PORTION OF THE PREMIUMS PURSUANT TO THE AUTHORITY OF 51-112 OF THE 1950 CODE OF VIRGINIA, AS AMENDED.

Be it ordained by the Board of Supervisors of the County of James City, Virginia, pursuant to 51-112 of the 1950 Code of Virginia, as amended, as follows:

SECTION 1: There is hereby established a fund for the payment of premiums for group health and life insurance to be funded from time to time by

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such amounts as may be necessary from the treasury of the County of James City and through payroll deductions from the participants in such proportion as may be prescribed by resolution of the Board of Supervisors of the County of James City, Virginia.

SECTION 2: The Board of Supervisors of the County of James City, Virginia, is authorized and empowered to contract with any insurance company or companies to implement and carry into effect such group policies.

SECTION 3: The effective date of this ordinance shall be the date of adoption.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - REZONING - HERTZLER BROTHERS TRACT - A1 TO R3

Mr. Wooddy read the following description of the request for rezoning:

Rezoning from A1 to R3 about 159 acres of land bounded on the south by State Route 612 located approximately 1 3/4 miles east of Centerville Road. This property is adjacent to the new school site and known as the Hertzler Brothers Tract.

Mr. Frink opened the hearing for public comment.

Mr. Moneymaker, representing Hertzler Brothers, explained the need for the rezoning as townhouses are not allowed in A1 and the plan for the property is for townhouses and single family dwellings.

Mr. Edwards asked what the vote was from the Planning Commission and Mr. Scruggs, Chairman of the Planning Commission replied that the vote was unanimous for the rezoning.

After a general discussion, the hearing was closed. Mr. Edwards said he was opposed to taking action on a matter on the night of the public hearing, but made the motion that the Hertzler Brothers Tract of 159 acres located on State Route 612 be rezoned from A1 to R3 as recommended by the Planning Commission. Mr. Taylor seconded the motion.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MOTOR VEHICLE LICENSE TAX ORDINANCE

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby instructs the Executive Secretary to advertise the following ordinance for a public hearing to be held March 13, 1972:

(1) On and after March 15, 1972, and annually thereafter, the owner of each passenger motor vehicle (except motorcycles, motorbikes and mini-bikes), and the owner of each truck, owned or garaged in the county shall make application to the County Treasurer for a license, and shall pay an annual license fee of ten dollars.

(2) On and after March 15, 1972, and annually thereafter, the owner of any trailer or semitrailer owned or garaged in the county, shall make application to the County Treasurer for a license, and shall pay an annual license fee of three dollars. The section specifically excludes mobile homes.

(3) On and after March 15, 1972, and annually thereafter, the owner of any motorcycle, motorbike or mini-bike, owned or garaged in the county, shall make application to the County Treasurer for a license, and shall pay an annual license fee of two dollars.

(4) On or after March 15, 1972, and annually thereafter, the

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aforesaid owner shall pay a license fee of fifty cents for said license transfer and fifty cents for replacement of said license.

(5) Upon payment of the aforesaid license fees, the County Treasurer shall issue the license and number decal for each vehicle. Such license decal shall be affixed to the bottom right hand corner of the windshield adjacent to the inspection sticker and not more than three inches from the bottom of the windshield, except that in case of motorcycles, motorbikes or mini-bikes and trailers, said decal shall be affixed adjacent to the state inspection sticker.

(6) The County Treasurer shall place on sale such license decals on the fifteenth day of March, 1972, and annually thereafter on the same date, for the current license year. Every license issued hereunder shall expire on the fifteenth day of April of the year following the year for which it was issued.

(7) One-half of the annual fee prescribed by this Ordinance shall be collected whenever any license is issued during the period beginning on the first day of October and ending on the fifteenth day of March in the same license year.

(8) No license decal shall be issued to any person whose tangible personal property tax has not been paid.

(9) Every licensed dealer in motor vehicles shall be exempt from the tax for such vehicles as are used solely for demonstration purposes and every non-domiciliary member of the Armed Forces residing in James City County in compliance with military or naval orders are exempt from the tax.

(10) The license herein provided shall be in addition to any motor vehicle license or tax now required by law, but nothing herein contained shall be construed as requiring the procuring of a license for any motor vehicle owned by any governmental agency and operated solely within such governmental agency's business.

(11) Every person living in the county for a period of sixty days or more and owning or having in possession a motor vehicle, and every person owning or having in possession a motor vehicle from other states and using the streets of the county regularly for business purposes shall be subject to the license tax herein provided.

(12) The finding of any motor vehicle, trailer or semi-trailer on any of the streets, alleys, lanes or public places of the county without proper county license decal attached thereto shall be prima facie evidence that such motor vehicle, trailer or semitrailer was unlawfully operated in the county by the owner thereof.

(13) Every person who violates any provision of this Ordinance shall, upon conviction, be punished by a fine of not less than \$10.00 nor more than \$50.00, and each day of violation of this Ordinance constitutes a separate offense.

(14) This Ordinance repeals that Motor Vehicle Ordinance adopted March 13, 1970.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER AND SEWERAGE REQUEST - ROUTE 5 AND ROUTE 31

Mr. Harris, Attorney for Pilot Life and James City Land Corporation again appeared before the Board requesting permission to allow them to ask the City for water and sewerage, contingent upon connecting to county water and sewerage, when availability.

After a general discussion between the Board, Mr. Harris and Mr. Roper of James City Land Corporation, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby agrees to table the matter until the next regular meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: WATER REQUEST - INDIGO PARK

Mr. Woody explained that the previous Board had referred this to Mr. Martin, County Engineer, in order for him to talk to Sydnor Hydrodynamics, Inc., in reference to changing the line from 4" to 6".

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Mr. Moneymaker stated that his people were in agreement with this request.

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the request for expansion of the water system in Indigo Park, to serve the remaining seventeen lots, using a 6" line to the hydrant.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SCHOOL BONDS

Mr. Woody reported that the County's financial advisors, Wheat, First Securities, Inc., advises that now is the time to float the \$3,820,000 school bonds and the opening of the bids for the sale of the bonds has been set for February 2, 1972 at 11:00 A. M.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$3,820,000 SCHOOL BONDS OF JAMES CITY COUNTY, VIRGINIA, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF

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

1. The contracting of a debt and the issuance of school bonds of James City County, Virginia, in the maximum amount of \$3,824,100, having been approved at an election held in the County on January 26, 1971, and none of such bonds having been sold, there are hereby authorized to be issued and sold \$3,820,000 of such authorized amount.

2. The bonds shall be coupon bonds without privilege of registration, shall be designated "School Bonds," shall be dated March 1, 1972, shall be of the denomination of \$5,000 each, shall be numbered from 1 to 764, inclusive, and shall mature in annual installments of \$100,000 on March 1 in each of the years 1974 to 1978, inclusive, \$250,000 on March 1 in each of the years 1979 to 1990, inclusive, and \$320,000 on March 1, 1991, without option of prior redemption. The bonds shall bear interest at such rate or rates as determined at the time of sale, payable semiannually on March 1 and September 1. Both principal and interest shall be payable at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York, at the option of the holder.

3. The bonds shall be signed by the facsimile signature of the Chairman of the Board of Supervisors, shall be countersigned by the Clerk of the Board and a facsimile of the Board's seal shall be printed on the bonds. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the Chairman and Clerk.

4. The bonds and coupons shall be in substantially the following form:

(FORM OF BOND)		
No. _____		\$5,000
UNITED STATES OF AMERICA COMMONWEALTH OF VIRGINIA JAMES CITY COUNTY <u>School Bond</u>		

James City County, Virginia, for value received, hereby acknowledges itself indebted and promises to pay to bearer upon presentation and surrender hereof the sum of

FIVE THOUSAND DOLLARS (\$5,000)

on March 1, 19\_\_\_\_, and to pay interest thereon from the date hereof to maturity at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per year, payable semiannually on March 1 and September 1 upon presentation and surrender of the attached coupons as they become due. Both principal and interest on this bond are payable in lawful money of the United States of America at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York, at the option of the holder.

This bond is one of an issue of \$3,820,000 school bonds of like date and tenor, except as to number, rate of interest and maturity, authorized at an



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election in the County on January 26, 1971, and is issued pursuant to the Public Finance Act, as amended, to provide funds for public schools.

The full faith and credit of James City County are hereby irrevocably pledged for the payment of principal of and interest on this bond.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of James City County, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by the facsimile signature of its Chairman, to be countersigned by its Clerk, a facsimile of its seal to be printed hereon, the attached interest coupons to be authenticated by the facsimile signatures of its Chairman and Clerk, and this bond to be dated as of March 1, 1972.

COUNTERSIGNED:

(SEAL)
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>_____ Clerk, Board of Supervisors of James City County, Virginia</p> </div> <div style="width: 45%;"> <p>_____ Chairman, Board of Supervisors of James City County, Virginia</p> </div> </div>

(FORM OF COUPON)

No. \_\_\_\_\_ \$ \_\_\_\_\_  
March

On September 1, 19\_\_\_\_, James City County, Virginia, will pay to bearer the amount shown hereon in lawful money of the United States of America at the principal office of United Virginia Bank, Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York, at the option of the holder, being the semiannual interest then due on its School Bond dated March 1, 1972, and numbered \_\_\_\_\_.

(SEAL)
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>_____ Clerk, Board of Supervisors of James City County, Virginia</p> </div> <div style="width: 45%;"> <p>_____ Chairman, Board of Supervisors of James City County, Virginia</p> </div> </div>

5. The full faith and credit of James City County are hereby irrevocably pledged for the payment of principal of and interest on the bonds. There shall be levied and collected annually on all locally taxable property in the County an ad valorem tax over and above all other taxes authorized or limited by law sufficient to pay such principal and interest as the same respectively become due and payable.

6. The Clerk is hereby authorized and directed to take all proper steps to advertise the bonds for sale substantially in accordance with the Notice of Sale attached hereto as Exhibit A.

7. After bids have been received and the bonds awarded, the Chairman and Clerk are hereby authorized and directed to take all proper steps to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to the purchaser thereof upon payment therefor.

8. The proceeds from the sale of the bonds shall not be invested, except for a temporary period until such proceeds are needed for the purpose specified herein, in securities the yield on which in the aggregate exceeds by more than one-half of one percent the yield of the bonds (such yields computed on an adjusted basis permitted by regulations adopted to implement Section 103(d) of the Internal Revenue Code of 1954, as amended).

9. The Clerk is hereby authorized and directed to see to the immediate filing of a certified copy of this resolution with the Circuit Court for the City of Williamsburg and the County of James City.

10. This resolution shall take effect immediately.

#### NOTICE OF SALE

\$3,820,000

JAMES CITY COUNTY, VIRGINIA

#### School Bonds

Sealed bids will be received for the Board of Supervisors of James City County, Virginia, until 11:00 A. M., Eastern Standard Time, on February 2, 1972, at the office of the Treasurer of Virginia, Room 101, Finance Building, Richmond, Virginia, for the purchase of \$3,820,000 School Bonds of James City County described herein, at which time the bids will be publicly opened.

The bonds will be dated March 1, 1972, and will mature serially on March 1 in annual installments of \$100,000 in 1974 to 1978, inclusive, \$250,000 in 1979 to 1990, inclusive and \$320,000 in 1991, without option of prior redemption. The Bonds will be in coupon form without privilege of registration, and will be of the denomination of \$5,000 each. Interest will be payable semi-annually March 1 and September 1, and both principal and interest will be payable at the principal office of United Virginia Bank, of Richmond, Virginia, United Virginia Bank of Williamsburg, Williamsburg, Virginia, or The Bank of New York, New York, New York, at the option of the holder. The full faith and credit of

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the County will be pledged to the payment of principal and interest on the bonds.

Bidders are invited to name the rate or rates of interest which the bonds are to bear, not exceeding 6% per year, in multiples of 1/8 or 1/20 of 1%. No bid may name more than three rates, any of which may be repeated, and the highest rate may not exceed the lowest rate by more than 2%. All bonds maturing on the same date must bear interest at the same rate and interest shall be represented by only one coupon for each interest payment date. No bid for less than par and accrued interest and no bid for less than all of the bonds will be considered. The right to reject any or all bids and to waive irregularities in any bid is hereby reserved. Unless all bids are rejected, the bonds will be awarded to the bidder whose proposal results in the lowest cost to the County, such cost to be determined by deducting the total amount of any premium bid from the aggregate amount of interest upon all of the bonds until their respective maturities. The premium, if any, must be paid in funds as part of the purchase price.

Each proposal should be enclosed in a sealed envelope, marked on the outside "Bid for James City County School Bonds," should be addressed to the Board of Supervisors of James City County, Virginia, c/o the Office of the Treasurer of Virginia, and must be accompanied by a certified or cashier's check for \$76,400 drawn upon an incorporated bank or trust company and payable unconditionally to the order of James City County, Virginia, to secure the County against any loss resulting from the failure of the bidder to comply with the terms of his proposal. The check of the successful bidder will be deposited and credited on the purchase price and no interest will be allowed thereon. The proceeds of the check will be retained by the County as liquidated damages in case the bidder fails to accept delivery of and pay for the bonds. Checks of unsuccessful bidders will be returned promptly upon award of the bonds.

The bonds will be delivered about March 1, 1972, at United Virginia Bank, Richmond, Virginia, at the expense of the County.

The unqualified opinion of Messrs. Hunton, Williams, Gay & Gibson of Richmond, Virginia, will be furnished to the successful bidder without charge, will be furnished to the successful bidder without charge, will be printed on the back of the bonds and will state that the bonds constitute valid and legally binding obligations of the County and that its Board of Supervisors is authorized and required by law to levy ad valorem taxes, without limitation as to rate or amount, on all taxable property in the County to pay the principal of and interest on the bonds. At the request of the successful bidder such firm will also furnish a supplemental opinion to the effect that they have taken into account litigation challenging the constitutionality of present systems of levying taxes and applying funds for public school purposes, such as Serrano v. Priest pending in California and Rodriguez v. San Antonio Independent School District recently decided by the United States District Court for the Western District of Texas, and that such litigation does not modify or qualify the conclusions stated in their approving opinion. The usual closing papers will also be furnished, including a certificate signed by the officers who signed the bonds stating that no litigation is then pending, or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the bonds or the levy and collection of taxes to pay principal and interest, or in any manner questioning the proceedings and authority under which the bonds are issued.

The Board of Supervisors will be in session at 11:00 a. m. on the date of the sale for the purpose of taking prompt action on the bids.

Bidders are requested to use the bid form which, together with financial information for bidders, may be obtained from Wheat, First Securities, Inc., 801 East Main Street, Richmond, Virginia 23219.

JAMES CITY COUNTY, VIRGINIA

By: Garland L. Wooddy  
Executive Secretary

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: JAMES CITY SERVICE AUTHORITY - BASEMENT

Mr. Wooddy reported that a rough plan had been drawn, in reference to turning the basement into office space for the County. He further explained that \$25,000.000 has been allocated for this and the estimated cost is \$17,000.00.

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to have final plans drawn and requests construction bids. Further that the allocation of space, when completed, will again come before the Board of Supervisors for designation.

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The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG, VIRGINIA

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

BE IT RESOLVED, That the United Virginia Bank of Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #1, Toano Sewerage System, Payroll Deduction Fund Account, James City Bond Issue 1964-B Sinking Fund, James City County General Obligation Water Bonds -1970, Courthouse Construction Fund and the James City County Sub-division Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink	Chairman
	OR
Mayo W. Waltrip	Vice-Chairman
Garland L. Wooddy	Executive Secretary
Frances B. Whitaker	Treasurer
	OR
Eunice P. Stewart	Deputy Treasurer
	OR
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion passed by a unanimous vote.

RE: RESOLUTIONS OF APPRECIATION - WILLIAM F. PETTENGILL, RICHARD W. COAKLEY, CHARLES L. QUITMEYER

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolutions:

WHEREAS, Mr. William F. Pettengill has served the County of James City and its citizens as Supervisor for a period of eight years, beginning January, 1964, and

WHEREAS, The Board of Supervisors of the County of James City wishes to express their appreciation for these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, that Mr. Pettengill be and hereby is commended for his active participation in public affairs and more particular for his services as Supervisor of the County of James City.

January 10, 1972

Be It Further RESOLVED, that it is the desire of the Board of Supervisors of the County of James City that Mr. Pettengill will remain active in public affairs and that he will continue to participate in the development and advancement of the County of James City.

It is ordered that a copy of this resolution be spread on the minutes of the Board and that a duly certified copy of said resolution be mailed to Mr. Pettengill.

WHEREAS, Mr. Richard W. Coakley has served the County of James City and its citizens as Supervisors for a period of four years, beginning January, 1968, and

WHEREAS, the Board of Supervisors of the County of James City wishes to express their appreciation for these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, that Mr. Coakley be and hereby is commended for his active participation in public affairs and more particular for his services as Supervisor of the County of James City.

Be It Further RESOLVED, that it is the desire of the Board of Supervisors of the County of James City that Mr. Coakley will remain active in public affairs and that he will continue to participate in the development and advancement of the County of James City.

It is ordered that a copy of this resolution be spread on the minutes of the Board and that a duly certified copy of said resolution be mailed to Mr. Coakley.

WHEREAS, Mr. Charles L. Quittmeyer has served the County of James City and its citizens as Supervisor for a period of two years, beginning November, 1969, and

WHEREAS, the Board of Supervisors of the County of James City wishes to express their appreciation for these services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, that Mr. Quittmeyer be and hereby is commended for his active participation in public affairs and more particular for his services as supervisor of the County of James City.

Be It Further RESOLVED, that it is the desire of the Board of Supervisors of the County of James City that Mr. Quittmeyer will remain active in public affairs and that he will continue to participate in the development and advancement of the County of James City.

It is ordered that a copy of this resolution be spread on the minutes of the Board and that a duly certified copy of said resolution be mailed to Mr. Quittmeyer.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: S. U. TAYLOR - RESIGNATION - PLANNING COMMISSION

Mr. Woody read the following letter:

Toano, Virginia 23168  
December 30, 1971

Board of Supervisors  
James City County  
Courthouse  
Williamsburg, Va. 23185

Gentlemen:

I hereby submit my resignation from the James City County Planning Commission effective December 31, 1971. This resignation is due to my election to the Board of Supervisors of James City as of January 1, 1972.

Very truly yours,

/s/ Stewart U. Taylor

Mr. Frink commended Mr. Taylor for his service on the Planning Commission.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Dr. William N. Lee to the Planning Commission.



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The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Jack Edwards to the Planning Commission to fill the vacancy of Mr. William F. Pettengill.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - PENINSULA PLANNING DISTRICT COMMISSION

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Jack Edwards and Mr. John Donaldson to the Peninsula Planning District Commission.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESIGNATION - MR. FEHRENBACH

Mr. Woody read the following letter:

Dr. Charles L. Quittmeyer, Chairman  
Board of Supervisors  
James City County, Virginia

Dear Mr. Quittmeyer:

Last September 30th I agreed to serve on the Committee on Recreational Opportunities which was created by the Board of Supervisors as a result of its deliberations on the ordinance prohibiting noise in certain areas of the County. Subsequently, only because more qualified members of the Committee found that they could not accept the chairmanship of the Committee, I agreed to serve as its presiding officer.

The results of the organizational meeting held in October were essentially two: (1) it was the consensus of the Committee members that there were no facilities presently available where musical groups could practice without charge and without disturbing area residents, and (2) the chairman was instructed to investigate the feasibility of seeking funds from local, state, and federal agencies to finance new facilities or to pay for the use of existing facilities for recreational activities of various kinds.

Thus, as chairman I became responsible for considerable more than I had anticipated when I accepted the appointment to the Committee and when I agreed to serve as its chairman. I hoped, nonetheless, to be able to fulfill these responsibilities. Because of my duties at the college, however, — which are considerable this year due to my memberships on the Faculty Affairs Committee of the Faculty of Arts and Sciences and on the Faculty Liaison Committee to the Board of Visitors — and because of several other time — consuming activities including ongoing research projects, I found that my responsibilities for the Committee as its Chairman were not being satisfactorily met.

Because I believe that this matter deserves more attention than I have been able to give it in the past two months, and because I can anticipate nothing but increased demands on my time in the next year from my professional responsibilities, I herewith submit my resignation from the Committee on Recreational Opportunities along with apologies for not being able to contribute anything of significance to this valuable cause.

Yours sincerely,

/s/ Robert J. Fehrenbach

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of

January 10, 1972

Supervisors of the County of James City, Virginia, hereby accepts the resignation of Mr. Frehrenbach.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE SUMNER - TOURIST CAMP/MOBILE HOME PARK

Mr. Woody read the following excerpt from the minutes of the recent Planning Commission meeting:

"Mr. Sumner presented a preliminary sketch of a proposal to develop a combination mobile home park/tourist camp on a tract of land of about 65 acres off Route 60 approximately midway between Routes 631 and 649.

Upon a motion by Mr. White, seconded by Mr. Mepham and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the preliminary sketch of the Sumner Mobile Home Park/Tourist Camp be approved in principle subject to approval by the Service Authority, Health Department and Highway Department."

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the Planning Commission's recommendation providing all state and local ordinances are complied with.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RECOMMENDATION - TOURIST CAMPS (SETBACK)

Mr. Woody read the following excerpt from the minutes of the recent Planning Commission meeting:

"In response to the Board's referral to the Commission of the desirability of requiring a 200 foot setback of campsites in tourist camps in all zoned district where such use is permitted, upon a motion by Mrs. Friedman, seconded by Mr. Sickles and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the Tourist Camp Ordinance be amended to require a 200 foot setback for all campsites."

Following a general discussion, a motion was made by Mr. Donaldson, that the Board of Supervisors of the County of James City, Virginia, hereby tables the matter and in the interim the Commonwealth's Attorney consider an amendment which would require a maximum setback for tourist camps of 200 feet, a minimum setback of 100 feet with adequate screening provided for any setback of less than 200 feet.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: REZONING - SMITH PROPERTY - A2 TO B1

Mr. Woody read the following excerpt from the minutes of the recent Planning Commission meeting:

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"A general discussion ensued among members of the Planning Commission and the Executive Secretary, Mr. G. L. Woody, concerning the advisability for rezoning to R-2 instead of B-1, the affect of rezoning to R-3 in relation to development plans for the property, and the relationship of public water and sewage for the planned project as well as the Grove area. During the discussion Mr. J. E. Parker of the First Realty Company, representing the owner of the property, stated that rezoning to B-1 would not be spot zoning since it would be an extension of an adjacent B-1 zone and that the owners did not desire rezoning to R-3.

Following the discussion Mr. Hicks restated his original motion (being that the Smith property be rezoned from A-2 to B-1) which was then seconded by Mr. Minkins.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Scruggs	-	Aye
Mr. Bradshaw	-	Aye
Mrs. Friedman	-	Nay
Mr. Hicks	-	Aye
Mr. Mephram	-	Nay
Mr. Sickles	-	Nay
Mr. Minkins	-	Aye
Mr. White	-	Aye

The motion was carried by a majority vote".

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing the above described property, to be held February 14, 1972 at 7:30 P.M.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: FULL TIME PLANNER

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the hiring of a full-time planner, and that the Chairman of the Board be requested to appoint a committee to publicize the position, screen and interview applicants, and make appropriate recommendations to the Board. An applicant should have professional training and practical experience as a planner; the salary will depend on the background of the person employed.

Mr. Edwards stated the following:

1. The need for a professional planner.
2. The need to develop a comprehensive plan for the development of the County.
3. The need to revise the County ordinances and practices so that they implement the goals set forth or implied in the comprehensive plan.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

Mr. Frink appointed Mr. Edwards and Mr. Donaldson to work with Mr. Woody on screening said applicants.

RE: A1 AND A2 ZONES - PERMITTED USES

On a motion by Mr. Edwards, the Board of Supervisors of the County of

January 10, 1972

James City, Virginia, hereby requests the Planning Commission to review the uses permitted in the A1 and A2 zones of James City County in light of rapidly-changing conditions, including the construction of water and sewer facilities and the resulting increase in plans for residential and commercial building. In particular, the Planning Commission is asked to consider the desirability of deleting the following uses:

- |      |        |  |
|------|--------|--|
| A-1: | 2-1-10 | Professional offices                                   |
|      | 2-1-19 | Gift shops and antique shops                           |
|      | 2-1-21 | General stores, retail stores, wholesale stores        |
|      | 2-1-26 | Motels, apartments, restaurants, tea rooms and taverns |
|      | 2-1-42 | Mobile home parks                                      |
| A-2: | 3-1-9  | Professional offices                                   |
|      | 3-1-10 | Gift shops   |
|      | 3-1-11 | Antique shops  |
|      | 3-1-12 | General stores as defined                              |
|      | 3-1-15 | Motels   |
|      | 3-1-28 | Mobile home parks                                      |

It is understood that any proposed changes constitute only a temporary measure until such time as the A-1 and A-2 zones may be revised pursuant to a comprehensive plan; and it is further understood that requests for rezoning will be given careful consideration whenever it appears that these changes produce undue hardship for any individual or group of individuals, and when it is in the best interest of the County to do so.

Any recommendations of the Planning Commission, as required by Article 15-1-3 of the Zoning Ordinance of James City County, shall be returned to the Board of Supervisors not later than February 18, 1972. The Executive Secretary is instructed to advertise a public hearing on these proposals for Monday, February 21.

Following a general discussion on the time element involved, Mr. Donaldson made a motion that the original motion be amended to delete the last sentence and to change the date from February 18, 1972 to February 28, 1972.

The Executive Secretary was directed to take a roll call vote on the amendment, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

The Executive Secretary was then asked to take a roll call vote on the original motion as amended, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: GROVE - SANITARY DISTRICT MEETING

Mr. Woody reported that he had received a request from Farmers Home Administration in reference to the application the Board of Supervisors filed for a grant and loan for Sanitary District #2 in the Grove area. He explained that the signature of the Chairman needs to be authorized by the Board for the letter of commitment to meet conditions as set forth by FHA.

Mr. Martin, Martin, Clifford and Associates recommended that the Board concur with the conditions.



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Mr. Donaldson asked if any of the conditions were unreasonable.

Mr. Martin replied no.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

BE IT HEREBY RESOLVED, that the Board of Supervisors of James City County, acting for James City County Sanitary District No. 2 hereby approve the content of and authorize the execution of Forms 400-4, Nondiscrimination Agreement, and FHA 400-1, Equal Opportunity Agreement, by its chairman.

BE IT FURTHER RESOLVED that the said chairman be hereby authorized to execute such other forms and documents, including Promissory Notes, Bonds, Security Instruments, Loan Agreements, Grant Agreements and any others as may be required in obtaining loan and/or grant assistance from the United States of America, acting through the Farmers Home Administration.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to hold a Board of Supervisors meeting Wednesday, January 12, 1972 at 7 :30 P.M., to take up several matters relating to the operation of Sanitary District #2.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: ADDITIONAL PERSONNEL - MR. GOFF

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Commissioner of Revenue to employ an additional person to assist in the discharge of the Commissioner's duties in assessing taxes and administering state and local tax statutes and ordinances, at an annual salary of not more than \$8,500.00 and that the Executive Secretary be directed to take the necessary steps to obtain reimbursement for a portion of the salary from the State Compensation Board.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.


Mr. Scruggs, Chairman of the Planning Commission, invited the Board to their work sessions on the third Tuesday in the month at 6:30 P. M.

Mr. Wright asked what progress had been made on the C&O Railroad crossing in Grove.

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Mr. Frink replied that the Commonwealth's Attorney is still doing research on same.

There being no further business, the meeting was recessed to reconvene Wednesday, January 12, 1972 at 7:30 P. M.

  
Garland L. Woody, Executive Secretary

  
Mr. Abram Frink, Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of January, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: WATER CONNECTIONS - COLONIAL WILLIAMSBURG - JEFFCO

Mr. Martin, Martin, Clifford and Associates explained of the unusual condition in the operating policy, that factories and industries will be negotiated for connection fees. He further stated that the need for these negotiations is immediate.

After a general discussion the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby agrees to authorize the Executive Secretary and the Chairman to act on behalf of the Board in negotiating water contracts with Jeffco and Colonial Williamsburg and that Mr. Johnson, Administrator for the James City Service Authority be an ex officio member of this committee.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CONNECTIONS - 30" WATER LINE - SANITARY DISTRICT #2

Mr. Woody told the Board that everything is ready now to accept applications from those property owners close enough to tap onto the 30" water line in Sanitary District #2.

After a thorough discussion on the matter, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the James City Service Authority, on behalf of the Board of Supervisors, to receive, process and accept applications for water service in Sanitary District #2, pursuant to the statement of operating policy previously adopted, and that the actual cost of the Authority, providing such service be charged to the Sanitary District.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye

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Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: POPLAR HALL PLANTATION

Mr. Wooddy explained that he had a request for a letter of intent for the availability of water and sewerage to serve seven lots in Poplar Hall Plantation. He further stated the developers are anxious to be served with water now. He told the Board that availability of sewerage would depend on negotiations with other property owners. He asked permission from the Board for authority to write the developers a letter, advising them to go ahead with septic tanks, with the understanding that said septic tanks be vacated when county sewerage is available. Also, to give him authority to write the Health Department advising them not to issue anymore septic tank permits in the Sanitary District "2 area, without first clearing it with the Service Authority.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to write a letter to the Health Department advising them not to issue anymore septic tank permits in Sanitary District #2, without first clearing same with the James City Service Authority.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby permits the developers of Poplar Hall Subdivision to connect a portion thereof into the water system of Sanitary District #2, the actual cost of running water lines from the subdivision into the main line serving Sanitary District #2 to be paid by the developer, and the said connection to be made in accordance with the previously adopted operating policy for the Sanitary District, and under the direction of the James City Service Authority.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to write the developers a letter advising them to go ahead with septic tanks and that said septic tanks be vacated upon the availability of county sewerage.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye

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Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes Martin, Clifford and Associates to carry out the projected engineering for Sanitary District #2, in accordance with fee schedules heretofore established, subject to the right of the Board to terminate the authorization at any time, and in such event to pay for such service only such pro-rata charges as provided in such schedule, and that the Executive Secretary be authorized, as needed, to transfer from the contingency fund of the County such advances as are needed to meet progress payments as they become due, such advancements to be interest free loans to the Sanitary District. These funds are to be repaid as District Board money is available.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SEWERAGE - MR. LATHAM - SANITARY DISTRICT III

Mr. Woody reported a request from Mr. Latham in reference to the installation of a pumping station to serve the Olde Jamestowne Apartments project. He explained that the previous Board had agreed to the apartment project requesting the City for connection to the City system and the City agreed to same. He further explained the need to build a pumping station to connect into the City's gravity line. He said that there is a possibility that the pumping station will be used to tie into the force main when the time comes, and that Mr. Latham wants to retain ownership of the land and pumping station when this occurs.

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to write a letter to Mr. Latham, advising him that the ownership of the land and the pumping station can remain with the developer and maintenance of the pumping station will be done through a contractual agreement with the developer, when County maintenance is available.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CHARISMA APARTMENTS - SERVICE AUTHORITY PROJECT III

Mr. Woody explained that because of delays in negotiations with the City of Newport News for the extension of their water line from the Anheuser-Busch property westward to Black's Crossing it has become impossible for the Service Authority to honor its commitment to Charisma Apartments.

Mr. Rowe, owner of the apartments, said he had entered into contract



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with the City of Williamsburg for both water and sewerage, but dropped the contracts in order to deal with the County.

Mr. Woody said it was a unique and critical situation.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes, from funds previously appropriated, an advance of \$8,000.00 to the James City Service Authority to permit it to meet water service commitments previously made in Service Authority Project Area III, to be repaid by the Authority upon the sale of its first issue of revenue bonds.

Mr. Edwards said he would not vote against this, but commented that it is very difficult for the Board to live up to the commitments made in the past by people whom they have little control over, such as the Service Authority.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

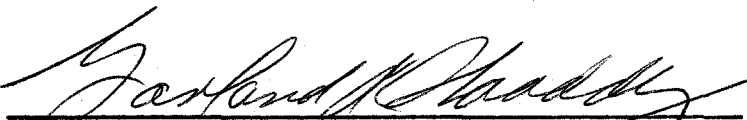
Motion carried by a majority vote.

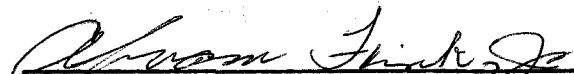
It was suggested that Mr. Frink and Mr. Woody meet with the Service Authority on questions that have not been answered yet.

Mr. Donaldson stated he hoped the Service Authority would give the Board of Supervisors an opportunity to study and comment on the operating policy of Project III before the Authority adopts same.

Mr. Frink stated that the reason he was leery of Project IV was because of the way Project III had been handled. He explained that all citizens in the area should be served and not just the developers. He said there will be many citizens in this area that will not be served immediately, due to the location of the line.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of January, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the two previous meetings, as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
RESIDUE - HIGHWAY PARCEL - TOANO

Mr. Evans, Assistant Resident Engineer and Mr. Stuart Tyler, Right of Way Agent, Suffolk District, both from the Highway Department, appeared before the Board.

Mr. Wooddy advised that the Highway Department is asking if they may sell a parcel of land (approximately 788 square feet) to an adjoining property owner, located on Route 60 in Toano adjacent to the old county office building, which has been torn down. Mr. Wooddy explained that the County owns 1,997 square feet of land adjacent to the property the Highway Department wants to sell.

Mr. Donaldson questioned whether the Service Authority might have need of this parcel. He suggested and the Board concurred that no action be taken until the Service Authority has a chance to report to the Board on whether they will be able to use same.

RE: JACKSON DRIVE

Mr. Donaldson described the continued dangerous condition from a hole located on Jackson Drive caused by sewerage line repair. He asked if the Highway Department could make the repair and bill the Sanitary District.

Mr. Evans said the Highway Department could possibly do this, but does not like to. He said he would check it out.

RE: C & O RAILROAD CROSSING - ROUTE 607

Mr. Wooddy reported that the Highway Department has recommended that the C & O Railroad Crossing on Route 607 be closed.

The Board agreed to table the matter until February 14, 1972, to give them time to study same.

RE: C & O RAILROAD CROSSING - GROVE

Mr. Frink asked Mr. Evans if any action had been taken on the resolutions sent to them concerning the closing of the C & O Railroad Crossing in Grove, in reference to a study being made.

Mr. Evans replied he did not know any details on the subject.

RE: CUL-DE-SAC - MAGRUDER AVENUE - GROVE

Mr. Frink asked Mr. Evans the status of the cul-de-sac on Magruder Avenue.

Mr. Evans stated that authorization needed to be obtained from Vepco for the use of their easement.

Mr. Frink asked Mr. Diggs, President of Busch Properties, Inc., what the status was on the deed for the cul-de-sac.

Mr. Diggs replied that it had been approved by his board, but was still in their Legal Department.

RE: CENTERLINE - IRONBOUND ROAD

Mr. Edwards stated that on certain sections of Ironbound Road there is no centerline and asked what procedure is followed to have a centerline drawn.

Mr. Evans said he would have the traffic engineer make a study of the area.

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Mr. Edwards asked if the Highway Department could do anything to make the turn better from Ironbound Road to Strawberry Plains Road.

Mr. Evans said perhaps a few delineators could be placed, but that he would take a look at it to see what could be done.

RE: PUBLIC HEARING - PROJECT IV

Mr. Frink opened the hearing for public comment.

Mr. Wright from Roberts District objected to the establishing of Project IV and requested that this area be included in Sanitary District #2.

Mr. Wooddy explained that in order to do this, another bond referendum must be held, therefore delaying progress on Sanitary District #2.

Mr. Blayton, also from Roberts District, requested that the Board form a committee to study how much it would cost to include Anheuser Busch in Sanitary District #2 and how long a delay and whether it would be an advantage or disadvantage.

Mr. Walter Diggs, President of Busch Properties, Inc., appeared before the Board. He stated he was in favor of positive action by the Board today on the creation of Project IV. He further stated that his firm is getting very near the point of moving ahead subject to various approvals. He commented that Busch will bring in strong commercial development, but they could not move forward with these things without positive action from the Board. He reiterated that Project IV is of critical importance to them.

After further general discussion, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the creation of Project IV until the Board has time to discuss with Busch Properties, their future development.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: LANDFILL - ROUTE 60 - EAST

Mr. Wooddy reported that a request has come in from two landowners for the abandonment of Second Street, proposed access to the Sanitary Landfill located on Route 60 East.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby denies the request.

Mr. Douglas, property owner in that area, stated that he had met with the Highway Department and they felt that it would not be a disadvantage to the County or Highway Department to have this road taken out. He stated it was not a feasible location. He explained that he planned commercial development in that area.

Mr. Wooddy reminded the Board that Second Street should be used as the access for the Sanitary Landfill.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
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Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER AND SEWERAGE REQUEST - ROUTE 5 AND ROUTE 31

Mr. Frink suggested and the Board concurred to keep this on table until the water and sewerage committee has met with the City.

RE: APPOINTMENT - STUDY COMMITTEE - WATER AND SEWERAGE

Mr. Frink had Mr. Wooddy read the following Waiver of Notice for a special Meeting, held January 26, 1972:

WAIVER OF NOTICE OF A  
SPECIAL MEETING OF THE  
BOARD OF SUPERVISORS

"We, the undersigned, members of the Board of Supervisors and the Commonwealth Attorney of the County of the County of James City, Virginia, hereby waive notice, as prescribed in Section 15.1-538 of the Code of Virginia (1950, as amended), of a Special Meeting of the Board of Supervisors to be held at the Courthouse, Williamsburg, Virginia, on the 26th day of January, 1972 at four thirty o'clock p. m.; and do hereby consent to the transaction of such business as may come before said meeting or any adjournments thereof.

WITNESS our hands this 26th day of January, 1972."

/s/ John E. Donaldson  
/s/ Abram Frink, Jr.  
/s/ Jack D. Edwards  
/s/ Mayo W. Waltrip  
/s/ Stewart U. Taylor  
/s/ W. L. Person, Jr.

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John E. Donaldson, Mr. Abram Frink, Mr. Garland L. Wooddy and Mr. D. Martin, County Engineer to the Water and Sewerage Study Committee to work with the City on mutual water and sewerage problems.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Mr. Wooddy was instructed to contact the City committee immediately.

RE: DELETION - PERMITTED USES - A-1 AND A-2

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby agrees that they would like to have a joint public hearing with the Planning Commission to consider the deletion of certain permitted uses in A-1 and A-2 zones, as described in a Board resolution of January 10, 1972. The Executive Secretary is instructed to communicate with the Planning Commission to try to arrange such a joint hearing. In any event, it is understood that no action will be taken until the first regular meeting of the Board following the public hearing.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: M. W. BRYANT - MISS VIRGINIA E. OWENS

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Mr. Bryant introduced Miss Virginia E. Owens to the Board as an Agricultural Extension Agent, who will deal primarily with the youth of James City County.

RE: BICENTENNIAL

Mr. William B. Guerrant, President of the Williamsburg-James City County Chamber of Commerce made the following statement:

"On Tuesday, December 21, 1971, an organizational meeting was conducted by the Williamsburg-James City County Chamber of Commerce, appointing a committee to plan and coordinate the Bicentennial celebration in our historic triangle.

It is proposed that the Committee include one elected official from the city and the two counties; chairman of the three planning commissions; the chief administrative official from each of the three localities; executive representatives from the National Park Service; College of William and Mary; Eastern State Hospital; Colonial Williamsburg Foundation, Inc.; Jamestown Foundation; and representatives of news media.

It is probable that the committee will also be expanded to include representatives of the defense bases, located within or adjacent to the historic triangle, and Anheuser-Busch, Inc., in light of the plans that they have for their facilities.

There are three basic goals of the committee:

- 1) To protect the historic triangle from being exploited by inappropriate commercial ventures and to insure historical authenticity in any local observance.
- 2) To forecast the impact of the national observance on the historical attractions in the triangle and to advise the three governing bodies how they may act to prepare for increased visitation.
- 3) To function as a clearing house in coordination of events and activities in the triangle and to serve as liaison with the Peninsula and State Commissions.

There has been no previous Bicentennial Committee appointed in either Williamsburg or James City County. York County, however, has such a committee. We do not propose for the Chamber Committee to supplant the York County Committee, but would work closely in harmony with it and with the Peninsula Bicentennial Action Team, as well as the Virginia Independence Bicentennial Commission.

On behalf of the Williamsburg-James City County Chamber of Commerce, I would therefore like to request that the James City County Board of Supervisors officially recognize the proposed committee to coordinate the Bicentennial celebration for American independence in the historic triangle."

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby officially recognizes the proposed committee to coordinate the Bicentennial celebration for American independence in the historic triangle.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Jack Edwards, Mr. Garland L. Wooddy and Mr. Walter J. Scruggs to the Bicentennial Committee.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REIMBURSEMENT - REAL ESTATE TAXES - MR. & MRS. WILLIAM H. GIBSON

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of



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Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Mr. and Mrs. William H. Gibson were erroneously assessed by the Commissioner of Revenue of the County of James City for Real Estate Taxes, in the year 1971, in the amount of \$44.10.

WHEREAS, It was determined by the Commissioner of Revenue of the County of James City, that Mr. and Mrs. William H. Gibson were erroneously assessed for Real Estate Taxes in the year 1971, and that the amount of \$44.10 was paid to the Treasurer of the County of James City, Virginia on November 30, 1971.

Be It Further RESOLVED, That the Board of Supervisors of the County of James City, Virginia, agrees that the taxes were erroneously assessed and therefore approves the amount of \$44.10 to be paid from the General Fund to reimburse Mr. and Mrs. William H. Gibson for the erroneous assessment of Real Estate Taxes.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: TOANO SEWERAGE - WATER CONTROL BOARD

Mr. Woody explained that some months ago the Water Control Board directed the Board of Supervisors to submit plans for the updating of the Toano Sewerage System from primary to secondary treatment.

It was reported by Mr. Woody that a letter had been received from the Water Control Board stating that a unanimous Letter Ballot was completed January 4, 1972 on the following staff recommendations:

"The Board rescind its directive or order to construct secondary treatment facilities for each of the municipalities listed in the attached table until such time as sufficient construction grant funds become available (in accordance with Section 62.1-44.15:1 of the State Water Control Law) and the municipalities receive sufficient points to receive a priority certification."

Mr. Woody said that an "estimated eligible cost" for Toano is \$40,000.00 with an 80% grant of \$32,000.00.

RE: AUTHORIZATION - FEDERAL FUNDS - SCHOOL

Mr. Woody read the following request from the School Board:

"At the time the 1971-72 School Board Budget was adopted, certain Federal Programs were not included. In order that the budget reflect the true level of school expenditures and anticipated revenues, the Board requests that the Board of Supervisors authorize total school expenditures in the amount of \$3,742,403.74. This authorization will not require additional local appropriations in that all expenditures projected are financed entirely by Federal Funds.

	Expenditures	Revenue
Adopted Budget	3,522,056.12	3,552,056.12
Federal Programs	220,347.62	220,347.62
Revised Budget	3,742,403.74	3,742,403.74

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes total school expenditures for the year 1971-72 in the amount of \$3,742,403.74.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - EXTENSION OF BOUNDARIES - JAMES CITY SERVICE AUTHORITY PROJECT #1

Mr. Woody explained to the Board that a portion of the Greensprings property lies west of the western boundary of Project Area No. 1 and as a result the Directors will not turn over to the James City Service Authority the monies

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now due as per their previous commitment for prepayed sewer connections to the Powhatan Creek Interceptor, until they are assured that these connections can be used on all of their property. Further, Jamestown Festival Park and Jamestown Island have been advised by the State Water Control Board that they must connect to the County sewerage system when it becomes operative. The Board was advised that Jamestown Festival Park and Jamestown Island are not located in a Project Area or Sanitary District. Mr. Wooddy added that James I. Holt owning property located in the vicinity of Greensprings has previously paid for five sewer connections. Mr. Wooddy said that the Service Authority is requesting that Project #1 boundary lines be extended to include these properties.

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the requested extension of boundary lines for Project Area #1 for a public hearing to be held February 29, 1972.

Mr. Waltrip stated that perhaps all of Route 5 should be included.

Mr. Frink said the Service Authority should make a study of the Route 5 area before that decision is made.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REFUND - CONTRACTOR'S LICENSE

Mr. Wooddy explained there is a need to refund all Contractor's License fee of \$50.00, purchases for this year, as they now come under the Business and Professional License Tax Ordinance and purchase said license from the Commissioner of Revenue.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the refund of the Contractor's License fee paid by the contractor, in the amount of \$50.00 per contractor.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: FEASIBILITY STUDY OF TRI-AREA MERGER

Mr. Wooddy advised that he has received a request from the James City County Social Services Board, for the Board of Supervisors expression to the desirability of a feasibility study of a proposed merger of the Social Services agencies of James City County, York County, and the City of Williamsburg.

After a general discussion between the Board and Mrs. Douglas, Chairman of the James City County Social Services Board, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of

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Supervisors of the County of James City, Virginia, hereby tables this matter until the next meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: JACKSON DRIVE

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the residents of Jackson Drive have brought to our attention a serious safety hazard caused by the failure of Sanitary District #1 to properly fill and repair the roadway, and

WHEREAS, the condition has persisted since early November.

NOW, THEREFORE, BE IT RESOLVED, that this Board requests the Manager of Sanitary District #1 to take all necessary steps to repair the roadway on Jackson Drive.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: 1972-73 BUDGET

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

BE IT RESOLVED, that each agency of local government that requires county appropriation for its operations submit to the Executive Secretary its proposed budgets for the coming fiscal year, no later than February 25, 1972, including therein a detailed description of its program of expenditures and its requests for funding, and

Be It Further RESOLVED, that where such agency is unable to develop a final proposed budget by such date that it submit its preliminary budget at such time.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - PENINSULA AIRPORT COMMISSION

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Mayo W. Waltrip to the Peninsula Airport Commission to fill the unexpired term of Charles L. Quittmeyer.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
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Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: PENINSULA BICENTENNIAL COMMISSION

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby agrees that Mr. Richard W. Coakley continue to represent James City County on the Peninsula Bicentennial Commission.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - WILLIAMSBURG-JAMES CITY COUNTY CHAMBER OF COMMERCE BOARD OF DIRECTORS

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John E. Donaldson to the Board of Directors of the Williamsburg-James City County Chamber of Commerce to fill the vacancy left by Mr. Pettengill.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - DIRECTOR OF CIVIL DEFENSE

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Stewart U. Taylor as Director of Civil Defense, to fill the vacancy left by Mr. Pettengill.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Abstain

Motion carried by a majority vote.

RE: COURTHOUSE COMMITTEE - APPOINTMENT

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Mayo W. Waltrip to the Courthouse Committee to fill the vacancy left by Mr. Coakley.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: APPOINTMENT - SOCIAL SERVICE BOARD

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Abram Frink to the

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Social Services Board to fill the expired terms of Mr. Pettengill. This term of office is for a period of four years, expiring December, 1976.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - HIGHWAY SAFETY COMMISSION

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Stewart U. Taylor to the Highway Safety Commission to fill the unexpired term of Mr. Coakley.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Abstain

Motion carried by a majority vote.

RE: APPOINTMENT - WILLIAMSBURG - JAMES CITY COUNTY COMMUNITY ACTION AGENCY

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John E. Donaldson to the Williamsburg-James City County Community Action Agency to fill the vacancy left by Mr. Coakley.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Abstain
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: JAMES CITY - YORK SANITARY DISTRICT #1 BOARD

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John E. Donaldson to the James City-York Sanitary District #1 Board to fill the vacancy left by Mr. Coakley.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Abstain
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: MRS. HENDERSON - CHICKAHOMINY HOUSE

Mr. Wooddy advised the Board that the City will not connect the Chickahominy House to City sewerage line, with the stipulation that they must connect to County sewerage when available. He further advised that it is costing Mrs. Henderson \$70.00 per 1000 gallon load to have her septic tank pumped.

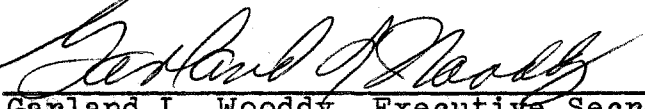
Mr. Frink suggested and the Board concurred to turn this problem over to the newly formed City and County Water and Sewerage Study Committee.

Checks #4611 through #4720, totalling \$601,128.84, were certified for payment from the General Fund for the month of January, 1972.



February 2, 1972  
January 31, 1972

There being no further business, the meeting was recessed to reconvene  
February 2, 1972 at 11:00 A. M.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a recessed meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the second day of February, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: SCHOOL BONDS

It was reported to the meeting that the following bids were received at the opening of bids held in Richmond, Virginia at 11:00 A. M., on this date for \$3,820,000 School Bonds of James City County:

<u>Name of Bidder</u>	<u>Amount of Bid</u>
Craigie Incorporated First & Merchants National Bank W. H. Morton & Co. Paine, Webber, Jackson & Curtis, Inc.	\$750,000 bonds maturing March 1, 1974 to 1979, incl., at 3.875%; \$1,500,000 bonds maturing March 1, 1980 to 1985, incl., at 4.60%; \$1,570,000 bonds maturing March 1, 1986 to 1991, incl., at 4.80%;  we will pay Three Million Eight Hundred Twenty Thousand Two Hundred Four and No/100 Dollars (\$3,820,204.00)
The Bank of Virginia and Associates	\$1,000,000 bonds maturing March 1, 1974 to 1980, incl., at 4.25%; \$2,500,00 bonds maturing March 1, 1981 to 1990, incl., at 5%; \$320,000 bonds maturing March 1, 1991 at 4%;  we will pay Three Million Eight Hundred Twenty Three Thousand Seven Hundred Five and 80/100 Dollars (\$3,823,705.80)
Halsey, Stuart & Co., Inc. Dupont Glore Forgan Municipals, Incorporated and Associates	\$100,000 bonds maturing March 1, 1974 at 4%; \$2,650,000 bonds maturing March 1, 1975 to 1987, incl., at 4.75%; \$1,070,000 bonds maturing March 1, 1988 to 1991, incl., at 5%;  we will pay Three Million Eight Hundred Twenty Thousand Six Hundred Eleven and 20/100 Dollars (\$3,820,611.20)
The Northern Trust Company and Associates	\$100,000 bonds maturing March 1, 1974 at 5%; \$300,000 bonds maturing March 1, 1975 to 1977, incl., at 6%; \$100,000 bonds maturing March 1, 1978 at 5%; \$1,000,000 bonds maturing March 1, 1979 to 1982, incl., at 4-1/4%; \$2,000,000 bonds maturing March 1, 1983 to 1990, incl., at 5%; \$320,000 bonds maturing March 1, 1991 at 4-1/4%;  we will pay Three Million Eight Hundred Twenty Thousand Ninety Six and 20/100 Dollars (\$3,820,096.20)
Anderson & Strudwick and Associates	\$2,250,000 bonds maturing March 1, 1974 to 1985, incl., at 4-3/4%; \$1,250,000 bonds maturing March 1, 1986 to 1990, incl., at 5%; \$320,000 bonds maturing March 1, 1991 at 4%;  we will pay Three Million Eight Hundred Twenty Thousand Thirteen and 50/100 Dollars (\$3,820,013.50)

February 2, 1972

Name of Bidder

Harris Trust and Savings  
Bank and Associates

\$400,000 bonds maturing March 1,  
1974 to 1977, incl., at 5%; \$2,100,000  
bonds maturing March 1, 1978 to 1986,  
incl., at 4-3/4%; \$1,000,000 bonds  
maturing March 1, 1987 to 1990, incl.,  
at 5%; \$320,000 bonds maturing March  
1, 1991 at 4%;

we will pay Three Million Eight  
Hundred Twenty Thousand Seven  
Hundred Forty Two and No/100  
Dollars (\$3,820,742.00)

Phelps, Fenn & Co.  
Mason-Hagan, Inc.  
and Associates

\$1,250,000 bonds maturing March 1,  
1974 to 1981, incl., at 6%  
\$1,750,000 bonds maturing March 1,  
1982 to 1988, incl., at 4.70%;  
\$820,000 bonds maturing March 1,  
1989 to 1991, incl., at 4%;

we will pay Three Million Eight  
Hundred Twenty Five Thousand Four  
Hundred Sixty Two and 60/100  
Dollars (\$3,825,462.60)

Fidelity National Bank

\$1,250,000 bonds maturing March 1,  
1974 to 1981, incl., at 5% \$1,250,000  
bonds maturing March 1, 1982 to 1986,  
incl., at 4.90%; \$750,000 bonds  
maturing March 1, 1987 to 1989,  
incl., at 5%; \$570,000 bonds  
maturing March 1, 1990 and 1991  
at 4%;

we will pay Three Million Eight  
Hundred Twenty Thousand Five Hundred  
One and No/100 Dollars  
(\$3,820,501.00)

Each of the above bids offered to pay accrued interest from the date of the bonds  
to the date of delivery.

The County's financial adviser reported that the bid of Craigie Incor-  
porated, First and Merchants National Bank, W. H. Morton and Company and Paine,  
Webber, Jackson and Curtis, Inc. offered to purchase the bonds at the lowest cost  
to the County, which bid is attached hereto and made a part of these minutes.

Thereupon the following resolution was adopted by a roll call vote, the  
ayes and nays being recorded in the minutes of the meeting as follows:

<u>Member</u>	<u>Vote</u>
Mr. Abram Frink	Aye
Mr. Mayo W. Waltrip	Aye
Mr. Jack Edwards	Aye
Mr. John Donaldson	Aye
Mr. S. U. Taylor	Aye

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA,  
that the \$3,820,000 School Bonds of James City County, dated March 1, 1972, which  
were authorized to be issued and sold by resolution heretofore adopted on January  
10, 1972, be and the same are hereby awarded to Craigie Incorporated, First and  
Merchants National Bank, W. H. Morton and Company and Paine, Webber, Jackson and  
Curtis, Inc. in accordance with the terms of their bid and shall bear interest as  
set out in such bid.

B I D F O R M

February 2, 1972

Board of Supervisors of James City County  
c/o The Office of the Treasurer of Virginia  
Room 101, Finance Building  
Richmond, Virginia

Dear Sirs:

For all the \$3,820,000 School Bonds of James City County, Virginia, described  
in the official Notice of Sale which is made a part hereof, dated March 1, 1972,  
and maturing on March 1 in each year and bearing interest, as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>		<u>Year</u>	<u>Amount</u>	<u>Rate</u>
1974.....	\$100,000	3.875	%	1983.....	\$250,000	4.60 %
1975.....	100,000	3.875	%	1984.....	250,000	4.60 %
1976.....	100,000	3.875	%	1985.....	250,000	4.60 %
1977.....	100,000	3.875	%	1986.....	250,000	4.80 %
1978.....	100,000	3.875	%	1987.....	250,000	4.80 %
1979.....	250,000	3.875	%	1988.....	250,000	4.80 %
1980.....	250,000	4.60	%	1989.....	250,000	4.80 %

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Year	Amount	Rate	Year	Amount	Rate
1981.....	\$250,000	4.60	1990.....	\$250,000	4.80
1982.....	250,000	4.60	1991.....	320,000	4.80

we will pay Three Million Eight Hundred Twenty Thousand Two Hundred four and No/100 Dollars (\$3,820,204.00), plus accrued interest from the date of the bonds to the date of delivery.


We enclose a certified or bank cashier's check for \$76,400 drawn upon an incorporated bank or trust company and payable unconditionally to the order of James City County to secure the County against any loss resulting from our failure to comply with the terms of this bid. If our bid is accepted, the check will be deposited by the County and credited on the purchase price. The proceeds of the check will be retained by the County as liquidated damages in case we fail to accept delivery of and pay for the bonds. If our bid is not accepted, the check will be returned promptly upon the award of the bonds. We understand that no interest will be paid on the check.


CRAIGIE INCORPORATED  
FIRST & MERCHANTS NATIONAL BANK  
W. H. MORTON & CO.  
PAINE, WEBBER, JACKSON & CURTIS, INC.  
BY: CRAIGIE INCORPORATED  
/s/ Langhorne Gibson, Vice-President

NO ADDITION OR ALTERATION, EXCEPT AS PROVIDED ABOVE, SHOULD BE MADE TO THIS BID:

(NOTE - The following is stated for information only and is not part of the bid: The aggregate amount of interest upon all of the bonds from their date until their respective maturities, after deducting any premium, is \$2,121,448.50. The Average net interest cost for this bid is 4.65434%.)

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the fourteenth day of February, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, BERKELEY District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Edwards, seconded by Mr. Waltrip, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes as published.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORTS  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: PUBLIC HEARING - REZONING - SMITH PROPERTY - A-2 to B-1

Mr. Woody read the following description of the Smith property:

"Rezoning from A-2 to B-1 about ten (10) acres of land in the Grove area on the east side of Route 60 north of Plantation Road. This property is known as the Smith Tract."

Mr. Frink opened the hearing for public comment. There being none, the hearing was closed.

After a general discussion, the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby rezones the Smith Tract from A-2 to B-1.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: PROJECT IV

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, that this Board approves the establishment of Project Area No. 4, as proposed by the James City Service Authority, and authorizes the said Authority to provide therein, as it deems feasible, sewer, water and other services permitted under applicable laws, it being understood however, that the establishment of said project area constitutes neither approval nor disapproval of the nature and rate of development of the Kingsmill tract, as outlined in the feasibility study with respect thereto.

Mr. Edwards stated he would have to speak against it, as he felt it was a mistake for the County to do this without first seeing the Master Plan on the Busch development for that area.

Mr. Donaldson replied that the County approves or disapproves the Master Plan, therefore the Board still has the facilities to negotiate.

Mr. Waltrip said he did not want to see Busch delayed as it might hurt the County's tax base.

Mr. Frink stated the Board will still have bargaining power.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: FEASIBILITY STUDY OF TRI-AREA MERGER

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the James City County Social Services Board participate in a feasibility study of a proposed merger of the Social Service agencies of James City County, York County, and the City of Williamsburg. It is understood that the study will be done by the Virginia Department of Welfare and Institutions with the cooperation of the local agencies.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MRS. HENDERSON - CHICKAHOMINY HOUSE

On a motion by Mr. Donaldson, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, that this Board does herewith consent to the provision of sewer services by the City of Williamsburg to that tract of land on Route 31 known as the Chickahominy House tract, on a permanent basis.

RE: DELETION OF USE REGULATIONS FROM A-1 to A-2 - PLANNING COMMISSION REQUEST

Mr. Woody reported that the Planning Commission has requested a sixty day extension of time, in order to prepare their recommendations for the Board

February 14, 1972

on the deletion of certain use regulations from A-1 and A-2 zones.

Mr. Waltrip made the following statement:

"Mr. Chairman, because of the economics involved, I feel it is undesirable at this time to make any revisions or deletions to the A-1 and A-2 Districts of the James City County Zoning Ordinance. Even with a professional planner, no one on the Board or the Planning Commission can be positively sure that these proposed changes will be what is best for James City County or its citizens. A lot of concentrated effort has gone into our present zoning ordinance, including years of study and preparation by those who were on previous Boards and the commission, and it has already been established through the intent of the zoning districts the development and growth characteristics that will inevitably occur.

In addition -

1. The deletion and revisions of several specified uses by the Board has caused considerable confusion among many County citizens and also some actions of dissent among Planning Commission members.

2. The Planning Commission has devoted many hours in preparing and in the updating of several articles in the ordinance. Their request for an extension of time must be granted to enable their final recommendations to be one that is acceptable and is in the best interest of James City County and its citizens.

3. The cost of furnishing services that are needed right now cannot be met by the present tax base. The present rate of growth and development must continue in order to stop the serious gap that will occur between revenue needed now and revenue that will be available when the need does arrive.

Therefore, I move that this Board does not make any deletions or revisions to the uses allowed in the A-1 and A-2 Districts of the James City County Zoning Ordinance at this time, and that growth and development be allowed to continue when there is no conflict with the present zoning requirements until (1) a planner is hired, (2) a comprehensive plan is approved, and (3) a thorough land use study is completed." The motion was seconded by Mr. Taylor.

Mr. Edwards and Mr. Donaldson spoke in opposition to the motion.

Mr. Frink stated that if the County waited until a Comprehensive Land Use Plan was put into operation, it might be too late.

Mr. Taylor was in agreement with Mr. Waltrip.

After a lengthy discussion, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Nay
Mr. Donaldson	-	Nay
Mr. Taylor	-	Aye

Motion defeated by a majority vote.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

On January 10, the Board asked the Planning Commission to review certain permitted uses in the A-1 and A-2 zones, and to make a recommendation to the Board by February 28. The Board hereby extends the deadline for this recommendation to March 28.

After a general discussion between the Board, Mr. Scruggs and Mr. Bradshaw of the Planning Commission, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: CHARISMA APARTMENTS - WALKER TRACT - WATER SERVICE

On a motion by Mr. Donaldson, seconded by Mr. Edwards and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, that the Board of Supervisors does herewith consent to the provision of water by the City of Williamsburg to those tracts of land more commonly known as the Charisma Apartments tract and the Walker tract, both being along Route 60 east of the City of Williamsburg, on a temporary basis, it being understood that such water service by the City of Williamsburg, shall, at its option, become a permanent part of its water system if the James City Service Authority fails to provide public water connection to such tracts within eighteen months.

RE DORSEY - HOLLYBROOK



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On a motion by Mr. Donaldson, seconded by Mr. Waltrip, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, that this Board consents to the provision of water service by the City of Williamsburg to that parcel of land in the Hollybrook Subdivision known as the William Dorsey lot, on a permanent basis.

RE: RESIGNATION - MR. SICKLES - SERVICE AUTHORITY

Mr. Woody read the following letter:

7 February 1972

Chairman, Board of Supervisors  
James City County  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Sir:

I regret that business and personal commitments will prevent my continued service on the James City Service Authority.

Please accept my resignation to be effective immediately.

Sincerely yours,

/s/ W. E. Sickles

W. E. SICKLES

On a motion by Mr. Donaldson, seconded by Mr. Taylor, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mr. Sickles resignation from the Service Authority and directs the Executive Secretary to write a letter of appreciation to Mr. Sickles on behalf of the Board.

Mr. Donaldson stated that Mr. Sickles had rendered invaluable service to the Authority.

Mr. Frink said he hated to see Mr. Sickles leave the Authority.

Mr. Donaldson said the Board would welcome any volunteers to work on the Authority.

RE: HOLIDAY - GEORGE WASHINGTON'S BIRTHDAY - FEBRUARY 21, 1972

On a motion by Mr. Donaldson, seconded by Mr. Edwards, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, In accordance with Section 2.1-21, Code of Virginia, 1950, as amended, the third Monday in February, 1972, (2-21-72), shall be a legal holiday for the celebration of Washington's Birthday, as to the transaction of all business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the twenty-first day of February, 1972, as a legal holiday for county offices and employees.

RE: AIR CONDITIONING - JAIL

Mr. Woody reported that the City Sheriff had been to see him in reference to air-conditioning of the jail, either the whole jail or just the office space area.

Mr. Woody further explained that a sum of \$15,631.67 remains in the Courthouse Construction Fund Account, the remainder of the \$25,000.00 appropriated by the City and County.

After a general discussion the Board asked Mr. Woody to have the City Sheriff appear before them, to discuss the matter.

RE: SLEEPY HOLLOW MOBILE HOME PARK

Mr. Woody read the following recommendation from the Planning Commission:

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"On a motion by Mr. White, seconded by Mr. Mepham and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the preliminary sketch be approved in principle."

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves the Sleepy Hollow Mobile Home Park preliminary sketch in principle, subject to compliance to all State and local ordinances.

RE: REIMBURSEMENT - REAL ESTATE TAXES - HELEN A. AND RICHARD W. WARTHON - BOARD OF EQUALIZATION

On a motion by Mr. Waltrip, seconded by Mr. Donaldson and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Equalization of Real Estate Assessment for the County of James City, has entered an order dated November 15, 1971, changing the assessment of  $\frac{1}{2}$  lot D Blk. 4 William Lee Tract, recorded in the Stonehouse Land Book, Page 170, Line 22, from \$2,130.00 to \$1,650.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, Helen A. and Richard W. Warthon have paid the amount of \$89.46 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$20.16.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of James City, directs the Executive Secretary to draw a check in the amount of \$20.16, payable to Helen A. and Richard W. Warthon.

RE: GREEN SPRINGS MOBILE HOME VILLAGE EXPANSION

Mr. Woody read the following recommendation from the Planning Commission:

"After review of the site plan, on a motion by Mr. White, seconded by Mr. Bradshaw and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that approval be given for the proposed expansion to a total of 85 mobile home sites."

On a motion by Mr. Taylor, seconded by Mr. Donaldson and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves a conditional use permit for the expansion of Green Springs Mobile Home Village to 85 mobile home sites.

RE: RICHARDSON - MEADOWS TRACT

Mr. Woody read the following recommendation from the Planning Commission:

"On a motion by Mr. Mepham, seconded by Mr. Hicks and passed by a majority roll call vote, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors that the Slauson and the Terrell tracts remain A-2, and that the Richardson-Meadows tract be zoned as follows:

Beginning at the north junction of the Slauson/Richardson-Meadows property lines, thence in a south-easterly direction along the Richardson-Meadows property line for a distance of one hundred (100) feet, thence dividing the property in two parts by the line extending to the eastern side of the property, which line is at a ninety degree (90°) angle to the eastern side property line. The north portion of the tract of about twenty (20) acres is recommended for a zoning to R-2, and the south portion of about seventeen (17) acres is recommended for zoning to B-1."

On a motion by Mr. Donaldson, seconded by Mr. Edwards and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing, to be held March 13, 1972 at 7:30 P. M., as per the Planning Commission's recommendations.

RE: REQUEST - MR. FARMER - NON-CONFORMING USE

Mr. Woody reported that Mr. Farmer is requesting a Special Permitted use by the Board of Supervisors to build an equipment shelter in an R-2 zone; his business being non-conforming.

Mr. Frink asked if the Board could allow a Special Permitted Use.

Mr. Woody replied that this was a legal question, which the Commonwealth's Attorney would have to answer.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, and passed by a

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unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby requests the Executive Secretary to consult with the Commonwealth's Attorney and Mr. Farmer and comment on same at a later meeting.

RE: MRS. BLAYTON - THOMAS NELSON COMMUNITY COLLEGE

Mrs. Blayton appeared before the Board requesting their consideration of an appropriation in the amount of \$7,405.00, the County's share of \$336,600.00 for site development costs for the construction of a learning resources center and a student center.

Mr. Frink commended Mrs. Blayton for her work with the college and advised her that this request will be taken under consideration by the Board when they begin working on the budget.

RE: INTERIM PUMPING AND HAULING - SEWAGE

Mr. Woody reported to the Board that after talking to Dr. Wilson of the Health Department on interim pumping and hauling of sewage, it was Dr. Wilson's suggestion that the Board set a policy on same, which would necessitate going to Richmond, to talk to Dr. Graham, State Health Department. Mr. Woody stated that the Old Indian Village site under construction as a tourist camp is an example.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to approach Richmond on this request, on behalf of the Board, and advise accordingly.

RE: PROCLAMATION - ENGINEERS WEEK

On a motion by Mr. Donaldson, seconded by Mr. Waltrip and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Nation looks to Engineers for the application of science, skill, training and experience to provide us with a better tomorrow through technology, and

WHEREAS, we are indebted to Engineers for technology, prosperity, high health and living standards in improving the quality of life in our society, and

WHEREAS, we owe much to members of the engineering profession who have pioneered, developed and brought to fruition, many of the benefits in our economic, industrial, and social wellbeing, and

WHEREAS, it is fitting that we set aside a week for acknowledging and commemorating the important role of the Engineer in American life.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, Virginia, does hereby proclaim the week of February 20-26, 1972 as Engineer's Week in the County of James City, Virginia, and urge our people to become better acquainted with outstanding advances in the fields of Engineering.


RE: PLANNING DIRECTOR

Mr. Edwards reported that nineteen applications had been received for Planning Director.

RE: SANITARY DISTRICT II FUNDS

Mr. Frink reported that he had received a letter from Farmers Home Administration officially approving funds for Sanitary District #II.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-ninth day of February, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON,

Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves the previous minutes as published.

RE: RESIDUE - HIGHWAY PARCEL - TOANO

Mr. Woody read the following letter from the Service Authority:

February 2, 1972

Mr. Abram Frink, Chairman  
James City County Board of Supervisors  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Frink:

Reference is made to the residue parcel of land discussed by Mr. Taylor of the Highway Department at the Board of Supervisors meeting January 31.

As requested, I have viewed said parcel, and discussed same with Mr. Woody and Mr. Hazelwood. The only possible need that I am able to envision at this time for this property by the Authority would be for a water and/or sewer line easement.

Therefore, I would recommend that the Highway Department dispose of this property as planned, reserving for the Authority a ten(10) foot permanent easement across same, directly behind and parallel to the highway right-of-way.

I very much appreciate the Board of Supervisors' consideration of the Authority in this matter.

Trusting the above mentioned disposition of this property meets with your approval, I remain

Yours very truly,

/s/ W. C. Johnson

W. C. Johnson, Admin.

On a motion by Mr. Edwards, seconded by Mr. Donaldson and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the Highway Department request to dispose of a parcel of land, located on Route 60 in Toano adjacent to the old county office building property, subject to reserving a ten (10) foot utility easement, directly behind and parallel to the Highway right-of-way, for the James City Service Authority.

RE: C & O RAILROAD CROSSING - ROUTE 607

After a general discussion, the Board concurred with Mr. Woody, that he draft a resolution for the next meeting, objecting to the closing of the crossing on Route 607.

RE: CENTER LINE - IRONBOUND ROAD

Mr. Jeffrey reported that a center line will be placed on Ironbound Road down to Route 613, where Croffton will be developed.

RE: INTERSECTION OF IRONBOUND ROAD AND STRAWBERRY PLAINS ROAD

Mr. Jeffrey reported that delineators had been placed as requested.

RE: RESOLUTION - RURAL ADDITION - SCHOOL ENTRANCES

On a motion by Mr. Edwards, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Section 33-45 of the 1950 Code of Virginia, as amended by the 1964 General Assembly, provides authority for the State Highway Department to add to the Secondary System school roads comprising bus driveways, and

WHEREAS, the School Boards of Williamsburg-James City County desire the inclusion of such school roads into the Secondary System and agree to the terms and conditions pertinent to such inclusion involving the granting of a minimum of 30' right of way for all driveways with the following additional information for each driveway:

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BERKELEY - Circular driveway 707 feet from entrance to exit; crushed stone base with surface treatment topping; base depth 8"; width of surface 25' and roadway 25', and

NORGE - Circular driveway 908.4 feet; Bit, Conc (s-4 MOD) over 8" crushed run; base depth 8"; width of surface and roadway 24', and

RAWLS BYRD - Circular Driveway 622 feet from entrance to exit; crushed stone base with surface treatment topping; base depth 8"; narrowest point on surface and roadway is 25' with 100' at entrance and exit; and

WHEREAS, the following schools: Berkeley, Rawls Byrd and Norge have such qualified roads.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of James City, Virginia, doth respectfully request the State Department of Highways to take into the Secondary System the heretofore mentioned school driveways.

RE: CYPRESS DRIVE

Mr. Woody reported that the necessary information needed for Mr. Jeffrey should be in his hands by the next meeting.

RE: POWHATAN DRIVE

Mr. Jeffrey reported that Powhatan Drive is under construction.

RE: ROAD VIEWERS

Mr. Jeffrey said it was necessary to get the Road Viewers together as soon as possible.

Mr. Woody was requested to give Mr. Jeffrey a list of the roads in the next few days.

RE: LITTER

Mr. Jeffrey reported that the Highway Department will pick up litter on the highly traveled roads in the county.

RE: GROVE RAILROAD CROSSING

Mr. Jeffrey reported that a study has begun on the Grove Railroad Crossing.

Mr. Jeffrey said it was his opinion that the crossing would not be needed in the near future, due to the construction beginning on Route 199 in June and in approximately one year from that date the other section of Route 199 will be under construction. Further, he pointed out that the relocation of Route 60 into Newport News will give the Grove residents another access.

Mr. Frink said he disagreed with Mr. Jeffrey.

RE: PUBLIC HEARING - EXTENSION OF BOUNDARY LINES - SERVICE AUTHORITY PROJECT #1

Mr. Woody read the following description of the proposed extension of boundary lines:

PARCEL NO. 1:

Beginning at the junction of State Route 5 with State Route 614, being a point on the western boundary of Service Project Area No. 1; thence in a northerly direction with State Route 614 along said boundary to its junction with State Route 613; thence in a westerly and southerly direction with State Route 613 to a point approximately 1,000 feet south of State Route 5 and thence approximately 1,000 feet in an easterly direction paralleling State Route 5 and thence in a northerly direction paralleling State Route 613 approximately 1,000 feet to a point on State Route 5 (such as to include entirely the property of James I. and Joyce I. Holt lying south of State Route 5); thence in an easterly direction with State Route 5 to its junction with State Route 614, the point of beginning.

PARCEL NO. 2:



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Beginning at the junction of State Route 31 and the mean low water mark of the north bank of the James River; thence in an easterly direction along said low water mark to the west bank of the waterway entering Sandy Bay, between said bank and Jamestown Island; thence in a northwesterly direction along the west bank of Sandy Bay to the west bank of the mouth of Powhatan Creek; thence upstream along said bank to its junction with the southern boundary of Sanitary District No. 3, near the Colonial National Parkway; thence in a westerly direction along the southern boundary of Sanitary District No. 3 to its junction with State Route 31; thence in a southwesterly direction along State Route 31 to the mean low water mark of the north bank of the James River, the point of beginning.

PARCEL NO. 3:

Jamestown Island in its entirety.

Mr. Frink opened the public hearing for comments. There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adds the above described parcels 1, 2 and 3 to Service Authority Project #1.

RE: REQUEST - MR. FARMER - NON-CONFORMING USE

This was tabled until an opinion is received from the Commonwealth's Attorney.

RE: PENINSULA AIRPORT COMMISSION - APPOINTMENT

Mr. Woody explained that it was his understanding that a member of the Board of Supervisors must serve on this commission, but has been informed that this is not the case. He advised that the commission would like for Mr. Quittmeyer to remain as a member of said commission.

This matter was tabled to give Mr. Frink an opportunity to take with Mr. Quittmeyer.

RE: AIR-CONDITIONING - JAIL - SHERIFF DORSEY

Mr. Woody advised the public that the Board members had taken a tour of the jail and were aware of the conditions there.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to seek concurrence from Judge Armistead, the Virginia Department of Welfare and Institutions and the City of Williamsburg on the air-conditioning of the jail. Further, the Executive Secretary is directed to contract with the necessary person to obtain a cost estimate on air-conditioning the Recreation Area, Kitchen and Office and a cost estimate on the remaining portion of the jail which will be put to bids. The Executive Secretary is directed to inquire into the possibility of State financing.

RE: REAPPOINTMENTS - BOARD OF ADJUSTMENT AND APPEALS - MULLIGAN AND SHELDON - 4-YEAR TERMS.

On a motion by Mr. Waltrip, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby reappoints Mr. J. Cory Mulligan and Mr. H. G. Sheldon to the Board of Adjustment and Appeals as members at large from the building industry for a term of four years.

RE: REIMBURSEMENT - REAL ESTATE TAXES - NUNZIO B. AND LOUISE H. CERAOLO - BOARD OF EQUALIZATION

On a motion by Mr. Edwards, seconded by Mr. Donaldson and passed by a

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unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Equalization of Real Estate Assessment for the County of James City, has entered an order dated November 18, 1971, changing the assessment of Pt. of Sycamore Landing, Lot B, recorded in the Stonehouse Land Book, Page 134, Line 37, from \$1,950.00 to \$1,590.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, Nunzio B. and Louise H. Ceraolo have paid the amount of \$81.90 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$15.12.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, directs the Executive Secretary to draw a check in the amount of \$15.12, payable to Nunzio B. and Louise H. Ceraolo.

RE: AGREEMENT - HRSDC

Mr. Wooddy explained he had received an agreement from Hampton Roads Sanitation District Commission, in reference to a 30" interceptor sewerage force main to Kingspoint, across College Creek to Route 31.

Mr. Wooddy suggested that this be tabled until he can get a cost estimate of this line.

The Board concurred.

RE: STREET LIGHTS - SKIPWITH FARMS

Mr. Wooddy reported receiving a request from Skipwith Farms Civic Association for a street light at the entrance of Skipwith Farms. He further explained that it has been the policy of the Board to place street lights only on roads in the highway system, with the exception that if a safety hazard is involved.

Since no appointment had been made to the street light committee to work with Mr. Wooddy, the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Edwards and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Mayo W. Waltrip to the street light committee.

On a motion by Mr. Donaldson, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby refers the Skipwith request to the street light committee.

RE: STREET LIGHT - CENTERVILLE ROAD AND LONG HILL ROAD

Mr. Wooddy reported receiving a petition with approximately 116 signatures, requesting street lights along Centerville Road and Long Hill Road.

On a motion by Mr. Frink, seconded by Mr. Donaldson and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby refers this request to the street light committee.

RE: RESOLUTION - HALF-WAY HOUSE

Mr. Wooddy read the following resolution:

WHEREAS, the Board of Supervisors of James City County have been advised that the grant application to the Division of Justice and Crime Prevention and the Department of Welfare and Institutions of the Commonwealth of Virginia has been approved for the establishment of a Juvenile Delinquent Program for the Regional Juvenile Probation Department of James City County, Williamsburg and York County in the amount of \$95,064 for the year January 6, 1972 through January 6, 1973, and

WHEREAS, the Board of Supervisors of James City County did approve the filing of the application of this grant, and

WHEREAS, no local funds are required to initiate or operate this program for the year January 6, 1972 through January 6, 1973,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the grant from the grant from the Division of Justice and Crime Prevention and the Department of Welfare and Institutions of the Commonwealth of Virginia for the year January 6, 1972 through January 6, 1973 for the establishment of a Juvenile Delinquent Program for the Regional Juvenile Probation Department of James City County, Williamsburg and York County is hereby approved and the Executive Secretary of the County of York, Mr. William P. Larew, is authorized to accept such

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grant in and on behalf of James City County and to expend such funds for the operation of this program in accordance with the law.

On a motion by Mr. Donaldson, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter until March 13, 1972 and directs the Executive Secretary to ask Mr. Matthew, head of the Probation Department to attend this meeting.

RE: RESIGNATION - JAMES W. KINCAID

Mr. Woody read the following letter:

February 15, 1972

Mr. Abram Frink, Chairman  
Board of Supervisors  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Frink:

For personal reasons, I wish to submit my resignation, effective March 1, 1972.

Very truly yours,

/s/ James W. Kincaid

James W. Kincaid

On a motion by Mr. Donaldson, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mr. Kincaid's resignation, with the hope that he will continue with the County for one month. Further, the Board hereby commends Mr. Kincaid for his valuable service rendered to the County.

RE: MR. MATHES - DOG LEASH LAW

Mr. Mathes appeared before the Board making the following statement:

"I would like to suggest that the Board of Supervisors establish a committee to consider problems created by dogs running loose in residential areas of the County. I feel that this is a very real problem and should be recognized as a portion of the differential planning required for residential (R1, R2, R3) areas of the County. The committee should initially be charged with determining the extent and seriousness of the situation and if appropriate, develop an ordinance which would alleviate the problem."

After a lengthy discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby agrees to establish a committee to consider the problems with dogs and cats in the County.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Abstain
Mr. Taylor	-	Nay

Motion carried by a majority vote.

It was agreed that the committee be appointed on March 13, 1972, and that the Dog Warden be a member of said committee.

RE: REZONING - POOLE PROPERTY

Mr. Woody advised that a problem has arisen on the rezoning of the adjoining property to the Poole property, located on Old Jamestown Road, which took place in 1970.

Mr. Poole had requested that his property be rezoned from A-2 to R-2. After the Planning Commission's public hearing on this piece of property, the Commission recommended that all adjoining property be rezoned from A-2 to R-2. Mr. Woody stated that it was the Commonwealth's Attorney's opinion that since

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certified notices were not sent to the adjoining property owners on this rezoning, that the rezoning of this adjoining property is illegal and that only Mr. Poole's property can remain R-2 and the other property will revert back to A-2.

On a motion by Mr. Donaldson, seconded by Mr. Taylor and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

RESOLVED, that those adjacent parcels to the Poole tract, which were, in 1970, purportedly rezoned R-2, and as to which the owners thereof were not given the required statutory notice, be shown on the zoning map as zoned prior to the purported rezoning.

RE: INVESTING FUNDS

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby requests the Treasurer of James City County to invest and/or deposit proceeds from the sale of the \$3,820,000.00 School Bond Issue in the local bank paying the highest interest rate. The Executive Secretary is directed to solicit bids establishing the aforementioned rate.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST - SCHLIESER

Mr. Woody reported he had received a request from a Mr. Schlieser for a water connection on a lot in Hollybrook below Mr. Dorsey's property.

On a motion by Mr. Edwards, seconded by Mr. Donaldson and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Water and Sewerage Study Committee.

RE: PENINSULAR BICENTENNIAL COMMISSION

Mr. Woody advised the Board that an article had been in the Press, with reference to a Mr. Hamilton speaking in York County, and stating that James City County was not a member of the Commission. Mr. Woody said he wanted it clarified that the County was a member of said Commission.

Mr. Howard Sawyer, member representing James City in the Commission, stated that he and Mr. Coakley, the other member representing the County, have attended every meeting that they have been informed about.

Mr. Sawyer further stated that perhaps the Chairman of the Board and Planning Commission may be called on in the future, for help the Peninsular Bicentennial may need.

RE: COMMUNITY ACTION AGENCY

Mr. Edwards advised that the Community Action Agency was interested in developing a transportation system for low income persons and wished to apply for a grant. He stated that the Community Action Agency needs an indication from the Board, that they will provide the necessary \$5,000.00, in order for the Community Action Agency to apply for the grant.

Mr. Woody advised that an appropriation cannot be made without a public hearing.

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After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the filing of an application to obtain a demonstration grant for a public transportation system, by the Community Action Agency, and that the Board strongly supports this act. The Board further directs the Executive Secretary to include the amount of \$5,000.00 for this in the 1972-73 Budget.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: HUD - APPLICATION

Mr. Martin, Martin, Clifford and Associates, appeared before the Board, advising them that the application for HUD had been revised for sewerage only because evidence had shown that it will not be financially feasible to provide water together with sewerage. He presented a revised report to the Board.

After a general discussion the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Waltrip and passed by a unanimous vote, the Board of Supervisors of the County of James City, Virginia, hereby approves of the reviewing of the application with HUD as drawn by Martin, Clifford and Associates.

The Board was advised that a meeting had been set up with HUD for March 1, 1972 and that Mr. Frink, Mr. Edwards and Mr. Woody, together with Mr. Martin would attend said meeting.


RE: NEWPORT NEWS - WATER

Mr. Frink reported that the first meter had been installed yesterday in Grove.

Check #4848 through #4947, totalling \$276,191.69, were certified for payment from the General Fund for the month of February, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirteen day of March, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of



March 13, 1972

Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
 APPROPRIATIONS AND EXPENDITURES REPORT  
 TREASURER'S REPORT  
 BUILDING PERMIT REPORT  
 PROBATION DEPARTMENT REPORT  
 DOG WARDEN REPORT

The above reports were reviewed and approved by the Board.

RE: PUBLIC HEARING - MOTOR VEHICLE LICENSE TAX ORDINANCE

Mr. Wooddy read the following ordinance:

MOTOR VEHICLE LICENSE TAX ORDINANCE

(1) On and after March 15, 1972, and annually thereafter, the owner of each passenger motor vehicle (except motorcycles, motorbikes and mini-bikes), and the owner of each truck, owned or garaged in the county shall make application to the County Treasurer for a license, and shall pay an annual license fee of ten dollars.

(2) On and after March 15, 1972, and annually thereafter, the owner of any trailer or semitrailer owned or garaged in the county, shall make application to the County Treasurer for a license, and shall pay an annual license fee of three dollars. This section specifically excludes mobile homes.

(3) On and after March 15, 1972, and annually thereafter, the owner of any motor cycle, motorbike or mini-bike, owned or garaged in the county, shall make application to the County Treasurer for a license, and shall pay an annual license fee of two dollars.

(4) On or after March 15, 1972, and annually thereafter the aforesaid owner shall pay a license fee of fifty cents for said transfer and fifty cents for replacement of said linense.

(5) Upon payment of the aforesaid license fees, the County Treasurer shall issue the license and number decal for each vehicle. Such license decal shall be affixed to the bottom right hand corner of the windshield adjacent to the inspection sticker and not more than three inches from the bottom of the sindshield, axcept that in case of motorcycles, motorbikes or mini-bikes and trailers, said decal shall be affixed adjacent to the state inspection sticker.

(6) The County Treasurer shall place on sale such license decals on the fifteenth day of March, 1972, and annually thereafter on the same date, for the current license year. Every license issued hereunder shall expire on the fifteenth day of April of the year following the year for which it was issued.

(7) One-half of the annual fee prescribed by this Ordinance shall be collected whenever any license is issued during the period beginning on the first day of October and ending on the fifteenth day of March in the same license year.

(8) No license decal shall be issued to any person whose tangible personal property tax has not been paid.

(9) Every licensed dealer in motor vehicles shall be exempt from the tax for such vehicles as are used solely for demonstration purposes and every non-domiciliary member of the Armed Forces residing in James City County in compliance with military or naval orders are exempt from the tax.

(10) The license herein provided shall be in addition to any motor vehicle license or tax now required by law, but nothing herein contained shall be construed as requiring the procuring of a license for any motor vehicle owned by any governmental agency and operated solely within such governmental agency's business.

(11) Every person living in the county for a period of sixty days or more and owning or having in possession a motor vehicle, and every person owning or having in possession a motor vehicle from other states and using the streets of the county regularly for business pruposes shall be subject to the license tax herein provided.

(12) The finding of any motor vehicle, trailer or semi-trailer on any of the streets, alleys, lanes or public places of the county without proper county license decal attached thereto shall be prima facie evidence that such motor vehicle, trailer or semitrailer was unlawfully operated in the county by the owner thereof.

(13) Every person who violates any provision of this Ordinance shall, upon conviction, be punished by a fine of not less than \$10.00 nor more than \$50.00, and each day of violation of this Ordinance constitutes a seperate

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offense.

(14) This Ordinance repeals that Motor Vehicle Ordinance adopted March 13, 1970.

Mr. Jesse Slauson inquired if this would save the County money.

Mr. Wooddy replied it would save the County approximately \$1,200.00 to \$1,300.00.

There being no further comments, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the Motor Vehicle License Tax Ordinance.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - RICHARDSON - MEADOWS TRACT

Mr. Wooddy read the following description of the property in question:

Beginning at the north junction of the Slauson/Richardson-Meadows property lines, thence in a south-easterly direction along the Richardson-Meadows property line for a distance of one hundred (100) feet, thence dividing the property in two parts by the line extending to the eastern side of the property, which line is at a ninety degree (90°) angle to the eastern side property line. The north portion of the tract of about twenty (20) acres is recommended for a zoning to R-2, and the south portion of about seventeen (17) acres is recommended for zoning to B-1.

Mr. Frink opened the hearing for public comments.

Mr. Zepkin, local attorney, representing several residents in the area in question, appeared before the Board, requesting that a 50' foot buffer zone be allowed and that the area be zoned one zone.

Mr. Slauson, Mr. Wilson, Mr. J. N. Rodrique, Mr. Linn, Mrs. Mullaney, Mr. Sherwin Beck, Mr. Cooper Everlone, Mr. Megan, Mr. Lynn Doverspike and Mr. Gene Sears stated their views on the rezoning.

It was stated by Mr. Rodrique, that the citizens did not want spot zoning and wanted either a B-1 zone or an R-1 zone and no R-2 zone.

There being no further comments, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the proposed rezoning until the next meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CYPRESS DRIVE

Mr. Wooddy reported that the citizens on Cypress Drive needed to raise \$1,500.00 to have the road taken into the secondary system, and that one property owner has agreed to contribute \$500.00.

RE: MR. LAREW - HALF-WAY HOUSE

Mr. Larew, Executive Secretary of York County, appeared before the

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Board to explain the various aspects of the proposed Half-Way House.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of James City County have been advised that the grant application to the Division of Justice and Crime Prevention and the Department of Welfare and Institutions of the Commonwealth of Virginia has been approved for the establishment of a Juvenile Delinquent Program for the Regional Juvenile Probation Department of James City County, Williamsburg and York County in the amount of \$95,064 for the year January 6, 1972 through January 6, 1973, and

WHEREAS, the Board of Supervisors of James City County did approve the filing of the application of this grant, and

WHEREAS, no local funds are required to initiate or operate this program for the year January 6, 1972 through January 6, 1973,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the grant from the Division of Justice and Crime Prevention and the Department of Welfare and Institutions of the Commonwealth of Virginia for the year January 6, 1972 through January 6, 1973 for the establishment of a Juvenile Delinquent Program for the Regional Juvenile Probation Department of James City County, Williamsburg and York County is hereby approved and the Executive Secretary of the County of York, Mr. William P. Larew, is authorized to accept such grant in behalf of James City County and to expend such funds for the operation of this program in accordance with the law.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MR. HEATH FARMER - NON-CONFORMING USE

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Mr. Heath Farmer has a non-conforming activity on his property, and

WHEREAS, the Board deems it to be in the best interest of the County to change this non-conforming activity to a non-conforming structure.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to issue a Conditional Use Permit for the construction of a building approximately 30' by 50'.

Be It Further RESOLVED, the following conditions shall be made a part of the aforementioned permit:

1. The entire lot area shall be cleaned and all machinery, tools, etc., will be stored in the aforementioned building.

2. A suitable fence shall be erected across the front and along the property line adjacent to Slausons'. The type and construction of said fence shall be approved by the Executive Secretary.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BONDS - INVESTMENT OF PROCEEDS - RESOLUTION - WILLIAMSBURG NATIONAL BANK

Mr. Wooddy reported that Williamsburg National Bank had the best interest rate bid on the School Bond monies.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

March 13, 1972

Be It RESOLVED, That the Williamsburg National Bank and/or Southern Bank and Trust Company, Williamsburg, Virginia, be and it is hereby designated a depository of the James City County School Construction Bond Issue of March 1, 1972 and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

- |                     |                     |
|---------------------|---------------------|
| Abram Frink, Jr.    | Chairman            |
|                     | OR                  |
| Mayo W. Waltrip     | Vice-Chairman       |
| Garland L. Wooddy   | Executive Secretary |
| Frances B. Whitaker | Treasurer           |
|                     | OR                  |
| Eunice P. Stewart   | Deputy Treasurer    |
|                     | OR                  |
| Betty S. Angle      | Deputy Treasurer    |

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

- |               |   |     |
|---------------|---|-----|
| Mr. Waltrip   | - | Aye |
| Mr. Edwards   | - | Aye |
| Mr. Frink     | - | Aye |
| Mr. Donaldson | - | Aye |
| Mr. Taylor    | - | Aye |

Motion carried by a unanimous vote.

RE: KOA KAMPGROUNDS, INC. - CONDITIONAL USE PERMIT

The Board agreed to defer action on a conditional use permit for the KOA Kampgrounds, Inc. until the Planning Commission has completed the site plan review.

RE: OPINION - ATTORNEY GENERAL - VOTING PROCEDURE

Mr. Wooddy read the following letter:

February 26, 1972

The Honorable W. L. Person, Jr.  
Commonwealth's Attorney for James City County  
Post Office Box 333  
Williamsburg, Virginia 23185

My dear Mr. Person:

I am in receipt of your letter of February 24, 1972, which reads:

"In view of the last sentence of Article 7, Section 7 of the Constitution of Virginia, I would appreciate your opinion as to whether on final vote of the Board of Supervisors on any ordinance or resolution the name of each member voting and how he voted should be recorded."

Article VII, Section 7, of the revised Constitution of Virginia provides as follows:

"No ordinance or resolution appropriating money exceeding the sum of five hundred dollars, imposing taxes, or authorizing the borrowing of money shall be passed except by a recorded affirmative vote of a majority of all members elected to the governing body."

"On final vote on any ordinance or resolution, the name of

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each member voting and how he voted shall be recorded."

The commentaries from the Report of the Commission on Constitutional Revision, in discussing this above provision, especially the second paragraph thereof, stated:

"The second paragraph is new. It requires the recording of names of members of a governing body and how they voted on any final action taken by the governing body. It is similar to such a provision in section 10 of the proposed Legislative article, applicable to the General Assembly."

In view of the commentaries, I am of the opinion that your inquiry is answered in the affirmative. The name of each member voting and how he voted must be recorded, on final vote, for all ordinances and resolutions, whether passed or not, and not just ordinances or resolutions appropriating money exceeding the sum of \$500.00, imposing taxes, or authorizing the borrowing of money.

With kindest regards, I remain

Sincerely yours,

/s/ Andrew P. Miller

Andrew P. Miller  
Attorney General

RE: SANITARY DISTRICT 111

Mr. Woody advised the Board of five items, which must be done immediately in reference to the filing of a revised application to HUD, for sewerage.

1. Select an attorney for the preparation of all district legal documents.
2. Instruct the attorney to prepare the necessary papers to call for a bid referendum as soon as possible.
3. Appoint a citizens advisory committee to circulate petitions and spearhead the necessary publicity to the referendum.
4. Schedule a series of public meetings to explain the project to the area residents.
5. Authorize the engineers to proceed with the following required items:
  - a. An updated clearance from the Peninsula Regional Planning Commission.
  - b. Submission of data for clearance as to treatment, which they will submit to EPA.
  - c. A specific engineering contract relating to this Sanitary District.
  - d. A revised preliminary report showing the project as now planned.
  - e. Statements from financial consultants relating to marketability of the project bonds; also, a statement by some bond buyers that he will bid on the bonds.
  - f. A copy of the sewer service agreement with HRSD.
  - g. A land acquisition policy statement.
  - h. Comments by the Corp of Engineers on flood hazards.

Mr. Woody recommended to the Board that they appoint a committee and authorize said committee to do these certain things.

On a motion by Mr. Taylor, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Waltrip, Mr. Edwards and Mr. Donaldson as members of said committee.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SANITARY LANDFILL - ROUTE 611

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to make the necessary arrangements to establish a sanitary landfill on County owned property located on Route 611.



March 13, 1972

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - PENINSULA PLANNING DISTRICT COMMISSION - MASS MEDIA

This was tabled for further study.

RE: REQUEST - PENINSULA PLANNING DISTRICT COMMISSION - A95 REVIEW COMMUNITY ACTION AGENCY

Mr. Woody said he would send copies of the A95 Review to the Board members for study and they could send their letters to the Regional Planning Commission, indicating their approval or disapproval.

RE: DEED - PUMPING STATION - OLDE JAMESTOWNE APARTMENTS

Mr. Woody explained that the property owners are interested in deeding the land to the County, where the sewage pumping station is located, serving the Olde Jamestowne Apartments, rather than the previous action taken in January.

This matter was referred to the Commonwealth's Attorney.

RE: REQUEST FOR FUNDS - SOCIAL SERVICES

Mr. Woody read the following letter:

March 10, 1972

Board of Supervisors  
County of James City  
Williamsburg, Virginia 23185

Dear Sirs:

In view of the fact our agency is in dire need of some office equipment and furniture we are requesting \$3,500.00 for capital outlay as a supplement to our 1971-72 budget, the local share being 20% or \$700.00.

Thanking you, I am

Respectfully,

/s/ F. Scherberger lll

F. Scherberger, lll  
Director

This matter was tabled until the next meeting.

RE: APPOINTMENT - ZONING ADMINISTRATOR

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. John W. Watkins as the County Zoning Administrator and hereby sets an annual salary of \$11,000.00.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: ESTABLISHMENT - NEW POSITION - APPOINTMENT

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby establishes the position of Administrative Assistant to the Executive Secretary and appoints Mrs. Betty W. Winstead to said position at an annual salary of \$7,000.00.

The Executive Secretary was directed to take a roll call vote, which

March 13, 1972

is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CLERK TYPIST

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to interview applicants for a clerk-typist and further directs the Executive Secretary to fill such position as soon as possible.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - SERVICE AUTHORITY

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Stuart Will to the James City Service Authority, to fill the unexpired term of Mr. William E. Sickles.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows;

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING REQUESTS

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing to be held April 10, 1972, the following rezoning requests:

Williamsburg Pottery Property  
Edmondson Property  
Wallace Property  
Vanco Property  
Producers Cooperative Property  
Kristiansand Subdivision  
Rural Site Development Corp. Subdivision


The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned.

Garland L. Wooddy, Executive Secretary

  
Abram Frink, Jr., Chairman

March 31, 1972

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of March, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
RESOLUTION - ROUTE 607

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Route 607 lying between Routes 60 and 168 has been a through route for many years, and

WHEREAS, this Board has been advised that the Highway Commission intends to close a C & O Railroad crossing on said road, and

WHEREAS, the Board deems it to be in the publics interest to have said crossing to remain open.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, respectfully request the Highway Commission to reconsider their action.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BERKELEY TOWN ROAD

Mr. Woody explained that Berkeley Town Road is a road that was requested several years ago by the Road Viewers to be taken into the Rural Addition. He further explained that the property owners will try to obtain the necessary rights-of-ways and possibly this road will be taken into the rural addition this year.

RE: RESOLUTION FOR THE HIGHWAY DEPARTMENT FOR CONSTRUCTION IN LIEU OF A GUARANTEE FEE

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

March 31, 1972

WHEREAS, it becomes necessary from time to time for James City County to obtain permits from the Virginia Department of Highways to install, construct, reconstruct, maintain, and operate certain public works along, across, over and upon the highway system of Virginia,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of the granting to said County by the Virginia Department of Highways of said permits for the work aforesaid.

NOW, THEREFORE, BE IT RESOLVED, That James City will indemnify and save harmless the COMMONWEALTH OF VIRGINIA from any expense damage or injury which she may sustain growing out of the granting to said County by the Virginia Department of Highways of said permits for such works.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - COMMITTEE - DOG LEASH LAW

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia hereby appoints the following persons to the Dog Leash Law Committee:

1. Mr. Kenneth F. Bick
2. Mrs. Della Crump
3. Mr. Basil O. Brown
4. Mr. J. R. Zepkins
5. Mr. Martin Mathes
6. Mr. J. C. Kinder
7. Dr. David Barley

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Mr. Donaldson and Mr. Taylor both stated their opposition to the establishment of such a committee, but said they would vote for the appointments.

RE: RICHARDSON-MEADOWS TRACT (SCHOOL BOARD PROPERTY)

Mr. Edwards stated that a large group of people agree that the land be retained for public use, but must realize that this will not happen. Therefore, the preference to zones is B-1 with a 50 foot buffer zone between Ferncliff and the school tract. He further stated he hoped the County would consider using part of this tract for a County Office Building.

It was the Commonwealth's Attorney's opinion not to take any action on the present rezoning request and to readvertise said tract of land to be rezoned B-1.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the School Board property for a public hearing to be held May 8, 1972 at 7:30 P.M. to be rezoned to B-1.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

March 31, 1972

RE: REQUEST - PENINSULA PLANNING DISTRICT COMMISSION - MASS MEDIA - MRS. RYNE.

Mrs. Ryne appeared before the Board to explain the Mass Media. She stated that 2,305 people in the County where sixty years of age and over, 1,316 being from Eastern State Hospital. The cost to James City will be \$771.00.

After a general discussion, this was tabled until the next meeting.

RE: MR. BRYANT-AGRICULTURAL EXTENSION AGENT

Mr. Bryant extended an invitation to the Board to attend the James City Board of Agriculture meeting to be held April 17, 1972 at 7:00 P.M. in reference to land use value assessment. He advised that Mr. J. Paxton Marshall would be the speaker.

RE: DEED - PUMPING STATION - OLDE JAMESTOWNE APARTMENTS

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby delays any action on the acceptance of said deed on this property until the Sanitary District is in operation.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST FOR FUNDS - SOCIAL SERVICES

This was tabled.

RE: REVISIONS A-1 AND A-2 PLANNING COMMISSION RECOMMENDATION CONDITIONAL USE PERMITS

Mr. Wooddy read the following recommendations from the Planning Commission:

"On a motion by Mr. Bradshaw, seconded by Mr. Hoar, and passed by a majority vote, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors that the deletions in A-1 and A-2 not be made at this time."

"On a motion by Mr. Hicks, seconded by Mr. Mepham and passed by a unanimous vote, the Planning Commission of the County of James City, Virginia, hereby agrees to inform the Board of Supervisors that the Planning Commission plans to take into consideration the possibility of conditional use permits and other possibilities in reference to the zoning ordinance."

The Board took no action.

RE: COURTHOUSE BASEMENT BIDS

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby accepts the bid of Philip Richardson Company in the amount of \$18,745.00 for the basement construction to be started as soon as possible.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - MOSQUITO CONTROL COMMISSION

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints John E. Donaldson, to the Mosquito Control Commission.



March 31, 1972

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Abstain
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: APPOINTMENT - COOPERATIVE AREA MANPOWER PLANNING SYSTEM

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Abram Frink, Jr., to Cooperative Area Manpower Planning System.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - PENINSULA AIRPORT COMMISSION

Due to a time problem, Mr. Waltrip resigned from the Peninsula Airport Commission.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mr. Waltrip's resignation and appoints Dr. Charles L. Quittmeyer for the remainder of the term which expires June 30, 1975.

RE: DR. WILSON - DIRECTOR - HEALTH DEPARTMENT

Dr. Wilson, Director of the local Health Department, introduced himself to the Board.

RE: SLEEPY HOLLOW MOBILE HOME PARK - CONDITIONAL USE PERMIT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves a conditional use permit for Sleepy Hollow Mobile Home Park subject all local and State Ordinances.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SEWERAGE CONNECTION - MR. DUNCAN

Mr. Woody read the following letter of request:

March 22, 1972

109 Lake Powell Road  
Williamsburg, Virginia

Mr. G. L. Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Woody:

I would like to request permission to make a sewer connection from my residence at 109 Lake Powell Road to a manhole on the adjacent property owned by Olde Jamestown Apartments, Inc. (See Attached Sketch).

March 31, 1972

Attached is a letter from Mr. Murray Loring giving their permission. I have had considerable trouble with water standing in my back yard and this would help this situation a great deal.

Sincerely,  
/s/ H. S. Duncan  
H. S. Duncan

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to allow Mr. Duncan to petition the City of Williamsburg for a sewerage connection, contingent upon disconnecting when County sewerage is available.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: LAW ENFORCEMENT AND CRIME PREVENTION PLAN

Mr. Woody presented the Law Enforcement and Crime Prevention Plan to the Board for their perusal.

RE: REIMBURSEMENT - REAL ESTATE TAXES - HENRY MOORE ESTATE

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Henry Moore Estate was erroneously assessed by the Commissioner of Revenue of James City County for Real Estate Taxes, in the amount of \$100.80.

WHEREAS, It was determined by the Commissioner of Revenue of James City County, that the Henry Moore Estate was erroneously assessed for Real Estate Taxes in the year 1971, and that the amount of \$100.80 was paid to the Treasurer of James City County.

Be It Further RESOLVED, That the Board of Supervisors of James City County, Virginia, agrees that the taxes were erroneously assessed and therefore approves the amount of \$100.80 to be paid from the General Fund to reimburse the Henry Moore Estate for the erroneous assessment of Real Estate Taxes.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - YORK RIVER

Mr. Woody advised the Board of a public hearing on April 14, 1972 in reference to navigation improvements to the York River, to be conducted by the District Engineer, Corps of Engineers, Norfolk District. The hearing will be held in the Circuit Courtroom of the Courthouse at Yorktown, Virginia.

RE: SCHOOL BUDGET

Mr. Woody presented the 1972-73 School Budget to the Board for study.

RE: COLONIAL SOIL AND WATER - CONSERVATION DISTRICT

Mr. Woody presented a pamphlet to the Board for their perusal on the Colonial Soil and Water Conservation District.

RE: MENTAL HEALTH AND MENTAL RETARDATION SERVICES BOARD 1972-73 - BUDGET PROPOSAL

Mr. Woody presented the Mental Health Budget for 1972-73 to the Board for study.

March 31, 1972

RE: SANITARY DISTRICT II

Mr. Wooddy read the following letter to the Board for approval:

Mr. Ralph Triska  
Wisteria Gardens Associated  
8109 Pinelake Court  
Alexandria, Virginia 22309

Re: Wisteria Gardens  
Mobile Home Court

Dear Mr. Triska:

We are pleased to advise you that your application for water and sewer service to the proposed 400 unit mobile home park in Sanitary District No. II has been approved by the Board of Supervisors. Upon payment of the required connection fees, the District will allow you to connect to District facilities when available. We can now make a relatively accurate projection of completion dates as follows:

1. Water

The Newport News water line at Route 60 is complete and is in service. Your connection can be made at any time.

2. Sewer

The County has signed an agreement with the Hampton Roads Sanitation District for construction on the 24" force main serving Sanitary District No. II. H. R. S. D. has received bids on the force main and contracts were awarded on March 22, 1972. The proceed order will be issued on receipt of final clearance from the Environmental Protection Agency, which they expect within a few days. They have a sixty day construction time limit on the project; therefore, the 24" force main should be complete within three months.

The Sanitary District has accepted grants and loans from the Farmer's Home Administration in the amount of \$721,600. for the District's water and sewer system. The Engineers are now preparing plans for the Skiffes Creek Interceptor, a sewage lift station, and force main, all of which will serve the eastern section of the Sanitary District, including Wisteria Gardens. The Engineers advise that plans will be complete by April 10 and will then go to the Virginia Health Department. Assuming no unusual delays, the District should be able to start construction of this line in May 1972, and have service available within four months from that time.

The Sanitary District will borrow funds for the construction of the Skiffes Creek Interceptor prior to FHA loan closing. Therefore, we request that you prepay your connection fees now so that those funds will help defray the cost of the Interceptor. If you prepay these fees, the District will approve your plan to eliminate your separate lift station and force main as shown on your Wisteria Gardens plans and specifications.

Please contact Mr. Johnson, Director of the James City Service Authority, to make arrangements for filing your application.

We shall look forward to your further action in this matter.

Very truly yours,

Garland L. Wooddy,  
Executive Secretary

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes Mr. Wooddy to send the aforementioned letter.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SANITARY DISTRICT III

Mr. Martin, Martin, Clifford & Associates advised the Board that it was imperative to appoint a citizens committee to work on the referendum for Sanitary District III and to obtain an Attorney for said Sanitary District.

The Board agreed to have this done by the next meeting.

RE: STATE HIGHWAY COMMISSION - APPOINTMENT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of

April 10, 1972  
March 31, 1972

Supervisors of the County of James City, Virginia, hereby recommends to the Governor that Mr. Willets Bowditch be appointed to the State Highway Commission.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Checks #4948 through #5069, totalling \$349,490.60, were certified for payment from the General Fund for the month of March, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the tenth day of April, nineteen hundred and seventy-two there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS

APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S PERMIT REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS

REZONING -EDMONDSON PROPERTY - A-2 TO B-1

Mr. Woody read the following description of the property:

"Rezoning from A-2 to B-1 about one and seven tenths (1.7) acres of land at the intersection of Routes 615 and 616 across from Berkeley High School. The owner of the property is Mrs. Jesse M. Edmondson."

April 10, 1972

The Chairman opened the hearing for public comment.

Mr. A. B. Smith, Jr., representing Garrison Funeral Home and Mr. Vernon Geddy, representing the property owner, appeared before the Board requesting the rezoning for the establishment of a funeral home.

There being no further comments, the hearing was closed.

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby rezones the Edmondson property from A-2 to B-1.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING - RURAL SITE DEVELOPMENT CORPORATION - A-1 TO R-3

Mr. Woody read the following description of the property:

"Rezoning from A-1 to R-3 the Subdivision of the Rural Site Development Corporation of James City County. The Subdivision is located off Route 614 about five hundred (500) feet north of the Intersection of Routes 614 and 612."

The Chairman opened the hearing for public comment.

There being none, the hearing was closed.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia hereby rezones the Subdivision of the Rural Site Development Corporation from A-1 to R-3.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING - PRODUCERS COOPERATIVE, INC. - A-1 to B-1

Mr. Woody read the following description of the property:

"Rezoning from A-1 to B-1 the property of the Producers Cooperative, Incorporated, fronting on Route 60 West about eight hundred (800) feet south of the Norge Elementary School."

The Chairman opened the hearing for public comment.

There being none, the hearing was closed.

Mr. Donaldson said he would prefer to defer action until the entire area is looked at on the whole.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables the rezoning of the Producers Cooperative, Inc. property.

Mr. Waltrip and Mr. Taylor both agreed that this property should be rezoned to be conforming to the area.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.



April 10, 1972

RE:    REZONING - MASSEY - RUTLEDGE - A-1 & R-2 to B-1  
              A-1 & R-2 to R-3

Mr. Woody read the following description of the property:

- (a)    Rezoning from A-1 and R-2 to B-1 the eastern protion of the Massey - Rutledge tract. The parcel involved is set back from Route 60 West about two hundred an fifty (250) feet; extends from the Norge Elementary School Southward parallel to Route 60 West for about thirteen hundred (1300) feet, is about four hundred (400) feet wide at the Norge Elementary School, and decreases to about two hundred (200) feet wide at the southernmost end.
  
- (b)    Rezoning from A-1 and R-2 to R-3 that portion of the Massey-Rutledge tract not indicated in "a" above. The property consists of about one hundred and twenty-five (125) acres; is set back from Route 60 West about five hundred (500) feet; extends in a westwardly direction for about four thousand (4000) feet, and is about twelve hundred (1200) feet wide.

The Chairman opened the hearing for public comment.

Mr. Moneymaker appeared before the Board to explain the proposed uses of the property; "a" being some type of commercial use and "b" to be developed into a subdivision to be known as Kristiansand.

After a general discussion, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables "a", the rezoning from A-1 and R-2 to B-1 until the Board can look at the entire area.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby rezones "b" known as Kristiansand from A-1 and R-2 to R-3.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE:    REZONING - VANCHO PROPERTY - A-1 to B-1

Mr. Woody read the following description of the property:

"Rezoning from A-1 to B-1 the Vancho property located on Route 60 West about five hundred and fifty (550) feet south of the Norge Elementary School. The property fronts on Route 60 West for about one hundred and seventy (170) feet with a depth of about two hundred and sixty (260) feet."

The hearing was opened for public comment.

There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables this matter.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

April 10, 1972

Motion carried by a majority vote.

RE: REZONING - WALLACE PROPERTY - A-1 to B-1

Mr. Wooddy read the following description of the property:

"Rezoning from A-1 to B-1 the Wallace property located on Route 60 West about twelve hundred and fifty (1250) feet south of the Norge Elementary School. The property fronts on Route 60 West for about two hundred and forth-one (241) feet with a depth of about two hundred and fifty-five (255) feet."

The Chairman opened the hearing for public comment.

There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables this matter.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: REZONING WILLIAMSBURG POTTERY - A-1 to M-1

Mr. Wooddy read the following description of the property.

"Rezoning from A-1 to M-1 property consisting of three lots north of and adjacent to the Williamsburg Pottery Factory. The tract fronts on Route 60 West for about four hundred and fifty-five (455) feet to about four hundred and eighty (480) feet. The property is owned by Williamsburg Pottery Factory, Incorporated."

The Chairman opened the hearing for public comment.

There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby rezones the Williamsburg Pottery Factory, Incorporated property from A-1 to M-1.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PENINSULA PLANNING DISTRICT COMMISSION - MASS MEDIA

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby denies the request for \$713.35 for the Mass Media.

After a general discussion, Mr. Donaldson requested to withdraw his motion, but Mr. Taylor refused to withdraw his second, therefore the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Nay
Mr. Frink	-	Nay
Mr. Donaldson	-	Nay
Mr. Taylor	-	Aye

Motion defeated by a majority vote.

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby agrees to incorporate \$713.35 for the Mass Media in the 1972-73 budget.

The Executive Secretary was directed to take a roll call vote, which

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is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: REQUEST FOR FUNDS - SOCIAL SERVICES

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby agrees to appropriate the amount of \$700.00 to Social Services for furniture and office equipment and to transfer said amount from Contingency to Superintendent's Office (8b.).

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: SANITARY DISTRICT NUMBER III - APPOINTMENT - ATTORNEY AND CITIZENS COMMITTEE - APPLICATION

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints the law firm of Zepkin, Stephens and Rideout, to be retained as council to Sanitary District Number III and that the fee be established by the Circuit Court Judge.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints the following as members to the Citizens Committee:

Mr. Don Iannuzzi  
Mr. Henry Branscombe  
Mr. Llew N. Smith

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby enters into contract with Martin, Clifford and Associates, for engineering for Sanitary District III and the fees will be paid according to the American Society of Civil Engineers Guide and authorizes the Chairman to sign said agreement.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye

April 10, 1972

Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, pursuant to P. L. 89-117 the United States of America has authorized the making of grants to public bodies to aid in financing the construction of basic water and sewer projects:

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

1. That Abram Frink be and he is hereby authorized to execute and file an application on behalf of James City County Sanitary District Number III with the department of Housing and Urban Development, United States Government, for a grant to aid in financing the construction of a sewage collection system discharging to a Regional Treatment Plant, and an assurance of compliance with the Department of Housing and Urban Development regulations under Title VI of the Civil Rights Act of 1964.

2. That Abram Frink, Chairman, Board of Supervisors be and he is hereby authorized and directed to furnish such information as the Department of Housing and Urban Development may reasonably request in connection with the application which is herein authorized to be filed.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - PLANNING DIRECTOR

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Craig G. Covey as Planning Director of James City County at an annual salary of \$13,500.00 and then an appropriation of a portion of his salary for May and June, be transferred from Contingency to Planning Commission (10a).

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

Mr. Taylor said that he was not voting against the man, but felt a Planner was not needed.

RE: REZONING REQUEST - RECOMMENDATIONS FROM PLANNING COMMISSION

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the following rezoning requests for a public hearing to be held May 8, 1972 at 7:30 P. M.:

1. Show Enterprises Property
2. C. T. & Annis Lewis Property
3. Special Permitted Use - Locate Mobile Home Route 603
4. Forest Glen Subdivision - Section IV-V
5. Hornsby Investment Company Property
6. Sacalis - Pappas - Baganakis, Inc. Property
7. Darst Property
8. Hornsby Oil Company Property
9. Hazelwood Property - Parcels A & B

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

April 10, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: VOTING MACHINES

Mr. Hazelwood of the Electoral Board appeared before the Board of Supervisors requesting voting machines be put in each district as soon as possible. He advised them that this must be done by 1974 but felt it was not a good idea to wait until the last minute. He also requested that a spare machine be purchased in case of breakdown of one of the other machines.

He further requested that additional help be employed for Mrs. Trautman, Registrar, to transfer all registered voters to the new State Registration card, which must be done by July 1, 1972.

The Board agreed to table the voting machines for study, since this would require a large sum of money.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby transfers from Contingency to Elections (13) \$1,000.00 for extra help for the Registrar and that the Chairman and the Executive Secretary arrange for said employment.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: EARL W. CHISMAN - ELECTRICAL CODE

Mr. Jim Wood, representing Mr. Earl W. Chisman, requested the Board's consideration to amend the Electrical Code Ordinance to allow a Journeyman Electrician to do work in James City County without obtaining a Contractor's License.

After a lengthy presentation from Mr. Wood, the Board referred the entire matter to the Commonwealth's Attorney.

RE: CHICKAHOMINY COMMUNITY CENTER

Mr. Wooddy read a letter of request from the Chickahominy Community Center for play ground equipment.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to take the matter under consideration, when preparing for the budget for the next fiscal year.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: AMENDMENT - PATRICK HENRY AIRPORT MASTER PLAN REPORT

Mr. Wooddy presented an amendment to the Patrick Henry Airport Master Plan Report for the Board's perusal.

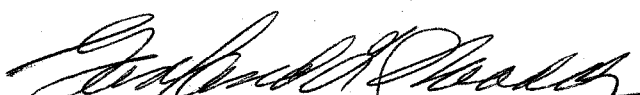


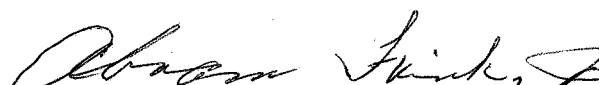
April 28, 1972  
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RE: CAPTAIN SMYTHE - CIVIL DEFENSE

Captain Smythe, Regional Coordinator, Civil Defense appeared before the Board and briefly discussed the National Relief Plan and the establishment of a Regional Coordinator to assist local Coordinators.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-eighth day of April, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
FIVE FORKS

Mr. Waltrip asked Mr. Jeffrey to have a study made on the dangerous intersection at Five Forks.

Mr. Jeffrey said he would look into the matter.

RE: MAGRUDER HEIGHTS

Mr. Donaldson told Mr. Jeffrey that there is a surface drainage problem at #19 Magruder Heights. Mr. Jeffrey replied he would check on it.

RE: OLD ROUTE 60

Mr. Taylor asked Mr. Jeffrey to check on old Route 60 just beyond Fred's Inn, as maintenance has been discontinued and three families use the road. He further stated that bushes were growing across the road.

Mr. Jeffrey said he would investigate the matter.

RE: GROVE CROSSING

Mr. Frink asked Mr. Jeffrey if anything had come in on the Grove Crossing.

Mr. Jeffrey replied that nothing had come in yet, but that he would check with the District Office.

RE: CUL-DE-SACS

Cul-de-sacs were discussed and Mr. Woody said he had a list of about twenty cul-de-sacs that Mr. Jeffrey needed to go over.

Mr. Woody said arrangements needed to be made for a turn around before getting to the Newport News line.

Mr. Jeffrey said it would depend on the temporary easements for enough land to make the turn around and that he would investigate same.

Mrs. Douglas reported that the broken curbing on Anthony Wayne Road had been fixed and wanted to publicly thank Mr. Jeffrey.

Mr. Scruggs, Chairman of the Planning Commission, commented to Mr. Jeffrey that the Grove Crossing was an emergency situation and the people in the Grove area need relief.

RE: KOA KAMPGROUNDS - CONDITIONAL USE PERMIT

Mr. Wooddy explained that the KOA Kampgrounds (Beech Bend) wanted to obtain a Conditional Use Permit from the Board for the operation of a campgrounds. He further explained that the State Water Control Board will hold a public hearing on May 15, 1972, at 10:00 A. M. in the Courthouse for the purpose of receiving testimony relative to the proposed facilities and their socio-economic effect on shellfish waters.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby tables the request for the Conditional Use Permit for KOA until after the State Water Control Board Public Hearing.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, That the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository of the James City County Sanitary District #11 and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.	Chairman
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OR

Mayo W. Waltrip	Vice-Chairman
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Garland L. Wooddy	Executive Secretary
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Frances B. Whitaker	Treasurer
---------------------	-----------

OR

Eunice P. Stewart	Deputy Treasurer
-------------------	------------------

OR

Betty S. Angle	Deputy Treasurer
----------------	------------------

whose, signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent

April 28, 1972

certificate, until written notice to the contrary is duly served on said Bank.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: LEASE - COLONIAL WILLIAMSBURG

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Chairman to sign a lease with Colonial Williamsburg for office space on Duke of Gloucester for the Planner, at a cost of \$60.00 per month with a thirty day advance notice on vacancy.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the transfer of necessary funds from Contingency to Planning Commission for the lease on the office space for the Planner.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - STATE DEPARTMENT OF HEALTH

Mr. Woody said he had a request from the State Department of Health for the Board to adopt a resolution in reference to the County Health Department being changed to consist of Williamsburg, James City and York Counties.

The Board tabled the matter and requested Mr. Woody to have Dr. Wilson, Director of the James City Health Department to attend the next meeting.

RE: STREET LIGHT REQUEST - ROUTE 60 EAST AND INDIGO TERRACE

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby refers the street light requests for Route 60 East and Indigo Terrace to the street light committee.

RE: SANITARY DISTRICT III

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby agrees to have the following petition presented to the Circuit Court Judge:

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG  
AND THE COUNTY OF JAMES CITY

IN THE MATTER OF

April 28, 1972

THE ISSUANCE OF SEWER BONDS OF  
JAMES CITY COUNTY SANITARY DISTRICT  
NO. 3 IN THE MAXIMUM AMOUNT OF  
\$2,120,000

P E T I T I O N

The undersigned, acting pursuant to Article 2, Chapter 2, Title 21, Code of Virginia of 1950, hereby petition the Circuit Court for the City of Williamsburg and the County of James City, or the judge thereof in vacation, to enter an order requiring the regular election officers of James City County to open a poll in James City County Sanitary District No. 3 on a date to be designated in such order, but not less than 30 days from the date thereof, and take the sense of the qualified voters of the sanitary district on the question of issuing bonds of the sanitary district in the maximum amount of Two Million One Hundred Twenty Thousand Dollars (\$2,120,000) to provide a sewerage system in the sanitary district.

The undersigned respectfully show as follows:

1. James City County Sanitary District No. 3 was duly created by an order entered by the Circuit Court for the City of Williamsburg and the County of James City on December 10, 1969.

2. The Board of Supervisors of James City County is composed of five members and the undersigned constitute not less than a majority thereof.

3. Such sewerage system is a specified undertaking from which the sanitary district may derive revenue.

4. The provisions of Section 21-122 of the Code of Virginia of 1950 limiting the amount of bonds to be issued by a sanitary district to eighteen per cent (18%) of the assessed value of all real estate in the sanitary district subject to local taxation shall not apply, but from and after five years from the date of such election, whenever and for so long as such undertaking fails to produce sufficient revenue to pay for cost of operation and administration (including interest on bonds issued therefor), the cost of insurance against loss by injury to persons or property and an annual amount to be covered into a sinking fund sufficient to pay at or before maturity all bonds issued on account of such undertaking, all such bonds outstanding shall be included in determining such limitation.

IN WITNESS WHEREOF, the undersigned members of the Board of Supervisors of James City County, Virginia, have hereunto signed our names, this 28th day of April, 1972.

/s/ Abram Frink, Jr.  
/s/ Mayo W. Waltrip  
/s/ Jack D. Edwards  
/s/ John E. Donaldson  
/s/ Stewart U. Taylor

The Executive Secretary was directed to take a roll call vote,  
which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: 1972-73 BUDGET

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise the following synopsis of the 1972-73 Budget for a public hearing to be held May 15, 1972 at 7:30 P. M., in the Courthouse, Williamsburg, Virginia.

	1971-72	1972-73	Increase	Decrease
COUNTY ADMINISTRATION	17,980.00	21,560.00	3,580.00	
EXECUTIVE SECRETARY	29,326.03	52,087.95	22,761.92	
BUILDING INSPECTION	23,144.00	26,540.48	3,456.48	60.00
ASSESSMENT OF TAXABLE PROPERTY	21,369.50	27,827.60	7,008.10	550.00
COLLECTION & DISBURS. OF TAXES & OTHER RECEIPTS	22,382.00	21,908.29	2,541.29	3,015.00
RECORDING OF DOCUMENTS	9,943.20	8,714.48	1,471.28	2,700.00

April 28, 1972

ADMINISTRATION OF JUSTICE	21,646.79	24,597.38	3,050.59	100.00
CRIME PREVENTION & DETECTION	37,377.71	45,835.56	8,991.85	534.00
FIRE PREVENTION & EXTINCTION	46,196.00	49,069.20	33,035.20	162.00
<u>PUBLIC WELFARE</u>				
Federal	421,758.00	444,593.00	22,835.00	
State	306,614.00	401,816.00	95,202.00	
County	82,583.00	51,305.35		31,277.65
PUBLIC HEALTH	41,373.00	64,625.51	23,252.51	
PUBLIC WORKS	76,677.85	149,924.55	77,646.70	4,400.00
ADVANCEMENT OF AGRICULTURE & HOME ECONOMICS	11,360.00	12,120.20	760.20	
ELECTIONS	9,264.52	11,054.00	3,389.58	1,600.10
MAINTENANCE OF BUILDING & GROUNDS	13,730.00	17,335.00	3,655.00	50.00
HIGHWAY, ROAD & STREET LIGHTING	6,000.00	7,000.00	1,000.00	
ROAD ADMINISTRATION	700.00	700.00		
SCHOOLS	1,554,650.96	1,737,895.92	183,244.96	
MISCELLANEOUS OPERATING FUNCTIONS				
Contributions	31,400.00	47,805.00	16,405.00	
Civil Defense	6,200.00	8,065.00	2,025.00	160.00
Miscellaneous	25,835.00	27,235.00	1,400.00	
Contingency	90,653.03	57,185.16		33,467.87
CAPITAL OUTLAY	136,450.00	147,388.87	28,938.87	18,000.00
DEBT SERVICE	435,483.75	661,668.75	234,422.50	8,237.50
MOSQUITO CONTROL	9,600.00	8,200.00	900.00	2,300.00
	<u>3,489,698.34</u>	<u>4,134,058.25</u>	<u>750,974.03</u>	<u>106,614.12</u>
JAMES CITY COUNTY GENERAL FUND				
Expenditures		4,134,058.25		
Income		4,134,058.25		
DOG FUND				
Expenditures		6,000.00		
Income		6,000.00		
JAMES CITY COUNTY SANITARY DISTRICT #1				
Expenditures		31,287.00		
Income		31,287.00		
TOANO SEWERAGE SYSTEM				
Expenditures		2,000.00		
Income		2,300.00		
Reserve		<u>300.00</u>		

NOTE: MONIES SHOWN UNDER SCHOOLS ARE LOCAL JAMES CITY COUNTY FUNDS ONLY.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees with the teachers salaries as proposed in the 1972-73 School Budget.



April 28, 1972

The Executive Secretary was directed to take a roll call vote,  
which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: INVITATION - COOPERATIVE EXTENSION SERVICE

Mr. Woody reported that an invitation had been received from Mr. Bryant, Extension Agent, inviting the Board to a buffet luncheon on June 30, 1972, at 1:00 P. M., in the EOC Building in Toano.

RE: HOUSING CODE

Mr. Woody read the following letter:

1400 Conway Drive Apt. 101  
Williamsburg, Virginia 23185  
April 21, 1972

Mr. Garland L. Woody, Executive Secretary  
James City County  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

I understand, there is no Housing Codes, for apartments, in James City County, to protect the tenants.

Rent - entitles one to heat, hot water, (some include gas for cooking and electric) and maintenance (repairs with sanitary conditions).

The Board of Health, should have the authority to enforce this, if necessary.

Excellent stands for Williamsburg, Virginia.

Thank you.

Sincerely,

/s/ Mrs. J. L. Green

Mrs. J. L. Green

Mr. Woody reminded the Board that there is an active sub-standard housing committee.

RE: REQUEST - CUB SCOUTS

Mr. Woody read the following letter:

April 27, 1972

Board of Supervisors of James City County  
Courthouse  
Williamsburg, Virginia 23185

Gentlemen:

A new Cub Scout pack has recently been formed in the Norge-Toano area sponsored by the Norge Elementary School. Most of the Cub dens meet at the school in the afternoon following the dismissal of classes. The leaders of the Webelos (ten-year old cubs) den, however, are working fathers who can only meet with the boys on Saturdays. In order to use the school on Saturdays, the pack would have to pay for a building custodian.

It is our understanding that a meeting room in the County's Emergency Operations Center in Toano is not presently being used on Saturdays. We respectfully request permission to use this room, on a non-interference basis, as a meeting place for the Webelos.

Sincerely yours,

Pack Committee  
Cub Scout Pack 144  
M. E. Mortimer, Chairman

/s/ M. E. Mortimer  
/s/ W. R. Hutchens  
/s/ T. C. Noblin  
/s/ C. A. Davis  
/s/ W. S. Gabeler

LFV:caml

April 28, 1972

It was stated that for the use of schools, the Scouts have to pay \$10.00 toward janitorial services.

After a general discussion, the Board tabled the matter until the May 8th meeting.

RE: YORK RIVER STATE PARK

After a general discussion on a request for use of recreational access funds for the York River State Park, the Board tabled the matter and requested Mr. Woody to contact Mr. King of the State Division of Parks to appear before the Board.

RE: REQUEST FOR FUNDS - VIRGINIA EMPLOYMENT SERVICE

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the transfer of an amount not to exceed \$700.00 from Contingency (18a) to Miscellaneous (18g) for the Virginia Employment Commission to set up an office locally.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BICYCLE ORDINANCE

Mrs. White from the audience requested that the Board establish a bicycle ordinance requiring lights on a bicycle for night riding.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby requests the Commonwealth's Attorney to draft a bicycle ordinance.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

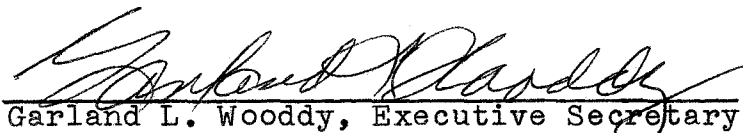
Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

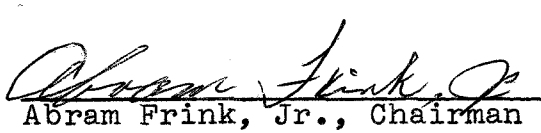
Motion carried by a unanimous vote.

Mr. Edwards announced that Mr. Craig Covey, Planning Director, would start work May 1, 1972.

Checks #5070 through #5171 totalling \$238,886.13, were certified for payment from the General Fund for the month of April, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

May 8, 1972

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighth day of May, nineteen hundred and seventy-two there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS

APPROPRIATIONS & EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports as presented.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS

REZONING OF SCHOOL PROPERTY (P) TO (B-1)

The Chairman opened the hearing for public comment.

Mr. J. R. Zepkin, Attorney, representing homeowners in the vicinity of the School Property requested that the Board consider a 50 foot buffer zone. He also suggested that the Board meet with the School Board and receive advice from the County's Planner before taking any action.

Mr. Jesse Slauson, agreed that the Planner should be consulted and he also requested that a buffer zone be placed adjacent to his parents property.

Mr. Frink then introduced Mr. Craig G. Covey, Director of Planning for James City County.

The Chairman closed the public hearing.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to consider the comments made and take action at a later date.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

May 8, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF HORNSBY INVESTMENT CO (A-1) TO (B-1)

Mr. Woody read the following description of the property:

"The property sought to be rezoned is located close to Intersection of Routes 168, 30, 645 and Interstate 64 containing some 45 acres on the northeast side of Routes 30 and 168 near Route 64 and a piece containing 8.53 acres on the southeast side of Routes 30 and 168 and east of Route 645."

The Chairman opened the hearing for public comment.

Mr. Norman Hornsby, one of the owners, stated that they proposed to develop a motel and service station facilities sometime in the future.

The Chairman closed the hearing.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby defers action at this time on the rezoning of the Hornsby Investment Company property.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF HORNSBY OIL COMPANY (A-1) TO (B-1)

Mr. Woody read the following description on the property:

"The property sought to be rezoned is located in Toano, Virginia, between Old Forge Road (Route 610) and U. S. Route 60 on the northwest side of Route 60."

The Chairman opened the hearing for public comment.

Mr. Norman Hornsby, property owner, requested the rezoning, to construct a service station and store facility. He stated that they hoped to begin construction within six months.

Mr. Taylor asked if any provisions have been made for the surface drainage problem on the next lot.

Mr. Hornsby stated that if there is a problem, they will do everything possible to solve it.

The Chairman closed the hearing.

After a general discussion, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees to rezone the Hornsby Oil Company property in Toano, from A-1 to B-1, as requested.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

May 8, 1972

RE: REZONING OF SHOW ENTERPRISES PROPERTY (A-1) TO (B-1)

Mr. Wooddy read the following description of the property:

"The property sought to be rezoned is located in Norge, Virginia, on the north line of U. S. Route 60, approximately 1166 feet west of State Route 607."

The Chairman opened the hearing for public comment.

Mr. Woods, one of the owners, said the tract will primarily be developed on a tourist oriented basis.

The finalization of Route 607 will determine the development of the property.

The Chairman closed the public hearing.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the Show Enterprises rezoning.

The Executive Secretary was directed to take a roll call which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: (a) REZONING OF ESTATE OF R. M. HAZELWOOD (A-1 TO (B-1)

Mr. Wooddy read the following description of the property:

"The property sought to be rezoned is located between Route 60 and Route 168, northwest of Hickory Neck Church and is approximately 130 acres."

The Chairman opened the hearing for public comment.

Mr. Hazelwood appeared before the Board and requested the rezoning.

The Chairman closed the hearing.

After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the Hazelwood property.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Mr. Taylor said these should be acted upon within a short period of time.

Mr. Donaldson said he did not want to be committed on taking a vote immediately, but agreed that the rezoning requests should be taken up within a short period of time.

RE: (b) REZONING OF R. M. HAZELWOOD, JR., & ESTATE OF R. M. HAZELWOOD PROPERTY (A-1) TO (B-1)

Mr. Wooddy read the following description of the property:

"The property sought to be rezoned is located at I-64 and Route 168 on the west side of Route 168."

The Chairman opened the hearing for public comment.

Mr. Hazelwood told the Board that the property is business oriented and requested the rezoning.



May 8, 1972

After a general discussion, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby defers action at this time.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF C. T. AND ANNIS LEWIS PROPERTY (A-1) TO (R-3)

Mr. Woody read the following description of the property:

"The property sought to be rezoned is located on State Route 612 on the South side consisting of 14.9 acres."

Mr. Woody stated the plans for the property are for multi-family use.

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby defers action on this rezoning.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF SECTIONS IV AND V - FOREST GLEN SUBDIVISION (A-1) TO (R-3)

Mr. Woody advised that the subdivision is located on Centerville Road.

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby defers action on this rezoning.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF SACALIS - PAPPAS - BAGANAKIS, INC. PROPERTY (A-1) TO (B-1)

Mr. Woody read the following description of the property:

"The property sought to be rezoned is located at the corner of Route 60 and Route 607 in Norge, Virginia, formerly known as the "Old Smith Ice Cream Property", and includes approximately 10 acres."

The Chairman opened the hearing for public comment.

Mr. Steve Harris, Attorney, representing the property owners, said it was proposed to put a small motel on the property and requested the rezoning.

May 8, 1972

The Chairman closed the public hearing.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the rezoning.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING OF H. JACKSON AND JOHN LEE DARST PROPERTY (A-1) TO (B-1)

Mr. Wooddy read the following description of the property:

"The property sought to be rezoned is located near the Intersection of Routes 168, 30, 645 and Interstate 64, adjacent to the Hornsby tract, containing approximately 6.21 acres."

The Chairman opened the hearing for public comment.

Dr. Darst, property owner, appeared before the Board, requesting the rezoning.

The Chairman closed the public hearing.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the rezoning request.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SPECIAL PERMITTED USE - MOBILE HOME - R-3 ZONE - CHARLES H. WALLACE, JR.

Mr. Wooddy explained that a trailer had been placed on Mooretown Road (Route 603), that area being zoned R-3, which does not permit trailers.

Mr. Wooddy read the following letter:

February 24, 1972

Chairman  
Board of Supervisors  
James City County, Virginia

Dear Sir:

I am requesting a special permitted use for my Mobile Home located on Mooretown Road, James City County, Virginia, that is currently zoned R-3, as provided for in Section 12-4 of the Zoning Ordinance.

My reason for this request is: my house located in Highland Park has been condemned. The trailer is the only place that my family of five (5) has to live.

Also, the Health Department gave me a permit to put a well and cesspool on my property to be used for my Mobile Home. I feel that these local Government officials should have been familiar with the county laws and should not have permitted me to go to these expenses if the Mobile Home could not be authorized in it's current location.

Respectfully yours,

/s/ Charles H. Wallace, Jr.  
Charles H. Wallace, Jr.  
411 Roycroft Street  
Williamsburg, Virginia

May 8, 1972

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

After a general discussion, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby grants to Charles H. Wallace, Jr., a Special Permitted Use, to allow a Mobile Home on Mooretown Road (Route 603).

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
MR. BAZZLE - STATE DEPARTMENT OF HEALTH REQUEST

Mr. Bazzle from the local Health Department, appeared before the Board to explain to them the need for the realignment of the Colonial Health District. He explained that by putting Charles City and New Kent in Richmond District, the local Nurse, Director, and Sanitarian will have more time to devote to James City County, Williamsburg and York County. He advised the Board that an increase of approximately \$500.00 will occur in the 1973-74 budget, due to this change.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

The County of James City is now organized as part of the Colonial Health District. The Board of Supervisors of the County of James City, does approve of the dissolution of the above health district and the formation of a new health district including the counties of James City and York and the City of Williamsburg to be called the Colonial Health District. This new health district will be completely within the boundaries of the Peninsula Planning District Commission, District 21.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - CUB SCOUTS - EOC BUILDING

After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby agrees to permit the Cub Scouts to use the space in the EOC Building in Toano, when available, until such time as other arrangements can be made.

Mr. Edwards stated that Mr. Vosteen would take full responsibility on leaving the room in an orderly fashion.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

May 8, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: STREET LIGHTS

Mr. Woody told the Board that one of several street light studies had recently been completed by Vepco for James Terrace, Church Street in Norge, Norge area and Norvalia Subdivision in Norge, for the replacement of the 2500 lu. incandescent lights to 3300 lu. mercury vapor lamps and for additional lighting. He advised that the total increase in cost would be \$683.00.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby agrees to the recommendations of Vepco for the replacement and addition of street lights in the Norge area.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS

REZONING - BUSCH PROPERTIES, INC. - PLANNING COMMISSION RECOMMENDATIONS

Mr. Woody read the following excerpt from the recent Planning Commission meeting:

"Following a general discussion, at which time Mr. Diggs advised the Commission that the applicant would agree to the Commission not taking any action at this meeting on those areas located between existing Route 60 and proposed Route 60, the following motion was presented:

On a motion by Mr. Bradshaw, seconded by Mrs. Friedman, and passed without dissenting vote, the Planning Commission of James City County hereby recommends to the Board of Supervisors to rezone in accordance with Rezoning Application #72-17, except that no recommendation is made at this time for rezoning of the R-3 to M-1 area located between existing Route 60 and proposed Route 60 in the Grove area.

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing, the rezoning of Busch Properties, Inc., to be held June 12, 1972 at 7:30 P. M.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BUSCH PROPERTIES, INC. - MASTER PLAN

Mr. Woody read the following recommendation from the Planning Commission:

"Following a general discussion, the following motion was presented: On a motion by Mr. Hoar, seconded by Mr. Mephram, and passed without dissenting vote, the Planning Commission of James City County hereby recommends to the Board of Supervisors the approval of the Master Plan for Kingsmill as presented."

The Board agreed that the County Planner, Superintendent of Schools and the Highway Department study the Master Plan and give their recommendations to the Board. The Board also set a public meeting on May 22, 1972 at 7:30 P. M., to

May 8, 1972

discuss the Master Plan and to have the Busch officials answer any questions persons might have on the Plan.

RE: REIMBURSEMENT - PERSONAL PROPERTY TAXES - DOUGLAS M. MORNING

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Douglas M. Morning was erroneously assessed by the Commissioner of Revenue of James City County for Personal Property Taxes, in the year 1971, in the amount of \$167.58.

WHEREAS, it was determined by the Commissioner of Revenue of James City County, that Douglas M. Morning was erroneously assessed for Personal Property Taxes in the year 1971, and that the amount of \$167.58 was paid to the Treasurer of James City County in 1972.

Be It Further RESOLVED, that the Board of Supervisors of James City County, Virginia, agrees that the taxes were erroneously assessed and therefore approves the amount of \$167.58, to be paid from the General Fund to reimburse Douglas M. Morning for the erroneous assessment of Personal Property Taxes.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - CHAPTER 10 BOARD

Mr. Woody said a request had been received from the Chapter 10 Board, that a committee be set up to determine a paying formula for three jurisdictions to the Chapter 10 Board.

Mr. Donaldson and Mr. Edwards volunteered their services with the Board's approval.

RE: REQUEST - LOCATION TOURIST CAMP - ROUTES 607 AND 168 (BUNKER HILL CAMPSITES)

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables the request for preliminary approval until May 15, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESIGNATION - W. E. SICKLES - PLANNING COMMISSION

Mr. Woody read the following letter:

111 Shore Drive  
Williamsburg, Virginia  
23185

Mr. J. Scruggs, Chairman  
James City County Planning Commission  
Post Office Box JC  
Williamsburg, Virginia 23185

Dear Jack:

I regret that business and personnel commitments will prevent my continued service on the Planning Commission.

Please accept my resignation, which is submitted with deep regret.

Sincerely,

/s/ W. E. Sickles

W. E. SICKLES



May 15, 1972  
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Mr. Frink said that the Board regrets losing Mr. Sickles from the Planning Commission and the Service Authority.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mr. Sickles resignation from the Planning Commission.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

The Board requested Mr. Woody to write Mr. Sickles a letter of appreciation.

RE: APPOINTMENT - PLANNING COMMISSION

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mrs. Carey Fuqua to the Planning Commission to replace Mr. Sickles.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

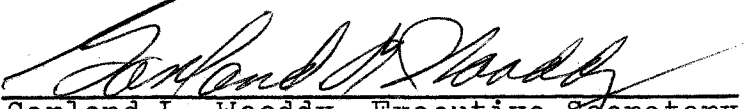
Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

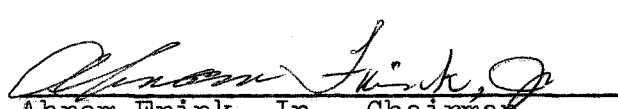
Motion carried by a unanimous vote.

RE: BASEMENT CONSTRUCTION

Mr. Woody reported that the basement should be completed in approximately six weeks.

There being no further business, the meeting was recessed to reconvene May 15, 1972 at 7:30 P. M.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the fifteenth day of May, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney, and MR. GARLAND L. WOODY, Executive Secretary.

RE: PUBLIC HEARINGS  
1972-73 BUDGET

Mr. Woody reviewed the synopsis of the 1972-73 Budget, giving the total amount of the proposed Budget \$4,134,058.25 with a reduction in the tax levy from \$4.20 to \$4.00 per \$100.00 assessed value.

The Chairman opened the hearing for public comment.

Mr. Wright of Roberts District felt it was not feasible to cut the rate this year, due to the added expense the new high school will incur next year. He also stated that the additional monies could be used for various improvements in the County.

May 15, 1972

Mr. R. W. Coakley of Jamestown District asked about funds for fire protection and waste disposal.

Mr. Frink replied that funds were provided in the budget for these items.

Mrs. Ward of Berkeley District was in agreement with Mr. Wright and mentioned that public transportation and public housing should be considered.

Mr. Frink replied that the budget contained \$5,000.00 to OEO for public transportation.

Mrs. Alma White of Powhatan District asked the County to consider monies for recreation facilities.

Mr. Frink replied that \$17,000.00 has been provided in the budget as James City's share in the Joint City Recreation program.

There being no further comments, the Chairman closed the public hearing.

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby amends category 10J in the 1972-73 Budget, increasing the \$47,000.00 to \$77,000.00.

Mr. Edwards said he believed the extra funding was necessary as he felt there was not enough money provided to lend the Sanitary Districts. He explained that out of the \$47,000.00 in the budget, \$27,000.00 would be used for the Pilot Life Project, leaving only \$20,000.00 for the Sanitary Districts.

The majority of the Board did not want to decrease the Contingency \$30,000.00.

After a general discussion, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Nay
Mr. Taylor	-	Nay

Motion defeated by a majority vote.

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby amends Capitol Outlay and increases 600K (office space) from \$25,000.00 to \$50,000.00 for planning and a preliminary cost estimate for a County office building and land acquisition.

After a general discussion, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Nay
Mr. Taylor	-	Nay

Motion defeated by a majority vote.

RE: OLD BUSINESS  
REZONING REQUEST - PRODUCERS COOPERATIVE INC.  
ZONING CASE 72-8 - (A-1) TO (B-1)

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the Producers Cooperative, Inc. rezoning request from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
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May 15, 1972

Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING REQUEST - MASSEY-RUTLEDGE TRACT -  
REZONING CASE 72-5 - (A-1) & (R-2) to (B-1)

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the Massey-Rutledge Tract rezoning request from A-1 and R-2 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - VANCHO PROPERTY (A-1) TO (B-1)  
REZONING CASE 72-4

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the Vancho Property rezoning request from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - WALLACE PROPERTY (A-1) TO (B-1)  
ZONING CASE 72-3

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the Wallace property rezoning request from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING OF SCHOOL PROPERTY (P) TO (B-1)

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby rezones the Strawberry Plains Road School Tract from (P) to B-1 and urges the joint school boards to give careful consideration to providing a buffer strip, through deed restriction, between the School Tract and adjacent residential property. Such a buffer zone should include the boundary between the School Tract and the property on Ferncliffe Drive, and should also extend from the north junction of the Slauson School Tract property lines, thence in a southeasterly direction along the School Tract property line for a distance of one hundred (100) feet.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
-------------	---	-----

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Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING REQUEST - HORNSBY INVESTMENT CO. (A-1) TO (B-1)  
ZONING CASE 72-6

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request of Hornsby Investment Company from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING REQUEST - SHOW ENTERPRISES (A-1) TO (B-1)  
ZONING CASE 72-7

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request of Show Enterprises from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - (a) ESTATE OF R. M. HAZELWOOD (A-1) TO (B-1)  
ZONING CASE 72-11a

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the Estate of R. M. Hazelwood rezoning request (parcel a) as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING - (b) R. M. HAZELWOOD, JR. & ESTATE OF R. M. HAZELWOOD PROPERTY  
(A-1) TO (B-1) ZONING CASE 72-11b

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request for R. M. Hazelwood, Jr. and the Estate of R. M. Hazelwood Property from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - C. T. & ANNIS LEWIS PROPERTY (A-1) TO (R-3)  
ZONING CASE 72-12

May 15, 1972

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia hereby approves the rezoning request for C. T. and Annis Lewis property from A-1 to R-3 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - SECTION IV & V - FOREST GLEN SUBDIVISION ZONING CASE 72-13 (A-1) TO (R-3)

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request for Section IV and V of the Forest Glen Subdivision from A-1 to R-3 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REZONING REQUEST - SACALIS - PAPPAS - BAGANAKIS, INC. ZONING CASE 72-15 (A-1) to (B-1)

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request of Sacalis-Pappas-Baganakis, Inc. from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Abstain
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: REZONING REQUEST - H. JACKSON & JOHN LEE DARST PROPERTY ZONING CASE 72-16 (A-1) TO (B-1)

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning request of the H. Jackson and John Lee Darst property from A-1 to B-1 as advertised.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BEECH BEND CAMPGROUNDS (KOA) - CONDITIONAL USE PERMIT

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby grants a Conditional Use Permit to Beech Bend Campgrounds (KOA) subject to all State and local ordinances and to approval by the State Water Control Board.



May 15, 1972

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: BUNKER HILL CAMPSITES - PRELIMINARY APPROVAL - LOCATION

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby gives preliminary approval of the location of the Bunker Hill Campsites.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS

INDIAN VILLAGE CAMPSITES - ROUTE 31 - CONDITIONAL USE PERMIT

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby grants a Conditional Use Permit to Indian Village Campsites, subject to all State and local ordinances and with the condition that they connect to public sewerage, when available.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HOLIDAY - MONDAY MAY 29, 1972 - MEMORIAL DAY

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, In accordance with Section 21-21, Code of Virginia, 1950, as amended, the last Monday in May, Memorial Day, shall be a legal holiday, falling on May 29th of this year.

It is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the twenty-ninth day of May, 1972, as a legal holiday for county offices and employees.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

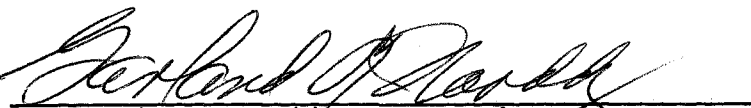
Motion carried by a unanimous vote.


RE: COMMENTS - POWHATAN SHORES, INC.

Mr. Wooddy told the Board that he had a request from the Peninsula Planning District Commission for an A95 Review in reference to the development of the Powhatan Shores Subdivision for a license to the Marine Resources Commission which pertains to the cutting of canals. He said a reply must be made no later than May 31, 1972. He advised the Board that he would obtain a copy of the proposed plat for their study and the Board then tabled the matter until May 22, 1972.

May 22, 1972  
May 15, 1972

There being no further business, the meeting was recessed until  
May 22, 1972 at 7:30 P. M.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-second day of May, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: BUSCH PROPERTIES, INC. - MASTER PLAN

Mr. Walter Diggs, President of Busch Properties, Inc., introduced Mr. Kenneth Kreutziger of the planning firm of Sasaki, Dawson, DeMay Associates, Inc., and Mr. Robert H. Murphy of the traffic planning firm of Hastings-Murphy and Associates, both of Massachusetts.

Mr. Kreutziger discussed the topography, ecology, historical sites and views, site analysis, open space systems, land and use circulation of the Kingsmill Property. He also presented an illustration of Phase I of the R-4 development.

Mr. Murphy presented the various traffic plans for the Master Plan.

Mr. Covey, Planner for James City stated he had been to Boston to discuss the Master Plan with the planners and recommended to the Board that they give the Master Plan favorable consideration.

Dr. Renz, Superintendent of Schools expressed concern with the future acquisition of school sites to the East of James City. He stated the Kingsmill Tract had removed a considerable amount of land for consideration for school sites.

After a question and answer period, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables the Master Plan until June 12, 1972, at which time the proposed amendments to the R-4 zone and M-1 zone will be brought before a public hearing.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - SANITARY DISTRICT II - AGENCY FUND ACCOUNT

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It Resolved, That the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Treasurer of the County of James City, Virginia, to open an account with United Virginia Bank of Williamsburg, Williamsburg, Virginia, and to name said account James City County Sanitary District #2 Agency Fund Account.

Be It Further RESOLVED, That all checks, drafts, notes or order drawn

May 22, 1972

against said account be signed by three of the following:

Garland L. Wooddy	Executive Secretary
Kenneth G. Holland	Farmers Home Administration Representative
Frances B. Whitaker	Treasurer
OR	
Eunice P. Stewart	Deputy Treasurer
OR	
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RURAL ADDITION - LANDFILL ENTRANCE ROAD

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City is developing a refuse disposal area and sanitary landfill on property owned by the County, located on Route 611, and

WHEREAS, the Board desires to have an access road constructed into this property to serve the area of operation.

Now, Therefore, Be It RESOLVED, the Board of Supervisors of the County of James City, Virginia, does hereby request the Virginia Department of Highways to construct a seven hundred fifty (750') foot access road within a forty (40') foot right of way, as shown on the attached plat, to serve the refuse disposal area and sanitary landfill owned by James City County and located on Route 611, said road to be financed from rural addition funds.

Be It Further RESOLVED, that this new road be made a part of the secondary system of highways, within James City County and be maintained as such.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: R-4 ZONING AMENDMENTS - M-1 AMENDMENTS

Mr. Wooddy read the following recommendations from the Planning Commission:

"After a general discussion, Mr. Bradshaw motioned, seconded by Mr. White, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors that certain amendments that were agreed upon be made to the R-4 Zone and the Planning Commission respectfully request the Board of Supervisors to set a joint public hearing on same. Voted and passed."

"On a motion by Mr. Scruggs, seconded by Mr. White, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors that a new permitted use, 9-1-55, Thematic Parks and a new permitted use, 9-1-56,

May 22, 1972

Campgrounds, be added to the M-1 District. Voted and passed."

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a joint public hearing to be held June 12, 1972, on the following R-4 District Amendments and the M-1 District Amendments:

ARTICLE 7 - RESIDENTIAL PLANNED COMMUNITY, DISTRICT R-4

Proposed Amendments

AMEND THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

7-2. APPLICATION

7-2-1. The applicant shall furnish with his application for establishment of a residential planned community, a statement of the impact on the community, together with seven (7) copies of a Master Plan prepared by a surveyor, engineer or architect, duly authorized by the State to practice as such, upon which shall be shown the approximate location of the open areas which shall comprise not less than forty (40) per cent of the various land uses, the general location and the general location of any commercial centers and the residential density classifications of each residential area.

7-2-2. The applicant shall further submit with his application seven (7) copies of a set of schematic preliminary plans which shall indicate a method by which the Master Plan may be implemented and show the general circulation plan.

DEVELOPMENT

7-3. FINAL PLAN

7-3-1. Following the establishment of a residential planned community by approval of the Board of Supervisors of a Master Plan therefore, the applicant shall furnish to the Planning Commission seven (7) copies of a Final Plan of any part or section of the community shown on the Master Plan and from time to time thereafter shall submit additional Final Plans comprising the whole area of the Master Plan. The final plan shall be prepared or certified by a surveyor or engineer or architect. The Final Plans shall be consistent with the Master Plan as approved, but may vary from the preliminary plans to any degree which the Planning Commission believes does not vary the basic concept or character of the development.

7-3-2. The Final Plans shall show to scale the layout of all major and local roads, public and private, the general location of all buildings and improvements, other than single family dwellings (as to these buildings the general location for improvements within the lines of each lot shall be shown) and other than school buildings or other buildings to be built by public authority (as to which the site or lot shall be shown), all parking areas, pedestrian ways, utility easements, lot lines, and shall show the different types of open area and other public or community amenities, the proposed use of all buildings and of all areas dedicated for public or private common use.

7-3-3. The applicant shall furnish with a Final Plan a proposed deed of easement including restrictions safeguarding the permanent use of open areas, if any.

7-3-4. The Planning Commission shall, within thirty (30) days of receipt of a Final Plan pursuant to Section 7-3-1, review the Final Plan and report its recommendations for approval or disapproval to the Board of Supervisors. The Board of Supervisors shall, within thirty (30) days of its first regular meeting following receipt of the report of the Planning Commission, approve the Final Plan if the Board of Supervisors determines that implementation of the Final Plan will not adversely affect the health or safety of persons residing or working in the area, will not be detrimental to the public welfare or injurious to property or improvements in the community, and will be in accord with the provisions and purposes of this ordinance and the land use plan of James City County. The Board of Supervisors if it approves such Final Plan, may, in so doing, impose conditions to such approval pursuant to other provisions of this ordinance. Failure of the Board of Supervisors to disapprove the Final Plan within such thirty (30) day period shall be deemed approval of such Final Plan. Upon approval of the Final Plan by the Board of Supervisors, applicant may record the Final Plan, provided that locations on the recorded plat be shown by metes and bounds. Thereafter, no modification may be made in any Final Plan except by an amended Final Plan submitted as provided for the original Final Plan.

ADD THE FOLLOWING NEW SECTIONS:

7-3-5. It shall be the obligation of applicant, upon approval of the Master Plan, to convey to the Board of Supervisors or its designee such lands as may be required herein. Subsequent to the establishment of the Master Plan as provided in Section 7-2-3 hereof, applicant shall, from time to time, upon request of the Board of Supervisors, furnish a deed or deeds, without consideration, to such amount or amounts of land as may be determined

May 22, 1972

by the Board of Supervisors to be reasonably required as sites for additional or expanded public services (including, but not limited to education, fire protection and municipal functions), the need for which services has been, or is reasonably anticipated in the future to be, occasioned by the development of the residential planned community. The land or lands to which a deed or deeds is to be furnished hereunder may be selected by the applicant, but must be suitable from the standpoint of size, location and topography, to the public purposes for which required. The amount of land required to satisfy the requirements of this section shall be not more than four (4) acres per 1,000 population, computed by reference to the maximum density permitted under the Master Plan. The obligation imposed upon applicant by this section may be satisfied in whole or in part by written agreement between applicant and the Board of Supervisors. Failure of applicant to comply with the requirements shall be grounds for withholding approval of any pending or future Final Plan.

- 7-3-6. No land shown on a Master Plan shall be subdivided, nor shall any structure be erected on such land except in accordance with a Final Plan approved and recorded pursuant to Section 7-3-4 above.

7-5. COMPUTING POPULATION DENSITY

The average population density of the aggregate gross area shall not exceed ten (10) persons per acre.

For the purpose of computing population maximum density, a factor of three and seven-tenths (3.7) persons shall be used per detached single family dwelling or permanent mobile home, three (3) persons per townhouse, two (2) persons per unit, in multi-family structures of three stories or less, and one and five-tenths (1.5) persons per unit in residential club house, hotel, motel or high rise (elevator) partment or other structure of more than three stories above ground.

7-7. USE REGULATIONS

- 7-7-9. Yacht clubs, private or commercial marinas, boat storage and service facilities shall be permitted.

7-10. UTILITIES

Substitute Board of Supervisors for Planning Commission.

7-11. STREET IMPROVEMENTS

- 7-11-1. All dedicated public streets shown on the Final Plan shall meet requirements of the Virginia Department of Highways Subdivision Standards. Before approval of any Final Plan the Resident Agent shall so certify. Such public streets shall be coordinated with the Major Transportation Network shown in the County Comprehensive Plan.

7-11-2. Substitute Board of Supervisors for Planning Commission.

7-11-3. Substitute Board of Supervisors for Planning Commission.

7-11-5. Substitute Board of Supervisors for Planning Commission.

7-11-6. Substitute Board of Supervisors for Planning Commission.

7-12. MINIMUM STREET REQUIREMENTS CHART

Delete this section.

- 7-13. Change section number to 7-12 and to read as follows:

SPECIAL PROVISIONS

The provisions hereof shall not be limited by any provisions of any other part of the James City County Zoning or Subdivision Regulations inconsistent herewith.

ARTICLE 9 - INDUSTRIAL, LIMITED, DISTRICT M-1

Proposed Amendments

9-1. USE REGULATIONS

ADD:

- 9-1-55. Thematic Park or Gardens

- 9-1-56. Campgrounds with Conditional Use Permit

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.



May 31, 1972  
May 22, 1972

RE: TAX LEVY - 1972-73 BUDGET

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:


Resolved, that the Board of Supervisors of the County of James City, directs the Executive Secretary to advertise the rate of taxation for real estate, tangible personal property and machinery and tools, which is proposed to be \$4.00 per hundred of assessed value for the 1972-73 fiscal year.


The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of May, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the three previous meetings, as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
INTERSECTION - FIVE FORKS - STUDY

Mr. Jeffrey said he had a meeting set for this Friday with the Traffic Engineer and would report to the Board the outcome.

RE: MAGRUDER HEIGHTS - DRAINAGE

Mr. Jeffrey said he would give the Board the information on this, this afternoon.

RE: OLD ROUTE 60

Mr. Woody read the following letter:

May 30, 1972.

P. O. Box HD  
Williamsburg, Virginia 23185

May 31, 1972

Re: Route 60  
James City County

Mr. G. L. Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Woody:

This is with reference to a request from the James City County Board of Supervisors concerning the disposition of an old section of Route 60 in James City County.

In our investigation we find that the right of way of old Route 60 has not been abandoned. In my field investigation I find there are four homes and three trailers served by this section of road. This office will, therefore, take the necessary steps to request the James City County Board of Supervisors to add this road to the secondary system as a rural addition. This road will be accepted as a maintainable section.

We appreciate this being brought to our attention.

Sincerely,

/s/ W. C. Jeffrey

W.C. Jeffrey  
Resident Engineer

cc: Mr. J. T. Warren  
Mr. C. M. Clarke  
Mr. B. M. Evans, Jr.

RE: ROUTE 607

Mr. Woody stated that he had received a letter from the Highway Commission, stating that they will abandon the grade crossing when the new road is constructed.

RE: C & O RAILROAD SPUR CROSSING - ROUTE 60 EAST

Mr. Woody read the following letter:

May 18, 1972

P. O. Box HD  
Williamsburg, Virginia 23185

Mr. G. L. Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Woody:

This is with reference to a recent request from the James City County Board of Supervisors concerning the blocking of Route 60 east of Williamsburg by the C & O Railway while servicing the Anheuser Bush Plant.

I have just been advised by Mr. Hackett, Engineer for C & O Railway, that approximately two weeks ago the Superintendent for C & O gave instructions to the Train Master that all cuts made for Anheuser Busch will be done just prior to crossing Route 60. Therefore, the only blockage that will occur will be as the train crosses Route 60. This should amount to only about 30 to 45 seconds.

If we can be of further assistance, please advise.

Sincerely,

/s/ W. C. Jeffrey

W. C. Jeffrey  
Resident Engineer

cc: Mr. J. T. Warren  
Mr. C. M. Clarke

RE: OAK AND SPRING ROADS - DRAINAGE

Mr. Woody reported that at the intersection of Oak and Spring Roads, there is a culvert that goes from one side of the road to the other, that is stopped up.

RE: ROUTE 603

Mr. Woody reported that it was necessary to have certain land owners to dedicate the necessary right of way for this road and advised that letters would be sent to these people immediately.

RE: HIGHWAY MARKERS

Mr. Waltrip commended the Highway Department for the recently installed highway markers.

May 31, 1972

RE: C & O RAILROAD CROSSING

Mr. Frink asked Mr. Jeffrey to give a report on the Grove Crossing at the June 30, 1972 meeting.

RE: ROAD VIEWERS

Mr. Jeffrey requested that the road viewers meet and make a list of the roads that are subject to be taken in as rural additions.

Discussion was held on Blows Flat as to why something couldn't be done to improve the hazardous situation. Mr. Jeffrey said he would be glad to meet the Board out there and explain the situation to them.

RE: JAMES CITY LAND CORPORATION

Mr. Woody read the following excerpt from City Council's meeting held May 25, 1972:

"Mr. Hackett moved that the City of Williamsburg furnish water and sewer service to Mr. Roper on a permanent basis with the approval of the James City County Board of Supervisors. The motion was seconded by Mr. Forbes and unanimously carried by roll call vote."

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby denies the request for James City Land Corporation to obtain water and sewerage from the City of Williamsburg.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Mr. Donaldson advised the Press that he had read in the paper where James City County was doing nothing about the water and sewerage problem for James City Land Corp. and he wanted them to know that this was not the case, as the County as been negotiating with these people and are continuing to do so.

Mr. Frink said that the board desires to provide sewerage for the entire County, not just one development.

RE: COMMENTS - POWHATAN SHORES, INC. A95 REVIEW

Mr. Watkins, Zoning Administrator went over the plat for Powhatan Shores, Inc., Showing the various canals.

RE: GREEN TREE CAMPGROUNDS - CONDITIONAL USE PERMIT - INTERSECTION OF ROUTE 607 & 602

Mr. Allen Fabritz, developer of Green Tree Campgrounds appeared before the Board requesting a Conditional Use Permit.

Mr. Watkins stated that Mr. Fabritz has the approval of the Planning Commission, the Health Department and the Highway Department.

After a general discussion, the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants Green Tree Campgrounds a Conditional Use Permit.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

May 31, 1972

RE: RESIGNATION - CHAPTER 10 BOARD - MRS. RITA WELSH

Mr. Woody read the following letter:

213 Kingswood Drive  
Williamsburg, Virginia  
May 18, 1972

Mr. Abram Frink, Chairman  
James City County Board of Supervisors  
Williamsburg, Virginia 23185

Dear Mr. Frink:

It has become necessary for me to resign from the Mental Health and Mental Retardation Services Board because I will not be living in the Williamsburg area for the year beginning August, 1972.

Serving on the board has been a challenging and rewarding experience for me, and I regret that I will be unable to continue. The job of building a comprehensive mental health and retardation program for this area is very complex, but we are extremely fortunate in having capable and dedicated board members as well as an unusually competent coordinator, Mr. J. Thomas Treece.

Please make my resignation effective July 1, 1972.

Sincerely,

/s/ Rita V. Welsh

(Mrs. Robert E. Welsh)

cc: Ruth Kernodle  
J. Thomas Treece  
Jack Edwards

The Board requested Mr. Woody to write a letter of appreciation and Mr. Edwards said he would have a recommendation for replacement at the next meeting.

RE: SEWERAGE REQUEST - FIRST COLONY

Mr. Woody read the following letter:

May 18, 1972

Mr. Garland L. Woody  
Executive Secretary  
Board of Supervisors  
James City County, Virginia

Have been trying to obtain a building permit for a home in First Colony since 1967. Now that the county sewage is going in and First Land Corporation will put in their collection lines with an overall completion date in the Spring 1973, will building permits be granted six months earlier so home can be completed while the sewer lines are completed? I would like to build starting this Fall 1972 with a completion when the sewers are completed.

Sincerely yours,

/s/ Charles V. Woerner

Charles V. Woerner  
Newport News, Virginia 23602

It was Mr. Woody's suggestion that this letter be given to the Service Authority for their comments before the Board makes a decision. The Board concurred with Mr. Woody's suggestion. He advised the Board that they would have to set a policy on this matter.

RE: AIR-CONDITIONING - JAIL FACILITIES

Mr. Woody said he has to discuss the jail air-conditioning with the City manager and he would make a report at the next meeting.

RE: SANITARY DISTRICT III

Mr. Edwards reported that there is confusion on the bond referendum as to what property will be covered. He explained that all developed property in the District will be covered.

Mr. D. Martin, Martin, Clifford and Associates stated there will be a meeting June 1, 1972 at 8:00 P. M. at Rawls Byrd Elementary School, in reference to Sanitary District III.

RE: R. M. HAZELWOOD, JR. - SECRETARY - ELECTORAL BOARD

June 12, 1972  
May 31, 1972

Mr. Hazlewood appeared before the Board requesting an increase in poll workers pay from \$1.60 per hour to \$1.85 per hour.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees that the salary of the Poll workers hired by the Electoral Board be set at \$1.85 per hour.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	=	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

Mrs. Giles, resident of the Hamlet wanted enforcement of the Dog Leash Law which is effect until July 15, 1972.

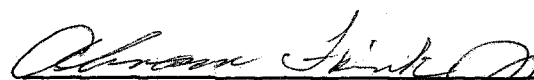
She also asked about street lights in the Hamlet.

Mr. Woodydy replied that as soon as the developer puts up his share of the financing, the lights will be installed.

Checks #5172 through #5293, totalling \$274,068.77, were certified for payment from the General Fund for the month of May, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woodydy, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of June, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. STEWART U. TAYLOR, Stonehouse District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODYDY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS & EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
DOG WARDEN REPORT  
PROBATION DEPARTMENT REPORT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports as published.

The Executive Secretary was directed to take a roll call vote, which



June 12, 1972

is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
REZONING - BUSCH PROPERTIES, INC.

Mr. Woody read the following request for rezoning:

"The rezoning of various properties owned by Busch Properties, Inc., located south of Route 60, East of Williamsburg. A brief of the areas to be rezoned is as follows: M-2 to R-4; R-3 to R-4; R-4 to M-1; M-2 to M-1."

The Chairman opened the hearing for public comments.

There was concern from a Grove resident as to what assurance the citizens in Grove have that the R-3 area that Bush Properties withdrew from rezoning, will not be rezoned in the future.

Mr. Frink replied that this was not part of the rezoning request nor a part of the Master Plan and there was nothing that could be done about it until the request for rezoning this area was applied for.

There being no further comments, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the rezoning as per the above description.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED AMENDMENTS - R-4 AND M-1  
JOINT PUBLIC HEARING

This being a joint public hearing with the Planning Commission, Mr. Frink turned the meeting over to Mr. Scruggs, Chairman of the Planning Commission.

MR. SCRUGGS opened the meeting with the following members present: MR. A. G. BRADSHAW, Vice-Chairman, MR. JACK D. EDWARDS, MRS. CARY FUQUA, MR. JAMES E. HICKS, MR. GERALD H. MEPHAM, MR. RAYMOND H. MINKINS, MR. ALBERT L. WHITE, III AND MR. JOHN W. WATKINS, Secretary; comprising a quorum of the Commission.

The chair was then returned to Mr. Frink.

Mr. Frink opened the hearing for public comment and there being none, the hearing was closed.

On a motion by Mr. White, seconded by Mr. Hicks, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors to approve the following amendments to the R-4 and M-1 Zones.

ARTICLE 7 - RESIDENTIAL PLANNED COMMUNITY, DISTRICT R-4

Proposed Amendments

AMEND THE FOLLOWING SECTIONS TO READ AS FOLLOWS:

7-2. APPLICATION

7-2-1. The applicant shall furnish with his application for establishment of

June 12, 1972

a residential planned community, a statement of the impact on the community, together with seven (7) copies of a Master Plan prepared by a surveyor, engineer or architect, duly authorized by the State to practice as such, upon which shall be shown the approximate location of the open areas which shall comprise not less than forty (40) per cent of the various land uses, the general location and the general location of any commercial centers and the residential density classifications of each residential area.

- 7-2-2. The applicant shall further submit with his application seven (7) copies of a set of schematic preliminary plans which shall indicate a method by which the Master Plan may be implemented and show the general circulation plan.

#### DEVELOPMENT

#### 7-3. FINAL PLAN

- 7-3-1. Following the establishment of a residential planned community by approval of the Board of Supervisors of a Master Plan therefore, the applicant shall furnish to the Planning Commission seven (7) copies of a Final Plan of any part or section of the community shown on the Master Plan and from time to time thereafter shall submit additional Final Plans comprising the whole area of the Master Plan. The final plan shall be prepared or certified by a surveyor or engineer or architect. The Final Plans shall be consistent with the Master Plan as approved, but may vary from the preliminary plans to any degree which the Planning Commission believes does not vary the basic concept or character of the development.
- 7-3-2. The Final Plans shall show to scale the layout of all major and local roads, public and private, the general location of all buildings and improvements, other than single family dwellings (as to these buildings the general location for improvements within the lines of each lot shall be shown) and other than school buildings or other buildings to be built by public authority (as to which the site or lot shall be shown), all parking areas, pedestrian ways, utility easements, lot lines, and shall show the different types of open areas and other public or community amenities, the proposed use of all buildings and of all areas dedicated for public or private common use.
- 7-3-3. The applicant shall furnish with a Final Plan a proposed deed of easement including restrictions safeguarding the permanent use of open areas, if any.
- 7-3-4. The Planning Commission shall, within thirty (30) days of receipt of a Final Plan pursuant to Section 7-3-1, review the Final Plan and report its recommendations for approval or disapproval to the Board of Supervisors. The Board of Supervisors shall, within thirty (30) days of its first regular meeting following receipt of the report of the Planning Commission, approve the Final Plan if the Board of Supervisors determines that implementation of the Final Plan will not adversely affect the health or safety of persons residing or working in the area, will not be detrimental to the public welfare or injurious to property or improvements in the community, and will be in accord with the provisions and purposes of this ordinance and the land use plan of James City County. The Board of Supervisors if it approves such Final Plan, may, in so doing, impose conditions to such approval pursuant to other provisions of this ordinance. Failure of the Board of Supervisors to disapprove the Final Plan within such thirty (30) day period shall be deemed approval of such Final Plan. Upon approval of the Final Plan by the Board of Supervisors, applicant may record the Final Plan, provided that locations on the recorded plat be shown by metes and bounds. Thereafter, no modification may be made in any Final Plan except by an amended Final Plan submitted as provided for the original Final Plan.
- ADD THE FOLLOWING NEW SECTIONS:
- 7-3-5. It shall be the obligation of applicant, upon approval of the Master Plan, to convey to the Board of Supervisors or its designee such lands as may be required herein. Subsequent to the establishment of the Master Plan as provided in Section 7-2-3 hereof, applicant shall, from time to time, upon request of the Board of Supervisors, furnish a deed or deeds, without consideration, to such amount or amounts of land as may be determined by the Board of Supervisors to be reasonably required as sites for additional or expanded public services (including, but not limited to education, fire protection and municipal functions), the need for which services has been, or is reasonably anticipated in the future to be occasioned by the development of the residential planned community. The land or lands to which a deed or deeds is to be furnished hereunder may be selected by the applicant, but must be suitable from the standpoint of size, location and topography, to the public purposes for which required. The amount of land required to satisfy the requirements of this section shall be not more than four (4) acres per 1,000 population, computed by reference to the maximum density permitted under the Master Plan. The obligation imposed upon applicant by this section may be satisfied in whole or in part by written agreement between applicant and the Board of Supervisors. Failure of applicant to comply with the requirements shall be grounds for withholding approval of any pending or future Final Plan.

June 12, 1972

- 7-3-6. No land shown on a Master Plan shall be subdivided, nor shall any structure be erected on such land except in accordance with a Final Plan approved and recorded pursuant to Section 7-3-4 above.
- 7-5. COMPUTING POPULATION DENSITY
- The average population density of the aggregate gross area shall not exceed ten (10) persons per acre.
- For the purpose of computing population maximum density, a factor of three and seven-tenths (3.7) persons shall be used per detached single family dwelling or permanent mobile home, three (3) persons per townhouse, two (2) persons per unit, in multi-family structures of three stories or less, and one and five-tenths (1.5) persons per unit in residential club house, motel, hotel or high rise (elevator) apartment or other structure of more than three stories above ground.
- 7-7. USE REGULATIONS
- 7-7-9. Yacht clubs, private or commercial marinas, boat storage and service facilities shall be permitted.
- 7-10. UTILITIES
- Substitute Board of Supervisors for Planning Commission.
- 7-11. STREET IMPROVEMENTS
- 7-11-1. All dedicated public streets shown on the Final Plan shall meet requirements of the Virginia Department of Highways Subdivision Standards. Before approval of any Final Plan the Resident Agent shall so certify. Such public streets shall be coordinated with the Major Transportation Network shown in the County Comprehensive Plan.
- 7-11-2. Substitute Board of Supervisors for Planning Commission.
- 7-11-3. Substitute Board of Supervisors for Planning Commission.
- 7-11-5. Substitute Board of Supervisors for Planning Commission.
- 7-11-6. Substitute Board of Supervisors for Planning Commission.
- 7-12. MINIMUM STREET REQUIREMENTS CHART
- Delete this section.
- 7-13. Change section number to 7-12 and to read as follows:  
SPECIAL PROVISIONS
- The provisions hereof shall not be limited by any provisions of any other part of the James City County Zoning or Subdivision Regulations inconsistent herewith.

## ARTICLE 9 - INDUSTRIAL, LIMITED, DISTRICT M-1

Proposed Amendments

## 9-1. USE REGULATIONS

ADD:

- 9-1-55. Thematic Park or Gardens
- 9-1-56. Campgrounds with Conditional Use Permit

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Bradshaw	-	Aye
Mr. Edwards	-	Aye
Mrs. Fuqua	-	Aye
Mr. Hicks	-	Aye
Mr. Mephram	-	Aye
Mr. Minkins	-	Aye
Mr. White	-	Aye
Mr. Scruggs	-	Aye

Motion carried by a unanimous vote.

The Planning Commission adjourned to the Zoning Administrator's Office to continue their meeting.

After comments from the Board, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the aforementioned Amendments to the R-4 and M-1 Sections of the Zoning Ordinance.

June 12, 1972

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
BUSCH PROPERTIES, INCORPORATED - MASTER PLAN

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves Busch Properties, Inc. Master Plan as previously presented.

After comments from the Board, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: TAX LEVY - 1972-73

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the 1972-73 Tax Levy Levy and Appropriation until June 30, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - CHAPTER 10 BOARD

This was tabled until the next meeting.

RE: JAIL AIR-CONDITIONING

Mr. Woody said he had received an estimate for the air-conditioning of the entire jail in the amount of \$8,420.00 and for just the office area \$2,410.00. He explained that there was approximately \$14,000.00 in the Courthouse Construction Fund, half of which belongs to the City.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the allocation of its pro rata portion from the Construction Fund Account for the air-conditioning of the entire jail pursuant to the bid received and with concurrence of the City of Williamsburg.

After a general discussion, the Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: STREET LIGHTS - HAMLET

Mr. Woody reported that the developer has paid for the installation of the street lights in the Hamlet and they should be installed soon.

June 12, 1972

RE: WATER REQUEST - H. W. SCHLIESER-HOLLYBROOK SUBDIVISION

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby accepts the Water and Sewerage Study Committee's recommendation that the property owner, H. W. Schlieser, be authorized to petition the City of Williamsburg for a permanent water connection on his property located in Hollybrook Subdivision.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORT - STUDY COMMITTEE - DOG AND CATS

Mr. Wooddy read the following report:

TO: Mr. A. Frink, Chairman James - City County Board of Supervisors

FROM: Citizens Committee for the study of the magnitude of dog and cat nuisances in James City County, M. Mathes, Chairman.

DATE: June 12, 1972

The Committee met on two occasions to discuss problems associated with the control of dogs and cats in the residential and rural areas of the County. Mr. J. R. Zepkin investigated the legal aspects of control measures and reported his findings to the committee. The following report is in the result of committee deliberations and should be viewed as a consensus of opinions formulated to serve as a basis for discussion and possible action by the Board of Supervisors.

The Committee expressed unanimous agreement concerning the following matters:

1. An ordinance should be drafted and enacted to require the licensing and inoculation of all cats for rabies. The governing body of the County is empowered (see attached pages) to prevent the spread of rabies.
2. A period of time, should be reserved for the strict enforcement of the present countywide animal control ordinance. This would allow enforcement officers (animal, etc.) an opportunity to pick-up uncontrolled dogs and check for appropriate licensing of dogs and cats.

The Committee favors increased control of dogs and cats in the County. Unanimous agreement prevailed concerning the strengthening and local clarification of those existing state laws (other than leash ordinances) dealing with nuisances. The Committee suggests the establishment of a procedure for registering complaints under existing nuisance laws. Notification of animal nuisances could be processed by an individual or individuals who would notify the owner of the animal in question. The owner would be warned that further complaints would result in legal action.

The Committee is of the opinion that very few instances would require litigation. This approach would not require the complete control of all animals at all times but would apply only to those animals creating undesirable situations.

The Committee was divided concerning an alternate proposal dealing with the possible extension of the existing County ordinance to selected area of the County for the calendar year. This type of ordinance is apparently supported by sufficient case law and "is a reasonable regulation in the furtherance of the health and safety of the residents of the County and treats alike those residents who are similarly situated" (see attached pages). The dog control ordinance would be in force only in selected zoning designations, such as R1, etc., and would not influence the entire County. The Committee agree that animals in the rural areas of the County should have minimal restrictions. This approach would require the control of all dogs at all times in selected areas of the County.

The Committee does not wish to suggest that the County enact unenforceable legislation; but suggests the establishment of an adequate staff which would both enforce animal control measures and insure self-supporting revenues.

B. Brown  
J. C. Kinder  
K. Bick  
D. Crump  
D. Barley  
J. R. Zepkin  
M. Mathes



June 12, 1972

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter for further study.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HAMPTON ROADS SANITATION COMMISSION - CONTRACT

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to sign an agreement with Hampton Road Sanitation Commission for a 30' force main from Route 619, Delks Road, down Route 199, terminating at Britts Amoco on Route 31.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS  
PRELIMINARY LOCATION APPROVAL - LORD YARMOUTH MOBILE HOME PARK - ROUTE 611

Mr. Richardson, developer of the park appeared before the Board, requesting preliminary approval of the location of said park.

He told the Board that the land consists of 123 acres and there are 353 proposed units planned, together with all underground utilities and a package sewage plant.

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the preliminary location of the Lord Yarmouth Mobile Home Park.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WILLIAMSBURG NATIONAL BANK - REZONING REQUEST A-1 TO B-1

Mr. Wooddy read the following recommendation from the Planning Commission:

"On a motion by Mr. Bradshaw, seconded by Mr. Hicks and passed without dissenting vote, the Planning Commission of the County of James City hereby recommends to the Board of Supervisors the approval of a request by Williamsburg National Bank to rezone a parcel of land, as described in Rezoning Case File #72-18, from A-1 to B-1."

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive

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Secretary to advertise the Williamsburg National Bank rezoning request for a public hearing to be held July 10, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED ORDINANCE AMENDMENTS - BUILDING, PLUMBING AND GAS CODES

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for a public hearing, to be held July 10, 1972, the following proposed amendments:

BUILDING CODE

SECTION 1. Adoption

Change --- 1970 Amendments - to read - 1972 Amendments ---

PLUMBING CODE

SECTION 1. Adoption

Change --- 1967 Edition thereof and the 1970 Amendments thereto - read - 1972 Edition thereof ---

GAS CODE

SECTION 1. Adoption

Add after 1969 Edition thereof, the following:  
and the 1972 Amendments thereto, ---

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: STOCK CLAIM - MARSTON

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to pay the stock claim in the amount of \$122.34 to G. A. Marston, Jr., for two hogs killed by dogs.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CONDITIONAL USE PERMIT - FITZGERALD-KENNEDY - MOBILE HOME PARK

Mr. Wooddy said he had a request from Mr. Royal Butler to add one additional mobile home to his park on a filled site, which requires a conditional use permit. Mr. Wooddy further stated that Mr. Royal Butler will gravel the road in the park, clean up the area, and do grading and seeding work.

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants a conditional use

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permit for one additional trailer to the Fitzgerald-Kennedy Mobile Home Park, subject to the approval of the Health Department and to the following conditions:

1. Gravel road in Park
2. Clean entire area of debris
3. Do grading and seed work of entire area.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - JUDGE TAYLOR

Mr. Woody reported that he had received a request from Judge Taylor for \$190.00 to defray the costs of an annual lease of films obtained from the Richmond Area Safety Council for the driver's training clinic. One-half of which should be paid by the City. Mr. Woody further advised that this would be an annual expenditure.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Executive Secretary to transfer \$95.00 from Contingency to County Court for Driver's Clinic Training contingent upon the City's concurrence.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: "PITCH IN MONTH"

Mr. Woody reported that he had received a letter from Anheuser-Busch, Inc., in reference to James City County proclaiming July 9-15 "Peninsula Pitch In Week" under the direction of the United States Brewers Association and Keep Virginia Beautiful, Inc.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to draw the appropriation resolution for presentation at the next meeting.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MATTERS OF SPECIAL INTEREST  
BID NOTICE - SANITARY LANDFILL

Mr. Woody advised the Board that bids will be opened June 16, 1972 at 2:00 P.M., on the clearing of the landfill.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to accept the bid that appears to be in the best interest of the County.

June 30, 1972  
June 12, 1972

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PERMITTED USES - A-2 ZONE

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the Planning Commission to study the feasibility of adding to the A-2 Zone, individual mobile homes, welding shops and auto repair garages, subject to a conditional use permit.

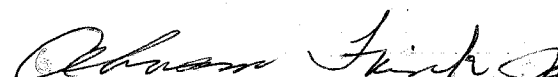
The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirtieth day of June, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, Executive Secretary.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

RE: HIGHWAY MATTERS  
FIVE FORKS

Mr. Woody read the following letter:

June 5, 1972

P. O. Box HD  
Williamsburg, Virginia

Re: Intersection - Five Forks

James City County Board of Supervisors  
James City County  
Williamsburg, Virginia 23185

Gentlemen:

As I advised you on Wednesday, May 31, 1972, a study was made on Friday, June 2, 1972, pertaining to the above location in James City County.

As you were advised at the Board Meeting, the accident data for this intersection shows that in the last two and one-half years there were four accidents at the intersection itself. After a review of the intersection it was decided by the District Traffic Engineer and myself, to provide a tear-drop sign island on the north side of Route 5 with its intersection with Route 615 so that the sight

June 30, 1972

distance to this "Stop" sign will be unlimited. On the south side we will place an oversized "Stop" sign to make the motorist aware of the stop condition.

We feel these changes could improve the intersection.

Sincerely,  
/s/ W. C. Jeffrey  
W. C. Jeffrey  
Resident Engineer

RE: MAGRUDER HEIGHTS

Mr. Jeffrey reported that the people in the Magruder Heights area want curb and gutters, which he felt was not necessary. He further stated he did not see any drainage problem there.

RE: POT HOLES - ROUTE 60 AND ROUTE 610

Mr. Woody reported that the road is broken up at the entrance of the EOC Building in Toano and needed repair.

RE: OLD ROUTE 60 RESOLUTION

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City, Virginia, has recommended that a section of old Route 60 that was discontinued from the State Highway System due to new construction of Route 60 now constitutes a public service. It is recommended that this section of road be added to the State Secondary Highway System as a Rural Addition. The length requested is to be 0.35 long with no need cited for additional right of way, as a 80 foot right of way now exists at this location. This route is located 0.9 mile west of the intersection of Route 639 with Route 60.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: GROVE CROSSING

Mr. Jeffrey stated that he has not received the final report on the Grove Crossing.

RE: OAK AND SPRING ROADS

Mr. Woody reported that the drainage problem has been corrected.

RE: ROUTE 615

Mr. Waltrip asked when the Centerline marking on Route 615 will take place.

Mr. Jeffrey said he would remind the District Crew to do it.

RE: INDIAN SPRINGS ROAD

Mr. Waltrip said several residents have complained to him about cars speeding in and out of the area.

Mr. Jeffrey said he would check this out.

RE: BROOK HAVEN SUBDIVISION STREETS

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the developer of Brook Haven Subdivision has requested the Board of Supervisors of the County of James City, Virginia, to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the re-



June 30, 1972

quirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Brook Haven Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description:

Brook Haven Drive  
From: Route 615  
To: Cul-de-sac

A Right-Of-Way of 50 feet is guaranteed as evidenced by plat of record, entitled Brook Haven Subdivision, Section 1, Plat Book 27, Page 11.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Brook Haven Subdivision and the Resident Engineer of the Department of Highways.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: 1972-73 SECONDARY ROAD SYSTEM BUDGET

Mr. Jeffrey distributed the Secondary Road System to the Board for review to be taken up at the next meeting involving highway matters.

RE: OLD BUSINESS  
TAX LEVY AND APPROPRIATION - 1972-73

Mr. Woody read the following letter:

CHICKAHOMINY COMMUNITY IMPROVEMENT ORGANIZATION

Williamsburg, Virginia 23185

June 30, 1972

Mr. Abram Frink, Jr.  
Chairman, Board of Supervisors  
James City County, Virginia

Dear Sir:

This is a follow-up to our letter requesting assistance in providing recreation for the children in the Chickahominy area.

Mrs. White has represented the Chickahominy area in discussions with Mr. Force and Mr. Hudson, and it has been concluded that no funds are available to hire a supervisors nor buy equipment this year. Mr. Hudson did say that there is a possibility that he can obtain a small amount of equipment within the next six weeks.

We are requesting \$900.00 from the County to be used for playground equipment and salary for one adult supervisor. This supervisor will be supplemented by adult volunteers and NYC enrollees supplied by the Williamsburg-James City County C.A.A.

McArthur Richardson  
President

/s/ McArthur Richardson

After a general discussion, Mr. Donaldson said he would take this matter up under new business on the agenda.

Mr. Edwards stated that as far as the 1972-73 Budget, he felt some changes should be made.

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appropriates the following monies for the year 1972-73 and hereby sets the following tax rates:

June 30, 1972

	1971-72	1972-73	Increase	
COUNTY ADMINISTRATION	17,980.00	21,560.00	3,580.00	
EXECUTIVE SECRETARY	29,326.03	52,087.95	22,761.92	
BUILDING INSPECTION	23,144.00	26,540.48	3,456.48	60.00
ASSESSMENT OF TAXABLE PROPERTY	21,369.50	27,827.60	7,008.10	550.00
COLLECTION & DISBURS. OF TAXES & OTHER RECEIPTS	22,382.00	21,908.29	2,541.29	3,015.00
RECORDING OF DOCUMENTS	9,943.20	8,714.48	1,471.28	2,700.00
ADMINISTRATION OF JUSTICE	21,646.79	24,597.38	3,050.59	100.00
CRIME PREVENTION & DETECTION	37,377.71	45,835.56	8,991.85	534.00
FIRE PREVENTION & EXTINCTION	46,196.00	49,069.20	3,035.20	162.00
PUBLIC WELFARE				
Federal	421,758.00	444,593.00	22,835.00	
State	306,614.00	401,816.00	95,202.00	
County	82,583.00	51,305.35		31,277.65
PUBLIC HEALTH	41,373.00	64,625.51	23,252.51	
PUBLIC WORKS	76,677.85	149,924.55	77,646.70	4,400.00
ADVANCEMENT OF AGRICULTURE & HOME ECONOMICS	11,360.00	12,120.20	760.20	
ELECTIONS	9,264.52	11,054.00	3,389.58	1,600.10
MAINTENANCE OF BUILDING & GROUNDS	13,730.00	17,335.00	3,655.00	50.00
HIGHWAY, ROAD & STREET LIGHTING	6,000.00	7,000.00	1,000.00	
ROAD ADMINISTRATION	700.00	700.00	183,244.96	
SCHOOLS	1,554,650.96	1,737,895.92	183,244.96	
MISCELLANEOUS OPERATING FUNCTION				
Contributions	31,400.00	47,805.00	16,405.00	
Civil Defense	6,200.00	8,065.00	2,025.00	160.00
Miscellaneous	25,835.00	27,235.00	1,400.00	
Contingency	90,653.03	57,185.16		33,467.87
CAPITAL OUTLAY	136,450.00	147,388.87	28,938.87	18,000.00
DEBT SERVICE	435,483.75	661,668.75	234,422.50	8,237.50
MOSQUITO CONTROL	9,600.00	8,200.00	900.00	2,300.00
	3,489,698.34	4,134,058.25	750,974.03	106,614.12
JAMES CITY COUNTY GENERAL FUND				
Expenditures		4,134,058.25		
Income		4,134,058.25		
DOG FUND				
Expenditures		6,000.00		
Income		6,000.00		
JAMES CITY COUNTY SANITARY DISTRICT #1				
Expenditures		31,287.00		
Income		31,387.00		
TOANO SEWERAGE SYSTEM				
Expenditures		2,000.00		
Income		2,300.00		
Reserve		300.00		

NOTE: MONIES SHOWN UNDER SCHOOLS ARE LOCAL JAMES CITY COUNTY FUNDS ONLY.

JAMESTOWN DISTRICT

Real Estate on the \$100 assessed value .....	\$4.00
Tangible Personal Property on each \$100 assessed value .....	\$4.00

June 30, 1972

Machinery and Tools on each \$100 assessed value ..... \$4.00

BERKELEY DISTRICT

Real Estate on the \$100 assessed value ..... \$4.00

Tangible Personal Property on each \$100 assessed value ..... \$4.00

Machinery and Tools on each \$100 assessed value ..... \$4.00

POWHATAN DISTRICT

Real Estate on the \$100 assessed value ..... \$4.00

Tangible Personal Property on each \$100 assessed value ..... \$4.00

Machinery and Tools on each \$100 assessed value ..... \$4.00

STONEHOUSE DISTRICT

Real Estate on the \$100 assessed value ..... \$4.00

Tangible Personal Property on each \$100 assessed value ..... \$4.00

Machinery and Tools on each \$100 assessed value ..... \$4.00

ROBERTS DISTRICT

Real Estate on the \$100 assessed value ..... \$4.00

Tangible Personal Property on each \$100 assessed value ..... \$4.00

Machinery and Tools on each \$100 assessed value ..... \$4.00

The Executive Secretary was instructed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENT - CHAPTER 10 BOARD

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mrs. Eleanor Davidson to fill the unexpired term of Mrs. Rita Welsh, said term expiring December 31, 1975. This appointment is effective July 1, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - "PITCH-IN"

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, litter is a continuing and growing problem in James City County and the Peninsula area and must be eliminated, and  
WHEREAS, this Board desires all citizens to become aware of the best methods to fight the litter problem, and  
WHEREAS, the Peninsula business community has joined efforts in a "Pitch-In" anti-litter campaign to provide all citizens with information to fight this problem in the Peninsula area.  
Now, Therefore, Be It RESOLVED, the Board of Supervisors of the County of James City, Virginia, does hereby designate the week of July 9-15, 1972, as "Peninsular Pitch-In Week" in the County of James City and encourages all citizens to participate in this anti-litter campaign in every way possible.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

June 30, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORT - STREET LIGHT COMMITTEE

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to have the street light in Indigo Terrace replaced and authorizes Vepco to work up cost figures on additional street lights in the County.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: DOG AND CAT STUDY COMMITTEE REPORT

Mr. Frink stated that the Board has discussed this report with Mr. Matheny and the Commonwealth's Attorney will look into the legality of licensing cats. The Board tabled the matter to await the necessary information.

RE: NEW BUSINESS  
HOLIDAY - JULY 3 AND 4, 1972 - INDEPENDENCE DAY

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, In accordance with Section 2.1-21, Code of Virginia, 1950, as amended, July 3 and July 4, 1972, (Independence Day Celebration) shall be legal holidays for the transaction of all County business.

It Is, Therefore, RESOLVED, That the Board of Supervisors doth proclaim the third and fourth day of July, 1972, as legal holidays for County offices and employees.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: ASCS OFFICE - LEASE

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to sign the new ASCS Office lease, effective July 1, 1972 and ending June 30, 1973.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: DOG WARDEN APPOINTMENT

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. D. E. Matheny, Jr. as Dog Warden for a term of one (1) year, effective June 30, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

June 30, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SOCIAL SERVICE REAPPOINTMENT - MRS. DOUGLAS

This was tabled until July 10, 1972, as Mrs. Douglas is out of town.

RE: JAMES CITY SERVICE AUTHORITY REAPPOINTMENTS - STEEN AND WILL

On a motion by Mr. Douglas, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby reappoints Mr. Charles S. Steen and Mr. Stuart Will, each for a term of three (3) years, expiring July 1, 1975.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: APPROPRIATION TO CONTINGENCY AND TRANSFERS FROM CONTINGENCY

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appropriates the amount of \$45,426.35 to Contingency (18g) and transfers the following amounts from Contingency (18g) to:

Board of Supervisors	(1a)	\$ 10,810.21
Executive Secretary	(1b)	3,278.32
1970-71 REASSESSMENT	(2a)	3,453.85
<u>Administration of Justice</u>		
Circuit Court	(5a)	550.67
County Court	(5b)	190.61
<u>Crime Prevention &amp; Detection</u>		
Policing & Investigation	(6a)	1,854.48
Confinement & Care of Prisoners	(6c)	57.14
<u>Fire Prevention &amp; Extinction</u>		
(Powhatan & Stonehouse)	(7a)	565.21
<u>Department of Public Welfare</u>		
Hospitalization	(8e)	1,249.28
Lunacy Commission	(8h)	100.00
<u>Public Works</u>		
Planning Commission	(10a)	14,781.97
County Dump	(10d)	2,568.00
Elections	(13)	2,231.85
Maintenance of Building & Grounds	(14)	2,476.01
Highway, Road & Street Lighting	(15)	1,258.75
		<u>\$ 45,426.35</u>

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REIMBURSABLE GRANT PROVISIONS

Mr. Woody read the following draft of a letter, suggested by the Peninsula Planning District Commission, for use for local jurisdictions to advise their representatives in Congress of concern about Reimbursable Grant Provisions:

DRAFT

At the present time, a Senate-House Conference Committee is meeting to reconcile differences between the House and Senate-passed water quality bills, HR 11896 and S 2770 respectively.

The Peninsula area of Virginia (Newport News, Hampton, Williamsburg, York County, James City County and Poquoson) is faced with several critical water quality



June 30, 1972

management problems. The key to the solution of a major portion of these problems is a project for the expansion of the capacity of the present James River treatment plant and the extension of several major interceptors by the Hampton Road Sanitation District. The total cost of these facilities is estimated at approximately \$9,000,000. These projects were scheduled for funding by the State and Federal agencies for 1973. In order to improve water quality in the James River and Hampton Roads, flows should be immediately diverted from the present Boat Harbor primary treatment plant to the James River plant. The present capacity at the James River Plant cannot accommodate a significant increase. Therefore, construction of the expansion to the James River Plant would have to be initiated this summer to permit this redistribution.

The previous legislation, P.L. 84-660, contained a provision for reimbursement that would have allowed HRSD to proceed immediately with their projects. Section 206(d) (1) of HR 11896 makes reference to a reimbursement procedure at the discretion of the Administrator. The Senate version (S 2770) contains no such provision. If the legislation that is passed by Congress does not contain a reimbursement provision similar to that contained P. L. 84-660, the construction of facilities to improve water quality will be delayed until the year of their present State priority certification.

(It is suggested that the remainder of the letter be written by the locality emphasizing

1. The need for passage of the pending legislation as rapidly as possible.
2. The incorporation of a specific reimbursement provision that would permit operation as under the Old P.L. 84-660.)

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to draft and send the letter along the lines indicated.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: EXECUTIVE SECRETARY'S PETTY CASH FUND

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby increases the Executive Secretary's Petty Cash Fund from \$100.00 per month to \$500.00 per month, effective July 1, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CHAPTER 10 BOARD REQUEST

Mr. Woody read the following letter:

P. O. Box HT  
Williamsburg, Va. 23185

June 13, 1972

Mr. Garland L. Woody  
Executive Secretary  
James City County  
321-45 Court Street  
Williamsburg, Virginia 23185

Dear Mr. Woody:

The Mental Health and Mental Retardation Services Board is please to announce that after study and consideration, we have unanimously voted to accept the Drug Action Center of Williamsburg, as a service component of the Mental Health and Mental Retardation Services Board.

The acceptance by our Board carries the following conditions:

June 30, 1972

1. That the Drug Action Center be aware that they must begin to further expand their activities to relate to the Black communities in our catchment area as well as York County as a whole.
2. That the Mental Health and Mental Retardation Services Board will have the right of review and evaluation of Drug Action Center programming, but not the right of interfering in the operation of the day to day affair of either the Center or the Center's Board of Directors.
3. That the Drug Action Center's proposal always include provisions of monies to hire professional consultation for the program.
4. That the Drug Action Center seek LEA funding and will be responsible for obtaining local funds for matching purposes.

This action by our Board took place on May 11, 1972, and was formally accepted by the Board of Directors of the Drug Action Center on May 30, 1972.

Before final formal acceptance takes place, however, the Mental Health and Mental Retardation Services Board, according to law, must have approval from the City Council of Williamsburg and the Board of Supervisors of York and James City Counties.

At the present time, no local tax monies will be involved in supporting the Drug Action Center's budget nor do we anticipate asking for local tax monies in the future. The Drug Action Center already has a local matching base of \$10,000 per year from the United Givers Fund and will raise the balance of their budget from either LEA or Chapter 10 funds or a combination thereof.

We are asking, therefore, that the jurisdictions place "The acceptance of the Drug Action Center as a service component of the Mental Health and Mental Retardation Service Board" on their agendas for consideration. We are also recommending that the City Council of Williamsburg and the Board of Supervisors of York and James City Counties approve the above proposal.

We will be available to you for any questions you may have about the above described matter and will attend the meeting when you consider the proposal if you do desire.

Thank you very much for your time and consideration in this matter and please feel free to call on us if you have any questions.

Sincerely yours,

/s/ Ruth Kernodle

Ruth Kernodle  
Chairman of the Board

/s/ J. Thomas Treece

J. Thomas Treece  
Co-ordinator

JTT/eba

Mr. Treece discussed the matter with the Board and answered their questions on the subject.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter until July 10, 1972.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST - MURPHY AND MCGARDLE

Mr. Woody read the following letter:

June 12, 1972

Mr. Garland Woody  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Woody:

Pursuant to our conversation of 9 June, regarding four lots adjoining

June 30, 1972

Birchwood Subdivision, I wish to make formal application to the Board of Supervisors for approval to connect these lots to the cities water system, for the purpose of serving four single family dwellings.

The adjoining two lots are presently being served by the City, and existing water lines lie within 75 feet of the subject lots.

Enclosed is a sketch showing the location of this property, identified as lots 1,2,3, and 4.

Respectfully submitted  
Murphy & McCardle Realtors  
/s/ Larry R. McCardle  
Larry R. McCardle

LRM/ljv

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby refers this request to the Water and Sewerage Study Committee for their recommendations.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Wooddy read the following proposed resolution:

WHEREAS, the Board of Supervisors of the County of James City, Virginia, has been advised by Hampton Roads Sanitation District Commission, that they propose to distribute, lime and bury digested sludge at a designated area on Camp Peary property, and

WHEREAS, Hampton Roads Sanitation District Commission has further stated that the work will be done in accordance with good practice, protecting both public and private interests.

Now, Therefore, Be It RESOLVED, the Board of Supervisors of the County of James City, Virginia, has determined that sludge material handled in this manner will have no detrimental effect to the property.

Be It Further RESOLVED, that the Board of Supervisors of the County of James City, Virginia, endorses and gives its full support to Hampton Roads Sanitation District Commission's proposed plan.

Mr. Love, General Manager of Hampton Roads Sanitation District Commission, appeared before the Board to answer questions.

Mr. Frink asked Mr. Love if this was a "one shot deal."

Mr. Love replied it was.

Mr. Frink asked if it would be a reoccurring problem and Mr. Love replied that they were trying to get out of the "digester business" and as soon as this was accomplished, it would not be a problem.

Mr. Taylor asked how long the dumping would take and Mr. Love answered "about 10 days."

Mr. Taylor informed Mr. Love that the people living in Riverview Plantation objected to the location because of the odor.

Mr. Love said that his people would contact these residents. He also stated that the odor is sometimes psychological and he felt that since the sludge was two months old, there would be very little odor, if any, and what odor there was, would be treated.

After further discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

June 30, 1972

WHEREAS, the Board of Supervisors of the County of James City, Virginia, has been advised by Hampton Roads Sanitation District Commission, that they propose to distribute, lime and bury digested sludge at a designated area on Camp Peary property, and

WHEREAS, Hampton Roads Sanitation District Commission has further stated that the work will be done in accordance with good practice, protecting both public and private interests.

Now, Therefore, Be It RESOLVED, the Board of Supervisors of the County of James City, Virginia, approves the request of Hampton Roads Sanitation District Commission for sludge disposal, in this particular instance, provided that all appropriate federal and state agencies indicate that no health hazard will be created.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: CHICKAHOMINY RECREATION AREA

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby transfers from Contingency (18g) to the Recreation Category(702g)\$900.00 for acquisition of equipment and payment of salary for one adult supervisor for the Chickahominy Recreation area.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER SYSTEM - PILOT LIFE INSURANCE COMPANY

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James Virginia, hereby adopts the following resolution:

WHEREAS, James City County at the present time has no developed plan for the establishment of a public water system in Sanitary District #3, and

WHEREAS, Pilot Life Insurance Company owns land in Sanitary District #3 which it proposes to develop, and which requires the availability of public water for such development, and

WHEREAS, a portion of such proposed development is to be a major shopping center, and

WHEREAS, the development of such a shopping center would serve the convenience of County residents and enhance the tax base.

Now, Therefore, Be It RESOLVED, that the James City Service Authority is hereby authorized to develop a water system and provide water to the aforesaid land of Pilot Life Insurance Company on a contractual basis, if such an undertaking, in its judgement, is feasible, and that \$30,000.00 be advanced as a loan to the James City Service Authority for the above purpose; that the James City Service Authority be and hereby is, urged to consider the enlargement of such system, if established, and to make recommendations from time to time for the same, and

Be It Further RESOLVED, that in the event that the James City Service Authority contracts with Pilot Life Insurance Company to provide water to its aforesaid land pursuant hereto, and it develops that adequate water meeting applicable local, state and federal health standards can not be obtained for the system, that Pilot Life Insurance Company be authorized to negotiate with the City of Williamsburg for the purpose of obtaining water therefrom.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

June 30, 1972

RE: SANITARY DISTRICT #II

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the Executive Secretary to advertise for bids for the James City County Sanitary District #II Sewerage Work Project-Interceptor #1. The bid opening to be July 21, 1972 at 4:00 P.M., in the Courthouse, Williamsburg, Virginia.

The Executive Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WETLANDS ORDINANCE

Upon Mr. Wooddy's suggestion, the Board directed him to draw a model ordinance on Wetlands for the Board's consideration.

RE: DEPARTMENT OF TAXATION

Mr. Wooddy read the following letter:

June 28, 1972

Mr. Garland L. Wooddy  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185

Dear Mr. Wooddy:

The Constitution of Virginia that became effective on July 1, 1971, gave the General Assembly of Virginia the authority to define: "as a separate subject of taxation any property, including real or personal property, equipment, facilities, or devices, used primarily for the purpose of abating or preventing pollution of the atmosphere or waters of the Commonwealth, and by general law may allow the governing body of any county, city, town, or regional government to exempt or partially exempt such property from taxation, or by general law may directly exempt such property from taxation."

The 1972 Session of Virginia's General Assembly adopted Chapter 694, which becomes effective on July 1, 1972. This chapter has been given Code Section 58-16.3, which simply spells out the authority granted the General Assembly by the Constitution. This permissive legislation gives the governing body the authority to exempt or partially exempt the real and personal property of pollution equipment and facilities from local taxation.

It would certainly be the recommendation of this office that the Board of Supervisors of your County seriously consider the feasibility of granting full exempt of such property from local taxation at this time. There is at present sufficient industrial growth within your County to warrant full consideration of complete exemption without loss of revenue from what had been realized in 1972. It would certainly show good faith on the part of the Board in recognizing the problems of industry and would, in essence, give encouragement toward obtaining a solution for this problem.

With kindest regards, I am

Very truly yours,

/s/ F. C. Forberg, Director

F. C. Forberg, Director  
Division of Real Estate  
Appraisal and Mapping

cc: Mr. W. Leonard Goff

Mr. Wooddy was directed to send a copy of this letter to the various industries in the County for their information.

RE: COMMISSION OF OUTDOOR RECREATION

Mr. Wooddy read the following letter:

June 21, 1972

Mr. Garland L. Wooddy  
Executive Secretary  
James City County  
Williamsburg, Virginia 23185



July 10, 1972  
June 30, 1972

Dear Mr. Woody:

During the past several months the Commission of Outdoor Recreation and the Department of Highways have been giving consideration to the desirability of designating certain road segments in the Commonwealth as Virginia Byways or Senic Highways as defined by the General Assembly, February 17, 1966, (Chapter 1, Title 33, Article 3.1).

Section 33-43.1 of the Act authorizes the State Highway Commission to make such designations subject to the approval of the local governing body.

Therefore, we shall appreciate any comments you and members of the County Board of Supervisors may care to make concerning the enclosed draft statements of Procedures, Purpose, Objectives, Policy and Criteria.

Sincerely,

/s/ Rob R. Blackmore

Rob R. Blackmore  
Director

Enclosures

The Board asked Mr. Woody to have copies sent to them for study.

RE: LOCAL GOVERNMENT OFFICIALS CONFERENCE

The Board was advised of the Local Government Officials Conference to be held Autust 28 through the 30 at the University of Virginia in Charlottesville.

RE: PUBLIC HEARING - ROUTE 199

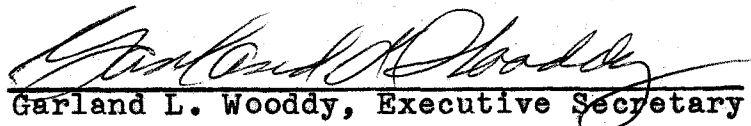
Mr. Woody advised the Board of a Public Hearing to be held by the Department of Highways on design of Route 199 from the intersection of Route 60 to 0.893 mile east of the westbound land of Interstate Route 64 in York County, to be held August 1, 1972, at 7:30 P. M. in the Circuit Courtroom of the Williamsburg-James City County Courthouse.

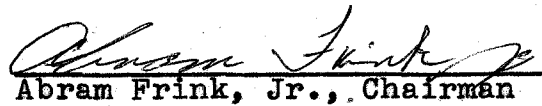
RE: MOSQUITO CONTROL

Mr. Edwards said he would like to study the Mosquito Control for the County, to see whether it is beneficial or not. He stated he would report his findings at a latter date.

Checks #5394 through #5459 totalling \$193,394.75, were certified for payment from the General Fund for the month of June, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, Executive Secretary

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the tenth day of July, nineteen hundred and seventy-two, there were present: MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, COUNTY ADMINISTRATOR.

Due to the absence of Mr. Frink, Mr. Waltrip chaired the meeting.

RE: MINUTES

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

July 10, 1972

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
REZONING CASE 72-18-WILLIAMSBURG NATIONAL BANK FROM A-1 TO B-1

Mr. Woody read the following description of the property requested to be rezoned:

"The property sought to be rezoned is located at Route 60 West at Norge between the Texaco Station and Guy Denton on the north side of the street."

The hearing was opened for public comment and there being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the Williamsburg National Bank request to rezone said property from A-1 to B-1.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: AMENDMENTS TO JAMES CITY COUNTY BUILDING, PLUMBING AND GAS CODE ORDINANCES

Mr. Woody read the following proposed amendments to be considered:

PROPOSED ORDINANCE AMENDMENTS

BUILDING CODE

SECTION 1. Adoption  
Change - 1970 Amendments - to read - 1972 Amendments---

PLUMBING CODE

SECTION 1. Adoption  
Change - 1967 Edition thereof and the 1970 Amendments thereto - to read - 1972 Edition thereof---

GAS CODE

SECTION 1. Adoption  
Add after 1969 Edition thereof, the following:  
And the 1972 Amendments thereto,---

The hearing was opened for public comment and there being none, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above amendments to the Building, Plumbing and Gas Code Ordinances.

July 10, 1972

The County Administrator was directed to take a roll call vote,  
which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: DOG AND CAT STUDY COMMITTEE REPORT

Mr. Woody stated that it was the Commonwealth's Attorney opinion that the County does not have regulatory authority for licensing cats.

After a general discussion on a possible 12 month leash law; stricter enforcement of the present 3-month leash law and additional help for the Dog Warden during this 3-month period, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby takes no further action on the aforementioned study report.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Nay
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CHAPTER 10 BOARD REQUEST

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Chapter 10 Board to accept the Drug Action Center of Williamsburg as a service component of the Mental Health and Mental Retardation Services Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST - MURPHY AND McCARDLE

Mr. Woody stated he would be meeting soon with officials from Newport News on the water situation in Sanitary District #III and suggested taking the Murphy and McCardle request up at the next Board meeting.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter until the next meeting.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WETLANDS ORDINANCE

Mr. Woody presented a model ordinance to the Board, taken from the State Code:

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables this for further study.

July 10, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: COMMISSION OF OUTDOOR RECREATION

This was tabled until the next meeting.

RE: SANITARY DISTRICT #2- BID OPENING

Mr. Woody advised the Board that the time for the bid opening on July 21, 1972, has been changed to 4:00 P.M. With no objections from the Board, the Service Authority will open said bids, to be awarded at a later date by the Board of Supervisors.

RE: NEW BUSINESS

OLDE JAMESTOWN APARTMENT - HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody read the following letter:

June 6, 1972

Garland L. Woody, Executive Secretary  
James City County Courthouse  
Board of Supervisors  
Williamsburg, Virginia 23185

Re: Olde Jamestown Apartments

Dear Garland:

Pursuant to our conversation of this morning, I would appreciate having the following regarding the above captioned:

1. Whereas, the Hampton Roads Sanitary District is contemplating the installation of a 30 inch main from Kings Point to Britts Corner along Lake Powell Road, and,
2. The Olde Jamestown Apartments has installed a pumping station along side Lake Powell Road in the direct path of the said 30 inch main, and,
3. Olde Jamestown Apartments would be most willing to deed said pumping station and land around same to the Hampton Road Sanitation District.

I would greatly appreciate having this brought to the attention of the Board of Supervisors of James City County at your earliest convenience.

OLDE JAMESTOWNE APARTMENTS, INC.

By /s/ Murray Loring, President

Murray Loring

sw

This was tabled until Mr. Woody could receive the advice of the County engineer.

RE: WATER LINE - ROUTE 60 EAST

This was tabled until after the meeting with Newport News Officials.

RE: SANITARY DISTRICT #1 - Liens

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems are made and for which the charge was imposed,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E. of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

JAMES CITY COUNTY - SANITARY DISTRICT #1

May 18, 1972

LIEN LIST

<u>A/C #</u>	<u>OWNER &amp; ADDRESS OF PROPERTY</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>AMOUNT DUE</u>	<u>FEE</u>	<u>TOTAL</u>
109	Leslie L. Chalkley & Eileen J. Chalkley Husband & Wife, 706 Coleman Drive	Lot 11, Sec. 9, James Terrace DB 51, p. 362, Map Book 7, p. 64	\$47.25	\$1.00	\$48.25
80	Roland E. Collier & Ethel E. Collier Husband & Wife, 706 Mosby Drive	Lot 97, Sec. 5, James Terrace DB 95, p. 286, PB 13, p. 13	47.25	1.00	48.25
122	Andrew Ellis & Mary Ellis, Husband & Wife, 1409 Merrimac Trail	Lot 8 & 9, Soloman Orange Sub- division, DB 72, p. 55	47.25	1.00	48.25
157	Hubert Paul Linton & Carol J. Linton Husband & Wife, 914 Foley Drive	Lot 28, Sec. 8, James Terrace DB 117, p. 459, Map Book 7, p. 108	47.25	1.00	48.25
171	Roland E. Michelli 918 Coleman Drive	Lot 1, Sec. 8, James Terrace DB 109, p. 398, Map Book 7, p. 108	47.25	1.00	48.25
178	Arthur R. & Rebecca W. Williams 1343 Merrimac Trail	Lot fronting 60 ft. on Merrimac Trail, Plat Bk. 11, p. 4, adj. Solomon Orange	47.25	1.00	48.25
190	Winfrey L. Fowler & Minnie Fowler Husband & Wife, 1447 Route 143	Solomon Orange Subdivision, DB 73/330, Plat Bk. 7/16 Lot 50 ft. by 100 ft.	47.25	1.00	48.25
279	Mark E. & Katherine B. Lusk 1207 Penniman Road	Lot fronting 95 ft. on Penniman Road, shown as Lot 28-3 on J. C. C. property maps	47.25	1.00	48.25
280	Mark E. & Katherine B. Lusk 1209 Penniman Road	Lot part of Estate of J. P. Sharp	47.25	1.00	48.25
310	Kenneth Stafford Bradby 108 Ripley Road	Lot 21, Magruder View, Plat Bk. 12, p. 24, Plat Bk. 11, p. 16	46.50	1.00	47.50
328	Franklin D. R. Long & Thelma Ashlock Long, Husband and Wife, 103 Wallace Road	Subdivision of the property of Schuyler & Troy Smith being a part of DB 80, p. 303, Sarah Wallace Estate	47.25	1.00	48.25



## CONTINUED

344	Roosevelt Cherry & Ella Mae Cherry Husband & Wife, 1417 Merrimac Trail	Lot C. Solomon Orange Subdivision DB 65, p. 287, Plat recorded in DB 55, p. 364	\$47.25	\$1.00	\$48.25
358	Robert T. & Sarah Walker 1419 Merrimac Trail	Lot 7, Old Penniman Road, part of Estate of Thomas Kearney	47.25	1.00	48.25
373	Donald Irving Heath & Nancy L. Heath, Husband & Wife, 909 Coleman Drive	Lot 40, Sec. 8, James Terrace DB 128, p. 60, MB 7, p. 108	47.25	1.00	48.25

July 10, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROBATION HOUSE

Mr. Woody read the following letter:

July 10, 1972

Mr. Garland L. Woody  
Executive Secretary, James City County  
Williamsburg Courthouse  
Williamsburg, Virginia 23185

Dear Mr. Woody:

As you know, we have for the past six months been trying to locate a physical facility for our Probation House. At this time, there is a house that is available for our use with financial terms that we can obligate ourselves to. The house is located at 1312 Jamestown Road and is commercially zoned at this time.

We have hired and trained a staff that is currently in the process of developing a treatment program and we have received a grant of more than \$95,000 to help the boys of our community. If we do not begin operations in the near future we may lose our grant. All that is needed at this point is for the Board of Supervisors of James City County, to grant us a use permit. Anything that you can do to expedite the proceedings will be greatly appreciated.

Sincerely yours,

/s/ Emmett M. Diggs

Emmett M. Diggs  
Probation House Director

EMD/baa

Mr. Edwards made a motion requesting the Planning Commission to hold a joint public hearing with the Board of Supervisors on August 1 or August 15 to consider a special permitted use for a Probation House on Jamestown Road and that the County Administrator be directed to advertise for same.

The other Board members did not second the motion, because the house is located next to a child day care center and because of poor sanitary facilities. Mr. Donaldson said he felt this was not the proper place to locate the Probation House.

Mr. Edwards said a public hearing should be held in any event to determine the public's view.

After further general discussion, Mr. Edwards withdrew his motion.

There being no further business, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting, to reconvene Monday, July 17, 1972, at 7:30 P.M.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

July 17, 1972

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the seventeenth day of July, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, County Administrator.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approved the minutes of the previous meeting as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST - MURPHY AND McCARDLE

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby defers action at this time to give the Water and Sewerage Committee more time to study the matter.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: OLDE JAMESTOWN APARTMENTS - HRSD

Mr. Martin, County Engineer, commented to the Board that it might be advantageous to the County to have said pumping station deeded to the County, providing the present owners would continue to operate and maintain the system until Sanitary District #III is in operation.

After a general discussion, the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia hereby tables the matter and refers same back to the Water and Sewerage Committee, in order to meet with Dr. Murray Loring, Owner, and Mr. D. Martin, County Engineer.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER LINE - ROUTE 60 EAST

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby asks the Water and Sewerage Committee to formally meet with Newport News regarding problems with the extension of the main trunk line and make the appropriate recommendations

July 17, 1972

to the Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

The Water and Sewerage Committee agreed to meet with Mr. Martin, County Engineer on July 21, 1972.

RE: STREET LIGHTS - NORGE

Mr. Woody reported that he had received the study from Vepco on the lights in Norge; \$56.00 to replace existing lights and \$76.00 for new lights.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to sign the Vepco contract for the installation of these two systems.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MOSQUITO CONTROL

After a general discussion on the pros and cons of the mosquito control, the Board suggested that Mr. Woody have someone from the Public Health Office to appear to discuss the advantages and disadvantages of mosquito control.

Mr. Woody said he would try to have Mr. Dorer appear, as he is in charge of this State-wide.

Mr. Woody requested that all complaints be made to his office rather than the Toano Fire Station as previous calls have tied up the emergency lines.

It was further discussed that before the County decides to do anything, that a public hearing should be held.

The matter was tabled until the next meeting.

RE: NEW BUSINESS  
REZONING REQUEST 72-19 - H. L. MARTIN

Mr. Watkins, Zoning Administrator, explained the request was to rezone a  $\frac{1}{2}$  acre parcel on Route 168 from A-1 to B-1.

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing on rezoning case 72-19 to be held August 14, 1972 at 7:30 P. M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: LANSDALE PLAZA - SPECIAL PERMITTED USE

Mr. Waltrip explained that Lansdale Plaza, Inc. is requesting a special permitted use of an electronic sales and service operation be located

July 17, 1972

on Iron Bound Road in an R-3 zone.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing on a special permitted use of an electronic sales and service operation in an R-3 zone, to be held August 14, 1972 at 7:30 P.M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CONTRACT - DEWARD M. MARTIN & ASSOCIATES

Mr. Woody read the following letter:

July 1, 1972

Board of Supervisors  
County of James City  
James City County Courthouse  
Williamsburg, Virginia 23185

Re: Assignment of Contracts

Gentlemen:

We are pleased to announce that the partnership firm of Martin, Clifford & Associates has reached a stage in its development where we feel it expedient to divide our company into two corporations. These corporations will be established and operated essentially as two separate companies beginning July 1, 1972. One corporation will be controlled primarily by Deward M. Martin and one by Gilbert W. Clifford. The two corporations will maintain friendly relations and may interchange work by sub-contract from time to time as necessary for particular projects.

It is our intention to make no major changes in personnel, equipment or services, except that we will provide total staffs in the Stafford and Williamsburg Offices, respectively to provide closer service to our clients. We will maintain the same liability insurance, society affiliations and financing arrangements which we have maintained as Martin, Clifford & Associates.

It is our hope that each of our clients will recognize the merit in this change of operation and will assign existing contracts with Martin, Clifford & Associates to the respective new corporations as indicated in a paragraph below.

In the case of the contracts with James City County, Consulting Services, our Contracts Numbers 6755-3-8, 7202-8-I and 7201-8-II, we respectively request that you assign these contracts to the firm of:

DEWARD M. MARTIN & ASSOCIATES, INC.  
P. O. Box 523  
Toano, Virginia 23168

By our signatures on this letter, we authorize you to contract for all business and to tender all payments to:

DEWARD M. MARTIN & ASSOCIATES, INC.

for invoices you will receive dated after July 15, 1972. We respectfully request that you consider this assignment in the near future in order that we may change our records accordingly and begin the official operation in the new corporate name as it relates to your project (s).

We pledge to provide the same efficient and courteous service which we have always tried to maintain and we will look forward to a continued pleasant relationship with you.

We thank you for your consideration of this matter.

Very truly yours,

MARTIN, CLIFFORD & ASSOCIATES

/s/ Deward M. Martin, P. E.

/s/ Gilbert W. Clifford, P. E.

ASSIGNMENT ACCEPTED:

By \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_



July 17, 1972

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the Chairman to sign the assignment of contracts for consulting services for Sanitary District #II and #III.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: NEIGHBORHOOD YOUTH CORP.

Mr. Woody read the following letter:

June 19, 1972

Board of Supervisors  
James City County Courthouse  
Williamsburg, Virginia

Gentlemen:

I am writing for permission for a youngster or group of youngsters to work in an office or offices within the County Government. Compensation for said work will be \$1.60 per hour and is to be paid by the Neighborhood Youth Corps, a component of the Williamsburg James City County Community Action Agency. The maximum number of hours allowed for each youth is 24 per week.

If permission is granted, I will need such in writing in order that the positions may be allocated.

Your attention and consideration in this important endeavor will be sincerely appreciated.

Yours very truly,

/s/ William L. Taylor

William L. Taylor  
Probation Officer

/s/ A. N. Matthews, Jr. RSW  
Chief Probation Officer

WLT/baa

Mr. Woody reported that a vacancy for part time work was available in the Registrar's Office.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the employment of a youth for the Registrar's Office, with no County funds being required.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: NORTH-SOUTH EXPRESSWAY - PENINSULA PLANNING DISTRICT COMMISSION

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the Planning Commission's recommendation to agree with the proposed amendment to the Major Thoroughfare Plan as approved by the Peninsula Planning District Commission on May 16, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

July 17, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: A95 REVIEW - YORK RIVER STATE PARK

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to inform the Peninsula Planning District Commission that the Board has further interest (and/or questions) concerning the York River State Park Project and wishes to confer with the applicant.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: STREET LIGHTS - BROOK HAVEN

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to request Vepco to draw a County contract for lights in the Brook Haven Subdivision.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CONNECTION REQUEST - JEFFCO - HAMPTON ROADS SANITATION DISTRICT COMMISSION

On a motion by Mr. Taylor, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Water and Sewerage Committee to negotiate the connection fees and service charges for water and sewerage with Jeffco.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It Hereby RESOLVED, that the Hampton Roads Sanitation District is hereby authorized to accept a sewage force main tie-in from the Jeffco Manufacture Company to the H.R.S.D. Williamsburg System East Interceptor Force Main at the H.R.S.D. Force Main Station 8 - 33 at an existing 8" Value, under the following conditions:

1. That the H.R.S.D. Force Main has been completed and accepted by H.R.S.D.
2. That the County Administrator notifies H.R.S.D. that availability charges for sewerage service by the James City County Sanitary District No. 2 have been paid by the Jeffco Manufacturing Company.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

July 17, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - PLANNER-SECRETARY

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the secretary position for the Planner at a salary of \$5,000.00 per year.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: JULY 31, 1972 - 1:00 P. M. - BUFFET LUNCHEON-EOC BUILDING

Mr. Woody read the following letter:

P. O. Box 67  
Toano, Virginia 23168  
July 14, 1972

TO: Members of the Board of Supervisors  
and Others

RE: Luncheon - July 31, 1972

The members of the James City County Cooperative Extension Service have re-scheduled a buffet luncheon for July 31, 1972, at 1:00 P. M. in the Conference Room of the E. O. C. Building in Toano.

We hope each of you will be able to attend.

Please reply by July 27 to 564-3370.

Sincerely,

/s/ Virginia E. Owens

Virginia E. Owens  
Extension Agent

kh

RE: SENATE BILL 436

Mr. Woody referred to a letter received from Mr. Kirby, Director of State Planning & Community Affairs, in reference to a bill passed by the last legislature. He suggested that the Board review same and if they have any comment, to respond to Mr. Kirby's letter.

RE: A95 REVIEW PROCESS

The Board suggested that any A95 Reviews that come in, which do not allow the Board enough time to study, that Mr. Woody ask for an extension of time.

RE: BLACK'S CROSSING INTERCHANGE - 199

Mr. Woody advised the Board of a letter in their folder in reference to the design hearing to be held on August 1, 1972, on Interchange of 199 at Black's Crossing.

RE: SERVICE AUTHORITY TERMS - MEMBERS

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby corrects the minutes of June 30, 1972, on Mr. Steen's and Mr. Will's terms to read three (3) years in lieu of four (4) years.

The County Administrator was directed to take a roll call vote, which is recorded as follows:


July 31, 1972  
July 17, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned to executive session to discuss personnel and salaries.

  
Garland L. Wooddy, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of July, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODDY, County Administrator.

RE: MINUTES

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
POT HOLES - ROUTE - 60 AND ROUTE 610

Mr. Wooddy reported that these pot holes had been replaired. Mr. Wooddy further reported a pot hole at the turn off of Route 610, which he requested Mr. Jeffrey to have repaired.

RE: GROVE CROSSING

Mr. Jeffrey said he had received partial information on Grove Crossing and as soon as he received the remainder, he would contact the Board.

RE: BLACK'S CROSSING

Mr. Wooddy reported that the blocking of Black's Crossing a few days ago, was caused by lightning striking signals, which caused all signals to turn red. Mr. Wooddy stated that the C & O officials reported to him that for safety reasons the trains could not be moved until the signal lights were fixed.

RE: ROUTE 615 - CENTERLINE

Mr. Jeffrey reported that this will be done soon.

RE: INDIAN SPRINGS ROAD - SPEEDING

Mr. Jeffrey reported that this has been referred to the District Traffic Engineer for study.

RE: ENTRANCE - WHITE OAKS

July 31, 1972

Mr. Jeffrey was asked to survey this area, as the site distance was very poor.

Mr. Edwards requested that a study be made on lowering the speed limit between White Oaks and the City limits.

RE: ROUTE 603 & ROUTE 60 - MOORETOWN ROAD

Mr. Woody reported that the crossover directly in front of the entrance of Route 603 in Lightfoot, has very poor site distance to the westbound traffic.

Mr. Jeffrey replied he would check on the matter.

RE: 1972-73 SECONDARY ROAD SYSTEM BUDGET

Mr. Donaldson asked Mr. Jeffrey what procedure must be followed for the Board of Supervisors to become involved in developing the Highway budget.

Mr. Jeffrey advised that the Board was indirectly involved when expressing their concern on various roads during the years.

Discussion was held on Route 658, Jenkins Town Road; the Board being concerned about the opening of this road into Long Hill Road, to relieve traffic congestion, due to the new high school.

Mr. Jeffrey said the monies for this project may have to come from rural addition funds and he would have to check further into this.

Mr. Waltrip asked if this could be done by September, 1973 and Mr. Jeffrey replied yes, by using this year's and next year's rural addition funds.

After a general discussion on the communication gap between the County Government and the Highway Department, it was suggested that Highway Department members attend Planning Commission meetings and that minutes of said meetings be sent to the Highway Department.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the Secondary Road Budget for \$446,000.00, as prepared and presented by the State Highway Department for the fiscal year 1972-73.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: ROUTE 603 - WOODEN BRIDGE

Mr. Woody asked Mr. Jeffrey if any additional information is available on the extension of Route 603 in order to eliminate the use of the wooden bridge.

Mr. Jeffrey replied that construction is set up for five years from now and that three years from the date of construction, planning will begin. He said this situation will be corrected one way or another.

RE: CUL-DE-SAC - ROUTE 656

Mr. Frink advised Mr. Jeffrey that he was unsuccessful in obtaining fill from certain persons, without compensation.

Mr. Jeffrey asked Mr. Frink for the list of persons he contacted and Mr. Jeffrey said the Department would contact them to purchase the necessary fill needed.

RE: MRS. CLEMENTINE JACKSON - SEPTIC TANK



July 31, 1972

Mr. Frink reported to Mr. Jeffrey that there is a septic tank located between two houses, in the Grove area, where Route 199 will be located. He explained that the tank was allowed to be placed there some years ago, because neither property owner had enough land for each to place a septic tank on their property. He advised that an agreement was made between these two property owners to share the tank. Mr. Frink stated that the problem now is, that the Highway Department has purchased one of the houses and they have stated that the septic tank must be removed. Mr. Frink expressed concern over Mrs. Clementine Jackson's problem, as she, the remaining property owner is still connected to the tank and with its removal, she would be left without a septic system.

Mr. Jeffrey reminded the Board of a public hearing, August 1, 1972, in the Courthouse, on design of Route 199 in York County.

Mr. Jeffrey announced that his assistant, Mr. Evans, is leaving and introduced his replacement, Mr. Ken Hinman.

RE: OLD BUSINESS  
MOSQUITO CONTROL - MR. DORER

Mr. R. E. Dorer, Director of Insect and Rodent Control for the State, appeared before the Board explaining the method used by James City County in their Mosquito Control. Mr. Dorer advised the Board that the Malothion method used by the County was not harmful to humans and was the best to use for the money spent.

Mrs. Brown from the audience disagreed with Mr. Dorer, in that it does kill small beneficial insects and if enough is taken in by the human body, it could be harmful.

Mrs. Welsh, representing the League of Women Voters, requested the Board to investigate alternative methods.

After further general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby agrees to continue the Mosquito Control for this year, considering alternatives and reconsider the program for 1973 with these alternatives in mind.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a majority vote.

RE: HAMPTON ROADS SANITATION DISTRICT

Mr. Romm from Hampton Roads Sanitation District Commission appeared before the Board to discuss the complaints received from County residents on the odor coming from the treatment plant.

Mr. Romm stated that the recent humid, hot weather had a lot to do with it. Also, the type of waste being treated, from the brewery, was another problem.

Mr. Frink stated he had complaints before the humid, hot weather set in and something must be done.

After a general discussion, Mr. Martin, County Engineer, suggested that the Board make an official request by letter to Hampton Roads Sanitation District

July 31, 1972

Commission, to do something to resolve this matter.

The Board directed Mr. Woody to draft said letter.

RE: D. MARTIN - SANITARY DISTRICT #II

Mr. Martin announced that the low bid for Sanitary District #II was from Roanoke Construction Company in the amount of \$146,816.60. He advised the Board that the bid was higher than the estimate, due to the extremely wet season coupled with increased activity. He stated that if this trend continues throughout the balance of the project, it will be necessary to arrange additional financing. He further explained that approximately \$50,000.00 in connection fees from Wisteria Gardens and Jeffco have been received which were not counted in the original project funds equal to \$829,750.00, leaving a deficit of approximately \$78,000.00. He advised that he has talked with FHA and they have stated that the County will be able to get additional loan funds for the project based on the additional loan customers in Wisteria Gardens.

Mr. Martin recommended that the Board take action on the following regarding the bids received July 21, 1972:

1. Delete from the bid total an amount of \$10,500 for the standby generator.
2. Make a tentative award of the Contract to Roanoke Construction Company in the amount of \$136,316.00. The tentative award should be subject to final clearance of the plans by the State Water Control Board.
3. Instruct the engineer to file an amended application with FHA for an increased loan amount of \$68,300.
4. Submit a letter to FHA requesting approval to construct the portion bid on July 21st.
5. Instruct the local attorneys and bond counsel to prepare necessary documents for bond sale including the additional \$68,300.00 as per the FHA new loan request.

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter and agrees to set up a work session on same.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MASS MEDIA

Mr. Woody reported that the City of Williamsburg has declined to participate in the Mass Media project and the Peninsula Planning District Commission has asked the Board to advise them of which of the following three alternatives to follow:

1. Withdraw the application and cancel the project.
2. Amend the project budget to reflect the loss of revenue from Williamsburg and continue the project and not provide services to Williamsburg residents.
3. Have Williamsburg's share of the project cost absorbed by the remaining jurisdictions, but not provide any services to residents of Williamsburg.

The Board deferred action until the matter is studied thoroughly.

July 31, 1972

RE: MURPHY & McCARDLE - WATER REQUEST

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby grants permission to Murphy & McCardle to petition the City of Williamsburg for four permanent water connections for four lots located in an area in Birchwood Subdivision.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: OLDE JAMESTOWN APARTMENTS

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby agrees to have the Chairman sign the following documents with the concurrence of the Commonwealth's Attorney:

1. A deed to convey the pumping station belonging to Olde Jamestown Apartments to Sanitary District #III.
2. An agreement with Sanitary District #III that Olde Jamestown Apartment shall maintain the pumping station for a period of four (4) years or until the Sanitary District is in operation.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WATER LINE - ROUTE 60 EAST

This was tabled until the Board hears from the Newport News Officials.

RE: STREET LIGHTS - BROOK HAVEN

Mr. Wooddy advised the Board that the street light contract for Brook Haven has been executed and sent to Vepco.

RE: STREET LIGHTS - NORVALIA

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to enter into contract with Vepco for the street lights in Norvalia Subdivision in the amount of \$198.00.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: INDIGO TERRACE

Mr. Wooddy advised the light at Indigo Terrace had been placed.

RE: WETLANDS ORDINANCE

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the County

July 31, 1972

Administrator to advertize for a public hearing to be held September 11, 1972, on the proposed Wetlands Ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CONNECTION FEES AND SERVICE CHARGE - JEFFCO

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the following connection fees and service charges for water and sewerage for Jeffco:

Connection Fees:

Water Service, 31 x \$200 = \$6,200  
Sewer Service, 31 x \$150 = \$4,650  
Total = \$10,850.

Quarterly Charges:

Water, \$3.00 per 1,000 sq. ft. = \$465.00/quarter  
Sewer, \$2.50 per 1,000 sq. ft. = \$387.50/quarter

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PATRICK HENRY AIRPORT FIRST AMENDMENT AND ADDENDUM #1 TO AIRPORT MASTER PLAN

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby tables this until the next meeting, for study.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PENINSULA INDUSTRIAL COMMISSION - STUDY

Mr. Wooddy read the following letter:

July 25, 1972

Mr. J. Randolph, Manager  
Area Development  
Virginia Electric & Power Co.  
700 East Franklin Street  
Richmond, Virginia 23209

Dear Ranny:

One of our greatest problems, with our small staff and limited budget, is difficulty in acquiring a comprehensive and accurate file on available industrial sites in the 400-square-mile area we serve.

We recently saw a copy of the very excellent study your office did for the City of Chesapeake on this subject, and we wonder if you would consider doing one for the Peninsula. Our office would be glad to assist you in every possible way.

By copy of this letter we are requesting the City Managers of Newport News and Hampton and the County Administrators of York and James City Counties to write a note to you endorsing our request. We know you like to have assurance from our governmental officials that they would assist your representatives in obtaining information from the public records.

July 31, 1972

We are very hopeful that your office will agree to provide this greatly needed service, and we hope you will be able to establish an early schedule for it.

Sincerely yours,

/s/ King

King Meehan  
Executive Director

KM:mb

cc: Mr. C. E. Johnson  
Mr. William P. Larew  
Mr. William E. Lawson, Jr.  
Mr. Garland L. Wooddy

P.S. It will be appreciated if you would send us five copies of the Cheasapeake study so we can send them to the above officials.

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to write the aforementioned letter.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - JAMES CITY SERVICE AUTHORITY

Mr. Wooddy advised the Board members that they had a letter of request in their folders from the Service Authority for compensation to the Authority members.

Mr. Wooddy read the following for the Board's information:

"RESOLUTION OF BOARD OF SUPERVISORS OF JAMES CITY COUNTY"

Date: 5/12/69

"Each member of the Authority shall serve without compensation except as may be fixed from time to time by resolution of the governing body of James City County and shall be reimbursed the amount of his actual expenses necessarily incurred in the performances of his duties."

"VIRGINIA WATER & SEWER AUTHORITY'S ACT"

Chapter 28, Title 15.1 - 1249

"----- The political subdivision or subdivisions by action of whose governing body or governing bodies an authority shall have been created hereunder may by the ordinance or resolution or concurrent ordinances or resolutions creating the authority, or by subsequent ordinance or resolution or concurrent ordinance or resolutions, provide for the payment of compensation to the members of the authority and for the reimbursement to each member of the authority of the amount of his actual expenses necessarily incurred in the performance of his duties."

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees to set up a meeting with the Service Authority to discuss this matter and other matters having to do with the Authority.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: A95 REVIEW - LAFAYETTE MANOR

Mr. Wooddy reported that this property is being developed by Carter C. Chinnis and others on a part of the old Bozarth property located on Route 612



July 31, 1972

East of the high school site. He further advised that the construction would consist of 25 - 1 bedroom townhouse apartments; 100 - 2 bedroom townhouse apartments; 25 - 3 bedroom townhouse apartments at a cost of \$2,491,800.00.

The Board directed Mr. Woody to notify the Peninsula Planning District Commission that they wished to confer with the applicant and desired to review and comment on the completed application prior to its being forwarded to the appropriate Federal Agency.

RE: HAMPTON ROADS JAYCEES UAIF APPLICATION

Mr. Woody explained to the Board that the above grant application has been submitted to them by the Peninsula Planning District Commission for review and comment. He further explained that this would be a program to aid the Peninsula's isolated elderly.

This was tabled for further study.

RE: ROUTE 199

Mr. Woody read the following resolution:

WHEREAS, the pace of development has accelerated in James City County near and immediately West of Williamsburg, which development includes a new Williamsburg-James City County High School on Long Hill Road; and

WHEREAS, a large amount of development is under construction in this area or has recently been proposed for early development including the new town of Crofton; and

WHEREAS, this existing and prospective development is served by narrow two lane roads which are rapidly becoming congested; and

WHEREAS, these roads and others near and within Williamsburg might most economically be relieved by construction of the West leg of the Williamsburg By-Pass Route 199;

NOW, THEREFORE, the James City County Planning Commission and the City of Williamsburg Planning Commission do jointly request the James City County Board of Supervisors and the Williamsburg City Council to urge the Virginia Department of Highways to give added high priority to construction of said Williamsburg leg of By-Pass Road 199 so that the traffic benefits of this highway as a completed link from Interstate Route 64 to Interstate Route 64 may be realized by James City County and Williamsburg within the next five years.

Mr. Edwards stated he was reluctant to pass the resolution with Route 199 being first priority and Mr. Donaldson agreed.

Mr. Donaldson suggested that this be tabled until the Board set up highway priorities. The Board concurred.

BUSCH PROPERTIES, INC. - MASTER PLAN

Mr. Woody advised the Board that Busch Properties, Inc. is requesting approval of an amendment to their Master Plan, which is relocation of the first golf course and two roads. This will enable Busch to award the contract for grading and grubbing of the golf course area and of Conference Center Road.

After a general discussion, the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the amendment to Busch Properties, Inc., Master Plan, in relation to the relocation of the golf course and two roads.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING - SLATER PROPERTY - SPECIAL PERMITTED USE

On a motion by Mr. Taylor, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise the Slater property, for a special permitted use to establish a dry cleaning facility, for a public hearing to be held August 31, 1972.

July 31, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MEETING DATE

Mr. Edwards made a motion that the meeting date be changed to the second and fourth Monday nights of each month at 7:30 P.M., and the cutoff day for the agenda will be the Wednesday before.

After a general discussion, Mr. Edwards withdrew his motion for further study.

RE: SCHOOL BOARD

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the Chairman to set up a meeting with the School Board to discuss office space and disposal and acquisition of land.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROBATION HOUSE

Mr. Woody advised the Board that a Probation House has been located in York County.

RE: ROUTE 199

Mr. Scruggs, speaking from the floor, commented on the desirability of having the westerly leg of Route 199 constructed.


RE: PETITION - WHITE OAKS

Mr. Edwards commented on a petition he had received in reference to the length of time involved in the construction of a house in the White Oaks Sub-division. The petition was given to Mr. Woody and he was requested to discuss this matter with the Commonwealth's Attorney.

Checks #5461 through #5609, totalling \$288,522.48, were certified for payment from the General Fund for the month of July, 1972.

There being no further business, the meeting was adjourned.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

At a special meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the third day of August, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON,

August 3, 1972

Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, County Administrator.

RE: WAIVER OF NOTICE

The County Administrator read and the Board signed the following:  
"Waiver of Notice."

We, the undersigned, members of the Board of Supervisors and the Commonwealth Attorney of the County of James City, Virginia, hereby waive notice, as prescribed in Section 15.1-538 of the Code of Virginia (1950, as amended), of a Special Meeting of the Board of Supervisors to be held at the Courthouse, Williamsburg, Virginia, on the third day of August, 1972 at 7:00 P.M.; and do hereby consent to the transaction of such business as may come before said meeting or any adjournments thereof.

WITNESS our hands this third day of August, 1972.

/s/ John E. Donaldson  
/s/ Stewart U. Taylor  
/s/ Mayo W. Waltrip  
/s/ Jack D. Edwards  
/s/ Abram Frink, Jr.  
/s/ W. L. Person, Jr.

RE: EXECUTIVE SESSION

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss matters under Section 2.1-344 of the Code of Virginia, as amended.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

After a lengthy general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees to adjourn the executive session.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

After reconvening the open meeting, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting.

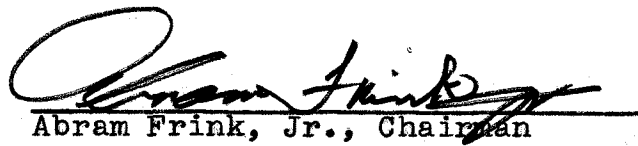
The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

August 14, 1972  
August 3, 1972

Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia held thereof in the Courthouse, Williamsburg, Virginia, on the fourteenth day of August, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODY, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of two previous meetings, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

R	Mr. Waltrip	-	Aye
	Mr. Edwards	-	Aye
	Mr. Frink	-	Aye
	Mr. Donaldson	-	Aye
	Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORT  
TREASURER'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

The above reports were reviewed by the Board.

RE: PUBLIC HEARINGS  
REZONING REQUEST 72-19 - H. L. MARTIN

Mr. Woody explained that this rezoning request is to rezone property on Route 168, from A-1 to B-1. He further stated that the Planning Commission recommends that the Board not approve this request.

The hearing was opened for public comments. There being none, the hearing was closed.

Mr. Edwards commented that construction could take place in the present zone and the Planning Commission felt it was not necessary to rezone.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby denies the request to rezone the H. L. Martin property.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: LANSDALE PLAZA, INC. - SPECIAL PERMITTED USE

Mr. Woody explained that Lansdale Plaza, Inc., is requesting a Special Permitted Use Permit to operate an electronic sales and service on Iron Bound

August 14, 1972

Road in an R-3 zone, which the Planning Commission has recommended to the Board to approve.

The hearing was opened for public comment.

Three residents of the area spoke in opposition to the Special Permitted Use Permit.

Mr. Frink said he was not in favor of the Special Permitted Use Permit. He said he was in favor of rezoning the entire area for business providing the people in the area are in favor of this.

After further general discussion and no further comments, the hearing was closed and the following motion was presented:

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby denies the request for a Special Permitted Use for Lansdale, Inc.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
SANITARY DISTRICT #2

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to the following:

- (1) Delete from the bid total an amount of \$10,500.00 for the standby generator.
- (2) Make a tentative award of the Contract to Roanoke Construction Company in the amount of \$136,316.00. The tentative award should be subject to final clearance of the plans by the State Water Control Board.
- (3) Instruct the engineer to file an amended application with FHA for an increased loan amount of \$68,300.
- (4) Submit a letter to FHA requesting application to construct the portion bid on July 21st.
- (5) Instruct the local Attorneys and bond counsel to prepare necessary documents for bond sale including the additional \$68,300 as per the FHA new loan request.
- (6) Authorize the Chairman and the County Administrator to sign and file the necessary applications with FHA.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MASS MEDIA

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby agrees to have Williamsburg's share of the project cost absorbed by remaining jurisdictions but not provide any services to residents of Williamsburg.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.



August 14, 1972

RE: PATRICK HENRY AIRPORT FIRST AMENDMENT AND ADDENDUM #1 TO AIRPORT MASTER PLAN

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the First Amendment and Addendum #1 to the Patrick Henry Airport Master Plan.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - JAMES CITY SERVICE AUTHORITY

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the James City Service Authority to compensate its Board at a rate not to exceed \$50.00 per month for Board members and \$75.00 per month for the Secretary-Treasurer and Chairman, effective September 1, 1972, appropriated from Service Authority revenue.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HAMPTON ROADS JAYCEES - UAIF APPLICATION

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the UAIF Application, contingent upon James City County being included in the original program.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

The County Administrator was directed to write a letter stating the concept was well received.

RE: MEETING DATE AND TIME

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby changes the last meeting in the month to the fourth Monday of every month at 3:00 P. M., effective September 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

August 14, 1972

RE: COMMUNITY ACTION AGENCY

Mr. Donaldson advised the Board that the \$5,000.00 appropriated in the budget for a transportation project will not be used, as the Federal grant was not approved due to a lack of funds.

Mr. Donaldson said the CAA would like to have the funds to hire a driver and to pay the maintenance on a vehicle to be used for transportation purposes on a minimal scale.

The matter was tabled until the Commonwealth's Attorney can check the Code to see if the Board can legally do this.

RE: HAMPTON ROADS SANITATION DISTRICT COMMISSION

Mr. Woody reported that there was a copy of a letter from Hampton Roads Sanitation District Commission in reply to the Board's request to eliminate the odor coming from the treatment plant.

Mr. Frink advised that the odor had subsided.

Mr. Woody stated that HRSDC has requested that all complaints, if any, be registered directly with the treatment plant.

RE: REZONING CASE #72-20 - SHELDON LUMBER COMPANY

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing to be held on September 11, 1972, on Rezoning Case #72-20, Sheldon Lumber Company from M-2 to B-1.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: INDUSTRIAL AUTHORITY APPOINTMENTS - SCRUGGS & RUTLEDGE - 9/1/72

This was tabled until the next meeting.

RE: AMENDMENT - ELECTRICAL CODE

Mr. Woody advised that the Building Official recommends to the Board that the following amendment be made to the Electrical Code Ordinance:

"Nothing in this Code shall prevent any homeowner from installing or maintaining the electrical system within his own property boundaries, providing such electrical work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this code, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefore."

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing, to be held September 11, 1972, the aforementioned amendment to the Electrical Code Ordinance:

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

August 14, 1972

## RE: AMENDMENT - BUILDING CODE

Mr. Woody advised the Board that the Building Official recommends that the following amendment be made to the Southern Standard Building Code:

"Delete Chapter XIII, paragraph 1302.7 - Wood Foundation Systems."

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing, to be held September 11, 1972, the aforementioned amendment.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

## RE: ELECTION DISTRICTS

This matter was tabled until the next meeting.

## RE: SALARY - ASSISTANT REGISTRAR

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants a salary of \$2.00 per hour to the Assistant Registrar, effective October 1, 1972 through November 7, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MATTERS OF SPECIAL INTEREST  
LOCAL GOVERNMENT OFFICIALS CONFERENCE

The Board was reminded of the Local Government Officials Conference to be held August 28-30 in Charlottesville.

## RE: SYMPOSIUM - WETLANDS

Mr. Woody reported that a Symposium on the State Wetlands Ordinance will be held in the Williamsburg Conference Center September 27, 1972, from 9:30 A.M. to 3:30 P.M.

## RE: BIDS - SANITARY LANDFILL - 8/21/72

Mr. Woody advised the Board that sealed bids will be received until 2:00 P.M. on August 21, 1972 for a contract to open a trench to be used for refuse disposal on the new landfill, located on Route 611.

## RE: ADJOURNMENT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns this meeting to reconvene August 17, 1972 at 3:00 P.M., at which time the Board will adjourn to executive session to discuss personnel organization. The Board further agrees that this meeting will be adjourned to reconvene Monday August 21, 1972, at 7:30 P.M., at which time the Board will adjourn to executive session to meet with the School Board on disposition and acquisition of land.

August 14, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the seventeenth day of August, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, County Administrator.

RE: EXECUTIVE SESSION

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss personnel matters.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

A general discussion was held on personnel matters concerning County organizational structure.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the executive session.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

After reconvening the open meeting, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting, to reconvene August 21, 1972, at 7:30 P.M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

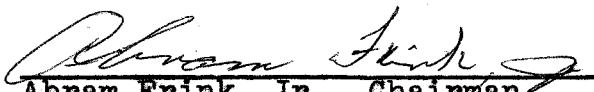
Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye

August 21, 1972  
August 17, 1972

Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-first day of August, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. GARLAND L. WOODY, County Administrator.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss real estate matters with the County School Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

A general discussion was held between the Board of Supervisors and the General School Board pertaining to land acquisition and sale. No action was taken.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the executive session.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.


After reconvening the open meeting, the following motion was presented:


On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman



August 31, 1972

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirty-first day of August, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. GARLAND L. WOODY, County Administrator.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the three previous meetings, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS

Mr. Art Guepe introduced himself to the Board as the new Resident Engineer for the local Highway Department.

RE: INDIAN SPRINGS ROAD - SPEEDING - LETTER

Mr. Woody read the following letter:

August 15, 1972

P. O. Box HD  
Williamsburg, Virginia

Re: Speed Limit  
Route 640  
Indian Springs Road

James City County Board of Supervisors  
James City County  
Williamsburg, Virginia 23185

Attention: Mr. Garland L. Woody

Dear Mr. Woody:

This is with reference to a recent request from the James City County Board of Supervisors asking that a traffic engineering study be made on Indian Springs Road in James City County, as to the possibility of reducing the existing speed limit.

In making the investigation we found that the roadway geometrics and the brevity of the section of Indian Springs Road would itself restrict the speed. Not only is the road short in length, but also there are places that measure less than 16' in width. It would be impossible for enforcement of any reduced speed zone in this section due to the above.

Therefore, we cannot see any necessity at this time in posting a reduced speed zone on this section of roadway.

Sincerely,

/s/ W. C. Jeffrey

W. C. Jeffrey  
Resident Engineer

cc: Mr. J. T. Warren  
Mr. B. B. Goodloe

Mr. Waltrip said the people in the area are trying to handle the problem themselves, but if they are unsuccessful, it should be returned to the Highway Department.

RE: ENTRANCE - WHITE OAKS - SPEED STUDY - ROUTE 5 - LETTERS

Mr. Woody read the following letters:

August 31, 1972

RE:

August 15, 1972

P. O. Box HD  
Williamsburg, VirginiaRe: Sight Distance  
White Oaks SubdivisionJames City County Board of Supervisors  
James City County  
Williamsburg, Virginia 23185

Attention: Mr. Garland L. Woody

Gentlemen:

This is with reference to a recent request from the James City County Board of Supervisors asking that the Department review the sight distance at the exit of White Oaks Subdivision.

After reviewing this on the ground with the District Traffic Engineer, we can see no problems concerning sight distance.

If we can be of further assistance, please advise.

Sincerely,

/s/ W. C. Jeffrey

W. C. Jeffrey  
Resident Engineercc: Mr. J. R. Warren  
Mr. B. B. Goodloe

August 15, 1972

P. O. Box HD  
Williamsburg, VirginiaRe: Speed Study - Route 5  
Between Williamsburg &  
White Oaks SubdivisionJames City County Board of Supervisors  
James City County  
Williamsburg, Virginia 23185

Attention: Mr. Garland L. Woody

Gentlemen:

This is with reference to a recent request by the James City County Board of Supervisors asking that the Department conduct a traffic engineering investigation as to the possibility of reducing the speed limit on the above numbered section of roadway in James City County.

As you are aware, previous studies were performed on Route 5 at this location and at that time no justification was found for reducing the speed limit. We, again, investigated this area and found that no change in roadside development or the geometrics of highway which would require a reduction of the speed limit.

Due to the above, we can see no reason for making a reduction at this time.

Sincerely,

/s/ W. C. Jeffrey

W. C. Jeffrey  
Resident Engineercc: Mr. J. T. Warren  
Mr. B. B. Goodloe

Mr. Woody stated there is approximately 120 trucks per day traveling on Route 5 from the gravel pit in Charles City. The Board requested that the study be made again.

RE: ROUTE 615 - CENTERLINE

Mr. Waltrip reported that this had been done.

RE: CHURCH STREET - TOANO

Mr. Woody reported that tractor/trailers coming into Moody's Oil Company to unload fuel, cannot make the turn into Route 1001. He further explained that the property across the street is County owned and perhaps the necessary 10 to 12 foot widening could be made on this property. Mr. Woody

August 31, 1972

said he would like to meet with the Highway Department to work something up on this.

RE: LETTER - VACO - GEORGE LONG

Mr. Woody read the following letter:

August 1, 1972

Mr. Abram Frink, Jr., Chairman  
James City County Board of Supervisors  
Route 2, Box 179  
Williamsburg, Virginia 23185

Dear Mr. Frink:

The Executive Board of the Virginia Association of Counties at its regular quarterly meeting on July 22, 1972, at Virginia Beach, Virginia, voted unanimously to compile a list of highway priorities for each district by County and to forward this compilation to the State Highway Commission.

The opinion was expressed by members of the Executive Board that such a list of priorities would be helpful to the Commission in discussing allocation of funds for highways before the next budget year.

Since highway funds are limited and in order not to overwhelm the Commission with our requests, it was suggested that each Supervisor specify one priority project within his respective district. Projects should include arterial, primary and/or secondary roads and highways.

Once the request are submitted, they will be compiled by County and submitted to the State Highway Commission.

Please accept my warmest and kindest regards.

Cordially yours,

/s/ George

George R. Long  
Executive Director

GRL:jcg

cc: Mr. Garland L. Woody

RE: SITE DISTANCE - ROUTE 603

Mr. Woody requested Mr. Guepe to do something about the overhang of shrubbery at the crossover in Lightfoot at Route 603. He stated it was a very dangerous situation as the westbound traffic could not be seen from this crossover.

RE: HIGHWAY DEPARTMENT MEETING - ROUTE 603

Mr. Woody said that he and Mr. Carneal met with the local citizens, Highway Department and C & O Officials with reference to the wooden bridge on Route 603.

Mr. Woody stated that it was proposed to have a new crossing and close the old crossing; to build a new bridge on Route 646 and abandon the old bridge and tie Route 603 into Route 646.

Mr. Woody said he had asked Mr. Palmer, Highway Department representative, if there was any way that rural addition funds for the County could be increased and Mr. Palmer replied that if the County could match the State portion, the Highway Department would consider matching dollar for dollar.

Mr. Donaldson said it has been the policy of the County not to provide any funds for roads, and he felt that the County should move cautiously in abandoning this practice. He advised there were many unimproved roads in the County some of which become impassable in bad weather.

Mr. Donaldson suggested that the County Administrator make a road survey on rural additions; those qualifying and those that do not qualify to see which would give the most for the dollar spent.

Mr. Donaldson asked Mr. Guepe if the Highway Department would act as

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a contracting agent for the County and Mr. Guepe replied that the Highway Department would consider this.

The Board concurred with Mr. Donaldson's suggestion, with Mr. Frink stating they should move very carefully.

RE: BLOWS FLATS ROAD

Mr. Woody told the Board that there is a proposed warehouse operation being considered in the general area which would tie-in to Blows Flats Road.

Further, that he, Mr. Carneal and Mr. Palmer met in Richmond on the matter. He explained that the Highway Department has stated that if the right of way can be obtained they will consider taking the road into the system.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to convene the Road Viewers to study the realignment of Blows Flats Road with the attempt to get this road into the system.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: ROUTE 615

Mr. Waltrip reported a chuck hole located on Route 615 near Five Forks.

RE: ROUTE 656 - MAGRUDER AVENUE

Mr. Frink reported that the Cul-de-sac that Mr. Jeffrey promised would be finished by the start of school, has not been completed. He asked Mr. Guepe to see that it was completed.

RE: STRAWBERRY PLAINS ROAD

Mr. Martin, County Engineer, reported there is a chuck hole on Strawberry Plains Road near Route 5

RE: PUBLIC HEARINGS  
SLATER SPECIAL PERMITTED USE - JOINT PUBLIC HEARING

This being a joint public hearing the following were present from the Planning Commission: MR. W. J. SCRUGGS, SR., Chairman, MR. JACK D. EDWARDS, MR. JAMES E. HICKS, MR. GERALD MEPHAM, MRS. INA FRIEDMAN and MR. ALBERT L. WHITE, III.

Mr. Woody read the following description of the request for a special permitted use:

"A request for a special permitted use of a Dry Cleaning and Laundry Business on Route 60 near Route 601 by Albert Slater. This property is located in an A-1 zoned area."

Mr. Frink opened the hearing for public comment.

Mr. Slater appeared before the Board explaining he had to vacate the present plant and wanted to move same to his house. Mr. Slater said he had contacted the people in his area, and they had no objection.

There being no further comments, the hearing was closed.

On a motion by Mr. Hicks, seconded by Mr. Mepham, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors that the Special Permitted Use be issued to Mr. Slater, for a laundry and dry cleaning establishment on his property.

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The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Scruggs	-	Aye
Mr. Edwards	-	Aye
Mr. Friedman	-	Aye
Mr. Hicks	-	Aye
Mr. Mephram	-	Aye
Mr. White	-	Aye

Motion carried by a unanimous vote.

The Planning Commission adjourned their meeting.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby accepts the Planning Commission's recommendation and issues a Special Permitted Use Permit to Mr. Slater.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
PERMITTED USES - A-2 ZONE

Mr. Woody read the following recommendation from the Planning Commission:

"On a motion by Mr. Bradshaw, seconded by Mrs. Friedman, and passed by the following roll call vote:

Mr. Bradshaw	-	Yea
Mr. Edwards	-	Yea
Mrs. Friedman	-	Yea
Mrs. Fuqua	-	Yea
Mr. Hicks	-	Yea
Mr. Hoar	-	Nay
Mr. Mephram	-	Nay
Mr. Scruggs	-	Yea

The Planning Commission of James City County hereby advised the Board of Supervisors of the following concerning the addition of mobile homes, welding shops, and auto repair shops as permitted uses in A-2 zones:

1. The special permitted uses provision as provided for in the current Zoning Ordinance should continue to be used to offer an opportunity for reviewing and considering the location of single mobile homes in areas of James City County where mobile homes are now prohibited by the existing zoning.
2. The proposed additions to the A-2 permitted uses are not feasible at this time. Since the special permitted use provision exists, it should be used rather than adding to the permitted uses of the A-2 zone.

Although the committee realizes the need for single mobile home sites, no action should be taken to expand the number of zones in which mobile homes can locate until a comprehensive review can be made of the Zoning Ordinance to ensure that any expansion of permitted uses in any zone is compatible with the intent of the Ordinance and is in the best interest of James City County.

3. It is the determination of the Commission that welding shops and auto repair shops do not lend themselves to the intent of an A-2 zone and any consideration for allowing them in A-2 areas should be through rezoning.

After a general discussion, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the Planner along with a committee to work on planning for mobile homes in James City County. Further, the previous committee is requested to turn their information over to the Planner.



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The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: MASS MEDIA

Mr. Woody read the following memorandum to the Board for their information:

August 24, 1972

MEMORANDUM

TO: Messrs. W. E. Lawson, C. E. Johnson, Garland Woody,  
W. P. Larew, and Frank Force

FROM: Henry M. Cochran, Executive Director

SUBJECT: Mass Media Application

As a result of my memo on August 18, it is the consensus that the application be amended to reflect the loss of income from Williamsburg and that the project be continued with no services being provided to Williamsburg residents.

By copy of this memorandum I have requested that Mrs. Ryan prepare an appropriate amendment to the project budget to reflect this decision and to transmit this amendment to the City of Hampton for appropriate action as the project applicant.

HMC:lcb

cc: Mrs. Nell Ryan

RE: INDUSTRIAL AUTHORITY APPOINTMENTS - SCRUGGS AND RUTLEDGE 9/72

The Board deferred action on the appointments for the time being.

RE: ELECTION DISTRICTS

This matter was tabled with the Board requesting the Commonwealth's Attorney to advise the Board whether it is necessary to have magisterial districts for the assessment of taxes and what steps need to be taken to separate election districts from magisterial districts.

RE: LIGHT - ENTRANCE - SKIPWITH FARMS

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to enter into contract with Vepco on a street light at the entrance to Skipwith Farms.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: BID AWARD - SANITARY LANDFILL

Mr. Woody advised the Board of Supervisors of the following three bids received on the trench for the landfill:

- 1 - Dal-Ray Contractors  
\$ .70 per cubic yard
- 2 - Jack L. Massie  
\$1.30 per cubic yard
- 3 - Robert V. Piggott  
\$ .70 per cubic yard

He advised that since Mr. Piggott and Dal-Ray Contractors were the low bidders, they flipped a coin and Mr. Piggott won.

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On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to enter into contract with Mr. Piggott for the digging of the first trench in the new sanitary landfill.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS  
HOLIDAY - SEPTEMBER 4, 1972 - LABOR DAY

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, in accordance with Section 2.1-21, Code of Virginia, 1950, as amended, the fourth day of September (Labor Day), shall be a legal holiday as to the transaction of all county business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the fourth day of September 1972, as a legal holiday for county offices and employees.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: PLUMBING CODE - TRAVEL TRAILERS

Mr. Woody reported that the State rules and regulations conflicts with the Southern Standard Building Code in regards to the necessary footage that a campsite has to be from a sanitary facility.

The Board requested Mr. Woody to meet with the Health Department, Commonwealth's Attorney and the Building Official before the next meeting, to work something out.

RE: REFUND - PERMIT FEE - GEORGE GODWIN

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby refunds to George Godwin, \$23.00 for permit fees, due to the improper location of a mobile home in James City County.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: WATER REQUEST - OLD COLONY BANK

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby refers this request to the Water & Sewerage Committee.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
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Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - CONCRETE PIPE AND PRODUCTS COMPANY, INC.

Mr. Woody read the following letter:

August 14, 1972

James City County Board of Supervisors  
James City County, Virginia

Gentlemen:

It has been with much interest we have watched the growth of James City County and more especially the plans unfolding with your sanitary sewer system. Our interest in your program, naturally, stems from the fact that we are a local based manufacturer of concrete pipe and related products for all types of sewer systems. Our reputation for quality, service and dependability has been established since 1925 in Virginia, and stands ready to serve James City County in any of its concrete pipe needs.

Concrete Pipe & Products Company has furnished many projects in the area over the past 40 years. More recently the sewer lines for the new Busch Sewerage Treatment Plant, City of Williamsburg's Sewer Extensions, and various local projects. For this reason we find it difficult to understand why our products are not allowed to be bid and used on an equal basis with the other types of pipe being manufactured and shipped in from out of state. During the last six months we have repeatedly had to request permission to bid on your pipe needs. It is for this reason we ask that you take the necessary action to have concrete pipe included in your specifications on an equal basis with competing products. Our staff of engineers and field personnel stand ready to assist you with any questions you may have concerning this matter.

Thank you for your consideration with this problem.

Very truly yours,

CONCRETE PIPE & PRODUCTS CO., INC.

/s/ Welford J. Bowers

Welford J. Bowers, Vice President

WJB/fjr

Mr. Martin, County Engineer, commented that their pipe has not been excluded, but a higher classification of pipe is being required.

After a general discussion, Mr. Martin agreed to work with this firm.

RE: CONDITIONAL USE PERMIT - WOODLAKE

After a general discussion, this matter was tabled until the next meeting.

RE: REQUEST - JAMES CITY SERVICE AUTHORITY

Mr. Woody read the following letter:

August 28, 1972

Mr. Garland L. Woody  
County Administrator  
James City County  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Woody:

As you are aware, we are having applications executed for water service in Toano, and if the Authority is to operate the sewer system there, it will be necessary that sewer applications be executed also.

As previously discussed with you, in order that these applications show the complete and accurate addresses relative to each customer, it will be necessary to have a numbering system completed along Route 60 through Toano.

Since such a numbering system is necessitated at the present time by the Authority's operations, it may be considered the responsibility of the Authority to have same accomplished. However, in order for this system to be properly coordinated with future plans of the County, it would probably be more appropriate for the County Planning Department to set up this system.

Your advice regarding this matter would be appreciated in order that this work might be accomplished in the near future.

Sincerely yours,  
/s/ W. C. Johnson  
W. C. Johnson, Administrator

WCJ:ic

August 31, 1972

This matter was tabled.

RE: STREET LIGHTS - AGENT

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to act as agent for the Board with reference to street lights in new subdivisions.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: REFUND - RAMADA INN WEST

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby refunds \$393.25 to I. B. Bloxom, Jr., for overpayment on a Building Permit issued August 28, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: STREET SIGNS

Mr. Woody reported that the Highway Department will no longer install street signs unless they are to be placed on the Highway right of way.

The County Administrator was requested to present his recommendations on this matter to the Board at the next meeting.

Mr. Watkins requested the Board to consider requiring the developers to put up 2" square metal post.

RE: PERSONNEL ORGANIZATION

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following duties of county officials:

COUNTY ADMINISTRATOR

The County Administrator is the chief administrative officer of the County, and as such is responsible for all County officials other than those who are independent by Constitution or statute. His duties include the following:

1. Clerk to the Board of Supervisors, working with the Board committees of the Board, and individual Board members; preparation of Board minutes and correspondence; contract review and negotiations for the Board; general policy advice for the Board; Board representative to the public.
2. Fiscal administration, including preparation of the budget; coordination with Treasurer and Commissioner of Revenue; projection of revenues; programming capital improvements.
3. Implementation of public works and public safety projects such as maintenance of County property, sanitary landfill, street lights, street signs, mosquito control; development and coordination of fire and police protection programs; coordination with committees and board appointed by the Board; liaison with James City Service Authority.
4. Coordination of administration with other jurisdictions and agencies.
5. Coordinator of Civil Defense.  
(Other duties are outlined in Sec. 15.1-117 of the Code of Virginia.)

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ZONING ADMINISTRATOR

The Zoning Administrator is responsible for land use administration and related matters. This includes:

1. Implementation of the Zoning ordinance, subdivision ordinance, and similar ordinances which may be passed in the future; acting as agent of the Board in the administration of these ordinances.
2. Clerk to the Planning Commission, working with Commission and advising it on policy matters; working with the Site Plan Review Committee.
3. Clerk to the Wetlands Board.
4. General direction of the office of the Building Official.
5. Liaison with the Highway Department and the Health Department insofar as they affect land use.
6. Deputy Coordinator of Civil Defense.

DIRECTOR OF PLANNING

The Director of Planning is responsible for general and long-range planning for the County. He shall undertake specific projects at the request of the Board, the County Administrator, or the Planning Commission; the Board will determine how he will allocate his time among these duties. Planning include:

1. Physical and social planning, including the development of planning procedures, land use policies, and a comprehensive plan.
2. Review of the zoning ordinance and other ordinances, and proposals for revision.
3. Planning for capital improvements and development of community facilities.
4. Coordination of planning with other jurisdictions, including the Peninsula Planning District; coordination of planning with other County agencies.
5. Handling A-95 reviews, and similar state reviews, with appropriate recommendations to the Board.

DIRECTOR OF PLANNING: ALLOCATION OF TIME

The following allocation of time for the Director of Planning is adopted on a trial basis:

The Planner, should spend about 50% of his time working on the development of land use policies, a comprehensive plan, and thorough revision of the zoning ordinance. He should spend about 25% of his time on specific projects requested by the Board, the County Administrator, or the Planning Commission. The remainder of his time should be spent on planning needs of the County as the Director of Planning sees them.

All specific requests for assistance from the Director of Planning should go through the Chairman of the Board. The Chairman will coordinate these requests and consult with the Director of Planning, and will then assign priority among them.

This outline of duties assumes that:

- (a). County officials will need to communicate with each other frequently and effectively, since responsibilities overlap in many instances.
- (b). Each official will outline the duties of employees reporting to him, except as they are outlined in this statement.
- (c). The Board will consult with the County Administrator on all questions, and will also consult directly with the Zoning Administrator and the Director of Planning on matters within their responsibility.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints the Zoning



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Administrator as Agent to the Board for the purpose of implementing the Sub-division Ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees that in the absence of the Zoning Administrator, the County Administrator will perform the duties of the Zoning Administrator and will also act as Agent to the Subdivision Ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: MATTERS OF SPECIAL INTEREST  
MEETING DATE CHANGE

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise the change in meeting date and time and to post same on the front of the Courthouse.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

It is the policy of the Board to conduct its meetings in accordance with the following guidelines:

1. The Board will have regular meetings on the 2nd Monday of each month at 7:30 P.M., and the 4th Monday of each month at 3:00 P.M.
2. When an additional regular meeting or executive session is needed, the Board will normally recess a regular meeting until the following Monday.
3. The Board will have meetings at other times only if there is an emergency which cannot wait until the next scheduled meeting. When such meetings are necessary, the Board will:
  - a. Inform the press of the proposed meeting as soon as possible.
  - b. Sign a legal waiver of notice, as required by law.
4. Executive sessions will be scheduled only for reasons stated in 2.1-344(a) of the Code of Virginia. No executive session will be held until we comply with the affirmative vote provision of 2.1-344(b) of the Code of Virginia.

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5. The deadline for each agenda will be 12:00 P.M. on Wednesday prior to each Monday meeting, whether that meeting is a regular one or an interim meeting which was recessed on the preceding Monday. Copies of the agenda will be available to the public after 3:00 P.M. on Thursday preceding a Monday meeting, and will be mailed to members of the Board and representatives of the media. Only items which appear on the prepared agenda will be considered at the following meeting, unless the need for prompt action on a new matter is critical.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

The Board discussed the possibility of a more informative agenda and that copies of correspondence that are given to the Board be sent to the press.

RE: EMPLOYMENT COMMISSION

Mr. Edgar appeared before the Board to report the success of the local office of the Employment Commission.

RE: "VOTER REGISTRATION MONTH"

Mr. Wooddy read the following letter:

259 Nottingham Road  
Williamsburg, Virginia  
August 29, 1972

The James City County Board of Supervisors  
c/o Mr. Garland Wooddy  
Courthouse  
Williamsburg, Virginia 23185

Dear Mr. Frink:

President Nixon has proclaimed September 1972, as National Voter Registration Month and has urged all "interested citizens and all civic and educational organizations to participate in voter registration campaigns and to take all appropriate steps to assure maximum registration of qualified voter."

Since both Federal and State governments have changed voter requirements, extending the privilege of voting to more and more American citizens than have ever been eligible to vote before, and voter registration drives are being undertaken in the James City County area by the major political parties, the League of Women Voters, various community groups, private individuals and civic organizations; therefore, we ask that you declare the weeks between September 7 and October 7 (when the registration books close) as Voter Registration Month in James City County. We also ask you to urge all citizens of James City County who have not already done so to register so that on November 7 of this year they will be able to vote for the man of their choice and to participate actively in the democratic process.

Sincerely yours,

/s/ Joan Swanson  
Mrs. A. G. Swanson, President  
League of Women Voters  
Williamsburg Area

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby declares September 7 through October 7 as "Voter Registration Month."

The County Administrator was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: SANITARY DISTRICT #2 - EASEMENTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby employs Mrs. Eula Radcliffe to secure signatures for easements in Sanitary District #2, at a salary of \$4.00 per hour.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye

Motion carried by a unanimous vote.

RE: BICENTINNIAL COMMITTEE

Mr. Howard Sawyer, James City County representative to the Bicentinnial Committee, requested that a member of the Planning Commission or a member of the County Administrator's office or any member of the Board, attend the monthly Bicentinnial meetings with him.

Checks #5610 through #5785, totalling \$437,359.49 were certified for payment from the General Fund; check #180 totalling \$818.67 was certified for payment from Sanitary District #1 account; checks #113, #114 totalling \$12,190.35 were certified for payment from Sanitary District #2 account; checks #203 through 205, totalling \$105.47 were certified for payment from the Toano Sewerage account; check #105, totalling \$100,000.00 was certified for payment from the James City County School Construction Bond Issue of March 1, 1972, all for the month of August, 1972.

  
Garland L. Wooddy, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eleventh day of September, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. GARLAND L. WOODDY, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
MMr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
 APPROPRIATIONS & EXPENDITURES REPORT  
 TREASURER'S REPORT  
 BUILDING PERMIT REPORT  
 ZONING ADMINISTRATOR'S REPORT  
 PLANNING DIRECTOR'S REPORT  
 PROBATION DEPARTMENT REPORT  
 DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
 REZONING CASE #72-20 - SHELDON LUMBER COMPANY

Mr. Woody read the following description of the request for rezoning:

"Rezoning Case #72-20, the rezoning of property owned by Sheldon Lumber Co., Inc., located on Route 60 in Toano, from M-2 to B-1."

He advised the Board that the Planning Commission has recommended that the property be rezoned.

The Chairman opened the hearing for public comment.

Mr. Wesley Sheldon, representing the owners of the property, requested the rezoning.

There being no further comments, the hearing was closed.

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves rezoning request #72-20, the rezoning of property owned by Sheldon Lumber Company, Inc., located on Route 60 in Toano, from M-2 to B-1.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED AMENDMENT - ELECTRICAL CODE ORDINANCE

Mr. Woody read the following proposed amendment:

"Nothing in the code shall prevent any homeowner from installing or maintaining the electrical system within his own property boundaries, providing such electrical work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this code, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefore."

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

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On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby amends Section 6, paragraph 2 of the Electrical Code Ordinance to read:

"Nothing in the code shall prevent any homeowner from installing or maintaining the electrical system within his own property boundaries, providing such electrical work is done by himself and is used exclusively by him or his family. Such privilege does not convey the right to violate any of the provisions of this code, nor is it to be construed as exempting any such property owner from obtaining a permit and paying the required fees therefore."

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PROPOSED AMENDMENT - SOUTHERN STANDARD BUILDING CODE

Mr. Woody read the following proposed amendment to the Southern Standard Building Code:

"Amend the 1972 Amendments of the Southern Standard Building Code by deleting the following paragraph:  
Chapter XIII, paragraph 1302.7 - Wood Foundation Systems."

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby amends the 1972 Amendments of the Southern Standard Building Code by deleting the following paragraph: Chapter XIII, paragraph 1302.7 - Wood Foundation Systems.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: WETLANDS ORDINANCE

The Chairman opened the hearing for public comment. There being none, the hearing was closed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following Wetlands Ordinance:

AN ORDINANCE REGULATING THE USE AND DEVELOPMENT OF WETLANDS

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia:

SECTION 1. Wetlands Zoning Ordinance.

The governing body of the County of James City, acting pursuant to Chapter 2.1 of Title 62.1 of the Code of Virginia, for purposes of fulfilling the policy standards set forth in such chapter, adopts this ordinance regulating the use and development of wetlands.

SECTION 2. Definitions.

- (a) "Commission" means the Virginia Marine Resources Commission.
- (b) "Commissioner" means the Commissioner of Marine Resources.
- (c) "Person" means any corporation, association or partnership, one or more individuals, or any unit of government or agency thereof.



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- (d) "Governmental services" means any or all of the services provided by this County to its citizens for the purpose of maintaining this County and shall include but shall not be limited to such services as constructing, repairing and maintaining roads, sewage facilities, supplying and treating water, street lights and construction of public buildings.
- (e) "Wetlands" means all that land lying between and contiguous to mean low water and an elevation above mean low water equal to the factor 1.5 times the mean tide range at the site of the proposed project in this County; and upon which is growing on the effective date of this act or grows thereon subsequent thereto, any one or more of the following: Saltmarsh cordgrass (*Spartina alterniflora*), saltmeadow hay (*Spartina patens*), saltgrass (*Distichlis spicata*), black needlerush (*Juncus roemerianus*), saltwort (*Salicornia* spp.), sea lavender (*Limonium* spp.), marsh elder (*Iva frutescens*), groundsel bush (*Baccharis halimifolia*), wax myrtle (*Myrica* sp.), sea oxeye (*Borrchia frutescens*), arrow arum (*Peltandra virginica*), pickerelweed (*Pontederia cordata*), big cordgrass (*Spartina cynosuroides*), rice cutgrass (*Leersia oryzoices*), wildrice (*Zizania aquatica*), bulrush (*Scirpus validus*), spikerush (*Eleocharis* sp.), sea rocket (*Cakile ecentula*), southern wildrice (*Zizaniopsis miliacea*), cattails (*Typha* spp.), threesquares (*Scirpus* spp.), button-bush (*Cephalanthus occidentalis*), bald cypress (*Taxodium distichum*), black gum (*Nyssa sylvantica*), tupelo (*Nyssa aquatica*), dock (*Rumex* spp.), yellow pond lily (*Nuphar* spp.), marsh fleabane (*Pluchea purpurascens*), royal fern (*Osmunda regalis*), marsh hibiscus (*Hibiscus moscheutos*), beggar's ticks (*Bidens* sp.), smartweeds (*Polygonum* sp.), arrow-head (*Sagittaria* spp.), sweet flag (*Acorus calamus*), and switch grass (*Panicum virgatum*).
- (f) "Wetlands board" or "board" means a board created as provided in Section 62.1-3.6 of the Code of Virginia.

SECTION 3. The following uses of and activities on wetlands are permitted, if otherwise permitted by law:

- (a) The construction and maintenance of non commercial catwalks, piers, boathouses, boat shelters, fences, duckblinds, wildlife mangement shelters, footbridges, observation decks and shelters and other similar structures provided that such structures are so constructed on pilings as to permit the reasonably unobstructed flow of the tide and preserve the natural contour of the marsh;
- (b) The cultivation and harvesting of shellfish, and worms for bait;
- (c) Noncommercial outdoor recreational activities, including hiking, boating, trapping, hunting, fishing, shellfishing, horseback riding, swimming, skeet and trap shooting, and shooting preserves; provided that no structure shall be constructed except as permitted in subsection (a) of this section;
- (d) The cultivation and harvesting of agricultural or horticultural products; grazing and haying;
- (e) Conservation, repletion and research activities of the Virginia Marine Resources Commission, the Virginia Institute of Marine Science, Commission of Game and Inland Fisheries and other related conservation agencies;
- (f) The construction or maintenance of aids to navigation which are authorized by governmental authority;
- (g) Emergency decrees of any duly appointed health officer of a governmental subdivision acting to protect the public health;
- (h) The normal maintenance, repair or addition to presently existing roads, highways, railroad beds, or the facilities of any person, firm corporation, utility, federal, state, county, city or town abutting on or crossing wetlands, provided that no waterway is altered and no additional wetlands are covered;
- (i) Governmental activity or wetlands owned or leased by the Commonwealth of Virginia, or a political subdivision thereof.

SECTION 4.

- (a) Any person who desires to use or develop any wetland within this County, other than for those activities specified in Section 3 above, shall first file an application for a permit with the wetlands board and shall send copies to the Commission and the Virginia Institute of Marine Science.
- (b) An application shall include the following: the name and address of the applicant; a detailed description of the proposed activity and a map, drawn to an appropriate and uniform scale, showing the area of wetland directly affected, with the location of the proposed work thereon, indicating the area of existing and proposed fill and excavation, especially the location, width, depth and

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length of any proposed channel and the disposal area, all existing and proposed structures; sewage collection and treatment facilities, utility installations, roadways, and other related appurtenances or facilities, including those on adjacent uplands, and the type of equipment to be used and the means of equipment access to the activity site; the names and addresses of owners of record of adjacent land and known claimants of water rights in or adjacent to the wetland of whom the applicant has notice; and estimate of cost; the primary purpose of the project; any secondary purposes of the project, including further projects; the public benefit to be derived from the proposed project; a complete description of measures to be taken during and after the alteration to reduce detrimental offsite effects; the completion date of the proposed work, project, or structure and such additional materials and documentation as the wetlands board may deem necessary.

- (c) A nonrefundable processing fee to cover the cost of processing the application of twenty-five dollars shall accompany each application.

SECTION 5. All applications and maps and documents relating thereto shall be open for public inspection at the office of the recording officer of this County.

SECTION 6. Not later than sixty days after receipt of such application, the wetlands board shall hold a public hearing on such application. The applicant, the local governing body, the Commissioner, the owner of record of any land adjacent to the wetlands in question, known claimants of water rights in or adjacent to the wetlands in question, the Virginia Institute of Marine Science, the Division of State Planning and Community Affairs, the Department of Game and Inland Fisheries, Water Control Board, the Department of Highways and governmental agencies expressing an interest therein shall be notified of the hearing by mail not less than twenty days prior to the date set for the hearing. The wetlands board shall also cause notice of such hearing to be published at least once a week for two weeks prior to such hearing in the newspaper having a general circulation in this County. The costs of such publication shall be paid by the applicant.

SECTION 7. In acting on any application for a permit, the board shall grant the application upon the concurring vote of three members. The Chairman of the board, or in his absence the acting Chairman, may administer oaths and compel the attendance of witnesses. Any person may appear and be heard at the public hearing. Each witness at the hearing may submit a concise written statement of his testimony. The board shall make a record of the proceeding, which shall include the application, any written statements of witnesses, a summary of statements of all witnesses, the findings and decision of the board, and the rationale for the decision. The board shall make its determination within thirty days from the hearing. If the board fails to act within such time, the application shall be deemed approved. Within forty-eight hours of its determination, the board shall notify the applicant and the Commissioner of such determination and if the board has not made a determination, it shall notify the applicant and the Commissioner that thirty days has passed and that the application is deemed approved.

The board shall transmit a copy of the permit to the Commissioner. If the application is reviewed or appealed, then the board shall transmit the record of its hearing to the Commissioner. Upon a final determination by the Commissioner, the record shall be returned to the board. The record shall be opened for public inspection at the office of the recording officer of this County.

SECTION 8. The board may require a reasonable bond in an amount and with surety and conditions satisfactory to it securing to the Commonwealth compliance with the conditions and limitations set forth in the permit. The board may, after hearing as provided herein, suspend or revoke a permit if the board finds that the applicant has failed to comply with any of the conditions or limitations set forth in the permit or has exceeded the scope of the work as set forth in the application. The board after hearing may suspend a permit if the applicant fails to comply with the terms and conditions set forth in the application.

SECTION 9.

- (a) In making its decision whether to grant, to grant in modified form, or to deny an application for a permit the board shall base its decision on these factors:

- (1) Such matters raised through the testimony of any person in support of or in rebuttal to the permit application.
- (2) Impact of the development on the public health and welfare as expressed by the policy and standards of Chapter 2.1 of Title 62.1 of the Code of Virginia and any guidelines which may have been promulgated thereunder by the Commissioner.

- (b) If the board, in applying the standards above, finds that the anticipated public and private benefit of the proposed activity exceeds the anticipated public and private detriment and that the proposed activity would not violate or tend to violate the

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purposes and intent of Chapter 2.1 of Title 62.1 of the Code of Virginia and of this ordinance, the board shall grant the permit, subject to any reasonable condition or modification designed to minimize the impact of the activity on the ability of this County, to provide governmental services and on the rights of any other person to carry out the public policy set forth in Chapter 2.1 of Title 62.1 of the Code of Virginia and in this ordinance. Nothing in this section shall be construed as affecting the right of any person to seek compensation for any injury in fact incurred by him because of the proposed activity. If the board finds that the anticipated public and private benefit from the proposed activity is exceeded by the anticipated public and private detriment or that the proposed activity would violate or tend to violate the purposes and intent of Chapter 2.1 of Title 62.1 of the Code of Virginia and of this ordinance, the board shall deny the permit application with leave to the applicant to resubmit the application in modified form.

SECTION 10. The permit shall be in writing, signed by the chairman of the board and notarized.

SECTION 11. No permit shall be granted without an expiration date, and the board, in the exercise of its discretion, shall designate an expiration date for completion of such work specified in the permit from the date the board granted such permit. The board, however, may, upon proper application therefore, grant extensions.

SECTION 12. This ordinance shall become effective on date of adoption.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

The Board tabled the appointment of the five members Wetland Board until the next meeting.

RE: OLD BUSINESS  
INDUSTRIAL AUTHORITY APPOINTMENTS

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby tables the appointment of the Industrial Authority members indefinitely.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: ELECTION DISTRICTS

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby requests the Commonwealth's Attorney to prepare the necessary ordinance to provide for the following:

1. To set the magisterial district lines as they were prior to the last redistricting.
2. To set the election district lines as they are now and that they be known as election districts.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

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RE: PLUMBING CODE - TRAVEL TRAILERS

Mr. Woody reported that he had not received the letter of intent from the Southern Building Congress on this matter.

This was tabled until further information is received.

RE: CONDITIONAL USE PERMIT - WOODLAKE

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants the conditional use permit to Woodlake, subject to the final approval of the site plan and to make aware to the developers that the Board is not agreeable on allowing them to obtain water from the City.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - JAMES CITY SERVICE AUTHORITY

Mr. Frink requested Mr. Covey, the Planning Director, to undertake the problem of a numbering system for the County, especially the Toano area, with the understanding that the Board will hire someone to do the field work.

RE: STREET SIGNS

Mr. Woody said that he was waiting for prices on various posts and recommended to the Board that they could every three to six months advertise for bids on installation of posts or hire someone by the hour to have them installed.

RE: NEW BUSINESS

REQUEST - TRANSIT STUDY - PENINSULA PLANNING DISTRICT COMMISSION

Mr. Woody reported that the Peninsula Planning District Commission is requesting \$2,340.00 from James City County as their share for a transit study involving all the jurisdictions within the District.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby recommends approval of the Transit Study and transfers \$2,340.00 from Contingency (18g) to Peninsula Planning District Commission (10-599) for said Transit Study.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a majority vote.

RE: SUB-STANDARD HOUSING

Mrs. Douglas read the following letter to the Board.

Mr. Abram Frink, Chairman  
Board of Supervisors  
James City County, Virginia

Dear Mr. Frink:

Re the attached news clipping from last week's VIRGINIA GAZETTE, may I respectfully call your attention to the minutes of the Board of Supervisors meeting held on the eleventh day of October, 1971.

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Said minutes reflect, in part, the appointment of a sub-standard housing committee. Those appointed to the committee to investigate the advisability of adopting a Sub-standard Housing Ordinance for James City County were the Messrs. Warfield Roby, Albert White III and Charles S. Steen.

Now that the 1970 Census and the Virginia Division of State Planning and Community Affairs point up what many of us have known for a long time, do you not agree that the time for action is long past —and we should get on with the job of doing something about a disgraceful situation.

Cordially,


/s/ Irene M. Douglas

Irene M. Douglas

After a general discussion by the Board, Mr. Frink asvised Mrs. Douglas, that the Board planned to search the records, checking to do something about them.

The Board adjourned the meeting into executive session to discuss personnel matters.

  
Garland L. Woody, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-fifth day of September, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. JOHN W. WATKINS, Acting County Administrator.

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting as published.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: COUNTY ADMINISTRATOR'S RESIGNATION

Mr. Frink explained that the Board of Supervisors felt that Mr. Woody was not qualified to continue as County Administrator, due to the rapid changes taking place in the County. He further stated that the Board offered Mr. Woody the position of County Fire Marshal, which in Mr. Frink's opinion, according to the article in the Daily Press, Mr. Woody has refused the offer. Further, Mr. Frink said the Board would take this article as Mr. Woody's resignation, as he has been unable to get in touch with him.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mr. Woody's resignation as County Administrator of James City County.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:



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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay

Motion carried by a unanimous vote.

RE: APPOINTMENT - ACTING COUNTY ADMINISTRATOR

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints John W. Watkins, Acting County Administrator.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG, VIRGINIA

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, That the United Virginia Bank of Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #I, Sanitary District #II, Toano Sewerage System, Payroll Deduction Fund Account, James City County Bond Issue 1964-B Sinking Fund, James City County General Obligation Water Bonds-1970, Courthouse Construction Fund and the James City County Subdivision Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.	Chairman
OR	
Mayo W. Waltrip	Vice-Chairman
John W. Watkins	Acting County Administrator
Frances B. Whitaker	Treasurer
OR	
Eunice P. Stewart	Deputy Treasurer
OR	
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: COMPENSATION FOR SERVICE

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of

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Supervisors of the County of James City, Virginia, hereby agrees to compensate Mr. Wooddy for two months on a vacation status.

After a general discussion, the Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: PETTY CASH FUND ACCOUNT

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby designates John W. Watkins, Acting County Administrator as the signature endorser of the Petty Cash Fund Account, until another is so designated.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

RE: RESOLUTION OF APPRECIATION

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs Mr. Watkins to draw a Resolution of Appreciation to Mr. Wooddy for their approval.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS

Mr. Rawley Yeatts, the new resident engineer for the Highway Department, introduced himself to the Board.

RE: SITE DISTANCE - ROUTE 603

It was reported that this matter has been resolved.

RE: ROUTE 615 - CHUCK HOLE

Mr. Waltrip reported that the chuck hole has been repaired, but the road still needs work on it in several places.

RE: ROUTE 656 - MAGRUDER AVENUE - CUL-DE-SAC

Mr. Frink stated that this still had not been completed.

RE: STRAWBERRY PLAINS ROAD - CHUCK HOLE

It was not known whether this had been done and Mr. Yearrs said he would check on it.

RE: PETITION - ROUTE 601 - SPEED SIGNS

Mr. Taylor advised Mr. Yeatts that this road is located at the west end of Hicks Island Road.

Mr. Yeatts said he would have a speed study made of the area

RE: GROVE CROSSING

Mr. Frink explained the Grove Crossing situation to Mr. Yeatts and stated that he is appealing to the Highway Department for their help.

RE: RESOLUTION - OLD ROUTE 60

It was reported that a correction needed to be made on the resolution passed by the Board on June 30, 1972, requesting that Old Route 60 be added as a

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rural addition. This correction is to change the length from 0.35 to 0.45.

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby makes said correction on the length of the road of Old Route 60 to 0.45.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: SIDEWALKS - RAWLS BYRD SCHOOL

The following letter was read:

604 Conway Drive, Apt. 102  
Williamsburg, Virginia 23185  
17 September 1972

Mr. Garland Wooddy, Executive Secretary  
James City County  
Court Street  
Williamsburg, Virginia 23185

Dear Mr. Wooddy:

I Would like to call to your attention a situation in James City County which I feel is dangerous.

Childred who live near Rawls Byrd School are expected to walk to and from school. Aside from the sidewalk along the school driveway, there are no sidewalks anywhere in the vicinity of the school for these children to use. A particularly serious problem is the corner of Laurel Lane and Brookwood Lane; every child who lives in Marlboro Apartments or Conway Apartments and who attends Rawls Byrd School passes this corner twice a day. These children include, for the first time this year, kindergarten pupils. However, except for a stop sign on Brookwood Lane for traffic coming from Conway, there are no safety measures to protect children on foot at that intersection.

I understand that Rawls Byrd School cannot provide crossing guards at this intersection because it is not adjacent to school property. Therefore, to help prevent a serious or fatal accident to a young child on foot, I feel the following should be done:

(1) A sidewalk should be constructed on Laurel Lane in front of Rawls Byrd School. It would also be very good if sidewalks could be extended along private property on Laurel Lane and Brookwood Lane all the way to Conway and Marlboro Apartments.

(2) Additional safety measures should be installed at the intersection of Laurel Lane and Brookwood Lane. Pedestrian right-of-way crosswalks and/or a three-way stop sign would be very helpful.

As the parent of a child who attends Rawls Byrd, but also as a citizen who is concerned about the safety of all children, I will appreciate whatever attention you can give to this matter.

Thank you very much.

Sincerely,

/s/ S. Peter Gary

S. Peter Gary

P. S. During the working week, I can be reached at the College, 229-3000, Ext.-471.

Mr. Yeatts said he would study the matter.

RE: STATUS REPORT - SECONDARY ROADS

Mr. Watkins stated he has not yet finished the report on the Secondary Roads. He reported that there are approximately thirty street or roads that are not being served by the Virginia Department of Highways.

RE: CARRIAGE ROAD AND ALEASA DRIVE

Mr. Donaldson requested Mr. Yeatts to take a look at Carriage Road and Aleasa Drive for an estimate on the cost and the necessary funding.

Mr. Donaldson asked Mr. Yeatts if the Highway Department could act as contracting agent for the County and Mr. Yeatts replied he thought they could, but would check into it further.

RE: KINGSPPOINT SUBDIVISION

Mr. Donaldson reported a pothole on Kingspoint Drive at the entrance of

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Kingspoint Subdivision.

RE: ROUTE 614

Reverend Moody requested speed signs for Route 614

Mr. Yeatts replied he would have a speed study made.

RE: WOODLAND FARMS

Mr. Yeatts presented the Board with a resolution to have certain street in Woodland Farms taken into the secondary system.

Mr. Frink stated that action will be taken at a later date.

RE: OLD BUSINESS  
CONDITIONAL USE PERMIT - BEECH BEND CAMPSITES

This matter was tabled since the parties involved were not in attendance.

RE: WETLANDS BOARD

This was tabled.

RE: SANITARY DISTRICT #II - FARMERS HOME ADMINISTRATION

The following letter was read:

P. O. Box 10106  
Richmond, Virginia

September 15, 1972

Mr. Abram Frink, Jr., Chairman  
James City County Sanitary District II  
P. O. Box JC  
Williamsburg, Virginia 23185

Dear Mr. Frink:

The Farmers Home Administration has reviewed your request of August 15, 1972 for permission to proceed with the construction of a portion of the sewerage project. Permission is hereby granted to pay any obligations incurred for authorized loan purposes from loan funds if the loan is closed.

The permission granted is on the condition that FHA is not committed to make a loan or grant and assumes no responsibility for any obligations incurred because of the permission granted. You must meet all FHA requirements for the loan and grant prior to closing.

Sincerely,

/s/ L. V. Shelton  
L. V. Shelton, Acting State Director

cc: County Office - Williamsburg

RE: EMPLOYMENT STATUS - DEPUTY SHERIFFS

It was reported to the Board that a resolution must be passed certifying that the Deputy Sheriffs have received the State required education to receive the \$7,200.00 compensation now awarded by the State.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies to the State Compensation Board that the James City County Deputy Sheriffs have received the required education for the \$7,200.00 now granted by the State.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: AGREEMENTS - NEWPORT NEWS WATERWORKS

After a general discussion and after Mr. Frink stated that he would not sign any agreement in reference to the water main from Black's Crossing to the City limits until the matter of a certain septic system in that area is resolved with the Highway Department, the following motion was presented:

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On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby refers both agreements to the Water and Sewerage Committee.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - VIRGINIA ASSOCIATION OF COUNTIES

This was tabled.

RE: LETTER - STATE WATER CONTROL BOARD - SANITARY DISTRICT #II

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby gives Mr. Martin, County Engineer, authority to write to the State Water Control Board advising them that HRSD is the only facility that will be used in Sanitary District #II.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: MANAGEMENT WORKSHOP

In response to a letter written by Mr. Cochran to the local governments requesting dates to hold a Management Workshop, the Board agreed upon December 8, 9, 10, 1972.

RE: SURETY BOND

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests that a Surety Bond in the amount of \$2,000.00 be posted for Mr. Watkins.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Watkins	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants:

Checks #5786 through #5946, totalling \$274,537.80 from the General Fund; Checks #115 through #118, totalling \$9,111.23 from Sanitary District #II; Checks #206 through #209, totalling \$196.47, from Toano Sewerage; Check #107, totalling \$348,600.00 from the 1972 School Construction Account; all certified for the month of September 1972.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:



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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

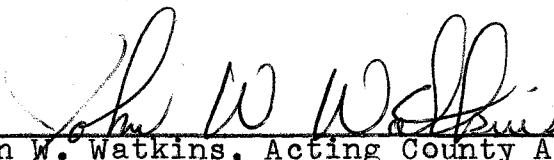
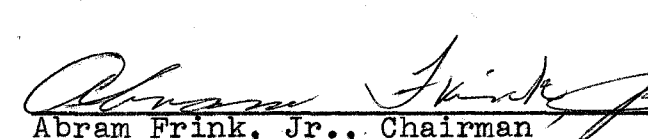
RE: EXECUTIVE SESSION

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting to executive session to discuss sewerage problems and personnel problems.

The Administrative Assistant was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Frink	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye

Motion carried by a unanimous vote.

 John W. Watkins, Acting County Administrator	 Abram Frink, Jr., Chairman
---	---

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the ninth day of October, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, and MR. JOHN W. WATKINS, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS AND EXPENDITURES REPORTS  
TREASURER'S REPORT  
COUNTY ADMINISTRATOR'S REPORT  
ZONING ADMINISTRATOR'S REPORT  
PLANNING DIRECTOR'S REPORT  
BUILDING PERMIT REPORT  
PROBATION DEPARTMENT REPORT  
DOG WARDEN REPORT

After the County Administrator's verbal report, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
RESOLUTION OF APPRECIATION - GARLAND L. WOODY

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Mr. Garland L. Woody has, for eight years, served with distinction as County Administrator of James City County of James City, Virginia, and

WHEREAS, throughout said period of service Mr. Woody gave unsparingly of his time, ability, energy, knowledge and wisdom to the end that James City County, was well governed and administered in the face of rapid population growth and phenomenal physical and economic development, and

WHEREAS, Mr. Woody's service to the County and its Board of Supervisors was, throughout said period characterized by loyalty, dedication and total commitment to duty, and

WHEREAS, James City County has benefited immeasurably by the contributions made by Mr. Woody to its betterment.

Now, Therefore, Be It RESOLVED, that the Board of Supervisors of James City County, on behalf of the citizens thereof, does hereby express its great appreciation to Mr. Garland L. Woody for his service to the County.

Be It Further RESOLVED, that Mr. Garland L. Woody, be, and hereby is encouraged to make his services available in the future to the County in a further position of responsibility and challenge.

It is ordered that this resolution be presented to Mr. Woody and a copy hereof be spread upon the minutes of the Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Donaldson requested the Board to leave the position of Fire Marshal open until December 1, 1972, in hopes Mr. Woody will accept same. The Board concurred.

RE: WETLANDS BOARD

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints the following persons to serve on the Wetlands Board:

Leonard P. Harris	-	1 year term
Melvin R. Hazelwood	-	2 year term
William C. Snyder	-	3 year term
Mrs. Cary Fuqua	-	4 year term
Mrs. Margaret Harrison	-	5 year term

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - WOODLAND FARMS

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the developer of Woodland Farms Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Depart-

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ment of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Woodland Farms Subdivision, Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description:

Woodland Road	-	From:	Route 607	
		To:	0.74 Mi. Ease	0.74
Landing Circle	-	From:	Woodland Road	
		To:	Cul-de-sac	0.23
Croaker Circle	-	From:	Woodland Drive	
		To:	Cul-de-sac	0.10

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Wood Farms Subdivision, Section 1, Plat Book 29, Pages 2 and 3.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Woodland Farms Subdivision and the Resident Engineer of the Department of Highways.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SOCIAL SERVICES FEASIBILITY STUDY

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mrs. Irene Douglas, Mr. Fred Scherberger and Mrs. Kay Campion to serve on the Social Services Feasibility Study Committee.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: TRAILER STUDY COMMITTEE

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. Bruce M. Bolding and Mr. Robert K. Taylor to serve on the Trailer Study Committee with Mr. Craig Covey, Planning Director.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - VIRGINIA ASSOCIATION OF COUNTIES - RESOLUTION

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

BE IT RESOLVED THAT the By-Laws of the Virginia Association of Counties, Article 11, Section (a) be amended and readopted to read:

The Annual membership dues of a County shall be four cents (4¢) per capital for each jurisdiction, provided that no jurisdiction shall pay membership dues

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in excess of twelve thousand dollars (\$12,000) in any one fiscal year. The population of a County shall be the current estimated population as determined by some competent research agency selected by the Executive Board such as the Bureau of Population and Economic Research of the University of Virginia.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote

RE: NATIONAL ASSOCIATION OF COUNTIES

Mr. Watkins was requested to report to the Board at their next meeting, on the services provided and the possibility of joining the National Association of Counties.

RE: NEW BUSINESS  
WILLIAMSBURG - JAMES CITY COUNTY CHAMBER OF COMMERCE - BUILDING FUND

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby contributes \$40.00 to be paid to the Williamsburg-James City County Chamber of Commerce Building Fund.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - SANITARY DISTRICT #1 LIENS

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such system was made and for which the charge was imposed.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E. of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

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A/C	NAME & ADDRESS OF PROPERTY	DESCRIP. PROP.	AMOUNT	FEE	TOTAL
336	James Davis & Eva Mae Davis 1237 Oak Drive	Lots 1 & 2 Old Penniman Road Est. of Thomas Kearney D. B. 56/110 Plat attached.	61.50	1.00	62.50
338	James Coleman Patterson Ruth Anna Cary Patterson	Part of John Cary Estate 50' by 150' D. B. 47/211 fronting 50' on County rd. ldg from Williamsburg to Grove Station & ex- tending back in a westerly direction 150' in parallel lines.	47.25	1.00	48.25

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HOLIDAY - OCTOBER 23, 1972 - BOARD MEETING - OCTOBER 24, 1972

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, in accordance with Section 2.1-21, Code of Virginia, 1950, as amended, the 23rd day of October (Veterans Day) shall be a legal holiday as to the transaction of all business.

It is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the 23rd day of October, 1972 as a legal holiday for County offices and employees and the regular Board Meeting will be held October 24, 1972, at 3:30 P.M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: VIRGINIA ASSOCIATION OF COUNTIES MEETING

It was reported that the Virginia Association of Counties Annual Meeting will be held on November 12, 13, and 14.

After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby changes the regular Board meeting date from November 13, 1972 to November 15, 1972, at 7:30 P.M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SEWERAGE CONTRACT - SANITARY DISTRICT #2 - STONE, BLAND AND WOOD

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to enter into the following agreement for the Sanitary District #2 Sewer System with the firm of Stone, Bland and Wood, contingent upon the



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Judge of the Circuit Court setting the fee based on an hourly rate:

SEWERAGE CONTRACT - SANITARY DISTRICT #2 - STONE, BLAND & WOOD

LEGAL SERVICE AGREEMENT

THIS AGREEMENT, Made this \_\_\_\_\_, between James City County, hereinafter called Owner, and Stone, Bland and Wood, Attorney at Law, of Williamsburg, Virginia, hereinafter called Attorney, witnesseth:

WHEREAS, Owner is a duly organized political subdivision, in James City County, Virginia, and is considering the installation of community sewer systems, and is making application to the Farmer's Home Administration for a grant and loan for the installation of said system, and the Attorney agrees to perform all the legal services necessary to the organization, financing, construction, and initial operation of the said sewer system, such services to include, but not to be restricted to the following:

1. Preparation of exact copies of the necessary petitions and the order to form the Sanitary District, and supervise and assist in taking such other actions as may be necessary or incidental for James City County Sanitary District #2, a duly organized political subdivision of the County, to be authorized to undertake the proposed community domestic sewer system.

2. Preparation for and furnishing advise and assistance to the duly elected governing body of James City County Sanitary District #2 in connection with (a) the notice for and conduct of meetings; (b) the preparation of minutes of these meetings; (c) the preparation and enactment of such resolutions as may be necessary in connection with the authorization, financing, construction and initial operation of a sewer system; (d) the preparation of such affidavits, publication notices, ballots, reports, certifications, and other instruments and advice as may be needed in the conduct of such bond elections as may be necessary; (e) the preparation and completion of such bonds or other obligations as may be necessary to finance the sewer system; (f) the execution of documents for obtaining a loan made or insured by the United States of America, acting through the Farmer's Home Administration, U. S. Department of Agriculture; (g) entering into construction contracts; (h) adoption of By-Laws, Rules and Regulations, and rate schedules; (i) such other corporate action as may be necessary in connection with the financing, construction, and initial operation of a sewer system.

3. Review of construction contract, bid-lettering procedure, and surety and contractual bonds in connection therewith.

4. Examination of real estate titles and preparation of right-of-way for the sewer system. Obtaining of necessary permits from County, Townships, State Utility Companies, and Private Owners with respect to pipelines, crossings of roads, easements, use of ditches for pipeline, and so forth.

5. Examination of real estate titles and preparation of review of deeds, easements, or other instruments, for sites for sewer pumping stations, sewer lines, and other facilities necessary to the sewer systems, and recording of the same.

6. Cooperation with the engineer employed by Owner in connection with the preparation of tract sheets, easements, and other necessary title documents, construction contracts, health permits, crossing permits, and other instruments.

7. Preparation of opinions of counsel as required by Owner of the Farmer's Home Administration, United States Department of Agriculture. Owner agrees to pay to the Attorney for professional services in accordance herewith, fees as follows:

A. Total fees for all service rendered by the Attorney for the aforesaid services shall be paid by the Owners on an hourly basis in the manner as hereinafter provided:

(a) Attorney shall keep a record of all time spent in performing the services herein provided to include: time spent by the attorney, clerical time and related expenses incidental to the performance of the services mentioned herein.

(b) Time and expense vouchers shall be maintained by the attorney, and submitted to the Owner for his approval.

(c) Time and expense vouchers shall subsequently be submitted to the Judge of the Circuit Court of the City of Williamsburg and County of James City or his designate at the convenience of said Judge or his Designate who shall be requested to assign a reasonable fee for the services and authorize reimbursement of all reasonable expense and to so order payment of these sums.

(d) Owner shall pay to the attorney all amounts so Ordered by said Judge or his Designate.

B. Said fees to be payable in the following manner and at the following times:

(a) Upon entry of the Order by the aforesaid Court, a copy of said Order shall be presented to the Owner by the Attorney.

(b) Owner shall pay to said attorney the amount so Ordered immediately or as soon thereafter as reasonably possible.

The Owner and the Attorney covenant and agree that if at any time here after this project is discontinued or not completed for any cause whatever, the agreement shall terminate, and the Owner shall be liable only for payment of legal services rendered in connection with the reasonable value of the services rendered, not to exceed the amounts set forth as due at the end of any of the stages outlined herein.

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The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - WILLIAMSBURG NATIONAL BANK

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, That the Williamsburg National Bank of Williamsburg, Virginia, be and it is hereby designated a depository for the James City County School Construction Bond Issue of March 1, 1972, and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.  
Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.	Chairman
OR	
Mayo W. Waltrip	Vice-Chairman
John W. Watkins	Acting County Administrator
OR	
Betty W. Winstead	Administrative Assistant
Frances B. Whitaker	Treasurer
OR	
Eunice P. Stewart	Deputy Treasurer
OR	
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, That the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #1, Sanitary District #11, Toano Sewerage System, Payroll Deduction Fund Account, James City County Bond Issue

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1964-B Sinking Fund, James City County General Obligation Water Bonds - 1970, Courthouse Construction Fund and the James City County Subdivision Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or orders of the Board of Supervisors.

Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.	Chairman
	OR
Mayo W. Waltrip	Vice-Chairman
John W. Watkins	Acting County Administrator
	OR
Betty W. Winstead	Administrative Assistant
Frances B. Whitaker	Treasurer
	OR
Eunice P. Stewart	Deputy Treasurer
	OR
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: AGREEMENTS - SANITARY DISTRICT #3 AND TOANO SEWERAGE SYSTEM

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby requests the James City Service Authority to administer Sanitary District #3 and the Toano Sewerage System and that approval on matters involving Sanitary District #3 be obtained from the Board of Supervisors, until such time as an operating policy is in effect.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: FOWL CLAIM - MRS. W. O. JOHNSON

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the County Administrator to reimburse Mrs. W. O. Johnson for a fowl claim in the amount of \$14.00 for seven (7) chickens at \$2.00 each, killed by dogs.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PROCEDURES FOR SELECTION OF COUNTY ADMINISTRATOR

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following procedures for selecting a County Administrator.

1. (Board) Authorize the Chairman to appoint a screening committee.
2. (Board) Determine the qualifications desired.
3. (Committee) Advertise the vacancy.
4. (Committee) Receive and acknowledge applications.
5. (Committee) Exchange further information with applicants
6. (Committee) Contact references of better candidates.
7. (Committee) Bring 8-10 best applicants to Board for review.
8. (Board) Invite 3-4 applicants for interviews with Board.
9. (Board) Seek additional information about top candidates.
10. (Board) Offer position to best applicant.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following qualifications and salary:

While all applicants will be considered, preference will be given to those who have had appropriate training for public administration, and experience in a responsible county or city administrative position. Salary will depend on the qualifications of the applicant.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Donaldson emphasized that these qualifications left the selection open for those persons that do not have a formal education.

Mr. Frink appointed Mr. Waltrip and Mr. Edwards as a screening committee for the applications received for the County Administrator position.

Mr. Donaldson said he hoped this committee would consult with the citizens of the County as well as the Board.

RE: AMENDMENTS TO SANITARY DISTRICT #2 OPERATING POLICY

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following emergency amendments to the Sanitary District #2 Operating Policy:

SANITARY DISTRICT NO. 2  
OPERATING POLICY AMENDMENT

October 9, 1972

AN ORDINANCE TO AMEND A PART OF SECTION 5.03 (A), OF ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NO. 2, JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTION 118 AND 118.4, ARTICLE 1, CHAPTER 2, TITLE 21, AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

SECTION 1

Section 5.03 (a) Amended

1-1 Section 5.03 (a) shall read as follows:

(a) Meter Size	Availability Charge
5/8"	\$ 200.00
3/4"	250.00
1 "	300.00
1 1/4"	400.00
1 1/2"	500.00
2 "	600.00
3 "	cost + 400.00
4 "	cost + 600.00
5 "	cost + 800.00
6 "	cost + 1,000.00
8 "	cost + 1,200.00

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

SECTION 2

2-1 There deemed to be an emergency existing, the effective date of this ordinance shall be from its date of passage and legal application, and its provisions shall be in force for a period of sixty (60) days thereafter, save those provisions which may be amended or repealed.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise said amendments to the Sanitary District #2 Operating Policy for a public hearing to be held November 15, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONTRACTS - NEWPORT NEWS

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the Chairman to sign the following agreements:

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 1972, by and between the CITY OF NEWPORT NEWS, a Municipal Corporation in the Commonwealth of Virginia, hereinafter referred to as "City"; JAMES CITY COUNTY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as "County"; and the JAMES CITY SERVICE AUTHORITY, an authority incorporated and existing under the laws of the Commonwealth of Virginia, hereinafter referred to as: "Authority".

WHEREAS, the County and Authority desire to have public water service made available to an area of the County extending from the terminus of the City's existing 30-inch main at Kings Mill, the site of the Anheuser-Busch Brewery, along U. S. Route 60 to Black's Crossing (the junction of U. S. 60 East and State Route 199) to encourage the orderly growth and development of that portion of the County a part of which is located in the Authority Project Area No. 4; and

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WHEREAS, the City is willing to provide retail water service in such area of the County upon construction of the necessary water line without expense to the City;

NOW, THERE RE, for and in consideration of the premises and the mutual covenants and agreements herein contained, City, County and Authority hereby agree as follows:

1. The County will construct, or have constructed at its expense a 24-inch water line extending from the terminus of the City's existing 30-inch water main approximately one mile in a northwesterly direction along or near U. S. Route 60 to a point in the County known as Black's Crossing. The water line and all appurtenances thereto shall be designed and constructed in accordance with plans and specifications prepared by the City and upon completion it shall be conveyed to the City and maintained by it. The cost of construction of the said water line is estimated not to exceed the sum of \$135,000.00.

2. During construction of the water line the City agrees to keep accurate records of the cost of the Project and upon completion of the water line to certify in writing to the County and Authority the total cost of the line.

3. Upon completion of the water line, the City shall provide retail water service from such line and in accordance with the City's water policy and any City ordinances pertaining thereto, as from time to time are in effect but not inconsistent herewith, to such persons who may desire the same. After payment of service connection fees to the City by the Authority, the City shall collect only charges for consumption of water based on meter readings for the customers being served from the water line, based on rates which are on the same basis as those charged other customers in areas outside the City. As to the portion of the line in the Authority's Project Area, the Authority shall charge service charges and connection fees to customers being served from the water line.

4. The City shall reimburse the County the sum of \$100.00 for each active new connection along the route of the line which is (a) made during a period of ten (10) years from completion of the water line, (b) served from the water line, in accordance with the water policy of the City of Newport News, and any ordinances of the City pertaining thereto.

5. The City shall maintain flow conditions so as to provide residual pressure of not less than 50 pounds per square inch at all points along the water line.

6. In the event that the supply of water available to the City shall become inadequate to serve the areas then being served by it, the City policy for the conversation of water shall be uniform throughout all areas, whether within or without the City, which are being supplied with water by it.

7. The County agrees to promptly remit sufficient funds as needed to defray all costs of construction of the water line in sufficient time to complete construction prior to August 1, 1973, and the City agrees to construct the water line for the County and to complete construction prior to same date.

8. This Agreement shall be in effect for a period of fifty (50) years from its date. Upon expiration of the Agreement the parties hereto mutually agree to extend or renew this Agreement upon terms and conditions to be mutually agreed upon at that time.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed in its behalf by its City Manager and its seal to be affixed and attested by its City Clerk and the County has caused this Agreement to be executed in its behalf by the Chairman of its Board of Supervisors and its seal to be affixed and attested by the Clerk of its Board of Supervisors and the Authority has caused this Agreement to be executed in its behalf by its Chairman and its seal afixed and attested by its Secretary, each of them being duly authorized to so so.

CITY OF NEWPORT NEWS

By

W. E. Lawson, Jr., City Manager

ATTEST:

Louise M. Schmid, its City Clerk

JAMES CITY COUNTY

By

Its Chairman, Board of Supervisors

ATTEST:

Its Clerk, Board of Supervisors

JAMES CITY COUNTY AUTHORITY

By

Chairman

ATTEST:

Secretary



THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_ 1972, by and between the City of Newport News, a Municipal Corporation in the Commonwealth of Virginia, hereinafter referred to as "City"; JAMES CITY COUNTY, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as "County", and the JAMES CITY SERVICE AUTHORITY, an authority incorporated and existing under the laws of the Commonwealth of Virginia, hereinafter referred to as "Authority".

WHEREAS, the County, and Authority desire to have public water service made available in an area of the County extending from Black's Crossing (which is the junction of U. S. Route 60 east and State Route 199) along U. S. Route 60 to the terminus of an existing 12" water main now serving the Charisma Apartment Complex, east of the Easterly corporate limits of the City of Williamsburg to encourage the orderly growth and development of that portion of the County, which portion of the County is located in Authority Project Area No. 3; and

WHEREAS, the City is willing to provide retail water service in such area of the County upon construction and completion of the necessary water line without expense to the City;

NOW, THEREFORE, for and in consideration of the premises and the mutual covenants and agreements herein contained, the City, County and Authority hereby agree as follows:

1. The City shall construct, or cause to be constructed at its expense a water line consisting of approximately 3,000 linear feet of 16-inch pipe and 3,000 linear feet of 12-inch pipe extending from Black's Crossing approximately 6,000 linear feet in a northwesterly direction along or near U. S. Route 60 to the terminus of an existing 12-inch main east of the easterly corporate limits of the City of Williamsburg. The water line and all appurtenances thereto shall be designed and constructed in accordance with plans and specifications prepared by the City and upon completion shall be conveyed to the City and maintained by it. The cost of construction of the said water line is estimated not to exceed the sum of \$90,000.00.

2. During construction of the water line the City agrees to keep accurate records of the cost of the Project and upon completion of the water line to certify in writing to the County and Authority the total cost of the line.

3. Upon completion of the water line, the City shall provide retail water service from such line in accordance with the City's water policy, and City ordinances pertaining thereto, as from time to time are in effect but not inconsistent herewith, to such persons who may desire the same. After payment of service connection fees to the City by the Authority, the City shall collect only charges for consumption of water based on meter readings for the customers being served from the water line, based on rates which are on the same basis as those charged other customers in areas outside the City. The Authority shall charge service charges and connection fees to customers being served from the waterline.

4. The City shall reimburse the Authority the sum of \$100.00 for each active new connection in the County which is (a) made during a period (10) years from completion of the water line and (b) served from the water line, in accordance with the water policy of the City of Newport News and any ordinances of the City pertaining thereto.

5. The City shall maintain flow conditions so as to provide residual pressure of not less than 50 pounds per square inch at all points along the water line.

6. In the event that the supply of water available to the City shall become inadequate to serve the areas than being served by it, the City policy for the conservation of water shall be uniform throughout all areas, whether within or without the City, which are being supplied with water by it.

7. The City agrees to complete construction of the water line prior to August 1, 1973. The County and Authority shall repay the City in accordance with the following schedule:

First year	5%
Second year	5%
Third year	10%
Fourth year	10%
Fifth year	20%
Sixth year	20%
Seventh year	30%

8. This Agreement shall be in effect for a period of fifty (50) years from its date. Upon expiration of the Agreement the parties hereto mutually agree to exceed or renew this Agreement upon terms and conditions to be mutually agreed upon at that time.

IN WITNESS WHEREOF, the City has caused this Agreement to be executed in its behalf by its City Manager and its seal to be affixed and attested by its City Clerk and the County has caused this Agreement to be executed in its behalf by the Chairman of its Board of Supervisors and its seal to be affixed and attested by the Clerk of its Board of Supervisors and the Authority has caused this Agreement to be executed in its behalf by its Chairman and its seal affixed and attested by its Secretary, each of them being duly authorized to do so.

CITY OF NEWPORT NEWS

By  
W. E. Lawson, Jr., City Manager

October 9, 1972

ATTEST:

Louise M. Schmid, City Clerk

JAMES CITY COUNTY

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

JAMES CITY SERVICE AUTHORITY

By \_\_\_\_\_  
Chairman

ATTEST:

Secretary

The County Administrator was directed to take a roll call vote,  
which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: VOTER REGISTRAR - MRS. TRAUTMAN

A bill was presented to the Board from Mrs. Trautman for 140 hours of extra time at \$2.25 per hour, totalling \$315.00, plus two full days at \$20.00 per day, making a grand total of \$355.00.

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves \$355.00 for payment to Mrs. Trautman, said amount to be transferred from Contingency (18g) to Elections.

The County Administrator was directed to take a roll call vote,  
which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

The County Administrator was directed to draw a resolution of appreciation to Mrs. Trautman for adoption at the next meeting.

RE: BUILDING HEIGHT ORDINANCE

Mr. Watkins read the following ordinance:

#### BUILDING HEIGHT ORDINANCE

AN ORDINANCE TO REGULATE THE HEIGHT WHICH BUILDINGS MAY BE CONSTRUCTED; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS "THE BUILDING HEIGHT ORDINANCE OF JAMES CITY COUNTY, VIRGINIA," BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 504, and 510, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

#### ARTICLE 1 Definitions

1-1 Building:

Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

1-2 Building, Height of:

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the The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the structure to the highest point of the roof if a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip, or gambrel roof. For buildings set back from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building.

ARTICLE 2  
Height Regulation

2-1 No approval shall be given nor any permit issued for a building or buildings to be constructed over a height of thirty-five feet (35') within any area of James City County.

ARTICLE 3  
Penalties

3-1 Any person, firm or corporation, whether as principal, agent, employed or other-wise, violating, causing or permitting the violation of any of the articles, sections, subsections, regulations, or provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars nor more than three hundred (300) dollars, or imprisonment in the County jail, not to exceed thirty (30) days, or both. Each and every day during which any violation of this ordinance is committed, continued or permitted, shall constitute a separate offense and shall be punishable as herein provided.

ARTICLE 4  
Severability

4-1 Should any article, section, subsection, paragraph, clause or other provision of this ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

ARTICLE 5  
Conflicting Ordinances

5-1 All conflicting ordinances or parts thereof which are inconsistent with the provisions of this ordinance are hereby repealed.

ARTICLE 6  
Effective Date

6-1 There deemed to be an emergency existing the effective date of this ordinance shall be from its date of passage and legal application, and its provisions shall be in force for a period of sixty (60) days thereafter, save those provisions which may be amended or repealed.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above emergency ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Abstain
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the Planning Commission to study the problem of building heights and report to the Board within a thirty (30) day period.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

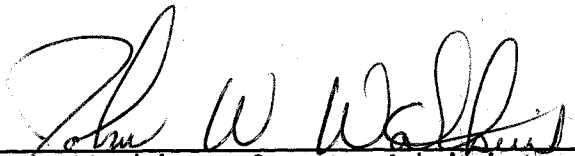
Motion carried by a unanimous vote.

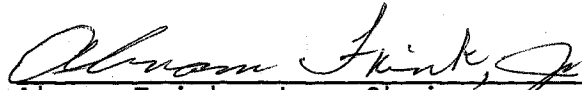
Mr. Frink notified the press that the Board will hold a public meeting and adjourn to executive session, Thursday, October 12, 1972, at 7:30 P.M., in

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 October 12, 1972  
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the County Office Building in Toano, to discuss personnel matters.

There being no further business, the meeting was adjourned.

  
 John W. Watkins, County Administrator

  
 Abram Frink, Jr., Chairman

At a meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the County Office Building in Toano, Virginia, on the twelfth day of October, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

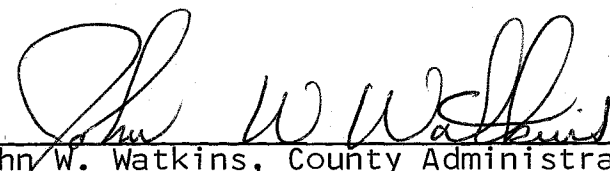
RE: EXECUTIVE SESSION


On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, adjourns the public meeting to executive session to discuss personnel matters.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
 John W. Watkins, County Administrator

  
 Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-fourth day of October, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, and MR. JOHN W. WATKINS, County Administrator.

RE: HIGHWAY MATTERS  
 ROUTE 656 - MAGRUDER AVENUE - CUL-DE-SAC

Mr. Yeatts said that the Highway Department is still working on the cul-de-sac.

RE: SIDEWALKS - RAWLS BYRD SCHOOL

Mr. Yeatts said he was waiting for the Traffic Engineer's Report.

RE: CARRIAGE ROAD AND ALESA DRIVE

Mr. Donaldson said some needed improvements has been made.

RE: KINGSPPOINT DRIVE - POT HOLE

Mr. Yeatts said this would be done soon.

RE: RESOLUTION - WILLIAMSBURG WEST

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following

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resolution:

WHEREAS, the developer of Williamsburg West Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Williamsburg West Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description:

Lexington Drive      0.23 mi.  
From:      County Club Drive  
To:      0.23 mi. West

A Right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Williamsburg West Subdivision, Section 1-A, Plat Book 26, Page 3.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Williamsburg West Subdivision and the Resident Engineer of the Department of Highways.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: FISCAL SUMMARY

Mr. Yeatts presented a fiscal summary of work on secondary systems in the County for the Board's study.

RE: OLD BUSINESS  
OLD COLONY BANK - WATER REQUEST

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby denies the request from Old Colony Bank, for a permanent water connection with the City of Williamsburg.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: NATIONAL ASSOCIATION OF COUNTIES

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby instructs the County

October 24, 1972

Administrator to take the necessary steps to assure membership to the National Association of Counties and that the sum sufficient for dues be appropriated.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RECOMMENDATION FROM PLANNING COMMISSION - BUILDING HEIGHTS

The following recommendations were made from the Planning Commission:

"That the heights of thirty-five feet and sixty feet as stated in the existing B-1 Ordinance are suitable for the needs of the County, however, consideration should be given as to whether parking should be allowed in a side yard.

Further recommendations:

Amend Section 8-5-1 of the Zoning Ordinance as follows:

8-5-1 The height limit for business structures may be increased up to sixty (60) feet from grade provided there are two (2) side yards for each permitted use, each of which is ten (10) feet or more, plus one (1) foot or more of side yard for each additional foot of building height over thirty-five (35) feet.

In addition amend 8-5-2 as follows:

8-5-2 For buildings over sixty (60) feet in height, approval shall be obtained from the Administrator. Chimneys, flues, cooling towers, flag poles, radio or communication towers or their accessory facilities not normally occupied by workmen are excluded from this limitation. Parapet walls are permitted up to four (4) feet above the limited height of the building on which the walls rest.

Amendment 8-5-3 should be deleted allowing 8-5-4 to become 8-5-3.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, he Board of Supervisors of the County of James City, Virginia, hereby receives the recommendations of the Planning Commission and that the Board will continue to study the matter before any action is taken on a public hearing.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - REGISTRAR

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Mrs. Judith E. Trautman has transferred all James City County Voter Registration information to a computer system, thus enabling James City to become the first County to meet the State requirement for completion date on an accurate basis, and

WHEREAS, Mrs. Trautman has given unselfishly of her time in keeping abreast of all Election Laws; helping all citizens with voter registration problems, and devoted many long extra work hours in an effort to provide a spirited County service.



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Now, Therefore, Be It RESOLVED, the Board of Supervisors of James City County, hereby recognizes the outstanding service of Mrs. Trautman during this period of transition and extends their appreciation for a job well done.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: COMMUNITY ACTION AGENCY - TRANSPORTATION

Mr. Frink read the following letter:

October 12, 1972

The Honorable W. L. Person, Jr.  
Commonwealth's Attorney for James City County  
Courthouse  
Williamsburg, Virginia 23185

My dear Mr. Person:

This is in reply to your recent letter, which reads as follows:

"I would appreciate your opinion as to whether or not the Board of Supervisors of James City County, Virginia, have the Authority to appropriate monies to the Williamsburg-James City County Community Action Agency to aid in their operation of a transportation service in James City County for County residents."

The authority of the Board of Supervisors to appropriate public funds upon the existence of statutory authority authorizing the appropriation.

I am unable to find any statute authorizing the Board of appropriate funds to operate a transportation service as is contemplated and, therefore, it cannot aid in the operation of the proposed service.

With kindest regards, I remain

Sincerely yours,

/s/ Andrew P. Miller  
Andrew P. Miller  
Attorney General

2;39S25

After a general discussion, the Board agreed to refer the matter back to the Commonwealth's Attorney.

RE: APPOINTMENTS  
ELECTRICAL EXAMINING BOARD - 12/31/72  
PLUMBING EXAMINING BOARD - 12/31/72  
MENTAL HEALTH SERVICE BOARD - 12/31/72 (BLAIR)  
HIGHWAY SAFETY COMMISSION - 12/72

These were tabled.

RE: AMENDMENT - PLUMBING CODE ORDINANCE  
AMENDMENT - ELECTRICAL CODE ORDINANCE

Mr. Watkins stated that the Plumbers' Examining Board has recommended the following proposed amendment to the Plumbing Code Ordinance:

Section 109.2 Plumbers' Examining Board, Paragraph 2, delete and replace as follows:

"Both the plumbing contractor and the journeyman plumber shall have had five year' experience in their field. The members of the plumbers' examining board, except for the plumbing inspector, shall be appointed by the Board of Supervisors. Of the members appointed, one shall be appointed for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and thereafter they shall be appointed for terms of four years.

Further, the Electricians' Examining Board recommends the following proposed amendment to the Electrical Code Ordinance:

"Both the electrical contractor and the journeyman electrician shall have had five years' experience in their field. The members of the electrician's examining board, except for the electrical inspector, shall be appointed by the Board of Supervisors. Of the members

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appointed, one shall be appointed for a term of one year; one for a term of two years, one for a term of three years; one for a term of four years; and thereafter they shall be appointed for terms of four years."

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise the above proposed amendments for a public hearing to be held December 11, 1972, at 7:30 P.M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - SHERIFF DEPARTMENT

Mr. Watkins reported a request from the Sheriff's Department for an additional car.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby instructs the County Administrator to place an order to the State Department of Purchasing with the understanding that an appropriation of the sum sufficient will be made.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: UTILITIES - BUSCH PROPERTIES, INC.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Water and Sewerage Committee.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: KRISTIANSAND - WATER SUPPLY SYSTEM

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Water and Sewerage Committee.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

October 24, 1972

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of October, 1972.

General Fund - Checks #5947 through #6116  
Totalling - \$265,987.42

James City County Sanitary District #2 -  
Checks #119 through #122  
Totalling - 6,299.22

Toano Sewage System - Checks #210 through #213 -  
Totalling- 2,481.78

James City County School Construction Bond Issue  
of March 1, 1972  
Check #108 -  
Totalling -- \$281,400.00

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BURNING

Mr. Waltrip stated ha had had several calls on whether it was permissable to burn leaves and/or trash.

Mr. Scruggs, Forrest Warden, stated that at this time, it is permissable to burn leaves and trash. He did provide a telephone number to the State Air Pollution Board (770-2378) which would answer any questions persons have on burning.

The County Administrator was instructed to look into a local ordinance to indicate what options might be made on burning.

RE: SOCIAL SERVICES

The Board agreed to meet with the Social Services Board on November 1, 1972, at 3:30 P. M., in executive session to discuss transportation problems and space problems.

RE: WATER AGREEMENT - NEWPORT NEWS

Mr. Hazelwood, Chairman of the James City Service Authority, approached the Board on the signing of the agreement with Newport News on the water line from Black's Crossing to the Williamsburg City limits. He requested that the Board had authorized the Chairman to sign same and this has not been done. He stressed that time was of great importance.

Mr. Frink said he has stated his position before, that he would not sign this agreement until matters has been settled with the Highway Department on a certain parcel of land in his district.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees that if the Chairman feels he cannot execute the agreement by Friday of this week, that the Vice-Chairman be authorized to sign said agreement which covers the location from Black's Crossing to the Williamsburg City limits.

Mr. Frink relinquished the Chair to the Vice-Chairman.

October 26, 1972  
October 24, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Nay
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Nay

The vote was declared a tie.

The Vice-Chairman returned the Chair to the Chairman, who called a five minute recess to allow the County Administrator to try to get in touch with Mr. Maloney the Tie Breaker.

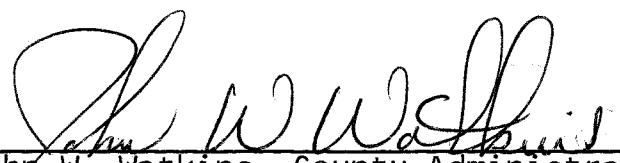
After a five minute recess, the County Administrator advised the Board that he was unable to reach Mr. Maloney. He further explained that the Board should recess the meeting to be reconvened to receive Mr. Maloney's vote and at that time Mr. Maloney could request a continuance not to exceed thirty (30) days.


On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting to reconvene on Thursday, October 26, 1972, at 7:30 P.M. The Board further directed the County Administrator to notify the tie breaker of same and to brief him on the issue before the Board. It is understood that this will be, only if the document is unexecuted.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-sixth day of October, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, Mr. JAMES E. MALONEY, Tie Breaker and MR. JOHN W. WATKINS, County Administrator.

RE: WATER AGREEMENT - NEWPORT NEWS

Mr. Maloney, Tie Breaker, appeared before the Board and casted his vote as Nay, with reference to the motion that the Vice-Chairman be allowed to sign the agreement in question.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby ratifies the motion made October 9, 1972, authorizing the Chairman to sign both water agreements with Newport News.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

November 1, 1972  
October 26, 1972

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: COUNTY APPRAISER - SANITARY DISTRICT #II

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the County Administrator to employ an appraiser for Sanitary District #II, for possible condemnation of property.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

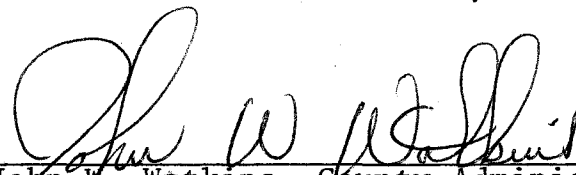
Motion carried by a unanimous vote.

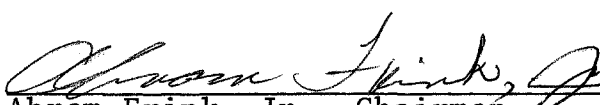
On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting to reconvene November 1, 1972, at 3:30 P. M., in the EOC Building in Toano.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the County Office Building, Toano, Virginia, on the first day of November, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

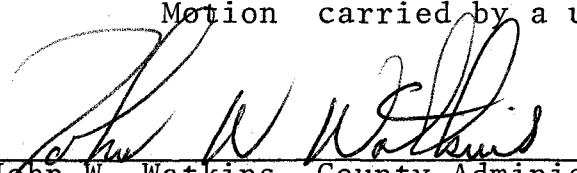
General discussion was held on office space and transportation requirements of the Department of Social Services.

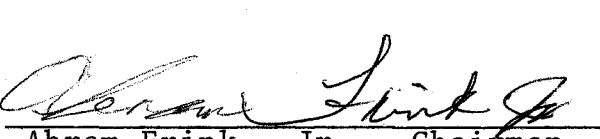
On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting to reconvene on November 6, 1972, at 7:30 P. M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

November 10, 1972  
November 6, 1972

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the sixth day of November, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: EXECUTIVE SESSION

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss matters which may pertain to a public hearing.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

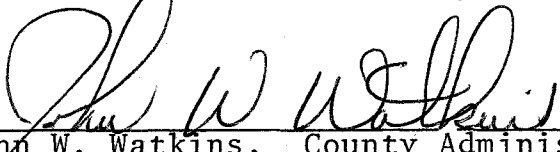
RE: ADJOURNMENT

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns the meeting to reconvene on Friday, November 10, 1972, at 4:00 P. M.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the tenth day of November, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: BUILDING HEIGHTS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby tables the building heights matter until November 15, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.



November 10, 1972

RE: FIRE MARSHAL

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City recognizes the present and future fire protection requirements necessary for the citizens, businesses and industries of James City County, and

WHEREAS, the Board intends to adopt regulations to insure a county wide fire prevention and fire extinguishment program to insure the safety and welfare of its present and future citizens from torment of fire, and

WHEREAS, to accomplish the above, a responsible position in County government should be created to place an individual to develop, implement and administer such a program.

Now, Therefore, Be It RESOLVED, that this Board of Supervisors of the County of James City, pursuant to Section 30, Chapter 3, Title 27, Code of Virginia, 1950 as amended, does hereby create the position of Fire Marshal and does initially appoint to this position Garland L. Woody, who shall, as initial compensation, receive \$15,000.00 per annum, as well as other benefits now or in the future afforded other County employees. Such compensation and benefits shall be disbursed in the same manner and form as that received by other County employees and employment shall commence on December 1, 1972.

Be It Further Resolved, that this Board does place upon this position the initial responsibility to develop a fire prevention and fire extinguishment program to be submitted to and approved by this Board.

It was noted that the Board received a letter from Mr. Woody, accepting the position.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS ZONE - ZONING ORDINANCE

Mr. Frink made the following statement:

"Recently the Director of Planning was requested to prepare a recommendation for the creation of a new business zone in the County Zoning Ordinance, and to study the Route 60-E Corridor in respect to future commercial development between the city limits of Williamsburg and Blacks Crossing.

The Board has reviewed Mr. Covey's preliminary proposal and is advised that a revised draft will be completed so that it might be presented to the Planning Commission on November 14.

Therefore I move that the Planning Director be directed to present his proposal to the Planning Commission on November 14; and that the Commission be requested to concur with the Board that we conduct a joint public hearing on this proposal on December 11 at the regular meeting of the Board.

If the Planning Commission concurs with a joint public hearing on the proposal, the County Administrator is directed to advertise for such a hearing on the proposal as submitted to or amended by the Planning Commission."

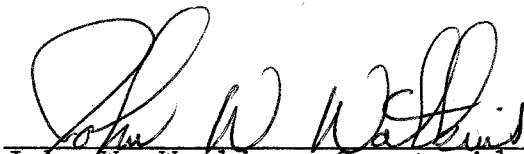
The motion was seconded by Mr. Edwards.


The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

November 15, 1972

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the fifteenth day of November, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of October 24 and 26, November 1, 6 and 10, 1972, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
 APPROPRIATIONS AND EXPENDITURES REPORT  
 TREASURER'S REPORT  
 COUNTY ADMINISTRATOR'S REPORT  
 ZONING ADMINISTRATOR'S REPORT  
 BUILDING PERMIT REPORT  
 PROBATION DEPARTMENT REPORT  
 DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The County administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARING  
 AMENDMENTS - SANITARY DISTRICT #II

Mr. Watkins read the following proposed amendments to the Operating Policy for Sanitary District #II:

#### SANITARY DISTRICT NO. 2

#### OPERATING POLICY AMENDMENT

AN ORDINANCE TO AMEND A PART OF SECTION 5.03 (A), OF ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NO. 2, JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 118 AND 118.4, ARTICLE 1, CHAPTER 2, TITLE 21, AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

#### SECTION 1

#### Section 5.03 (a) Amended

1-1 Section 5.03 (a) shall read as follows:

(a) <u>Meter Size</u>	<u>Availability Charge</u>
5/8"	\$ 200.00
3/4"	250.00
1"	300.00
1-1/4"	400.00
1-1/2"	500.00

November 15, 1972

Meter Size		Availability Charge	
2	"		\$ 600.00
3	"	cost +	400.00
4	"	cost +	600.00
5	"	cost +	800.00
6	"	cost +	1,000.00
8	"	cost +	1,200.00

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

SECTION 2

EFFECTIVE DATE

2-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

The hearing was opened for public comment. There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above amendments to the Operating Policy for Sanitary District #II.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: INDIGO PARK AREA STREET LIGHTS

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the street light committee to install the following lights in the Indigo Park area which includes Jamestown Farms and Canterbury Hills:

- 1. The addition of twenty (20) new lights, total cost (rental) \$460.00 per year.
- 2. Conversion of twenty-one (21) old style, total cost (rental) \$105.00 per year.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: KRISTIANSAND WATER SYSTEM

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Water and Sewerage Study Committees and approves the Kristiansand Water System.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

November 15, 1972

IN RE: BUSCH PROPERTIES UTILITIES

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Water and Sewerage Study Committee and approves the Busch Properties Utilities System.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BUILDING HEIGHTS

Mr. Covey, Planning Director, discussed his Height Analysis prepared for the Board. He further explained his suggested height and related amendments for the B-1 Zone District in the Zoning Ordinance, which are as follows:

## ZONING ORDINANCE AMENDMENT

AN ORDINANCE TO AMEND SECTIONS 3, 4 AND 5, ARTICLE 8; AND ADD SECTIONS 89, 90 ARTICLE 17, OF THE ZONING ORDINANCE OF JAMES CITY COUNTY VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 486 THROUGH 498, ARTICLE 8, AND SECTION 431, ARTICLE 1, CHAPTER 11, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

## SECTION 1

## Article 8 Amended

1-1 Article 8, Section 3 amended to read:

## 8-3. SETBACK REGULATIONS

Buildings shall be located fifty (50) feet or more from any street right of way or sixty (60) feet from the centerline of the road, whichever is greater.

1-2 Article 8, Section 4 amended to read:

## 8-4. PERIMETER OPEN SPACE REGULATIONS

For permitted uses a ten (10) foot minimum perimeter landscaped area shall be provided adjoining the property lines. Such landscaped areas shall not be used for parking, but necessary curb cuts will be allowed. In addition, a ten (10) foot perimeter planting strip shall be provided adjacent to buildings. Such planting areas shall be landscaped except for necessary service entrances and walkways, and shall not be used for parking. In no case shall walkways exceed a maximum width of five (5) feet.

1-3 Article 8, Section 5 amended to read:

## 8-5. HEIGHT REGULATIONS

Buildings may be erected up to one hundred (100) feet in height from grade in accord with the following criteria:

<u>Maximum Height</u>	<u>Maximum Bldg. Coverage</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Open Space</u>
Up to 3 floors or 35 feet	20%	.6	30% <sup>1</sup>
Over 35 feet or 4 floors or more	20%	.6 <sup>2</sup>	40% <sup>1.3</sup>

1

The minimum open space land area may in no case be less than the 30% or the total area in required open space whichever is greater.

2

An increase of 25% to .75 FAR may be permitted if the additional floor area is used for inside parking space.

3

This percentage may include the perimeter open space but shall in any case be open space contiguous to such perimeter open space.

November 15, 1972

- 1-4 A. Article 8, Section 5, Subsection 1, (8-5-1) is rescinded.
- B. Article 8, Section 5, Subsection 2, (8-5-2) is rescinded.
- C. Article 8, Section 5, Subsection 3, (8-5-3) is reclassified as, Article, 8, Section 5, Subsection 1. (8-5-1)
- D. Article 8, Section 5, Subsection 4, (8-5-4) is reclassified as, Article 1, Section 5, Subsection 2. (8-5-2)

SECTION 2

Additions to Article 17

2-1 Sections 89 and 90 are added to Article 17 as follows:

17-89 FLOOR AREA

The total number of square feet or floor space within the exterior walls of a building, not including space in cellars or basements.

17-90 FLOOR AREA RATIO

A mathematical expression determined by dividing the total floor area of a building by the area of the lot on which it is located, as:

$$\frac{\text{Floor area}}{\text{Lot area}} = \text{Floor Area Ratio}$$

SECTION 3

EFFECTIVE DATE

3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a joint public hearing with the Planning Commission on December 14, 1972, at 7:30 P.M., on amending the above amendments.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Donaldson said that it is understood that an "open space" definition be included in these amendments.

RE: TRI-AREA MERGER FEASIBILITY STUDY REPORT

Mrs. Douglas, Chairman of the Agency Services Committee made a report on the progress of the feasibility study of the possible merger of Social Services Departments of James City County, Williamsburg and York County, She stated that the present direction is focused on gathering data needed to study all possibilities of the feasibility of a merger.

RE: TOANO SEWERAGE - ACCOUNTS RECEIVABLE

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby removes from the outstanding accounts receivable for Toano Sewerage System, the following items, as uncollectable items:

- 3/6/70 #9 - Robert Houston left area without paying \$45.00 - whereabouts unknown.
- Prior to:  
1/24/69 #56 - \$70.00 Party unknown.

November 15, 1972

11/11/71 #22 - \$219.00 - Party died - house unoccupied  
 " #23 - \$210.00 - " " " "  
 " #24 - \$210.00 - " " " "  
 " #25 - \$234.00 - " " " "  
 All unoccupied (2) for twelve years.

10/18/72 # 4 - \$ 27.00 - Vacant - Party unknown.

10/18/72 #17 - \$ 10.00 - House was demolished.

Total outstanding accounts receivable is \$1,025.00.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REIMBURSEMENT - REAL ESTATE TAXES - A.A. Rowland - BOARD OF EQUALIZATION

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, The Board of Equalization of Real Estate Assessment for the County of James City, entered an order dated November 15, 1971, changing the assessment of the Rowland property, adjacent to the Griffith property, recorded in the Stonehouse Land Book, Page 161, Line 12, from \$3,410.00 to \$2,700.00, and

WHEREAS, the Land Book has been changed and the assessment so equalized, and

WHEREAS, A. A. Rowland has paid the amount of \$143.22 to the Treasurer of James City County, and

WHEREAS, this equalized assessment represents a refund of \$29.82,

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, directs the County Administrator to draw a check in the amount of \$29.82, payable to A. A. Rowland.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BIDS - SANITARY DISTRICT #2

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for bids for the construction of the water and sewerage system in Sanitary District #2, bid opening being on December 19, 1972, at 2:00 P.M., in the Courthouse.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HOLIDAY - THANKSGIVING DAY - NOVEMBER 23, 1972

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:



November 15, 1972

WHEREAS, in accordance with Section 2.1-21, Code of Virginia, 1950, as amended, the twenty-third day of November (Thanksgiving Day), shall be a legal holiday as to the transaction of all county business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the twenty-third day of November 1972, as a legal holiday for county offices and employees.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SERVICE AUTHORITY REQUEST

Mr. Watkins reported he had received a letter of request from the Service Authority, recommending to the Board that the cost of approximately 850' of 8" water line to serve Wisteria Gardens, be rebatable to Mr. Triska in accordance with the usual policy.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby tables the matter until further information can be obtained on same.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Edwards	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LETTER - NAACP

Mr. Frink reported he had received a letter from Reverend Tabb, President of the Local NAACP Chapter, inviting the Board to hear Roy Wilkins' speech at the Lodge on November 24, 1972. The NAACP has requested that November 24, 1972, be proclaimed Roy Wilkins Day.

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby proclaims November 24, 1972, as Roy Wilkins Day.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REZONING - SAINT GEORGE'S HUNDRED

Mr. Watkins reported that the Planning Commission has recommended that Saint George's Hundred, owned by Mr. Phil Murray, and located on Route 5, adjacent to Powhatan Creek, be rezoned from A-1 to R-1.

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby instructs the County Administrator to advertise for a public hearing to be held December 11, 1972, at 7:30 P.M., on the proposed rezoning of Saint George's Hundred from A-1 to R-1.

November 15, 1972

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BUILDING HEIGHTS

Mr. Covey suggested to the Board that the amendment for the 100 ft. building height be advertised, instead, for 60 foot, thus leaving the way clear for the Board not to be obligated to the 100 foot.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby rescinds the previous motion on advertising the amendment changes in the B-1 zone of the Zoning Ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing, to be held December 4, 1972, at 7:30 P.M., the proposed amendments in the B-1 zone of the Zoning Ordinance as previously stated, with the exception of the 100 foot building height, changing it to read 60 feet.

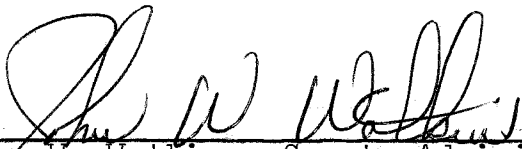
The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Edwards discussed the revenue sharing program and also advised that approximately thirty applications have been received for the position of County Administrator.

There being no further business, the meeting was adjourned.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-seventh day of November, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

November 27, 1972

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
SIDEWALKS - RAWLS BYRD SCHOOL

Mr. Yeatts reported that the Highway Department feels that it is not necessary to have sidewalks along either of the streets at Rawls Byrd School, in order to have pedestrian safety. He further commented that the streets are wide enough to accommodate both traffic and pedestrians in a safe manner. He advised the Board that the Highway Department plans to mark the pavement with the message "School" in advance of the school property on Laurel Lane. Further, an advance stop sign for motorists driving on Laurel Lane to Brookwood Lane will be installed.

RE: KINGSPPOINT DRIVE - POT HOLE

Mr. Donaldson stated this had been done.

RE: SECONDARY SYSTEM ADDITION - ROUTE 60 WEST

Mr. Watkins reported that this road has been returned to the Secondary System for maintenance.

RE: CENTERVILLE ROAD - SPEED STUDY

Mr. Waltrip requested that a speed study be made on Route 614 to Route 60, reducing the speed from 55 MPH to 45 MPH.

RE: CUL-DE-SAC - ROUTE 656

Mr. Yeatts stated that as soon as dry weather sets in, this cul-de-sac will be completed.

RE: ROUTE 199 - ROUTE 5

Mr. Edwards asked if Route 5 would be under construction as long as Route 199 is being constructed.

Mr. Yeatts replied that the entire section will be under construction until the entire project is completed.

RE: JOHN MARION - WATER REQUEST - CONNECTION

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Water and Sewerage Committee for their review.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: ELECTORAL BOARD REQUEST

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors

November 27, 1972

of the County of James City, Virginia, hereby requests from the Electoral Board a supplement appropriation of \$1,000.00 for the purchase of twelve voting machines.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SERVICE AUTHORITY REQUEST

Mr. Watkins stated he had received proposed amendments for the Operating Policy for Sanitary District #2 from the Service Authority.

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Water and Sewerage Committee for review.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RAILROAD COMPANIES CLEANING RIGHTS-OF-WAY  
MR. AUGSBURGER

Mr. Augsburger of the District Forestry Service, appeared before the Board explaining and reading the following resolution, which he requested the Board to adopt:

WHEREAS, Section 56-426 of the Code of Virginia requires that "Every railroad company shall keep its right-of-way clear and free from weeds, grass, and decayed timber, which from their nature and condition are combustible material, liable to take and communicate fire from passing trains to abutting or adjacent property." and

WHEREAS, There is before the 1973 session of the Virginia General Assembly House Bill #895 which would repeal Section 56-426, thus permitting the railroads to create and maintain a right-of-way condition which would create a dangerous fire hazard to adjacent property,

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of James City, Virginia, does urge the respective members of the General Assembly of Virginia to vote against House Bill No. 895 and retain Section 56-426 in the Code of Virginia.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above resolution.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: TERMS OF OFFICE - PLANNING COMMISSION

Mr. Edwards requested that the Planning Commission be placed on staggering terms, effective January 15, 1972. He stated that he had talked with every member of the Planning Commission and they were in agreement.

After a general discussion, the following motion was presented:

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On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests that each of the Planning Commission submit his resignation effective January 15, 1973, with the understanding that each member who wishes to continue serving will be reappointed for a term of one, two, three or four years, as set forth in Section 15. 1-437 of the Code of Virginia. Members will be selected at random to determine length of term.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: TRANSFER OF FUNDS - FIRE DEPARTMENT - COUNTY

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby transfer \$50,000.00 from 19-600J, Fire Protection to a new category, 7C Fire Department - County.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of November, 1972:

General Fund - Checks #6117 through #6297  
Totalling - \$328,775.53

James City County Sanitary District #1 -  
Check #181  
Totalling - \$4,658.25

James City County Sanitary District #2 -  
Checks #123 through #128  
Totalling - \$4,219.85

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PENINSULA PLANNING DISTRICT COMMISSION - DRUG ABUSE COMMITTEE

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby appoints John E. Donaldson to the Drug Abuse Committee as a representative for the Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

December 4, 1972  
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RE: LANDFILL

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to secure bids for contract on the operation of the County Landfill and Dog Pound.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

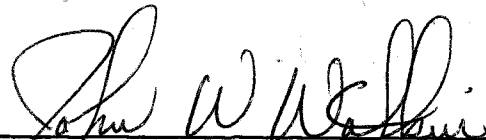
Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

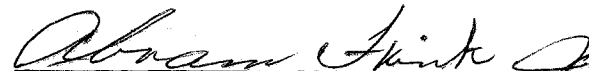
Motion carried by a unanimous vote.

RE: REAL ESTATE TAX EXAMPTION - PERSONS SIXTY-FIVE AND OVER

The Board requested the County Administrator to obtain the necessary information on the above referenced for the next meeting.

There being no further business, the meeting was recessed to executive session to discuss personnel matters with the County Administrator.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a joint public hearing of the Board of Supervisors and the Planning Commission of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the fourth day of December, nineteen hundred and seventy-two, there were present from the Board of Supervisors: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator. Planning Commission members present: MR. W. J. SCRUGGS, SR., Chairman, MR. A. G. BRADSHAW, Vice-Chairman, MR. JACK D. EDWARDS, MR. JAMES E. HICKS, MR. B. N. HOAR, MR. RAYMOND H. MINKINS, MR. ALBERT L. WHITE, LLL, MISS NANCY STURGEON, Secretary and MR. CRAIG COVEY, Director of Planning.

RE: PUBLIC HEARING - BUILDING HEIGHTS AMENDMENTS

Mr. Covey, Director of Planning explained the proposed amendments in detail.

Mr. Frink, Chairman, opened the hearing for public comments.

Mr. Mal Rowe, Mr. Clarence Douglas, Mrs. Garland Roberts and Mr. Robert Berry, property owners, expressed their objections to the proposed amendments.

Mr. A. B. Smith, Jr., representing American Realty Trust, requested that the height limitation be placed at 120 feet. He also requested that several other changes be included, mainly changing the phraseology of some amendments, making the intent clearer.

Several questions were asked of Mr. Smith on the safety features of the proposed motel to be constructed. These questions were answered by the Architect from the firm. He stated that the entire building will be solid concrete. He further stated that a sprinkler system is not in the present plans



December 4, 1972

and this matter seemed to be of great concern to the members of the Board and Planning Commission .

After further discussion, the Chairman of the Board closed the hearing.

After an earnest conversation, it was agreed to recess the meeting.

The meeting was reconvened with the Planning Commission presenting the following motion:

On a motion by Mr. White, seconded by Mr. Hoar, the Planning Commission of the County of James City, Virginia, hereby recommends the following motion:

SECTION 1

Article 8 Amended

The Planning Commission defers action on the following amendments:

1-1 Article 8, Section 3 amended to read:

8-3. SETBACK REGULATIONS

Buildings shall be located fifty (50) feet or more from any street right of way or sixty (60) feet from the centerline of the road, whichever is greater.

1-2 Article 8, Section 4 amended to read:

8-4. PERIMETER OPEN SPACE REGULATIONS

For permitted uses a ten (10) foot minimum perimeter landscaped area shall be provided adjoining the property lines. Such landscaped areas shall not be used for parking, but necessary curb cuts will be allowed. In addition, a ten (10) foot perimeter planting strip shall be landscaped except for necessary service entrances and walkways, and shall not be used for parking. In no case shall walkways exceed a manimum of width of five (5) feet.

FOOTNOTE NUMBER 3  
3

This percentage may include the perimeter open space but shall in any case be open space contiguous to such perimiter open space.

17-91 PERIMETER OPEN SPACE

Space suitable for recreation, gardens, or landscaping. Such space must be free of automotive traffic, parking, and undue hazard, and readily accessible by all those for whom it is required.

The Planning Commission recommends to the Board the adoption of the following amendments in addition to adding "E".

SECTION 1

Article 8, 8

Article 8 Amended

1-3 Article 8, Section 5 amended to read:

8-5. HEIGHT REGULATIONS

Buildings may be erected up to sixty (60) feet in height from grade in accord with the following criteria:

<u>Maximum Height</u>	<u>Maximum Bldg. Coverage</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Open Space</u>
Up to 3 floors or 35 feet	20%	.6	30% <sup>1</sup>
Over 35 feet or 4 floors or more	20%	.6 <sup>2</sup>	40% <sup>1</sup>

<sup>1</sup>  
The minimum open space land area may in no case be less that the 30% or the total area in required open space whichever is greater.

<sup>2</sup>  
An increase of 25% to .75 FAR may be permitted if the additional floor area is used for inside parking space.

December 4, 1972

- 1-4 A. Article 8, Section 5, Subsection 1, (8-5-1) is rescinded.  
 B. Article 8, Section 5, Subsection 2, (8-5-2) is rescinded.  
 C. Article 8, Section 5, Subsection 3, (8-5-3) is reclassified as, Article 8, Section 5, Subsection 1. (8-5-1)  
 D. Article 8, Section 5, Subsection 4, (8-5-4) is reclassified as, Article 8, Section 5, Subsection 2. (8-5-2)  
 E. Article 8, Section 5, Subsection 3 (8-5-3) is added as follows:  
 Additional height above sixty (60) feet with a Conditional Use Permit.

## SECTION 2

## Additions to Article 17

- 2-1 Sections 89 and 90, are added to Article 17 as follows:

## 17-89 FLOOR AREA

The total number of square feet of floor space within the exterior walls of a building, not including space in cellars or basements.

## 17-90 FLOOR AREA RATIO

A mathematical expression determined by dividing the total floor area of a building by the area of the lot on which it is located, as:

$$\frac{\text{Floor area}}{\text{Lot area}} = \text{Floor Area Ratio}$$

## SECTION 3

## EFFECTIVE DATE

- 3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Bradshaw	-	Nay
Mr. Edwards	-	Yea
Mr. Hicks	-	Yea
Mr. Hoar	-	Yea
Mr. Minkins	-	Yea
Mr. White	-	Yea
Mr. Scruggs	-	Abstain

Motion carried by a majority vote of 5 to 2.

Mr. Scruggs stated that the deferred matters will be taken up at their next meeting on December 12, 1972.

There being no further business of the Planning Commission, their meeting was adjourned.

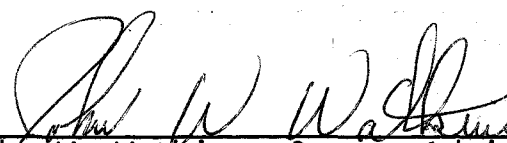
On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby receives the recommendations of the Planning Commission and tables same until December 11, 1972.


The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

There being no further business, the meeting was adjourned.

  
 John W. Watkins, County Administrator

  
 Abram Frink, Jr., Chairman

December 11, 1972

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eleventh day of December, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. JOHN W. WATKINS, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of November 27 and December 4, 1972, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
APPROPRIATIONS & EXPENDITURES REPORT  
TREASURER'S REPORT  
COUNTY ADMINISTRATOR'S REPORT  
ZONING ADMINISTRATOR'S REPORT  
BUILDING PERMIT REPORT  
DOG WARDEN'S REPORT

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports for the month of November 27, 1972 and December 4, 1972.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
PROPOSED AMENDMENT

Mr. Watkins read the following proposed amendment:

"Both the electrical contractor and the journeyman electrician shall have had five years' experience in their field. The members of the electricians' examining board, except for the electrical inspector, shall be appointed by the Board of Supervisors. Of the members appointed, one shall be appointed for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and thereafter they shall be appointed for terms of four years."

Mr. Frink opened the hearing for public comment. There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above amendment to the Electrical Code Ordinance.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

December 11, 1972

RE: PROPOSED AMENDMENT - PLUMBING CODE ORDINANCE

Mr. Watkins read the following proposed amendment:

"Both the plumbing contractor and the journeyman plumber shall have had five years' experience in their field. The members of the plumber's examining board, except for the plumbing inspector, shall be appointed by the Board of Supervisors. Of the members appointed, one shall be appointed for a term of one year; one for a term of two years; one for a term of three years; one for a term of four years; and thereafter they shall be appointed for terms of four years."

The hearing was opened for public comment. There being none, the hearing was closed.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the above amendment.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REZONING CASE #72-71 - PROPERTY OF DAVID M. MURRAY & FRANCES M. WHITE -  
A-1 to R-1

Mr. Watkins read the following request:

"Rezoning case #72-21, the rezoning of property owned by David M. Murray and Frances M. White, located on Route 5 near Powhatan Creek, from A-1 to R-1."

The hearing was opened for public comment.

Mr. D. Martin, representing the owners, stated this could be a tremendous upgrading of the area.

There being no further comments, the hearing was closed.

On a motion by Mr. White, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby rezones the David M. Murray and Frances M. White property (Rezoning Case 72-21) from A-1 to R-1.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: JOINT PUBLIC HEARING - PROPOSED AMENDMENTS TO ZONING ORDINANCE - B-2

The Planning Commission called their meeting to order with the following members present: MR. W. J. SCRUGGS, SR., Chairman, MR. A. G. BRADSHAW, Vice-Chairman, MR. JACK D. EDWARDS, MRS. INA FRIEDMAN, MRS. CARY FUQUA, MR. JAMES E. HICKS, MR. GERALD MEPPHAM, MR. RAYMOND H. MINKINS, MR. ALBERT L. WHITE, III, MISS NANCY STURGEON, Secretary and MR. CRAIG G. COVEY, Planning Director.

Mr. Covey explained various points in the proposed amendment.

Mr. Frink opened the hearing for public comment.

Mr. A. B. Smith, Jr., representing American Realty Trust, spoke against the B-2 zone, stating the concept was good, but there needed to be a lot of work done on it before it would be acceptable.

Mr. Russell M. Carneal representing a large number of landowners on Route 60 East, stated that they would be unable to comply with the ordinance

December 11, 1973

due to how their property was situated.

Other persons speaking against the amendments were Mr. Emmerk Fisher, Mr. Rueben Hill, Mr. Bill Bull, Mr. Clarence Douglas, Mr. Mal Rowe, and Mr. Bob Wallace.

Mr. McGarvey asked the Board to pass the ordinance.

After further discussion, the hearing was closed and Mr. Frink turned the meeting over to the Planning Commission.

On a motion by Mr. Bradshaw, seconded by Mr. Hicks, the Planning Commission of the County of James City, Virginia, hereby defers any action until a later date.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Bradshaw	-	Aye
Mr. Edwards	-	Aye
Mrs. Friedman	-	Aye
Mrs. Fuqua	-	Aye
Mr. Hicks	-	Aye
Mr. Mephum	-	Aye
Mr. Minkins	-	Aye
Mr. White	-	Aye
Mr. Scruggs	-	Aye

Motion carried by a unanimous vote.

After a five minute recess, the meeting was returned to the Board of Supervisors making the following motion:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the Planning Commission to present their recommendations to the Board on the B-2 Ordinance by January 3, 1973, and that the public hearing on rezoning Route 60 East from B-1 to B-2 be postponed until January 8, 1973.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote of 4 to 1.

Mr. Waltrip requested the Planning Commission to study other tourist entries into the County.

Mr. Edwards asked the Commonwealth's Attorney to check on whether the hearing would have to be re-advertised.

The meeting was returned to the Planning Commission for the following motion:

On a motion by Mr. Edwards, seconded by Mr. White, the Planning Commission of the County of James City, Virginia, hereby agrees to having their recommendations on the B-2 Ordinance to the Board of Supervisors on January 3, 1973, and agrees to re-scheduling the hearing on the rezoning from B-1 to B-2 until January 8, 1973.

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Bradshaw	-	Aye
"Serious reservations about the report being complete by 1/3/73"		
Mr. Edwards	-	Aye
Mrs. Friedman	-	Aye
Mrs. Fuqua	-	Aye
Mr. White	-	Aye

December 11, 1972

On a motion by Mr. Bradshaw, seconded by Mrs. Friedman, and passed by a unanimous vote, the Planning Commission hereby adjourns their meeting until 7:30 P.M. on December 12, 1972.

RE: REAL ESTATE TAX EXEMPTIONS - PERSONS 65 & OVER

This was tabled until the next meeting.

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, hereby agrees to take up only the first three items under New Business on the Agenda.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: MR. ALBERT JOHNSON - VACATION OF PLAT

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

RESOLVED, that the Board of Supervisors of James City County, of the Commonwealth of Virginia, after having considered the petition by the Brook Haven Land Trust for the vacation of the plat entitled "BROOK HAVEN SECTION ONE, BERKELEY MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA", of record in James City County Plat Book 27 at page 11, hereby approves the vacation of said plat.

FURTHER RESOLVED, that the Board of Supervisors having considered the rededication of the revised plat entitled, "REVISED SUBDIVISION OF BROOK HAVEN, SECTION ONE, BERKELEY MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA", hereby approves such rededication. The Board of Supervisors authorizes Abram Frink, Jr., Chairman, and John W. Watkins, Clerk, both of the Board of Supervisors, to execute the instrument entitled, "VACATION OF PLAT" for the purpose of showing the approval of such vacation by the governing body of the County in which the land shown on said plat lies.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HOLIDAY - CHRISTMAS DAY - DECEMBER 25, 1972 AND DECEMBER 26, 1972.

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, in accordance with Section 2.1-21, Code of Virginia, 1950 as amended, the twenty-fifth and twenty-sixth days of December, 1972, shall be legal holidays as to the transaction of all County business.

It is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the twenty-fifth and twenty-sixth days of December, 1972, as legal holidays for County offices and employees.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SET BOARD MEETING - DECEMBER 22, 1972

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of



December 18, 1972  
December 11, 1972

Supervisors of the County of James City, Virginia, hereby declares December 22, 1972, at 3:00 P.M., the day on which the Board will hold their regular meeting.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LANDFILL BID

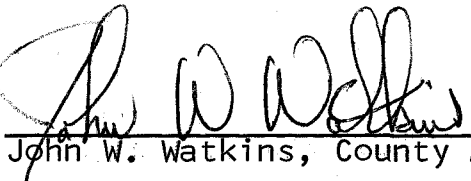
Mr. Watkins reported receiving one bid for maintenance of the Landfill from James B. Shelton, and a bid from Donald Robertson, on the construction of the Dog Improvement and Maintenance Warehouse.

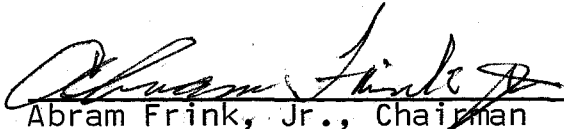
No action was taken.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby recesses the meeting to reconvene December 18, 1972, at 7:30 P.M.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a special meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighteen day of December, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator. Also present were the members of the James City County School Board and their Consultant.

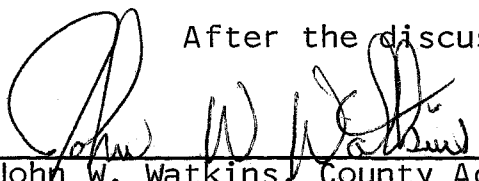
On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss property matters.

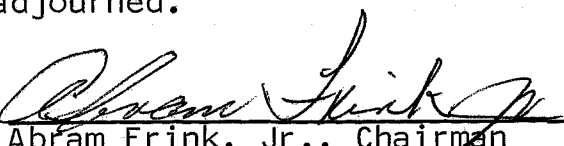
The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

After the discussion, the meeting was adjourned.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

December 18, 1972

At a recessed meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighteenth day of December, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Sonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: OLD BUSINESS  
REAL ESTATE TAX EXEMPTIONS - PERSONS 65 AND OVER

After a general discussion, this matter was tabled until December 22, 1972.

RE: BUILDING HEIGHTS

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby refers action on building heights until January 8, 1973.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SECONDARY ROAD ADDITIONS

Mr. Watkins discussed his report with the Board on Secondary Road Additions, stating he has not determined the cost. He advised that the Virginia Department of Highways are working on estimates for the Board's consideration.

He explained that he based the priorities of the roads on the following:

- A. Number of structures on road
- B. Condition of road
- C. Proximity to heavily traveled roads
- D. Available right of way

Mr. Donaldson asked Mr. Watkins if he thought it feasible for the County to leave a combination program, undertaking funding for maintenance of roads, making them usable until such time as they are taken into the system?

Mr. Watkins replied that maintaining these roads would cut down on the expense of the roads.

Mr. Watkins was requested to obtain a cost estimate on maintenance of these various roads.

After a general discussion on the priorities of the roads, the following motion was presented:

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby requests the County Administrator to contact the Road Viewers for a meeting as soon as possible, to set up priorities on the roads.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

December 18, 1973

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LANDFILL BID

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby accepts the following bids; the Landfill bid subject to the negotiation of a standard contract:

LANDFILL - By James B. Shelton

First 15 hours	- \$22.00 per hour
Next 15 hours	- \$20.00 per hour
All over 30 hours	- \$18.00 per hour
Minimum of 4 hours per day	

LANDFILL STRUCTURES - By Donald Robertson

Dog Impoundment	\$3,850.00
Maintenance Warehouse	4,518.00
Fence	5.00 per foot
Double Gate	500.00
4" Well	1,950.00

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS  
REVENUE SHARING

Mr. Frink opened the meeting to the public, so that they could express their thoughts on the use of the recently received Revenue Sharing monies.

Mr. Watkins read letters from the Centerville Community Organization, Berkeley Community Organization, Chickahominy Community Organization and Grove Action Organization, all supporting the usage of the money for sanitation, sewage, recreation, public transportation and roads. All supported the Community Action Agency's request for funds for a nutrition program for the elderly and a youth program.

Those making suggestions were Mr. A. G. Bradshaw, Mr. Peter Harvey, Mrs. Eula Ratcliffe, Mr. Richardson, Mrs. Hazel Morning, Mr. Carl Roberts, Mr. Harry Wright, Mr. Muliway Cherry, Mrs. Whits, Mr. Williams, Mr. Samuel Jones, Mr. S. L. Buchanan, Mr. Charles H. Jimmerson, Mr. F. W. Perry and Mrs. Rosser.

Items suggested were sidewalks, County office building, recreation, sanitation, sewage, public transportation, nutrition program for the elderly, roads, water and refuse collection service.

Mr. Frink advised that the Board will hold public sessions beginning the first of the year, to decide what is to be done with the money.

RE: SALARIES - CONSTITUTIONAL EMPLOYEES

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the procedure of the County allowed by the State, to pay full salaries of consittutional employees with reimbursement by the State, effective January 1973.

The County Administrator was directed to take a roll call vote, which

December 18, 1972

is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - PLANNING DISTRICT COMMISSION

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following:

WHEREAS, The Peninsula Planning District Commission has been created by Charter adopted by the governing bodies of the Cities of Hampton, Newport News, Williamsburg, the Counties of James City and York and the Town of Poquoson; and

WHEREAS, The Charter of the Commission provides for the appointment of Commission members by the governing bodies of the participating political subdivisions; and

WHEREAS, The Commission desires to improve its capability to assess and respond to community needs by building increased understanding and cooperation between Citizens and the Commission; and

WHEREAS, the Commission desires to insure that those plans, programs and politices are designed to fulfill the needs of the citizens who will be affected by them;

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

1. That in making appointments to the Commission and/or its Committees, the Board of Supervisors of the County of James City, Virginia, will give consideration to the appointment of individuals representative of citizen interest groups that may not presently be presented on the Commission.
2. That in this consideration particular emphasis will be given to add representation of low income and minority group interests.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - CORP OF ENGINEERS

Mr. Watkins reported receiving a letter from the Corp of Engineers, with reference to a petition received by them from a member of interested parties requesting the dredging and marking of entrance to Powhatan Creek and Back River from James River. He advised that since this is not a Federal project, the Corp of Engineers are not authorized to perform any dredging there and must have permission from the Board to instigate a study.

After a general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Wetlands Board for their recommendation, within a thirty day period.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
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December 18, 1972

Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - WILLIAMSBURG WAX MUSEUM

This matter was deferred until December 22, 1972.

RE: REQUEST - BUSCH PROPERTIES, INC.

Mr. Donaldson reported that Busch Properties, Inc. wish to delete fire hydrants from their plans along Conference Center Road, as there will be no development along that road. He did advise however, that one hydrant would be placed for brush fires. He stated that the Water and Sewerage Commistee recommends that this change be made.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, accepts the above recommendation of the Water and Sewerage for Busch Properties, Incorporated.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LANDFILL REGULATIONS

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following Landfill Regulations on a trial basis:

1. Hours of operation: Monday through Saturday - 7:00 A. M. to 6:00 P. M., except holidays.
2. Only vehicles and/or residents of James City County or the City of Williamsburg shall be allowed to dispose of solid wastes in this disposal area.
3. Refuse accepted for disposal: All solid wastes except as follows:
  - A. Motors Vehicles and/or parts thereof.
  - B. Self propelled or drawn equipment or machinery and/or parts thereof.
  - C. Demolition materials
  - D. Construction materials
  - E. Hazardous waste as defined by Virginia Health Department regulations.
4. Industrial refuse and land clearing wastes shall only be accepted upon prior approval of the County Administrator. Disposal fees may be charged for the acceptance of these types of refuse if deemed necessary by the Administrator and approved by the Board of Supervisors.
5. Refuse shall be placed only in areas as designated by the County Administrator or representative thereof.
6. No refuse will be accepted which contains any fire or live coals.
7. No loittering or scavenging in or on the site will be permitted.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

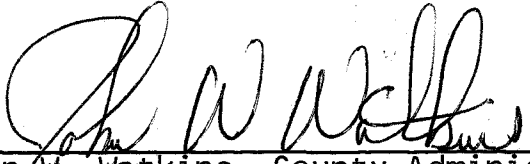
Motion carried by a unanimous vote.

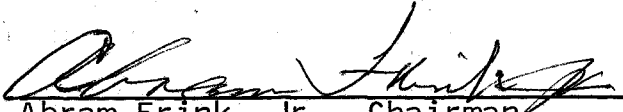
December 22, 1972  
December 18, 1972

Mr. Watkins stated that the Landfill would be open for awhile on Sundays until the public is educated on the use of the Landfill.

Mr. Frink said if the Landfill is closed on Sundays, he felt dumpsters should be placed in front of the Landfill for the convenience of the public.

There being no further business, the meeting was adjourned.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-second day of December, nineteen hundred and seventy-two, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: HIGHWAY MATTERS  
ROUTE 60 WEST - SPEED LIMIT

Mr. Watkins reported that he had a request from the Wax Museum to reduce the speed on Route 60 West from Anderson's Corner to the City Limits of Williamsburg from 60 mph to 45 mph.

Mr. Yeatts, of the Highway Department reported that a study is in process and he hoped to hear the results in the next few days.

Mr. Donaldson asked Mr. Yeatts if it would be possible for the Highway Department to enter into a maintenance agreement with the County to maintain County roads until they are in the system, when the State automatically maintains them.

Mr. Yeatts replied that it would be possible.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of December 11 and December 18, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS  
REAL ESTATE TAX EXEMPTIONS - PERSONS 65 AND OVER

Mr. Edwards presented his report on the Tax Relief Program for the elderly.

After a lengthy discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby requests the Acting County Administrator, in consultation with the Commonwealth's Attorney, to draft a proposed ordinance granting tax relief to the elderly, leaving out all



December 22, 1972

income and exemption figures.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION OF APPRECIATION - MRS. GRANVILLE PATRICK

Mr. Watkins read Mrs. Granville Patrick's letter of resignation from the Mental Health Services Board.

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby accepts Mrs. Patrick's resignation.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, Mrs. Granville Patrick, member and Chairman of the Mental Health Services Board, has resigned, and

WHEREAS, Mrs. Patrick has served the County well, giving of her time and wisdom, and

WHEREAS, the Board of Supervisors doth wish to give recognition to Mrs. Patrick and extend their sincere appreciation for a job well done.

NOW, THEREFORE, the Board of Supervisors of the County of James City, Virginia, does hereby resolve that their sincere appreciation and best wishes be extended to Mrs. Patrick.

It is ordered that a copy of this resolution be spread on the minutes of the Board, and that a duly certified copy be mailed to Mrs. Patrick.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENTS - MENTAL HEALTH SERVICES BOARD

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Ruell Blair, to a four year term, expiring December 31, 1976 and appoints Alvin Anderson to Mrs. Patrick's unexpired term, expiring December 31, 1973, to the Mental Health Services Board.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

December 22, 1972

RE: APPOINTMENTS PLUMBING EXAMINING BOARD - 12/31/72

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby reappoints the following to the Plumbing Examining Board:

Contractor	-	James Parsley	-	12/31/74
Journeyman	-	Thomas Samuel	-	12/31/73
Citizen's Representative	-	J. H. Robertson	-	12/31/75
Health Department	-	Paul J. Post	-	12/31/76

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENTS - ELECTRICAL EXAMINING BOARD - 12/31/72

This was tabled until January 8, 1973.

RE: RESOLUTION - SHERIFF'S DEPARTMENT

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies to the State Compensation Board that Investigator Dunford and Deputy Sheriff Fisher have fulfilled the necessary educational requirements to qualify for the State allowed salary.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REZONING - BRANSCOME

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees to hold a joint public hearing with the Planning Commission on January 8, 1973.

RE: CERTIFICATE OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of December, 1972:

General Fund - Checks #6299 through 6457  
Totalling - \$282,870.41

James City County Sanitary District #11 -  
Checks #130 through #133  
Totalling - \$16,344.48

James City County General Obligation Bonds - Water 1970  
Check #120  
Totalling - \$55,940.26

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Mr. Frink thanked the press and the office staff and other members of the Board for their cooperation and wished all a Merry Christmas and

December 22, 1972

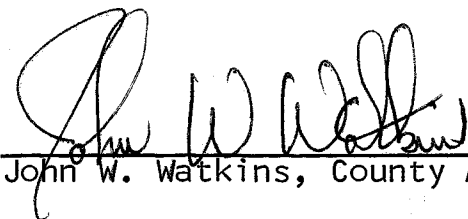
Happy New Year.

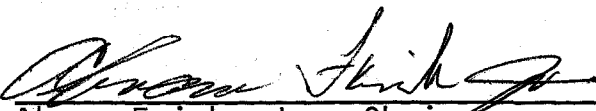
On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss personnel matters.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the tenth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. W. L. PERSON, JR., Commonwealth's Attorney and MR. JOHN W. WATKINS, County Administrator.

Those present from the Planning Commission of the County of James City: MR. W. J. SCRUGGS, SR., Chairman, MR. JACK D. EDWARDS, MRS. INA FRIEDMAN, MRS. CARY FUQUA, MR. B. N. HOAR, MR. RAYMOND H. MINKINS, MISS NANCY STURGEON, Secretary and MR. CRAIG G. COVEY, Director of Planning.

RE: ELECTION OF CHAIRMAN

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby nominates and elects mr. Frink as Chairman of the Board of Supervisors to serve until the first regular meeting in January, 1974.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: ELECTION OF VICE-CHAIRMAN

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby nominates and elects Mr. Waltrip as Vice-Chairman of the Board of Supervisors to serve until the first meeting in January, 1974.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
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January 10, 1973

Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
 APPROPRIATIONS AND EXPENDITURES REPORT  
 TREASURER'S REPORT  
 COUNTY ADMINISTRATOR'S REPORT  
 ZONING ADMINISTRATOR'S REPORT  
 BUILDING PERMIT REPORT  
 PROBATION DEPARTMENT REPORT (NOVEMBER)  
 DOG WARDEN REPORT

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the above reports.

The County Administrator was directed to take a roll call vote, which is recorded as follows

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
 JOINT PUBLIC HEARING - BRANSCOME REZONING - A-2 TO B-1.

After the Planning Commission determined a quorum, Mr. Watkins read the following description of the property in question:

"Case No. Z-22-72. Application of Henry S. Branscome on behalf of Henry S. Branscome and Lavelle M. Branscome for a change in zone from A-2 LIMITED AGRICULTURAL DISTRICT TO B-1 GENERAL BUSINESS DISTRICT for property located at Five Forks on the south side of Route 5 in Berkeley District."

The Chairman of the Board opened the hearing for public comment.

There being no public comment, the hearing was closed.

On a motion by Mr. Hoar, seconded by Mr. Minkins, the Planning Commission of the County of James City, Virginia, hereby recommends to the Board of Supervisors the rezoning of the Branscome property from A-2 to B-1 (Rezoning Case Z-22-72).

The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mrs. Friedman	-	Aye
Mrs. Fuqua	-	Aye
Mr. Hoar	-	Aye
Mr. Minkins	-	Aye
Mr. Scruggs	-	Aye

Motion carried by a unanimous vote.

January 10, 1973

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby accepts the recommendation of the Planning Commission and rezones the Branscome Property from A-2 to B-1. (Rezoning Case Z-22-72)

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Taylor	-	Aye
Mr. Donaldson	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RECOMMENDATION FROM PLANNING COMMISSION ON B-2 AMENDMENTS

Mr. Scruggs reported that the Planning Commission was unable to give the Board a recommendation on the B-2 amendments to the Zoning Ordinance. He explained that they discusses two proposals, but could not reach a unanimous agreement on either one.

Mr. Frink asked Mr. Covey for his recommendation and Mr. Covey discussed the two proposals which were presented to the Planning Commission.

The proposals were listed as "A" and "Y"; "Y" rating as the #1 proposal which Mr. Covey recommended to the Board. He explained the various changes made from the original proposal.

After further general discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following B-2 Amendments to the Zoning Ordinance: (Attached to page 285)

January 10, 1973

(The following sections adopted by the Board of Supervisors on January 10, 1973)

17-89. FLOOR AREA

The total number of square feet of floor space within the exterior walls of a building, not including space in cellars or basements.

17-90. FLOOR AREA RATIO

A mathematical expression determined by dividing the total floor area of a building by the area of the lot on which it is located, as:

$$\frac{\text{Floor area}}{\text{Lot area}} = \text{Floor area ratio}$$

17-91. PERIMETER OPEN SPACE

Space suitable for recreation, gardens or landscaping. Such space must be free of automotive traffic, parking, and undue hazard, and readily accessible by all those for whom it is required.

17-92. BUILDING LINE

The line marking the intersection of the vertical building face and the ground plane. The line to which a building setback is measured.

17-93. DRIVE-IN AND "FAST FOOD" EATING ESTABLISHMENTS

A business establishment so developed that its principal retail or service character is dependent on providing a driveway approach or parking spaces for motor vehicles so as to either serve patrons while in the motor vehicle or else intended to permit consumption in the motor vehicle of food or beverage obtained by a patron from said business establishment.

17-94. LOT, AREA OF

The total area of land contained by lot lines and inclusive of any easements that may exist upon the lot. For the purpose of computing coverage of floor area ratio, the area of the lot shall not be considered to include any area of land designated for a future public road right-of-way.

17-95. NON-BETTERMENT COST

That cost to replace facilities with facilities of equal but no greater capability.

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The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 3 to 2.

RE: JOINT PUBLIC HEARING - ROUTE 60 EAST - B-1 TO B-2

The Chairman of the Board opened the hearing for public comments.

There being none, the hearing was closed.

On a motion by Mrs. Friedman, seconded by Mr. Minkins, the Planning Commission of the County of James City, Virginia, recommends to the Board of Supervisors to rezone an area along and adjacent to Route 60, East of Williamsburg from B-1 to B-2.



## ARTICLE 8A. BUSINESS TOURIST ENTRY DISTRICT B-2

### Statement of Intent

The primary purpose of this district is to protect and enhance the quality of those highway corridors which provide access to the National Historic District of Williamsburg. This district is not intended for general application in all parts of the county but will be limited to those areas where high traffic volume tourist corridors exist. The regulations for the TOURIST ENTRY DISTRICT are intended to encourage the most appropriate use of land in accordance with a comprehensive plan, to minimize hazardous and unsightly conditions which may be distracting to and impair the safety of highway users, to preserve the efficiency of transportation facilities and maintain the distinctive historical character of the region, and to encourage development of tourist facilities in an attractive and harmonious manner.

#### 8A-1. USE REGULATIONS

In a TOURIST ENTRY DISTRICT, structures to be erected or land to be used shall be for one or more of the following uses:

- 8A-1-1. Hotels and motels;
- 8A-1-2. Restaurants for liesurely dining; specifically excluding "fast food" or drive-in eating establishments;
- 8A-1-3. Indoor theaters;
- 8A-1-4. Places of public amusement with a conditional use permit;
- 8A-1-5. Service stations (with minor repair only and under cover) subject to special requirements set forth in this article and with a conditional use permit;
- 8A-1-6. Handcrafts and art galleries, which may include not more than two (2) operatives in process of manufacturing craft items of glass, ceramic, or metalurgic for demonstration purposes only;
- 8A-1-7. Gift shops;
- 8A-1-8. Antique shops;
- 8A-1-9. Business signs as permitted in this Article;
- 8A-1-10. Accessory uses and structures: Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including:
  - 1. Establishments for the sale of gifts, clothing, drugs, photographic supplies, newspapers and magazines and convenience goods, eating and drinking establishments and professional and personal service establishments;

provided that such uses are accessory to hotels or motels having 50 or more dwelling or lodging units for sale or for rent; and provided further, that all such establishments shall be designed and scaled only to meet the requirements of occupants and their guests; and provided also that there shall be no evidence of the existence of such establishments from outside the property line; and provided finally that the floor area occupied by such establishments shall not exceed 15 % of the floor area of the hotel or motel;

2. Meeting rooms and convention hall facilities.

8A-2. SETBACK REGULATIONS

Buildings shall be located seventy (70) feet or more from the right-of-way to the highway. Fifty (50) feet of setback contiguous with the highway right-of-way shall be reserved for access road to the property. All land area within the seventy (70) foot setback, except for the access road and approved entry drives, shall be landscaped with grass, trees, or shrubs or evergreen ground cover and maintained in good condition.

Illustration 1 on the following page is the minimum design cross-section of the property frontage showing the access road to be constructed by the developer within the fifty (50) foot right-of-way in accordance with the applicable standards of the Virginia Department of Highways.

8A-3. AREA REGULATIONS

8A-3-1. For permitted uses the minimum lot area shall be thirty-two thousand, five hundred (32,500) square feet.

8A-4. FRONTAGE REGULATIONS

For permitted uses, the minimum lot width at the setback line shall be one hundred and fifty (150) feet or more; however, development of lots or parcels with frontages of from 120 to 150 feet existing upon the date of the adoption of this ordinance will be permitted in accordance with the following criteria:

- (1) Each lot or parcel shall have only a single two-way access point;
- (2) All parking required for the use located on the lot or parcel shall be provided at the rear of the building, i.e., on the side opposite the front access point;
- (3) Development plans for the lot or parcel prior to Site Plan Approval shall be of superior design quality.

Access points to the major thoroughfare from the access road shall, where possible, be spaced at approximate intervals of six hundred (600) feet or more.

8A-5. PERIMETER OPEN SPACE AND BUILDING LINE REGULATIONS

8A-5-1. For permitted uses a ten (10) foot minimum perimeter landscaped area shall be provided adjoining the sides and rear property lines within which no building, structure, driveway, or parking surface will be permitted. The minimum side and rear building line shall be increased beyond the minimum sides and rear perimeter landscaped area one (1) foot for each one (1) foot of building height in excess of thirty-five (35) feet. In addition, a minimum ten (10) foot perimeter planting strip shall be provided adjacent to buildings. Such planting areas shall be landscaped except for necessary service entrances and walkways, and shall not be used for parking. In no case shall walkways exceed a maximum width of five (5) feet.

8A-5-2. Land within the perimeter landscaped areas shall be landscaped with grass, trees, shrubs, or evergreen ground cover and maintained in good condition.

8A-6. HEIGHT REGULATIONS

Buildings may be erected up to sixty (60) feet in height from grade by right; from sixty (60) to one hundred (100) feet in height from grade with a height limitation waiver\*\* subject in either case to building line regulations as set forth in Section 8A-5-1, and the criteria below.

<u>Maximum Height</u>	<u>Maximum Percentage of the lot area in Building Coverage</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Percentage of the lot area in Open Space</u>
Up to 3 floors or 35 feet	20%	.6	30% <sup>1</sup>
Over 35 feet or 4 floors or more	20% <sup>2</sup>	.6 <sup>2</sup>	40% <sup>1</sup>

<sup>1</sup>  
Land in required setback areas and perimeter open space may be included within the minimum percentage of lot area in Open Space.

<sup>2</sup>  
Coverage may be increased to 25% and/or floor area ratio may be increased to 0.75 if the additional floor area is used for inside parking space.

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\*\*Upon application to the Administrator or his designee, the Board of Supervisors may grant a height limitation waiver upon finding that:

- a) the regulations of this section regarding building coverage, floor area ratio and open space are met;

- b) such building will not impair property values in the surrounding area;
- c) such building will not impair the enjoyment of historic attraction and areas of significant historic interest;
- d) the uses accommodated in such buildings and other buildings on the site are adequately served by the site plan and lot area;
- e) the traffic volume generated by such building will be readily accommodated by the public roads affected;
- f) such building is adequately designed and served from the standpoint of safety;
- g) such building, from considerations of height, design, bulk, and appearance is compatible with the neighborhood; and
- h) such building would not be contrary to the public health, safety, morals or general welfare.

#### 8A-7. OFF-STREET PARKING REGULATIONS

Off-street parking within the TOURIST ENTRY DISTRICT shall comply with the regulations as set forth in Article 12, Section 6, General Provisions, and with the following special provisions:

- 8A-7-1. Screening and Landscaping. Off-street parking for vehicles shall be effectively screened on each side which faces other properties public rights-of-way, or recorded street lines, by a fence of acceptable design, wall or compact hedge, except where access ways to the parking lot are to be provided. Such fence, wall, or hedge shall be not less than six (6) feet in height and shall be maintained in good condition and shall provide year-round screening. The space, if any, between such fence, wall, or hedge and the side lot line of adjoining premises shall be landscaped with grass, shrubs, or evergreen ground cover and maintained in good condition.
- 8A-7-2. Surfacing of Parking Areas. Any off-street parking area shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area. Surface water from any parking, loading, or other paved area shall not be permitted to drain directly into established and approved public drainage ways.
- 8A-7-3. Exterior Loading Areas. Exterior areas used for loading, unloading, and standing or turning or service vehicles shall comply with Article 12, Section 12-11, General Provisions, and with the screening, landscaping and surfacing requirements as set forth in 8A-7-1., and 8A-7-2., above.

**8A-8. SPECIAL REGULATIONS FOR UNDERGROUND UTILITIES**

In TOURIST ENTRY DISTRICTS, facilities of electric and communications utilities shall be installed below the surface of the ground to the extent provided herein.

**8A-8-1.** All utility facilities, constructed or installed after the effective date of this ordinance, including but not limited to wires, cables, pipes, conduits and appurtenant equipment, carrying or used in connection with the furnishing of electric, telephone, telegraph, cable television or similar service, shall be placed below the surface of the ground, provided that the following utility facilities shall be permitted above ground:

- (a) Electric transmission lines and facilities in excess of 50 kilovolts;
- (b) Equipment such as electric distribution transformers, switchgear, meter pedestals, telephone pedestals, outdoor lighting poles or standards, radio antennae and associated equipment, which is, under accepted utility practices, normally installed above ground;
- (c) Meters, service connections and similar equipment normally attached to the outside wall of the customer's premises;
- (d) When authorized by the Board of Supervisors or their designee, utility facilities crossing or entering any portion of the TOURIST ENTRY DISTRICT and originating or terminating in some other district where overhead utility facilities are permitted.

**8A-8-2.** Above-ground utility facilities in existence on the effective date of this ordinance may remain above ground and may be repaired, replaced or increased in capacity, provided that:

- (a) Whenever any tract or parcel of land, upon which above-ground utility facilities are located, is subdivided or otherwise developed, the subdivider or developer shall pay the non-betterment cost of relocating those utility facilities underground.
- (b) The Board of Supervisors may from time to time direct the utility company owning above-ground utility facilities to relocate such facilities underground, in specified areas.

**8A-8-3.** All installation of utility facilities below ground will be made in accordance with accepted standards of utility practice for underground construction and with applicable rules, regulations and policies of the State Corporation Commission.

8A-9. SIGN REGULATIONS

To assure an appearance and condition which is consistent with the purposes of the TOURIST ENTRY DISTRICT, outdoor signs on properties within the district shall comply with the Special Regulations for Exterior Signs in Section 12-14.

8A-10. SITE PLAN REVIEW

All buildings or complexes of buildings erected, altered, or restored within the TOURIST ENTRY DISTRICT shall be subject to Site Plan Review in accordance with General Provisions set forth in Article 12, Section 12-12., and the special provisions for the district as set forth in this Article. In the case of any disparities in the regulations, the provisions in this article shall supersede.

8A-11. ARCHITECTURAL DESIGN REVIEW

Approval of the Preliminary site plan will be conditional, subject to Architectural Design Review procedures as set forth under General Provisions, Article 12, Section 12-13.

(Article 8A adopted by the Board of Supervisors on January 10, 1973)



### 12-3. CONDITIONAL USE PERMIT

Where permitted by this ordinance, the location of hotels, motels, refuse sites, mobile home parks, commercial amusement parks, hospitals, mobile homes, airports, borrow pits, hog farms, sanitary fill method garbage disposal, feed lots, automobile grave yards, and junk yards, public utilities, and other uses as required by this Ordinance, shall require, in addition to a zoning permit and a Certificate of Occupancy, a Conditional Use Permit.

#### 12-3-1. Procedural Requirements.

- (a) Application for conditional use permit. A developer, owner or lessee (holding under a bona fide lease the unexpired term of which is more than 5 years from date of filing of the application) may file with the Administrator or his designee an application for a conditional use permit; provided that the conditional use sought is permitted in the particular district. The application shall be accompanied by a plan showing the actual dimensions and shape of the lot, the exact sizes and locations on the lot of existing and proposed buildings, if any, and the existing and proposed uses of structures and open areas; and by such additional information relating to topography, access, surrounding land uses and other matters as may reasonably be required by the Administrator or his designee in the circumstances of the case.
- (b) Fees. The application shall be accompanied by a fee of \$20.00 to cover the cost of processing.
- (c) Action by the Administrator or his designee. The Administrator or his designee shall study the application and shall confer with pertinent county and state agencies to determine whether the proposed conditional use conforms to the general purpose and intent of the comprehensive plan and any applicable regulations which have been adopted and to the requirements of this Ordinance. Upon completion of such review, the Administrator or his designee shall transmit the findings and recommendations of the county and/or state agencies to the Board of Supervisors.
- (d) Action by Board of Supervisors. After receiving the recommendations of the County and/or State agencies, the Board of Supervisors shall act upon the proposed conditional use, granting the application in whole or in part with or without modifications, or denying it. In addition to the general or specific requirements set forth in the Ordinance concerning the proposed use, which shall be considered minimum requirements with respect to the permit, additional requirements, conditions, and safeguards may be added by the Board of Supervisors as required for the protection of public interest in the specific case.

- (e) Rehearing for Conditional Use Permit. An application for a conditional use permit may be withdrawn during public hearing. However, if withdrawn or if denied by the Board of Supervisors, substantially the same application shall not be reconsidered within one year of withdrawal or denial.

12-3-2. General Standards for Conditional Uses.

- (a) Compliance with requirements. No conditional use permit shall be issued except upon a finding by the Board of Supervisors that the proposed use conforms to the requirements set forth in this Ordinance and that the proposed conditional use will have no more adverse effect on the health, safety or comfort of persons living or working in the area, and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. Among matters to be considered in this connection are traffic flow and control; access to and circulation within the property; off-street parking and loading; refuse and service areas; utilities; screening and buffering; signs, yards and other open spaces; height, bulk and location of structures; location of proposed open space uses; hours and manner of operation; and noise, lights, dust, odor, fumes and vibration.
- (b) Conformity with adopted plans. The proposed conditional use shall be in accord with the purposes of the Comprehensive Plan and any applicable regulations and zoning regulations.

12-3-3. Additional Requirements for Conditional Uses.

In addition to the general requirements set forth above and limitations established for conditional uses in the district regulations, the requirements set forth hereafter shall apply to the respective conditional uses and structures.

12-3-4. Automotive Service Stations.

In addition to general requirements, the following special requirements and limitations shall apply to automobile service stations in districts in which they are generally permitted.

- (a) Minimum lot and yard requirements. Unless otherwise specified, the minimum lot size shall be 20,000 square feet with a minimum lot width of 200 feet. No gasoline service islands shall be located closer than 15 feet to any adjoining right-of-way.
- (b) Access driveways.
  - (1) The width of curb openings shall not exceed 35 feet and two driveways giving access to a single street shall be separated by an island with a minimum dimension of 25 feet at the right-of-way and curb lines.

- (2) No driveway or curb cuts for a driveway should be located within ten (10) feet of an adjoining property line or within twenty-five (25) feet of a street intersection (with property lines projected if rounded).
- (c) Off-street parking. Two off-street parking spaces shall be provided for each service bay plus three additional spaces for employee parking. A dense landscaping material or a solid fence or masonry wall five (5) feet in height shall be erected to enclose any trash area or outside storage yard which would otherwise be visible from any district or from any public street.

(Section 12-3 amended on January 10, 1973, by the Board of Supervisors)

12-11. OFF-STREET LOADING REQUIREMENTS

On the same premises with every building, structure, or part thereof, erected and occupied for manufacturing, storage, warehouse, goods display, department store, wholesale store, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses similarly involving the receipt or distribution of vehicles, materials, or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading and unloading services in order to avoid interference with public use of the streets and alleys.

Such loading and unloading space, unless otherwise adequately provided for, shall:

- (1) be an area ten (10) feet by fifty (50) feet, within fifteen (15) foot height clearance, and
- (2) be provided according to the following schedule:

<u>Gross Floor Area in Square Feet</u>	<u>Loading and Unloading Spaces Required in Terms of Square Feet of Gross Floor Area</u>
0 2,000	None
2,001 30,000	One (1) space
30,001 150,000	One (1) space plus one (1) space for each 30,000 square feet
150,001 750,000	Five (5) spaces plus one (1) space for each 60,000 sq. ft. in excess of 150,000 sq. ft.
Over 750,000	Fifteen (15) spaces plus one (1) space for each 120,000 square feet.

(This section adopted January 10, 1973.)

12-13. ARCHITECTURAL DESIGN REVIEW

In such instance where Architectural Design Review is required, the procedure for such review will commence following preliminary site plan approval. Upon receipt of a preliminary site plan, under conditions as set forth for a particular district, the applicant will submit to the Administrator or his designee schematic architectural plans indicating accurate elevations of each facade, and sufficient detailing to indicate materials, colors, texture, light reflecting characteristics, and special features intended for the building. This may be supplemented by sketches as deemed necessary by the applicant to present the intended design. Submission of actual samples of building materials is encouraged.

- 12-13-1. Adequate time shall be made available to the applicant for the preparation of these materials, provided that not more than sixty (60) days elapse between conditional approval of the preliminary site plan and the submission of architectural plans to the Administrator or his designee.
- 12-13-2. The Administrator or his designee shall request the Architectural Design Review Board to examine the above material, and report its findings as to whether the proposed building or buildings are aesthetically and architecturally acceptable.
- 12-13-3. The Architectural Design Review Board, in making its decisions shall be governed by the following criteria:
- (a) No building shall be permitted, the design, massing, proportions, or exterior appearance of which is of such unorthodox, garish, or abnormal character in relation to the surroundings as to be unsightly, offensive to generally accepted taste, or to draw inordinate attention to itself.
  - (b) No individual building shall be permitted, the design or exterior appearance of which is so identical with those adjoining as to create excessive monotony and drabness. In applying this standard to a complex of buildings, the overall composition and aesthetic effect shall be considered.
  - (c) No building shall be permitted where any exposed facade is not constructed or faced with a finished material which is aesthetically compatible with the other facades and presents an attractive appearance to the public and to surrounding properties.
- 12-13-4. The Architectural Design Review Board shall make its report to the Administrator or his designee within thirty (30) days, recommending approval of the plans as presented or advising the Administrator or his designee as to the changes or alterations in the plans as necessary to bring the proposed building(s) in harmony with the intent of this Section. Such changes or alterations shall not impose unreasonable increase in construction cost.

The Administrator or his designee shall immediately transmit to the applicant an indication of approval or a statement of changes necessary to secure approval. Upon approval the Administrator or his designee may authorize the preparation of final site engineering and architectural plans in accordance with preliminary approvals and architectural approval. Following the submittal to and appropriate review by the Administrator or his designee(s), the issuance of a building permit will be authorized by the Administrator or his designee. Required conditional use permits shall be obtained only after approval of a preliminary site plan and architectural design approval.

- 12-13-5. If a statement of changes necessary to secure approval is issued, revised plans shall be submitted and approved. Action following approval shall then be in accordance with Section 12-13-4 of this Ordinance.

12-13-6. Architectural Design Review Board

The Architectural Design Review Board shall be composed of five persons appointed by the County Board of Supervisors. Such appointee shall be a qualified person capable of exercising sound and fair design judgement.

The members shall be:

- (a) A qualified licensed architect;
- (b) A qualified licensed landscape architect or a second qualified licensed architect;
- (c) A member of the Planning Commission Site Plan Review Committee;
- (d) The President of the local board of realtors;
- (e) A responsible member of the business community.

Initially, two members shall be appointed for one year and three members shall be appointed to serve for two years. Subsequent appointments shall be for terms of two (2) years each.

12-14. SPECIAL REGULATIONS FOR EXTERIOR SIGNS

- 12-14-1. Definitions. For the purpose of this section, the following definitions of terms and words shall apply:

- (a) Sign. A structure, display, or device that is arranged, intended, designed, or used as an advertisement, announcement, identification, description, or direction.
- (b) Gross Sign Area. That area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign, whichever line



includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in a sign area. Only one side of a double-faced sign shall be included in a computation of sign area. The area of signs with more than two (2) faces shall be computed by multiplying one-half the perimeter by the height of the sign. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

- (c) Free Standing Sign. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall not a part of a building, shall be considered a free standing sign.
- (d) Double-Faced Sign. A sign with two parallel, or nearly parallel, faces, back to back, and located not more than 24 inches from each other.
- (e) Flashing Sign. An illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any sign which revolves or moves, whether illuminated or not, shall be considered a flashing sign.
- (f) Flat Sign. Any sign attached to, and erected parallel to the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than 18 inches from the building wall.
- (g) Illuminated Sign. Any sign designed to give forth artificial light or designed to reflect light from one or more sources of artificial light erected for the purpose of providing light for the sign.
- (h) Indirectly Illuminated Sign. A sign which does not produce artificial light from within itself but which is opaque and backlighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself, or a sign of translucent non-transparent material illuminated from within but with no exposed or exterior bulbs, tubes, or other light source.
- (i) Marquee Sign. Any sign attached to or hung from a marquee. For the purpose of this Article, a marquee is a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.
- (j) Projecting Sign. A sign which is attached to and projects more than 18 inches from the face of a wall of a building. The term projecting sign includes a marquee sign.

#### 12-14-2. Allowable Content of Signs

It is the intent of this limitation to prohibit the use of exterior signs for the general advertisement of products, services or other matters having no relation to the premises upon which they are placed. The content or advertising message carried by signs hereafter erected shall be limited to one or more of the following:

- (a) The identification of a building or its owners or occupants of the premises;
- (b) Information concerning lawful activities on the premises, or goods or services offered in connection therewith.
- (c) Information concerning the sale, rental or lease of the premises.

#### 12-14-3. Allowable Sign Dimensions and Special Regulations

- (a) Each property having less than 300 feet of lot frontage shall be permitted one free-standing sign. Such sign shall not be located closer than 100 feet from any other free-standing sign on the same side of the street, or closer than 50 feet from any property boundary. Individual properties may combine to meet the 100 foot minimum separation and thus erect one free-standing sign to serve the combined properties. Such signs shall not exceed 100 square feet per face nor an overall height of 30 feet.
- (b) Each property having in excess of 300 feet of lot frontage shall be permitted one additional free-standing sign of the same size and height as subparagraph (a) above; or in the alternative may elect to increase the size of the free-standing sign allowed under subparagraph (a) above to a maximum of 150 square feet per face.
- (c) Each business shall also be permitted two building face signs per occupancy frontage. The area devoted to such signs shall not exceed fifteen (15) percent of the area of the first story of the front facade of the building. Such signs shall be mounted flat against the building.
- (d) When the same building faces onto a public right-of-way or parking lot on the rear or the side of the building, an additional sign may be erected at an entrance on that side. The area devoted to such a sign shall not exceed ten (10) percent of the area of the face of the building to the first story height, and such sign must be mounted flat against the building.

- (e) Banners or flags, used as signs, may be allowed by permit provided that the same are installed in a permanent fashion and are maintained in good repair at all times.
- (f) Signs on entrance marquees or canopies shall be allowed, provided that the total area of such signs if constructed alone or in combination with other building signs, does not exceed the maximum allowable dimensions as set forth in item (c) above.

12-14-4. Exemptions. The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code.

- (a) Official traffic signs or sign structures and provisional warning signs or sign structures, when erected or required to be erected by a governmental agency, and temporary signs indicating danger.
- (b) Changing of the copy on a bulletin board, poster board, or display encasement.
- (c) Temporary non-illuminated signs, not more than six feet square in area, advertising real estate for sale or lease and located on the premises, one such sign for each street frontage.
- (d) Temporary non-illuminated signs not more than ten square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
- (e) Non-illuminated signs warning trespassers or announcing property as posted, not to exceed four (4) square feet per sign.
- (f) Sign on a truck, bus or other vehicle, while in use in a normal course of business. This section should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.

12-14-5. Prohibited Signs. The following signs shall be specifically prohibited.

- (a) Flashing, animated, and rotating signs or appurtenances to signs which are non-stationary.
- (b) Displays intermittent lights resembling or seeming to resemble, the flashing lights customarily associated with danger or such as are customarily used by police, fire, or ambulance vehicles, or for navigation purposes.

- (c) Signs so located and so illuminated as to provide a background or colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from normal approach position of a vehicle at a distance of 25 to 300 feet.
- (d) Signs which are not an integral part of the building design but fastened to and supported by or on the roof of a building or projecting over or above the roof line or parapet wall of a building.
- (e) Signs, portable or otherwise, placed or located to conflict with the vision clearance or other requirements of applicable traffic ordinances.
- (f) Signs attached to trees, utility poles, or other unapproved supporting structure.

#### 12-14-6. Temporary Signs

The Administrator or his designee, upon application may issue temporary permits for the following signs and displays for a period of not exceeding 30 days, when in his opinion the use of such signs and displays would be in the public interest and not result in damage to private property.

- (a) Signs of not more than 32 square feet advertising a special civic or cultural event such as a fair or exposition, play concert or meeting, sponsored by a governmental or charitable organization.
- (b) Special decorative displays used for holidays, public demonstrations, or promotion for non-partisan civic purposes.

#### 12-14-7. Procedures. The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this Ordinance.

- (a) Permits. No sign, unless herein excepted, shall be erected, constructed, posted, painted, altered, maintained, or relocated, except as provided in this article and in these regulations, until a permit has been issued by the Administrator or his designee. Before any permit is issued, an application especially provided by the Administrator or his designee shall be filed, together with three sets of drawings and/or specifications (one to be returned to the applicant) as may be necessary to fully advise and acquaint the Administrator or his designee with the location in relation to adjacent buildings, construction, materials, manner of illuminating and/or securing or fastening, and number of signs applied for, and the wording of the sign or advertisement to be carried on the sign. Each sign for which a permit is issued shall be inspected by the building inspector of James City County to insure compliance with applicable codes.

The prescribed value of the sign shall be construed as that value listed upon the building permit of the sign, and all periods of compliance as listed above, shall commence from the effective date of this ordinance. For those signs erected prior to this Ordinance without a building permit, each such sign shall be removed or a building permit obtained in compliance with this Ordinance, within six (6) months from the effective date of the Ordinance.

**12-14-10. REMOVAL OF SIGNS IN VIOLATION**

The Administrator or his designed shall remove or cause to be removed at the Owner's or tenant's expense any sign erected or maintained in conflict with these regulations if the Owner or lessee of either the site or the sign fails to correct the violation within 30 days after receiving written notice of violation from the Administrator or his designee. Removal of a sign by the Administrator or his designee shall not affect any proceedings instituted prior to removal of such sign.

(Adopted by the Board of Supervisors on January 10, 1973)

- (b) Electrical Permit. All signs which are electrically illuminated shall require a separate electrical permit and an inspection.
- (c) Permit Time Limit. All signs shall be erected on or before the expiration of 90 days from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required.
- (d) Permit Number. Each sign requiring a permit shall be clearly marked with the permit number and the name of the person or firm placing the sign on the premises.
- (e) Fees Required. Fees for sign permits shall be in accordance with the schedule adopted by ordinance, a copy of which is maintained in the office of the Administrator or his designee.

#### 12-14-8. Non-Conforming Signs.

Any sign existing prior to adoption of this Ordinance, and not conforming to the terms of this Ordinance, is hereby declared a non-conforming sign and may not be altered, reworded, or replaced unless said sign conforms to the terms of this Ordinance. Upon the cessation or termination of a particular use on a parcel of real property, the Owner thereof shall within ten (10) days of said cessation or termination remove all non-conforming signs.

#### 12-14-9. Conformance

Existing advertising business or location signs in districts where Article 12-14 applies shall be brought into conformity with the regulations herein established in accordance with the following schedule:

<u>Value of Sign</u>	<u>Period of Compliance</u>
Less than five hundred (500) dollars	within two (2) years
from five hundred (500) dollars to one thousand (1000) dollars	within three (3) years
from one thousand one (1001) dollars to fifteen hundred (1500) dollars	within four (4) years
from fifteen hundred one (1501) dollars to two thousand (2000) dollars	within five (5) years
from two thousand one (2001) dollars to twenty-five hundred (2500) dollars	within six (6) years
twenty-five hundred one (2501) dollars and above	within seven (7) years from the date of the installation of the sign



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The Secretary was directed to take a roll call vote, which is recorded as follows:

Mr. Edwards	-	Aye
Mrs. Friedman	-	Aye
Mrs. Fuqua	-	Aye
Mr. Hicks	-	Aye
Mr. Hoar	-	Nay
Mr. Minkins	-	Aye
Mr. Scruggs	-	Aye

Motion carried by a majority vote of 6 to 1

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby accepts the Planning Commission's recommendation and rezones an area along and adjacent to Route 60, East of Williamsburg from B-1 to B-2 (Rezoning Case #72-23) *JW*

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 3 to 2.

RE: B-1 AMENDMENTS

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following B-1 Amendments: (Attached to page 287)

8-3. SETBACK REGULATIONS

Buildings shall be located fifty (50) feet or more from any street right of way or sixty (60) feet from the centerline of the road, whichever is greater.

8-4. PERIMETER OPEN SPACE REGULATIONS

For permitted uses a ten (10) foot minimum perimeter landscaped area shall be provided adjoining the property lines within which no building, structure, driveway or parking surface will be permitted, but necessary approved curb cuts (entrance or entrances) will be allowed. In addition, a minimum ten (10) foot perimeter planting strip shall be provided adjacent to buildings. Such planting areas shall be landscaped except for necessary entrances and walkways, and shall not be used for parking. In no case shall walkways exceed a maximum width of five (5) feet.

Land within the perimeter planting areas shall be landscaped with grass, trees, shrubs, or evergreen ground cover and maintained in good condition.

8-5. HEIGHT REGULATIONS

Buildings may be erected up to sixty (60) feet in height from grade and in accord with the following criteria:

<u>Maximum Height</u>	<u>Maximum Percentage of lot area in Building Coverage</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Percentage of lot area in Open Space</u>
Up to 3 floors or 35 feet	25%	.6	30% <sup>1</sup>
Over 35 feet or 4 floors or more but not in excess of 60 feet	20%	.6 <sup>2</sup>	40% <sup>1,3</sup>

A building in excess of sixty (60) feet in height but not in excess of one hundred (100) feet may be erected only upon the granting of a height limitation waiver by the Board of Supervisors. Upon application, the Board of Supervisors may grant a height limitation waiver upon finding that:

- the aforesaid regulations regarding building coverage, floor area ratio and open space applicable to buildings above 35 feet are met;
- such building will not impair property values in the surrounding area;
- such building will not impair the enjoyment of historic attraction and areas of significant historic interest;

January 10, 1973

- d) the uses accommodated in such buildings and other buildings on the site are adequately served by the site plan and lot area;
- e) the traffic volume generated by such building will be readily accommodated by the public roads affected;
- f) such building is adequately designed and served from the standpoint of safety;
- g) such building, from considerations of height, design, bulk, and appearance is compatible with the neighborhood; and
- h) such building, would not be contrary to the public health, safety, morals or general welfare.

1  
The minimum open space land area may in no case be less than the 30% or the total area in required open space whichever is greater.

2  
An increase of 25% to .75 FAR may be permitted if the additional floor area is used for inside parking space.

3  
This percentage may include the perimeter open space but shall in any case be open space contiguous to such perimeter open space.

8-5-1. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, television antennae and radio aerials are exempt. Parapet walls may be up to four (4) feet above the height of the building on which the walls rest.

8-5-2. No accessory structure which is within ten (10) feet of any party lot line shall be more than one (1) story high. All accessory structures shall be less than the main structure in height.

(Amended by the Board of Supervisors on January 10, 1973)

-35-

After a general discussion, the County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 3 to 2.

The Planning Commission then adjourned their meeting.

RE: OLD BUSINESS  
TAX EXEMPTION ORDINANCE

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby tables this matter for further study.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

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Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: LANDFILL MAINTENANCE CONTRACT

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby approves of the following contract and authorizes the Chairman and the County Administrator to enter into said contract:

#### I Term

This Contract shall be effective for a period of one (1) year, commencing January 22, 1973, and ending January 22, 1974. With written concurrence of both parties, this Contract may be extended for an additional one (1) year period. Such concurrence shall be made by both parties at least three (3) months prior to original expiration.

#### II Consideration

1. The County shall pay the Contractor in the manner herein provided, in consideration of the work and materials to be provided under this Contract the sum of:

- A. \$22.00 per hour for the first 15 hours of work per week.
- B. \$20.00 per hour for the second 15 hours of work per week.
- C. \$18.00 per hour for all hours of work over 30 per week.

For the purpose of this Contract a week shall be deemed to begin on Sunday and end on Saturday. The above sums shall be effective for the term of this Contract; provided, however, that at the end of three (3) months from the commencement date of this Contract, if it is determined that the Contractor is working in excess of forty (40) hours per week, the County shall have the right to enter into negotiations with the Contractor and upon agreement by the Contractor and the County the consideration to be paid the Contractor may be reduced to reflect the excess hours worked by the Contractor.

2. The Contractor shall submit to the County on or before the 10th day of each month during the term of this contract a statement in writing signed by the Contractor certifying the amount due for the services and materials furnished for the preceeding month. The County shall make payment to the Contractor on or before the last day of the month following the submission of said statement.

3. The Contractor shall be paid only for each hour his equipment is in operation performing the work as outlined in Section III of this Contract or for each hour of additional work as authorized by the County or its representative, except that the County guarantees the Contractor a minimum of four (4) hours work per each day the Contractor performs the work as outlined in Section III of this contract. The hourly rate paid the Contractor shall include all expense incurred by the Contractor in the performance of this Contract.

#### III Scope of Work

1. The Contractor shall maintain a tractor or crawler type at the site at times when necessary to compact and cover refuse. The tractor shall be heavy enough to provide proper compacting of refuse material and shall be a tractor type loader and shall be a minimum of 18,000 lbs. in weight.

2. The Landfill area shall be compacted each day at a time left to the discretion of the Contractor to insure that upon closing each day, the solid waste in the Landfill Trench shall be compacted as follows:

- 1. The waste material shall be spread in layers no greater than two (2') feet in depth, and compacted by use of the tractor.
- 2. The layers of waste shall be separated by a minimum of two (2") inches of fill dirt.
- 3. Six (6") inches of dirt shall be placed over the final layer of daily compacted waste and compacted by use of the tractor.
- 4. No uncompacted or uncovered waste shall be left in the trench overnight.
- 5. All fill dirt shall be supplied by the County and will be located at or near the trench.

3. The County or its representatives shall designate a suitable location(s) in the disposal area to be used for the deposit of items which will not be allowed in the trench, ie, stoves, washers, freezers, leaves, limbs, etc. Such items shall be stockpiled for future salvage or disposal as follows:

- 1. Such items to be compacted and deposited in areas as designated by the County or its representatives and covered with six (6") inches of fill dirt.

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4. The Contractor shall maintain a smooth dirt service road from the disposal area entrance to the disposal areas. This shall be performed with the loader.

5. Acceptable new methods of maintenance may be substituted for the above by the Contractor if approved by the County or its representative.

#### IV Correction of Deficiencies and Termination

If, after any inspection, the landfill in the judgment of the County is not being operated or maintained properly, the County shall notify the Contractor in writing and he shall have five days in which to correct the deficiencies as outlined in the notice. If the corrections are not made within ten days from said notice, the County will have the right to deduct from the Contractor's payment an amount equal to the cost incurred by the County in making such corrections. In the event that no corrective action is taken by the Contractor, then the County may give formal notice in writing to the Contractor of its intention to terminate the Contract. Termination of the Contract shall not occur until the Contractor shall have had an opportunity to be heard at a regular meeting of the Board of Supervisors of James City County, and only then by action of Board at said meeting.

#### V Insurance

The Contractor shall furnish and keep in effect, during the term of the Contract, all liability and workmen's compensation insurance as required by law.

#### VI Miscellaneous Provisions

1. The Contractor shall comply with all applicable laws, ordinances and regulations, Federal, State and local, and the rules and regulations of the Health Department of the Commonwealth of Virginia, and provided for payment of all license fees, taxes, permits necessary and required in the conduct of operations under this Contract.

2. This Contract supersedes and takes place of any agreement, understanding, oral or written, entered into between the parties.

3. No amendment to the Contract shall be binding unless made in writing and duly executed by the parties hereto.

4. The parts and provisions of this Contract are severable. If any part or provision shall be held invalid by a Court of competent Jurisdiction, the remainder of this Contract shall remain in effect.

5. The Contractor shall be deemed to be an independent Contractor for all purposes of this Contract and neither the Contractor nor any of his employees shall be considered an agent, employee or servant of the Count.

6. This Contract may not be assigned in whole or in part by the Contractor unless written consent is given by the County.

7. The Contractor shall make every effort to control solid wastes in the manner and form set out in this Contract buty shall not be responsible for strikes, acts of God, or other contingencies over which he has no control.

8. This Contract is made in duplicate the day, month and year aforesaid, each if which shall be considered the original.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: NEW BUSINESS  
REIMBURSEMENT OF TAXES - ESTATE OF C. C. BRANCH

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Estate of C. C. Branch overpaid Real Estate Taxes, in the year 1972, in the amount of \$773.60,

WHEREAS, it was determined by the Commissioner of Revenue of James City County, that the Estate of C. C. Branch overpaid Real Estate Taxes in the year 1972, and that the amount of \$773.60 was paid to the Treasurer of James City County.

Be It Further RESOLVED, That the Board of Supervisors of James City County, Virginia, agrees that the taxes were pverpaid and therefore approves the amount of \$773.60 to be paid from the General Fund to reimburse the Estate of C. C. Branch for the overpayment of Real Estate Taxes.

January 10, 1973

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BIDS - SANITARY DISTRICT #11

Mr. Deward Martin, County Engineer, presented a summary of the previous engineering reports and related data concerning the proposed water and sewerage facilities for Sanitary District No. 11 for the Board's study. He also presented a tabulation of the final bids recently received for Sanitary District #11.

RE: LIVESTOCK CLAIM - L. B. NICE

Mr. Watkins explained that Mr. Matheny, Dog Warden, did not certify Mr. Nice's claim in the amount of \$470.00 for livestock loss, since he inspected only two sheep instead of the claimed seven and the four lambs were slaughtered for human consumption.

Mr. Matheny recommended that \$25.00 be allowed for each of the two sheep and \$10.00 a piece be allowed for each of the four lambs, totalling payment of claim in the amount of \$90.00.

Mr. Taylor was in disagreement as he thought the amount allowed was not enough.

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby authorizes the County Administrator to reimburse L. B. Nice for a livestock claim in the amount of \$90.00 in payment of the loss of sheep destroyed by dogs.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 4 to 1.

RE: REAPPOINTMENTS - ADJUSTMENT AND APPEALS - 3/8/73

Mr. Watkins presented a letter from the Building Official, for the Board's information and consideration on the expiration of terms of the Board of Adjustment and Appeals, March 8, 1973.

A-95 REVIEW - ROUTES 64 AND 199

Mr. Covey recommended that the Planning District Commission be notified that the Board is interested in the project and that comments be made on same. The Board concurred with the recommendation.

RE: RESOLUTION - SANITARY DISTRICT #11 CONDEMNATION AUTHORITY

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

Be It RESOLVED, that the Board of Supervisors of the County of James City, acting with respect to James City County Sanitary District #11, authorizes the acquisition by condemnation the rights, title, interest or easements in and



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to real estate in such Sanitary District as may be necessary to maintain and operate the works and systems for the transmission and distribution of sewage water and related utility services.

It is further RESOLVED, that the Chairman of this Board is hereby empowered to initiate such proceedings within his discretion upon recommendation to him by the attorney for said Sanitary District.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - WILLIAMSBURG JAYCEES WEEK

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Williamsburg Jaycees celebrate their twenty-fifth anniversary this year, and

WHEREAS, their work is a significant example of young men's concern for the welfare and betterment of their fellowmen, and

WHEREAS, their dedication to the Williamsburg community and its citizens has been expressed in many public activities, now therefore

BE IT RESOLVED, that the Board of Supervisors of James City County do hereby designate the week of January 21, 1973 through January 27, 1973 as

WILLIAMSBURG JAYCEE WEEK

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REQUEST - SERVICE AUTHORITY

The Service Authority, by letter, recommended to the Board, the addition of two amendments to Sanitary District #11 Operating Policy, having to do with reimbursement to developers for the expense of the water and sewerage lines.

The Board agreed not to take any action at this time.

RE: CONTRACT - NEWPORT NEWS - WISTERIA GARDENS

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the Contract between Wisteria Gardens and Newport News for the installation of a water supply per Newport News requirements.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: FEASIBILITY - GROUND WATER SYSTEM - ROUTE 31 & ROUTE 5 AREA

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Mr. Donaldson reported that there were persons interested and willing to join with the County in a venture to test the water supply in the Route 31 and Route 5 area. He stated it would be in the County's interest to find out whether or not water is located in that area. He further reported that the bid received was under \$8,000.00 to drill a 6" well, not to exceed \$4,000.00.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: WETLANDS RESOLUTION AND DOG FUND RESOLUTION

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolutions:

DOG FUND RESOLUTION

WHEREAS, the control of unlicensed dogs is an ever increasing problem in James City County, and

WHEREAS, Section 29-184.2 (c) Code of Virginia, 1950, as amended, authorizes Counties to only expend funds received in the form of Dog License Taxes to control Dog Laws, and

WHEREAS, this requirement of the Code places the tax burden only on owners of licensed dogs.

Now, Therefore, this Board of Supervisors of the County of James City does hereby resolve and request the Honorable Russell Carneal, its Delegate to the General Assembly, to encourage the amendment of Paragraph (c) Section 184.2, Chapter 9, Title 29, Code of Virginia, 1950, as amended, with the deletion of the wording "... in an amount not exceeding the Dog Licenses Funds paid into the general fund"... in the 5th and 6th line of the 3rd sentence.

WETLANDS RESOLUTION

WHEREAS, Section 62.1-13.5 (4c), Code of Virginia 1950, as amended, authorizes Counties to require a processing fee of twenty-five dollars (\$25.00) to accompany each application for a Wetlands Permit, and

WHEREAS, the Board of Supervisors of the County of James City has determined that the processing fee allowed by the Code is insufficient to cover processing costs.

Now, Therefore, this Board of Supervisors of the County of James City does hereby resolve and request the Honorable Russell Carneal, its Delegate to the Virginia General Assembly to encourage the amendment of Paragraph (c), Subsection 4, Section 13.5, Chapter 21, Title 62.1, Code of Virginia, 1950, as amended, by rewriting Paragraph (c) as follows:

(C) A non-refundable processing fee, to cover the cost of processing the application, of ..... (amount to be set by governing body) shall accompany each application.

January 10, 1973

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: REQUEST - VACATION OF PLAT OF KINGS CORNER SUBDIVISION PLAT

Mr. Watkins reported that this has to do with the relocation of a right of way located on Route 603 near the intersection of Route 601.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby refers this matter to the Planning Commission for their recommendation.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: BY-LAWS

Mr. Edwards presented a copy of by-laws to each Board member for their study.

RE: OFFICE SPACE - JAMES CITY SERVICE AUTHORITY

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the Service Authority to rent other office space by March 15, 1973, or as soon thereafter as possible.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

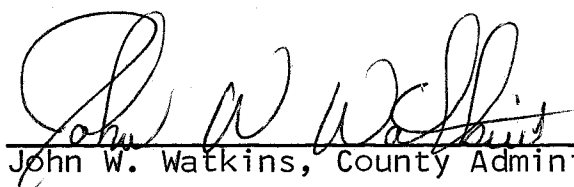
Motion carried by a unanimous vote.

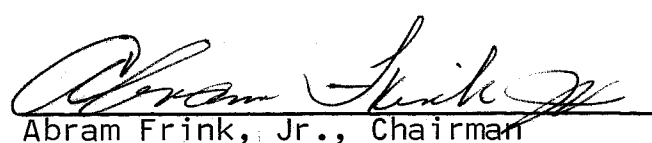
On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby recesses the meeting, to reconvene January 12, 1973, to enter into executive session for interviewing County Administrator applicants.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

January 12, 1973

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, James town District and MR. STEWART U. TAYLOR, Stonehouse District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

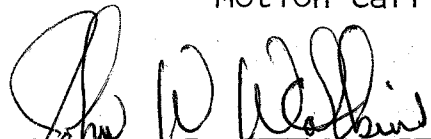
Motion carried by a unanimous vote.


After executive session, the Board returned to public session and a motion was made and seconded to adjourn the meeting to reconvene January 13, 1973 at 12:30 P. M.

The following roll call vote, was recorded.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisor of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the thirteen day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. STEWART U. TAYLOR, Stonehouse District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote, was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

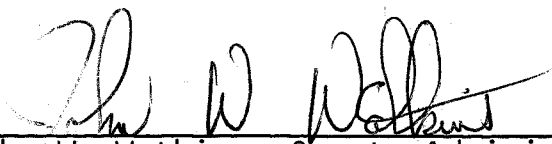
After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 16, 1973 at 7:30 P.M.


The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

January 19, 1973  
January 16, 1973  
January 13, 1973

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the sixteenth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. STEWART U. TAYLOR, Stonehouse District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye


Motion carried by a unanimous vote.


After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 19, 1973 at 4:30 P.M.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the nineteenth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District and MR. JOHN E. DONALDSON, Jamestown District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.


After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 21, 1973, at 2:00 P.M.


January 22, 1973  
January 21, 1973  
January 19, 1973

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-first day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. STEWART U. TAYLOR, Stonehouse District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote, was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

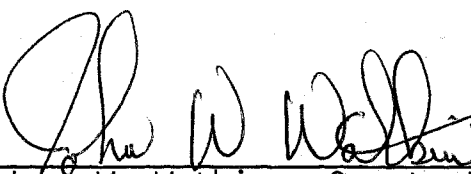
Motion carried by a unanimous vote.

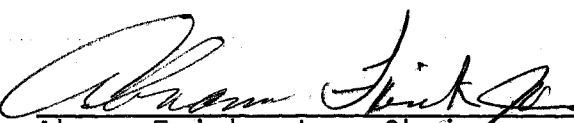
After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 23, 1973 at 7:30 P.M.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-second day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.



January 22, 1973

RE: MINUTES

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of the previous meeting, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HIGHWAY MATTERS  
ROUTE 60 WEST - SPEED LIMIT STUDY

Mr. Yeatts reported that he has received no reply from the Central Office on this study, but as soon as he receives same, he would notify the Board.

RE: ROAD VIEWERS REPORT

Mr. Watkins reported that while there would be no written report from the Road Viewers, he has been instructed to advise the Board that four of the Road Viewers met on January 15 and toured the County, inspecting those roads previously submitted to the Board by his office. Mr. Watkins advised the Board that after review and discussion, it was the opinion of the Road Viewers that the priorities set on the two lists previously submitted, should not be changed.

Mr. Watkins stated that he and Mr. Yeatts would try and obtain an estimate on the cost of the roads by the next meeting.

RE: SECONDARY ADDITIONS

Mr. Watkins advised that three secondary roads in Woodland Farms Subdivision have been added to the Secondary System as follows:

Woodland Road      Landing Circle      Croaker Circle

RE: ROUTE 615 INTERSECTING ROUTE 613

Mr. Waltrip reported that Route 615 intersecting with Route 613 where improvement stops, creates a great deal of problems with proper negotiating a curve and asked if a sign could not be placed stating "Road Narrows."

Mr. Yeatts replied he would take care of the matter.

RE: ROUTE 199 - ENVIRONMENTAL PROTECTION

Mr. Edwards asked if specification for environmental protection applied to the Route 199 project.

Mr. Yeatts replied that there are specifications and both Mr. Edwards and Mr. Donaldson requested same.

RE: POTHoles - GAS STATION - GROVE

Mr. Frink requested that potholes be repaired at a former Esso Service Station, located in Grove.

Mr. Yeatts said he would check on this.

RE: DEER CROSSING SIGNS

Mr. Frink requested that deer crossing signs be placed between Black's Crossing and the Anheuser Busch Plant.

January 22, 1973

RE: OLD BUSINESS  
L. B. NICE - LIVESTOCK CLAIM

Mr. Nice appeared before the Board objecting to the amount approved by the Board for his recent livestock claim. He stated that the Board did not allow enough on the sheep he lost, as they were breeding sheep and were worth a great deal more than an old "ewe" being sold for slaughter. He advised that he paid \$40.00 for the sheep eighteen months ago.

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby grants Mr. Nice \$470.00, the original request for damages.

After a lengthy discussion on the motion and after Mr. Nice reported finding two more sheep carcasses, the County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Donaldson	-	Nay
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion defeated by a majority vote of 3 to 2.

On a motion by Mr. Donaldson, seconded by Mr. Frink, the Board of Supervisors of the County of James City, Virginia, hereby refers the claim back to the Dog Warden for the ascertainment of the loss in the light of the additional claim and the information brought back to the Board at their next meeting.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Motion carried by a majority vote of 4 to 1.

Mr. Watkins was directed to check with the Commonwealth's Attorney on whether the County is authorized to pay a livestock claim without certification from the Dog Warden.

RE: REAPPOINTMENTS - PLANNING COMMISSION

Mr. Watkins reported that all Planning Commission members had re-signed as per the Board's request except for Mrs. Ina Friedman.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby sets the terms of Planning Commission members as follows, to be drawn at random:

First three names drawn	-	Term expires 1/15/74
Next two names drawn	-	Term expires 1/15/75
Next three names drawn	-	Term expires 1/15/76
Next one name drawn	-	Term expires 1/15/77

Mrs. Ina Friedman's term will run until expiration of April 30, 1975 at which time appointment will be made to expire January 15, 1977. Upon expiration of terms all appointments will be four year terms.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

January 22, 1973

The Board chose Mrs. George Douglas to draw the names and the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby reappoints the following persons to the Planning Commission:

Mr. Gerald H. Mephram	Term Expiring	1/15/74
Dr. William Lee	" "	1/15/74
Mr. James E. Hicks	" "	1/15/74
Mr. W. J. Scruggs, Sr.		1/15/75
Mr. A. G. Bradshaw		1/15/75
Mr. B. N. Hoar		1/15/76
Mr. Raymond H. Minkins		1/15/76
Mrs. Cary Fuqua		1/15/76
Mr. Albert L. White, III		1/15/77

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REAPPOINTMENTS - ELECTRICAL EXAMINING BOARD

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby reappoints the following persons to the Electrical Examining Board, effective January 1, 1973:

Mr. Peter Paluzzsay, Contractor	Term Expiring	1/1/77
Mr. Morris Cox, Journeyman		1/1/76
Mr. John H. Gardner, Citizen		1/1/74
Mr. James Bowry, Engineer (Vepco)		1/1/75

Upon expiration of terms, all appointments will be four year terms.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REAL ESTATE TAX EXEMPTION ORDINANCE

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the Real Estate Tax Exemption Ordinance until the Board can draw a definition article that will define net worth and income.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advise the Commissioner of Revenue that it is the Board's intent to pass a Real Estate Tax Exemption Ordinance, so that forms can be prepared.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

January 22, 1973

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: GATEWAY CORPORATION

Mr. D. Martin, Engineer for Gateway Corporation, and Mr. Mizell, developer, appeared before the Board to present a Townhouse and Townhouse Condominium concept for the Board's reaction to same. They explained that there would be 420 units on 42.95 acres with a density of 9.78.

After a general discussion on parking spaces and green area, the Board requested that this matter be taken up with the Planning Commission through the Site Plan Committee.

RE: REZONING REQUEST - CASE NO. Z-24-72 - LEWIS A-1 TO R-2  
REZONING REQUEST - CASE NO. Z-25-72 - DUNCAN - R-2 TO B-1

On a motion by Mr. Waltrip, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing to be held February 12, 1973, the following:

"Case No. Z-24-72. Application of Dr. Murray Loring on behalf of Charles T. and Annis B. Lewis for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to R-2 LIMITED RESIDENTIAL DISTRICT, property is further located on the north side of Route 612, Powhatan District."

"Case No. Z-25-72. Application of Dr. Murray Loring on behalf of Harvey S. and Margaret S. Duncan for rezoning of property from R-2 LIMITED RESIDENTIAL DISTRICT to B-1 GENERAL BUSINESS DISTRICT, property is further identified as lying in Jamestown District at 109 Lake Powell Road."

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENTS - COMPREHENSIVE HEALTH PLANNING COUNCIL

Mr. Watkins reported that the Comprehensive Health Planning Council has requested, effective January 1, 1973, that three persons be appointed to this Council for staggering terms of one, two and three year terms. They have further requested that Mr. Scruggs, past member of said council, be reappointed together with two or three persons recommended by the Council.

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby table the matter until the next meeting.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

January 22, 1973

RE: TWIN OAKS CAMPGROUNDS

Mr. Ellison, developer of Twin Oaks Campgrounds, appeared before the Board, requesting approval of their final plans for a campgrounds.

After a lengthy discussion, Mr. Ellison was advised by the Board that he must go before the Planning Commission before the Board could take any action.

Mr. Ellison then submitted his plans to Mr. Covey for review.

RE: EXECUTIVE SESSIONS

The Board agreed to meet with the Service Authority at their next meeting, scheduled February 5, 1973, at 7:30 P.M.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby agrees to recess this meeting to Tuesday, January 23, 1973, for executive session to interview a County Administrator Applicant and to meet January 29, 1973, at 6:30 P.M., for an executive session to work on the Revenue Sharing Budget.

The County Administrator was directed to take a roll call vote, which is directed as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of January, 1973:

General Fund - Checks #6458 through #6583  
Totalling - \$294,196.96

Sanitary District #1 - Checks #182 through #183  
Totalling - \$13,425.27

Sanitary District #2 - Checks #134 through 139  
Totalling - \$25,913.91

James City County School Construction Bond Issue of  
March 1, 1972 - Check #112  
Totalling \$238,000.00

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: SANITARY DISTRICT #11

Mr. Martin, Engineer for the County, appeared before the Board advising them of the possibility of relocating the Sanitary District #11 line in the vicinity of Grove Heights Avenue, which would conceivably save the County three or four thousand dollars.

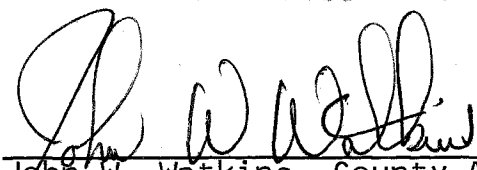
On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss personnel matters.

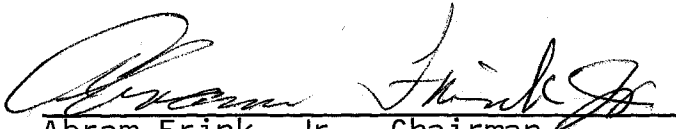
January 23, 1973  
January 22, 1973

The County Administrator was directed to take a roll call vote,  
which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-third day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. STEWART U. TAYLOR, Stonehouse District.

Motion was made and seconded to adjourn to executive session to interview an applicant for the position of County Administrator.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

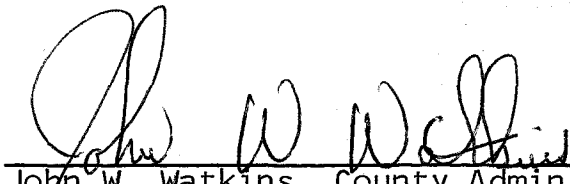
Motion carried by a unanimous vote.

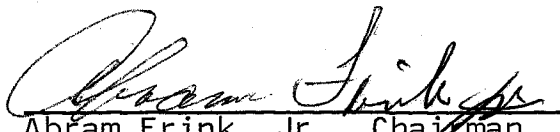
After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 26, 1973 at 4:30 P.M.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

On a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-sixth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District and MR. STEWART U. TAYLOR, Stonehouse District.



January 26, 1973

Motion was made and seconded to adjourn to executive session to discuss the various applicants for the position of County Administrator.

The following roll call vote was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

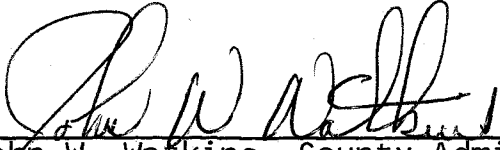
Motion carried by a unanimous vote.

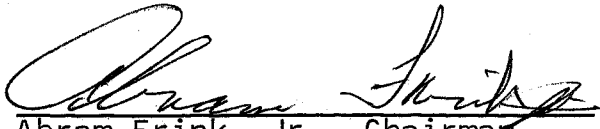
After executive session, the Board returned to public session and motion was made and seconded to adjourn the meeting to reconvene January 29, 1973, at 7:30 P.M.

The following roll call vote, was recorded:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-ninth day of January, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: APPOINTMENT - COUNTY ADMINISTRATOR

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City, Virginia, appoints Thomas R. McCann, Jr., County Administrator of the County of James City, effective February 19, 1973, at an annual salary of \$22,000.00.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

The Board answered questions relayed from the press.

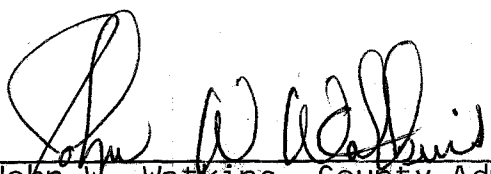
On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss the Revenue Sharing Budget.

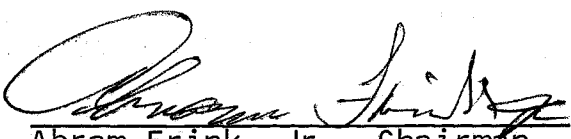
The County Administrator was directed to take a roll call vote, which is recorded as follows:

February 8, 1973  
January 29, 1973

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

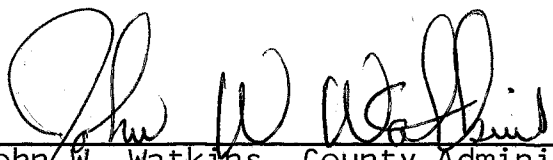
At a special meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighth day of February, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

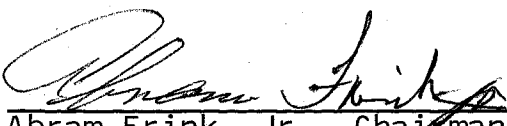
On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session for discussion with the James City County School Board, under Section 2.1-344 of the Code of Virginia, 1950, as amended.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of February, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, County Administrator.

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of January 12, 13, 16, 19, 21, 22, 23, 26 and 29, 1973, as published.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

February 12, 1973

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REPORTS  
 APPROPRIATIONS AND EXPENDITURES REPORT  
 TREASURER'S REPORT  
 COUNTY ADMINISTRATOR'S REPORT  
 ZONING ADMINISTRATOR'S REPORT  
 PLANNING DIRECTOR'S REPORT  
 BUILDING PERMIT REPORT  
 PROBATION DEPARTMENT REPORT  
 DOG WARDEN REPORT

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby accepts the above reports.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: PUBLIC HEARINGS  
CASE NO. Z-24-72 - LEWIS - REZONE FROM A-1 TO R-2

Mr. Watkins read the following description of the property in question:

"Application of Dr. Murray Loring on behalf of Charles T. and Annis B. Lewis for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to R-2 LIMITED RESIDENTIAL DISTRICT property is further located in the North side of Route 612, Powhatan District."

Mr. Watkins stated it was the recommendation of the Planning Commission to rezone.

The Chairman opened the hearing for public comment.

Dr. Loring, representing the Lewises, advised that this land would be used for multi-family dwellings.

There being no further comment, the hearing was closed.

Dr. Loring advised the Board that 12 acres were involved in the rezoning and the plan was to have 120 units built.

After further discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby defers action on rezoning Case No. Z-24-72, pending further study on how many apartments present and future are in the area.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CASE NO Z-25-72 - DUNCAN - REZONE FROM R-2 TO B-1

Mr. Watkins read the following description of the property in question:

"Application of Dr. Murray Loring on behalf of Harvey S. and Margaret S. Duncan for rezoning of property from R-2 LIMITED RESIDENTIAL DISTRICT to B-1 GENERAL BUSINESS DISTRICT, property is further identified as lying in James-town District at 109 Lake Powell Road."

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Mr. Watkins stated it was the recommendation of the Planning Commission to rezone.

The Chairman opened the hearing for public comment.

Dr. Loring, representing the Duncans, stated that all adjoining land is commercial, except one, and this landowner has no objection to the rezoning. He advised that the present building on the property will be used for office space.

There being no further comments, the hearing was closed.

Mr. Donaldson said that several people in the area had expressed concern to him about the uses in a B-1 zone.

Mr. Donaldson asked why they didn't apply for a Special Use Permit and the reply was that the Chairman of the Planning Commission recommended that the property be rezoned.

Mr. Edwards said he would support a Special Use Permit, but not rezoning. After further discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby rezone the Duncan property from R-2 to B-1 (Case No. Z-25-72) as requested.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

RE: OLD BUSINESS  
L. B. NICE - LIVESTOCK CLAIM

Mr. Watkins reported that Mr. Matheny, Dog Warden, had verified the killing of eleven animals by dogs, but did not have any recommendation on the cost of the animals.

Mr. Taylor said that any animal bred and ready to farrow, is worth much more than when first purchased.

After further discussion, the following motion was presented:

On a motion by Mr. Edwards, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby agrees to pay the full amount of the original claim, \$470.00.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby rescinds the motion of January 10, 1973, allowing \$90.00 for the livestock claim.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
-------------	---	-----

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Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: REAL ESTATE TAX EXEMPTION ORDINANCE

Mr. Donaldson reported that there were several bills in the 1973 General Assembly which could affect the local ordinance. He suggested that this item be deferred.

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby defers action on the Real Estate Tax Exemption Ordinance until further information is obtained.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: APPOINTMENTS - COMPREHENSIVE HEALTH PLANNING COUNCIL

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby appoints Carlton P. Hardy, for a three year term, expiring January 1, 1976 and Mrs. Sharon Kiefer, for a two year, expiring January 1, 1975, to the Comprehensive Health Planning Council.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

It was noted that the third appointment will be made at the next meeting.

RE: NEW BUSINESS  
RESOLUTIONS - VOCATIONAL EDUCATION WEEK

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolutions:

WHEREAS, the Congress of the United States has recognized the growing and imperative need for Vocational Education and has provided broader concepts of career education to prepare individuals for the world of work; and

WHEREAS, through the increased emphasis on preparing individuals to enter employment, many new programs are now available to assist individuals in reaching their occupational goals; and

WHEREAS, one week in February has been set aside by proclamation of the Governor of Virginia as Vocational Education Week; and

WHEREAS, the ultimate success of this endeavor rests with each and every individual who is concerned with providing training opportunities through a comprehensive educational curriculum for all students; and

WHEREAS, Vocational Education serves high school youths as well as adults in preparing them for occupations in Agriculture, Business and Office, Marketing and Distributive, Home Economics and Home Making, Trade and Industries, Health Occupations, Industrial Arts, Technical Education and through the efforts of Vocational Counseling by assisting individuals to reach their occupational goals:

February 12, 1973

NOW, THEREFORE, I, Abram Frink, Chairman, Board of Supervisors, James City County, do hereby proclaim February 11 through 17, 1973, as

VOCATIONAL EDUCATION WEEK in the County of James City and urge all citizens of this great community to visit their local Vocational Education Schools and programs thereby making themselves better acquainted with the services offered by these dedicated institutions to the extent that each citizen can benefit from these services.

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WHEREAS, the economic well-being of the citizens of the Commonwealth of Virginia depends upon education and training for the "world of work"; and

WHEREAS, the Congress of the United States and General Assembly of the Commonwealth of Virginia have acted through appropriate legislation; and

WHEREAS, the American Vocational Association by representative assembly and the State of Virginia Vocational Association have established the second week in February as VOCATIONAL EDUCATION WEEK:

Now, Therefore, I, Abram Frink, Chairman of the James City County Board of Supervisors, do hereby proclaim the week of February 11-17, 1973, as

VOCATIONAL EDUCATION WEEK

in the County of James City and urge all citizens of this County to observe the week becoming acquainted with and visiting the vocational education facilities in the area.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: HOLIDAY - FEBRUARY 19, 1973 - WASHINGTON'S BIRTHDAY

On a motion by Mr. Taylor, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, In accordance with Section 2.1-21, Code of Virginia, 1950, as amended, the third Monday in February, 1973, (2-19-73), shall be a legal holiday for the celebration of Washington's Birthday, as to the transaction of all business.

It Is, Therefore, RESOLVED, That the Board of Supervisors does proclaim the nineteenth day of February, 1973, as a legal holiday for County offices and employees.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: RESOLUTION - PROBATION HOUSE

Mr. Watkins read the following resolution for the Board's information:

WHEREAS, our children experiencing family, school, and community problems continue to be institutionalized for lack of a local, community-based treatment program;

WHEREAS, our teen home staff, concerned with the total welfare of our young people, may soon be lost;

WHEREAS, our tri-community stands in jeopardy of losing the \$95,000 grant necessary to effect this needed facility;

WE MUST TAKE ACTION

Therefore,



February 12, 1973

We, the Vestry of Bruton Parish Church and citizens of York County, James City County, and Williamsburg hereby express our concern that a location for the teen home has not been found. We encourage the three local governing bodies to initiate positive action toward obtaining such a house. We further encourage them to lend needed support to such locations as may be presented to them. We also affirm our personal commitment to support this program wherever a suitable house can be located.

RE: RESOLUTION - BANKS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolutions:

RESOLUTION

UNITED VIRGINIA BANK OF WILLIAMSBURG

Be It RESOLVED, That the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #1, Sanitary District #2, Payroll Deduction Fund Account, James City County Bond Issur 1964-B Sinking Fund, James City County General Obligation Water Bonds-1970, Courthouse Construction Fund and the James City County Subdivision Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

Be It Further RESOLVED, That all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.	Chairman
	OR
Mayo W. Waltrip	Vice-Chairman
Thomas R. McCann, Jr.	County Administrator
	OR
Betty W. Winstead	Administrative Assistant
Frances B. Whitaker	Treasurer
	OR
Eunice P. Stewart	Deputy Treasurer
Betty S. Angle	Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

Be It Further RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

This resolution shall be effective on and after February 19, 1973.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

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RE: RESOLUTION - SCHOOLS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

WHEREAS, the Board of Supervisors of the County of James City, Virginia, is in receipt of a check in the amount of \$115,815.47 from the Williamsburg-James City County Public Schools, which represents James City County's share of surplus funds from the 1971-72 fiscal year, and

WHEREAS, it has been the procedure of the Federal Government to pay entitlements under PL 874 in two or three installments over two budget years, and

WHEREAS, the Federal Government departed from this procedure in the fiscal year just ended, and

WHEREAS, in the 1971-72 School Budget year, anticipated revenue from PL 874 was \$100,000.00 and actual receipts were \$150,283.00, reflecting a revenue deficiency of a minimum of \$50,283.00 under this program in the 1973-74 School Budget.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of James City, Virginia, upon request of the James City County School Board, dated July 11, 1972, hereby appropriates to said School Board, the amount of \$41,584.04, for utilization in the 1972-73 school year.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

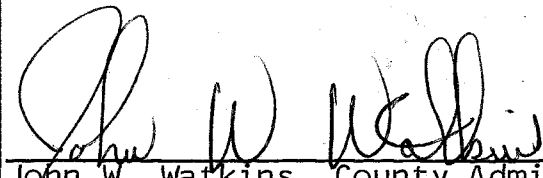
Motion carried by a unanimous vote.

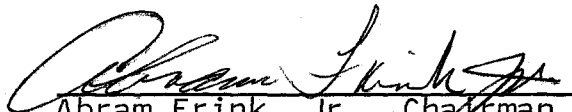
On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby adjoins to executive session to meet with the Service Authority to discuss water and sewerage problems.

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
John W. Watkins, County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-sixth day of February, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District and MR. JOHN W. WATKINS, Zoning Administrator.

February 26, 1973

RE: MINUTES

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of February 12, 1973, as published.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: OLD BUSINESS:

CONSIDERATION OF REPORT FROM COUNTY ADMINISTRATOR CONCERNING ADDITIONS TO THE SECONDARY HIGHWAY SYSTEM

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby concurs with the desire of the County Administrator to request the necessary engineering work to be done by the State Highway Department on the following roads:

1. Alesa Drive & Debra Drive
2. Riverside Drive (S)
3. Canal Street
4. Beechwood Drive
5. Indigo Terrace Road
6. Berkeley Town
7. Off Route 143 East
8. Blows Flats
9. Forest Heights Avenue
10. Off Oak Drive

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: INTERSTATE 64

Mr. Taylor requested Mr. Yeatts to have Route 60 and Interstate 64, resigned, so that the traffic can be diverted both ways. He explained that as it is set up now, all traffic goes to 64, not giving the public the choice of highways.

RE: ROUTE 656 - GROVE

Mr. Frink asked Mr. Yeatts to look into the matter of the chuck holes on Route 656, caused by heavy traffic from the gravel pit located in the vicinity.

RE: RECEIPT OF STATUS REPORT ON REAL ESTATE TAX ORDINANCE

Mr. Donaldson reported that the State has chosen not to reimburse the localities on the Real Estate Tax Exemption.

After a general discussion, the following motion was presented:

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby adds the following Subsection to the Tax Exemption Ordinance, previously presented to the Board:

February 26, 1973

ARTICLE 1A

Definitions

- 1A-1 The following words and phrases when used in this ordinance shall, for the purposes of this ordinance, have the following respective meanings, except where the context clearly indicates a different meaning:
- 1A-1-1 The term "income" as used herein means income from whatever source derived, including, but not limited to, social security payments, inheritance, gifts, gains from the sale or exchange of assets, proceeds of insurance, welfare receipts and benefits under the Virginia Supplemental Retirement System.
- 1A-1-2 The term "net combined financial worth" means the fair market value of all assets, tangible or intangible, legal or equitable, of the owner or owners, and the spouse of any owner, less the liabilities of such person or persons, but excluding the value of the dwelling and the land, as provided in Section 2-1-2 hereof. Such term includes, but is not limited to, the cash surrender value of any life insurance policy owned by such person or persons.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs that the Tax Exemption Ordinance be advertised for a public hearing, to be held March 12, 1973, with the following figures to be included, and upon the concurrence of the Commonwealth's Attorney:

Subsection 2-1-1	- \$7,500.00
Subsection 2-1-2	- \$20,000.00
Section 3-2	-
Less than \$5,000.00	- 100%
\$5,000.00 to \$6,249.99	- 80%
\$6,250.00 to \$7,500.00	- 60%

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONSIDERATION OF APPOINTMENTS  
COMPREHENSIVE HEALTH PLANNING COUNCIL (1 CITIZEN MEMBER):

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mrs. C. H. Branch, for a term of one year, expiring January 1, 1974, to the Comprehensive Health Planning Council.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: ADJUSTMENT AND APPEALS BOARD (1 CONTRACTOR MEMBER AND 1 ARCHITECT MEMBER):

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby appoints Mr. William A. Phillips, Architect, and Mr. J. E. Wray, General Contractor, for a term of four (4) years to the Adjustment and Appeals Board.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

February 26, 1973

RE: NEW BUSINESSCONSIDERATION OF REQUEST BY JAMES CITY BOARD OF AGRICULTURE CONCERNING THE EXTENSION OF DOE SEASON:

Mr. Cottrell, representing the James City Board of Agriculture, appeared before the Board, with an appeal for the Board to request the Game Commission to extend Doe Season from three days to the last two weeks of the 1973-74 Deer Hunting Season, due to extensive damage to field crops in James City County.

After a lengthy discussion, the following motion was presented:

On a motion by Mr. Taylor, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to request the Game Commission to extend the Doe Season from three days to the last two weeks of the 1973-74 Deer Hunting Season.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONSIDERATION OF RESOLUTION OF APPRECIATION FOR ACTING COUNTY ADMINISTRATOR, JOHN W. WATKINS:

On a motion by Mr. Frink, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby adopts the following resolution:

RESOLUTION OF APPRECIATION

WHEREAS, the Board of Supervisors of the County of James City appointed John W. Watkins, Acting County Administrator on September 25, 1972; and

WHEREAS, the Board of Supervisors made this appointment on the basis of demonstrated ability, experience and recognition of his devotion to the work of the County; and

WHEREAS, the Board of Supervisors looked to John W. Watkins to carry forward the work of the Board for a period of five months; and

WHEREAS, the Board of Supervisors found his work to be of high caliber worthy of public recognition;

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of James City hereby extend its sincere thanks and appreciation to John W. Watkins for his responsive, loyal, and professional execution of the County's business during his tenure as Acting County Administrator; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread on the minutes of this meeting of the Board of Supervisors of James City County.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONSIDERATION OF REPORT ON TAX RATE ON MACHINERY AND TOOLS:

Mr. Edwards reported that he would bring a motion before the Board at the next regular meeting to assess machinery and tools at 20% of the original cost for purposes of taxation in 1973.

Mr. Donaldson stated that he hoped that this would be done over a period of years rather than at one time.

RE: CONSIDERATION OF REPORT ON NUMBER OF MEMBERS ON SOCIAL SERVICE BOARD

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby requests the County Administrator to draft an appropriate resolution to increase the membership of the Social Services Board from three to five members.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

February 26, 1973

RE: CONSIDERATION OF DATE FOR PUBLIC HEARING ON REZONING APPLICATION FOR WHISPERING PINES, INC., FROM A-1 TO R-4:

On a motion by Mr. Taylor, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby directs the County Administrator to advertise for a public hearing to be held March 12, 1973, on the following rezoning case:

CASE NO. Z-1-73. Application of J. Carey Minor, Agent, on behalf of Whispering Pines, Inc., and the Hiden Estate for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to R-4 RESIDENTIAL PLANNED COMMUNITY. Property is further identified as lying Powhatan District, on State Route 614 between State Route 612 and State Route 613 on the east side of the street with a frontage of 1.9 miles and a depth of 2 miles as recorded in Deed Book 141, Page 357, James City County.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONSIDERATION OF STREET LIGHT COMMITTEE REPORT CONCERNING CENTERVILLE ROAD:

On a motion by Mr. Waltrip, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby ~~accepts the recommendation of the Street Light Committee~~ to have twelve new 3300 Lumen Lights installed in the developed areas on Centerville Road between Route 611 and Route 612 at an annual cost of \$276.00.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CONSIDERATION OF REQUEST OF MR. THOMAS WOOD -  
RE: CITY WATER CONNECTION, BOUGHSPRING SUBDIVISION:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby reaffirms the action taken by the Board of Supervisors on February 26, 1965, and allows City water connection to Boughspring subdivision.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: COUNTY ORDINANCE REVIEW:

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors of the County of James City, Virginia, hereby directs the Director of Planning to review all County Ordinances relating to density of population and intensity of land use, particularly in zones which permit multi-family dwellings, and report his findings at the Board's March meeting.

Mr. Watkins was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: CERTIFICATION OF WARRANTS:

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of February, 1973:

General Fund	-	Checks #6584 through 6752
		Totalling - \$639,956.56



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Sanitary District #2 - Checks #141 through #144  
Totalling - \$38,166.34

The County Administrator was directed to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

RE: TAX EXEMPTION ORDINANCE:

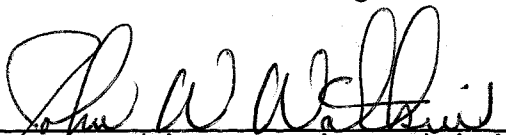
With Mr. Person, Commonwealth's Attorney, arriving at the meeting, the Board questioned him as to what affect would changing the rates in Section 3-1 of the Tax Exemption Ordinance have on the advertisement of said ordinance.

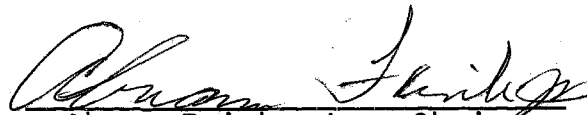
Mr. Person stated it would probably be legal.

RE: COURTHOUSE ROOF:

Mr. Waltrip reported that bids will be opened on March 6, 1973, at 2:00 P.M., for repairs to the Courthouse roof.

There being no further business, the meeting was adjourned.

  
John W. Watkins, Zoning Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of March, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART W. TAYLOR, Stonehouse District, MR. THOMAS R. MCCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: MINUTES

On a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby approves the minutes of February 8 and 26, 1973, as published.

The County Administrator was requested to take a roll call vote, which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

Upon a request from Mr. Edwards and the Board's concurrence, the minutes of the Board meetings shall be numbered according to the Agenda. Mr. Edwards also requested that the County Administrator consider having the Board meetings recorded on tape.

RE: PUBLIC HEARING  
REZONING CASE #Z-1-73, WHISPERING PINES A-1 TO R-4

AGRIC Application of J. Carey Minor, Agent, on behalf of Whispering Pines, Inc., and the Hiden Estate for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to R-4 RESIDENTIAL PLANNED COMMUNITY. Property is further identified as lying in Powhatan District, on State Route 614 between State Route 612 and State Route 613 on the east side of the street with a frontage of 1.9 miles and a depth of 2 miles as recorded in Deed Book 141, Page 357, James City County.

The Chairman opened the hearing for public comment.

Mr. C. Covey, Assistant to the County Administrator, recommended that the above rezoning case be considered favorably by the Board.

Mr. A. B. Hardee, founder and President of Whispering Pines, gave a brief presentation regarding the development of the rezoned property which is to be called "Middle Plantation."

There being no further comments from the public, the hearing was closed.

During the general discussion, Mr. Edwards indicated that there were a number of important question regarding the impact of this development on the community, but would approve the rezoning.

March 12, 1973

Mr. Donaldson moved that the Board of Supervisors rezone the property on State Route 614, Whispering Pines, Case #Z-1-73 from A-1 to R-4 as requested. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RE: PUBLIC HEARING  
REAL ESTATE TAX EXEMPTION ORDINANCE

An ordinance to provide for the exemption from taxation of certain real estate in James City County, Virginia. This ordinance shall be known and may be cited as "The Real Estate Tax Exemption Ordinance of James City County, Virginia."

The Chairman opened the hearing for public comment.

There being no comments from the public, the hearing was closed.

Mr. Taylor moved to amend the ordinance by changing Section 3-1 to omit the 80% and 60% exemption tax on income from \$5,000 to \$7,500, and to include only the 100% exemption tax on total combined income of less than \$5,000.

After general discussion, a roll call vote was taken on the amendment as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Donaldson	-	Nay
Mr. Taylor	-	Aye
Mr. Frink	-	Nay

The motion to amend was defeated.

Mr. Edwards moved to amend Section 3-1 of the ordinance by adding the words "however, in no case shall the total annual exemption exceed \$300." The motion was seconded by Mr. Donaldson and carried on a unanimous roll call vote.

Mr. Donaldson moved to adopt the ordinance as amended. The motion was seconded by Mr. Edwards and the County Administrator was requested to take a roll call vote, which is as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Abstain
Mr. Frink	-	Aye

Motion carried by majority vote.

The Real Estate Tax Exemption Ordinance which was adopted, shall be as follows:

#### Article 1 Tax Exempted

- 1-1 Real Estate, or any portion thereof, owned by, and occupied as the sole dwelling of a person or person not less than sixty-five years of age shall be exempt from real estate taxes in the amounts as set forth elsewhere in this ordinance.

#### Article 1A Definitions

- 1A-1 The following words and phrases when used in this ordinance shall, for the purposes, of this ordinance, have the following respective meanings, except where the context clearly indicates a different meaning:
- 1A-1-1 The term "income" as used herein means income from whatever source derived, including, but not limited to, social security payments, inheritance, gifts, gains from the sale or exchange of assets, proceeds of insurance, welfare receipts and benefits under the Virginia Supplemental Retirement System.
- 1A-1-2 The term "net combined financial worth" means the fair market value of all assets, tangible, or intangible, legal or equitable, of the owner or owners, and the spouse of any owner, less the liabilities of such person or persons, but excluding the value of the dwelling and the land, as provided in Section 2-1-2 hereof. Such term includes, but is not limited to, the cash surrender value of any life insurance policy owned by such person or persons.

March 12, 1973

ARTICLE 2      Qualifications

- 2-1 Such exemption may be granted for any year following the date that the head of the household occupying such dwelling and owning title or partial title thereto reaches the age of sixty-five years and in addition:
- 2-1-1 The total combined income during the immediately preceding calendar year from all sources of the owners of the dwelling living therein and of the owners' relative living in the dwelling does not exceed \$7,500.00, provided that the first fifteen hundred dollars of income of each relative, other than spouse, of the owner, or owners, who is living in the dwelling shall not be included in such total.
- 2-1-2 The net combined financial worth, including equitable interests, as of the thirty-first day of December of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding one acre, upon which it is situated does not exceed \$20,000.00.

Article 3   v   Amount Exempt

- 3-1 Any person or persons qualifying for such exemption shall be exempt in certain amounts from taxation of Real Estate based on income as follows:

TOTAL COMBINED INCOMEPERCENTAGE EXEMPTION OF TAX

Less than \$5,000.00  
5,000 to \$6,249.99  
6,250 to \$7,500.00

100 %  
80 %  
60 %

Article 4      Application

- 4-1 Any person or persons claiming such exemption, shall file annually with the Commissioner of Revenue of James City County, on forms to be supplied by the County, an affidavit setting forth the names of the related persons occupying such Real Estate; that the total combined net worth, including equitable interests and the combined income from all sources, of the person or persons as specified in Article 2 does not exceed the limits prescribed in this ordinance.
- 4-2 Such affidavit shall be filed on or after the first day of February, but no later than the first day of May of each year in which an exemption is sought.
- 4-3 The Commissioner of Revenue shall also make such further inquiry of persons seeking such exemption, requiring answers under oath, as may be reasonable necessary to determine qualifications therefor as specified in this ordinance. In addition, certified tax returns shall be produced by the applicant to establish income of financial worth.
- 4-4 Changes in respect to income, financial worth, ownership of property or other factors occurring during the taxable year for which the affidavit is filed and having the effect of exceeding or violating the limitations and conditions provided herein shall nullify any exemption for the then current taxable year and the taxable year immediately following.

Article 5      Severability

- 5-1 Should any article, section, subsection, paragraph, clause or other provision of this ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

Article 6      Conflicting Ordinance

- 6-1 All conflicting ordinance or parts thereof which are inconsistent with the provisions of this ordinance are hereby repealed.

Article 7      Effective Date

- 7-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

RE:    REPORT ON TAX RATE ON MACHINERY AND TOOLS

Mr. McCann, County Administrator, reported on the status of the proposal to change the tax rate on machinery and tools and advised that considerations of this matter will be included in the proposed budget for fiscal year 1974.

March 12, 1973

RE: RESOLUTION CONCERNING NUMBER OF MEMBERS ON SOCIAL SERVICES BOARD

Mr. Edwards moved that the Board of Supervisors adopt the following resolution increasing the number of Social Services Board members to five, effective April 1, 1973. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

The resolution is as follows:

WHEREAS, Section 63.1-40 of the Code of the State of Virginia, permits Boards of Supervisors to establish up to five members on local Boards of Social Services; and

WHEREAS, the current Board is now comprised of three members; and

WHEREAS, additional membership positions would provide for broader representation and could bring increased expertise to guide the important work of the Social Services Department;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City that the local Board of Social Services be increased to a total of five members effective April 1, 1973 and that the additional membership positions be duly filled by that date.

RE: RECEIPT OF INTERIM REPORT ON REVIEW OF ORDINANCES RELATING TO POPULATION DENSITY AND INTENSITY OF LAND USE

Mr. McCann, County Administrator, presented the interim report and pointed out that current zoning ordinances allowed an intensity of land use which was not consistent with the character of development in James City County. He commented on two alternatives contained in the report. The report was received by the Board.

RE: COMPREHENSIVE MENTAL HEALTH CENTER

Mr. T. Treece, Executive Director, Mental Health and Mental Retardation Services Board for James City and York Counties and the City of Williamsburg, and Mrs. Ruth Kernodle, Chairman, presented a plan by the Chapter 10 Board to establish a comprehensive mental health center and requested the Board's approval on the following three concepts:

1. The Administrative organization whereby the Center would be administered by the Executive Director who will directly be responsible to the Mental Health and Mental Retardation Services Board and the Clinical Director will be a psychiatrist responsible for the direction and supervision of medical and psychiatric care and treatment of patients.
2. The Tidewater Mental Health Clinic convert its administrative operations from State administrative to local administration under the Mental Health and Mental Retardation Services Board's auspices with York County continuing to serve as fiscal agent and with due consideration be given to York County for this service by James City County and the City of Williamsburg in the establishment of a funding formula.
3. We centralize our staff and facilities into one physical facility to be located in one of the buildings on the front of the Campus on Eastern State Hospital grounds, or one of the dormitory buildings used by William and Mary should they become available, with the Services Board being given the responsibility to negotiate an agreement for the building with the Department of Mental Hygiene and Hospitals. The negotiated agreement will be subject to final approval of the Boards of Supervisors of York and James City Counties and the City of Williamsburg, which agreement would detail the responsibilities of the parties involved.

After general discussion regarding the County's role, State's role, functions of Eastern State Hospital and funding by County and State, Mr. Donaldson moved that the Board of Supervisors refer the Plan from Chapter 10 to Mr. McCann, County Administrator, for evaluation, analysis, and recommendation to be presented at the next Board meeting. The motion was seconded by Mr. Edwards and adopted on a unanimous roll call vote.

March 12, 1973

**RE: HIGHWAY DEPARTMENT RESOLUTIONS  
ABANDONMENT OF ALTERED SECTIONS OF ROUTES 601 AND 622**

Mr. Edwards moved that the Board adopt the following resolutions regarding the abandonment of altered sections of Routes 601 and 622:

WHEREAS, Secondary Route 622, from Station 9+00 to Route 601, a distance of 0.30 miles, has been altered, and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizens as the road so altered; and

WHEREAS, certain sections of this new road follow new location, these being shown on the attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 64, Project 0064-047-101, P-401, dated at Richmond, Virginia, January 3, 1973."

NOW, THEREFORE, BE IT RESOLVED, that the portions of Secondary Route 622, i.e., Section 3, shown in brown on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 64, Project 0064-047-101, P-401, dated at Richmond, Virginia;" a total distance of 0.26 miles be, and hereby is, added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended; and

BE IT FURTHER RESOLVED, that the section of old location, i.e., Sections 1, shown in green on the aforementioned sketch, a total distance of 0.30 miles, be, and the same hereby is, abandoned as a public road, pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

\*\*\*\*\*

WHEREAS, Secondary Route 601, from Station 11+00 to Station 22+50, a distance of 0.24 miles, has been altered, and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizens as the road so altered; and

WHEREAS, certain sections of this new road follow new location, these being shown on the attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 64, Project 0064-047-101, P-401, dated at Richmond, Virginia, January 3, 1973".

NOW, THEREFORE, BE IT RESOLVED, that the portions of Secondary Route 601, i.e., Section 4, shown in brown on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 64, Project 0064-047-101, P-401, dated at Richmond Virginia;" a total distance of 0.23 miles be, and hereby is, added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia, 1950, as amended; and

BE IT FURTHER RESOLVED, that the sections of old location, i.e., Sections 2 shown in green on the aforementioned sketch, a total distance of 0.24 miles, be, and the same hereby is, abandoned as a public road, pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

The motion was seconded by Mr. Waltrip and adopted by a unanimous roll call vote.

**RE: ELECTRICAL AND PLUMBING ORDINANCE AMENDMENTS**

Mr. Edwards moved that the County Administrator advertise the Electrical and Plumbing Ordinance Amendments for Public Hearing at their meeting of April 9, 1973. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

**RE: RESOLUTION REGARDING PLACEMENT OF LIENS IN SANITARY DISTRICT #1**

Mr. Donaldson moved that the Board of Supervisors adopt the following resolution regarding placement of liens in Sanitary District #1:

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City, that the attached list of sewer accounts in the James City Sanitary District #1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such system was made and for which the charge was imposed.

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, Paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the attached delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District #1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

March 12, 1973

RE: AWARD OF BIDS FOR PHASE II CONSTRUCTION OF WATER AND SEWER LINES IN SANITARY DISTRICT #2

DIST

Mr. McCann presented a report and summarized the two recommendations. He recommended that the contract be awarded to Roanoke Construction Company, Roanoke Rapids, North Carolina, and to continue to loan funds to Sanitary District #2. Mr. McCann pointed out that Mr. Deward Martin, Consulting Engineer, was available for further questions.

Mr. Martin stated that FHA regulations require that the loan could not be closed until all easements have been signed; however, the general practice in the past has been that FHA will proceed after most of the easements have been acquired.

Mr. Donaldson moved that the following resolution awarding the contract to Roanoke Construction Company be adopted. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

WHEREAS, the Board of Supervisors of James City County, acting for Sanitary District II, requested bids for the Water and Sewage Works Project #7201-8 and the notice for bids was properly advertised in the Daily Press on December 5 and December 12, 1972, and

WHEREAS, the bids were received, publicly opened and read aloud at 2:00 P.M. on December 19, 1972, and

WHEREAS, the Consulting Engineers, Deward M. Martin and Associates, have tabulated, corrected and analyzed the bids received on December 19, 1972, and have recommended the awarding of contracts to the respective low bidders, finding them to be reputable and reliable.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of James City County, acting for Sanitary District II, hereby makes award of the contracts for the project to Roanoke Construction Company, Roanoke Rapids, North Carolina, for the various sections as follows:

- |                                       |              |
|---------------------------------------|--------------|
| 1. Water Works Project                |              |
| Section II - Water Distribution Mains | \$135,519.24 |
| 2. Sewerage Works Project             |              |
| Section II - Sanitary Sewers          | \$333,703.67 |
| Section III - Sanitary Sewers         | \$189,831.41 |

BE IT FURTHER RESOLVED, that Mr. Abram Frink, Jr., Chairman of the Board of Supervisors, be and is hereby empowered to execute construction contracts between Sanitary District II and Roanoke Construction Company on the basis of this award, subject to the approval of the contracts by the State Director of the Farmers Home Administration, U. S. Department of Agriculture, or his delegated representative.

RE: METHOD OF SELECTION OF MEMBERS TO SERVE ON BOARDS AND COMMISSIONS

Mr. McCann, County Administrator, advised the Board of procedure he would like to follow regarding the selection of candidates to fill vacancies for appointment to Boards and Commissions.

The Board received the recommendation and took no formal action.

RE: APPOINTMENTS TO ARCHITECTURAL DESIGN REVIEW BOARD

Because of pressures developing in the B-2 zone, Mr. McCann cited that it was necessary to appoint an Architectural Design Review Board as required under the B-2 Ordinance. Mr. Frink, Chairman, suggested that the County Administrator put the new plan for appointments into effect (Item 13, supra) and so inform the public.

RE: AWARD OF CONTRACT TO REPAIR COURTHOUSE ROOF

Mr. Donaldson moved that the Board award the contract for roof repairs to Jerold W. Evans Roofing Company of Richmond, Virginia, low bidder in the amount of \$32,400 and that the County Administrator be authorized to sign the necessary documents, and further that \$16,200 be transferred from the Contingency Account (18g) to Maintenance of Buildings and Grounds Account (14-215) to cover the cost



March 12, 1973  
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of repairs. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RE: COMPULSORY CONNECTION POLICY FOR SERVICE PROJECT AREA #3

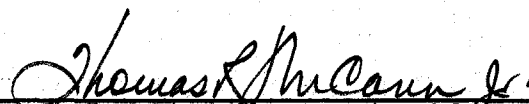
Consulting engineers discussed the matter with members of the Board.


Mr. Donaldson moved that the Service Authority present the Board with the exact language that would be included in the operating policies for the Project Area #3. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

RE: AERIAL MAPPING OF JAMES CITY COUNTY

Mr. McCann requested that the Board consider an aerial mapping program for James City County in order to provide base maps for County planning purposes. He indicated that timing was critical since the area must be flown before the leafing of trees. He indicated that sufficient funds are available in the current budget to cover the initial phase of a mapping program.

Mr. Donaldson moved that the staff be permitted to proceed with the proviso that no more than \$9,000 be expended to begin the aerial mapping program. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twenty-sixth day of March, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: MINUTES

Mr. Edwards moved that the minutes of March 12th, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RE: CHAPTER 10 BOARD REQUEST FOR COMPREHENSIVE MENTAL HEALTH CENTER

Mr. McCann, County Administrator, presented his analysis of the request of the Mental Health and Mental Retardation Services Board, agreeing with the concept of localization, but with the recommendation to postpone the implementation of the concept for at least three years.

After a discussion with Mr. T. Treece, Executive Director, and Mrs. R. Kernodle, Chairman, Chapter 10 Board, wherein they requested the Board of Supervisors to consider their concepts and budget separately so that if the Board approved of the concepts their dealings with the State for funding would be easier, the following motion was made.

Mr. Donaldson moved that the Board of Supervisors support the concept of localization with the proviso that implementation not begin until FY 76, or until adequate nonlocal funding is made available. The motion was seconded by Mr. Edwards and adopted on a unanimous roll call vote.

March 26, 1973

RE: OPERATING POLICY - SERVICE PROJECT AREA #3

The Board discussed with Mr. W. C. Johnson, Administrator of the James City Service Authority, the language to be incorporated into the Operating Policy for Service Authority Project Area #3 regarding mandatory hookup and the implementation effective date of July 1, 1973.

Mr. Donaldson moved that the Board notify the public re the mandatory hookup policy so that the Board could obtain the reaction of the public at the next meeting before final action was taken. The motion was seconded by Mr. Taylor and adopted on a unanimous roll call vote.

RE: REZONING APPLICATION #Z-24-72

Mr. Donaldson moved that the Rezoning Application #Z-24-72 of Dr. Murray Loring on behalf of Charles T. and Annis B. Lewis for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to R-2 LIMITED RESIDENTIAL DISTRICT, be approved. The motion was seconded by Mr. Waltrip and adopted on a unanimous roll call vote.

RE: CONDITIONAL USE PERMIT FOR TWIN OAKS

Applicant requested that the above item be postponed until the next meeting.

RE: RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$765,000 WATER AND SEWER BONDS - SANITARY DISTRICT #2

Mr. Frink moved that the Board adopt the following resolution authorizing the issuance and sale of \$765,000 Water and Sewer Bonds and setting the date of April 9th, 1973, at 2:00 P.M. to open bids for the water and sewerage project in Sanitary District #2. The motion was seconded by Mr. Edwards and adopted on a unanimous roll call vote. (Resolution attached to Page 323)

#7  
3/26/73

RESOLUTION AUTHORIZING THE ISSUANCE  
AND SALE OF \$765,000 WATER AND SEWER  
BONDS OF JAMES CITY COUNTY SANITARY  
DISTRICT NUMBER 2, HERETOFORE AUTHOR-  
IZED, AND PROVIDING FOR THE FORM,  
DETAILS AND PAYMENT THEREOF

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

1. The issuance of bonds of James City County Sanitary District Number 2 (the District), in the maximum amount of \$850,000 to provide funds to pay the cost of constructing, acquiring and improving a water and sewerage system in the District, having been authorized by an election duly held on June 29, 1971 there are hereby authorized to be sold of such authorized amount Seven Hundred Sixty-Five Thousand Dollars (\$765,000) Water and Sewer Bonds of James City County Sanitary District Number 2 pursuant to Chapter 2, Title 21, Code of Virginia of 1950, as amended.

2. The bonds, except for the fully registered bond without coupons provided for herein, shall be issued initially as coupon bonds, shall be designated "Series of 1973," shall be dated January 1, 1973, shall be of the denomination of \$1,000 each, shall be numbered from 1 to 765, inclusive, shall mature in numerical order on January 1 in years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
1976	\$ 9,000	1987	\$17,000	1998	\$31,000
1977	10,000	1988	18,000	1999	32,000
1978	11,000	1989	19,000	2000	33,000
1979	11,000	1990	20,000	2001	35,000
1980	12,000	1991	22,000	2002	36,000
1981	12,000	1992	23,000	2003	38,000
1982	13,000	1993	24,000	2004	40,000
1983	14,000	1994	25,000	2005	42,000
1984	14,000	1995	26,000	2006	44,000
1985	15,000	1996	28,000	2007	46,000
1986	16,000	1997	29,000		

At the option of the purchaser of the bonds, the bonds may be dated as of the date of the closing. Bonds maturing on and after January 1, 1985, may be redeemed at the option of the District upon not less than 30 nor more than 60 days notice published in a daily newspaper of general circulation in Richmond, Virginia, on January 1, 1984, and on any interest payment date thereafter, as a whole or in part (but if in part, in inverse numerical order) without premium. If any bonds are converted to registered bonds, as provided herein, such notice of redemption shall be forwarded by registered or certified mail to the holders of such bonds at their addresses shown on the books maintained for the purpose of bond registration. Notwithstanding the foregoing, bond proceeds remaining upon completion of the improvements financed by the bonds shall be immediately applied by the District to redeem outstanding bonds in inverse numerical order without premium. So long as the registered owner of all of the bonds shall be the United States of America or any agency thereof, the bonds may be prepaid at the option of the District at any time as a whole or in part from time to time (but if in part, in inverse chronological order and in multiples of \$1,000), without premium. The bonds shall bear interest payable annually on January 1 at such rate or rates not to exceed six per cent (6%) per year as may be determined at the time of sale. Both principal and interest shall be payable at the principal office of United Virginia Bank of Williamsburg, Williamsburg, Virginia.

3. The bonds shall be signed by the Chairman of the Board of Supervisors, shall be countersigned by its Clerk and its seal shall be affixed to the bonds. The coupons attached to the bonds shall be authenticated by the facsimile signatures of the Chairman and Clerk.

4. The initial bonds and coupons shall be in substantially the following form:

## (FORM OF BOND)

No. \_\_\_\_\_

\$1,000

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

JAMES CITY COUNTY

JAMES CITY COUNTY SANITARY DISTRICT NUMBER 2

Water and Sewer Bond (Series of 1973)

James City County Sanitary District, a duly created sanitary district in James City County, Virginia (the District), for value received hereby acknowledges itself indebted and promises to pay to bearer, or if this bond is registered to the registered owner, upon presentation and surrender hereof the principal sum of

ONE THOUSAND DOLLARS (\$1,000)

on January 1, 19\_\_, and to pay interest thereon from the date hereof until payment of such principal sum at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per year, payable annually on January 1 upon presentation and surrender of the attached coupons as they become due. Both principal of and interest on this bond are payable in lawful money of the United States of America at the principal office of United Virginia Bank of Williamsburg, Williamsburg, Virginia.

This bond is one of an issue of \$765,000 Water and Sewer Bonds (Series of 1973) of like date and tenor except as to number, rate of interest and maturity, authorized at an election duly held in the District on June 29, 1971, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including Chapter 2, Title 21, Code of Virginia of 1950, as amended, to provide funds to pay the cost of constructing, acquiring and improving a water and sewerage system in the District.

Bonds maturing on and after January 1, 1985, may be redeemed at the option of the District upon not less than thirty nor more than sixty days notice published in a daily newspaper of general circulation in Richmond, Virginia, on January 1, 1984, and on any interest payment date thereafter, as a whole or in part (but if in part, in inverse numerical order), upon payment of the principal amount of the bonds and interest accrued thereon to the date fixed for redemption, without premium. Notwithstanding the foregoing, bond proceeds remaining upon completion of the improvements financed by the issue of bonds of which this bond is one shall be immediately applied by the District to redeem outstanding bonds in inverse numerical order without premium. If any bonds are converted to registered bonds, written notice of redemption shall be forwarded by registered or certified mail to the holders of such bonds at their addresses shown on the books maintained for the purpose of bond registration.

This bond may be fully registered in the name of the holder hereof in conformity with the provisions endorsed hereon, and unless so registered this bond shall be transferable by delivery. This bond may be reconverted to coupon bonds at the expense of the holder as provided in the resolution authorizing the bonds adopted March 26, 1973.

The net revenues derived from the operation of the water and sewerage system shall be applied to pay the interest on and principal of the bonds as the same become due, and if necessary for the payment of such interest and principal, an annual tax shall be levied upon all property in the District subject to local taxation sufficient to pay such interest and principal as shall annually become due for payment, and the full faith and credit of the District are pledged thereto.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to hap-



pen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and the issue of bonds of which this bond is one, together with all other indebtedness of the District, is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by its Chairman, to be countersigned by its Clerk, its seal to be affixed hereto, the attached interest coupons to be authenticated by the facsimile signatures of its Chairman and Clerk and this bond to be dated as of \_\_\_\_\_, 197\_\_.

COUNTERSIGNED:

\_\_\_\_\_  
Clerk, Board of Supervisors of  
James City County, Virginia

(SEAL)

\_\_\_\_\_  
Chairman, Board of Supervisors  
of James City County,  
Virginia

## (FORM OF COUPON)

No. \_\_\_\_\_

\$ \_\_\_\_\_

On January 1, 19\_\_\_\_, unless the bond to which this coupon is attached, if callable, has been duly called for redemption, James City County Sanitary District Number 2, a duly created sanitary district in James City County, Virginia, will pay to bearer \_\_\_\_\_ Dollars (\$\_\_\_\_\_) in lawful money of the United States of America at the principal office of United Virginia Bank of Williamsburg, Williamsburg, Virginia, being the annual interest then due on its Water and Sewer Bond (Series of 1973) and numbered \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of Supervisors of  
James City County, Virginia

\_\_\_\_\_  
Chairman, Board of Supervisors  
of James City County,  
Virginia

## CERTIFICATE OF CONVERSION

It is hereby certified that upon the presentation of the within bond with a written request by the holder thereof for its conversion into a bond registered as to both principal and interest, there have been this day cut off and destroyed \_\_\_\_\_ coupons attached thereto, of the amount and value of \_\_\_\_\_ each, being all the coupons for interest on the within bond payable after the date of this certificate, and that the interest at the rate and on the dates stated in the within bond and as was provided by the coupons, as well as the principal, is to be paid to the registered holder, his legal representatives, successors or transferees at the place stated in the within bond and as was stated in the coupons. The principal of and interest on this bond shall be payable only to the registered holder hereof named in the registration blank below, or his legal representative, and this bond shall be transferable only on the books of the registrar kept in the office of the undersigned, and by an appropriate notation in such registration blank. When registered the registrar shall treat the registered owner as the person exclusively entitled to payment of interest and the exercise of all other rights and powers of the owner prior to due presentment for registration of transfer.

Dated: \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Registrar

By \_\_\_\_\_  
Authorized Officer

<u>Name of Registered Holder</u>	<u>Date of Registration</u>	<u>Signature of Registrant</u>
_____	_____	_____
_____	_____	_____

5. Any of the coupon bonds may be converted to fully registered bonds upon the delivery of such bonds to the principal office of the \_\_\_\_\_ which is hereby appointed Registrar, together with a written request by the holder for such conversion. The Registrar shall cut off and destroy all coupons from the date of the conversion, shall complete the certificate of conversion on the back of the bond, and shall enter the name of the registered owner on the back of the bond and in the books of the Registrar. After such conversion and registration, transfer of any bond may be registered upon books maintained for that purpose at the office of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner. Such interest shall be paid to the registered owner by check mailed to him at the address shown on the books of the Registrar. The registered bonds may be reconverted to coupon bonds upon delivery of the registered bonds to the Registrar, together with the reasonable expenses of preparing the coupon bonds.

6. If any purchaser of all the bonds requests that such bonds be issued initially as a single fully registered bond without coupons, such fully registered bond shall be in substantially the form set forth in this section with such insertions, omissions and variations as may be necessary to conform to the provisions hereof.

If such initial purchaser is the United States of America, Farmers Home Administration and the purchaser so requests, one or more fully registered bonds without coupons, in the form substantially as set forth in this section, may be delivered with provision for principal advances to be made from time to time by such purchaser in an aggregate amount not to exceed the total amount of bonds authorized herein. An authorized officer of the United States of America, Farmers Home Administration shall enter the amount and the date of each such principal advance in a certificate on the back of the bonds when the proceeds of such advance are delivered to the District. Each such principal advance shall bear interest from the date of such advance so entered on the back of the bonds.

If such initial purchaser is the United States of America, Farmers Home Administration, and the purchaser so requests, one or more fully registered bonds without coupons in denominations aggregating the total amount of amount of bonds authorized herein, numbered consecutively from R-1 and in the form substantially as set forth in this section, may also be delivered with provision for payment of interest only on January 1 of the first and second calendar years following the closing, and payment thereafter in annual installments of combined principal and interest totalling \$47,246 on each January 1 thereafter for a period of thirty-two (32) years. If not sooner paid, the final installment shall be due and payable thirty-four years from the date of the bond. The payment of every installment shall be applied first to interest accrued to the payment date and then to principal.

(FORM OF FULLY REGISTERED BOND)

No. R-\_\_

\$ \_\_\_\_\_

UNITED STATES OF AMERICA

COMMONWEALTH OF VIRGINIA

JAMES CITY COUNTY

JAMES CITY COUNTY SANITARY DISTRICT NUMBER 2

Water and Sewer Bond (Series of 1973)

James City County Sanitary District Number 2, a duly created sanitary district in James City County, Virginia, for value received, hereby acknowledges itself indebted and promises to pay to \_\_\_\_\_, or registered assigns, the principal sum [equal to the aggregate amount of principal advances shown on the back hereof, but not to exceed the sum]\* of

\_\_\_\_\_ THOUSAND DOLLARS (\$ \_\_\_\_\_)

Alternative 1:

on the first day of January in years and amounts as follows:

<u>Years of</u> <u>Maturity</u>	<u>Annual Amounts</u> <u>Maturing</u>	<u>Years of</u> <u>Maturity</u>	<u>Annual Amounts</u> <u>Maturing</u>
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\* Alternative language to be used if purchaser is United States of America, Farmers Home Administration, and such purchaser requests provision for principal advances.



and to pay to the registered owner hereof, interest on the unpaid principal from the date [of each advance shown on the back]\* hereof until payment of the entire principal sum at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per year, payable annually on January 1, beginning January 1, 1974.

Alternative 2:

and to pay to the registered owner hereof interest on the unpaid principal from the date [of each advance shown on the back]\* hereof until payment of the entire principal sum at the rate of \_\_\_\_\_ per cent (\_\_\_\_%) per year, interest only payable on January 1, 197\_\_ and 197\_\_, and thereafter payable in annual installments of combined principal and interest of \$\_\_\_\_\_ on January 1 in each of the years 197\_\_ to 20\_\_, inclusive, until paid, each payment to be applied first to interest accrued to such payment date and then to principal, and such final installment, if not sooner paid, to be due and payable thirty-four years from the date hereof.

Such installments of both principal and interest shall be payable in lawful money of the United States of America by check or draft mailed to such registered owner at his address as it appears on the registration books kept for that purpose at the office of the Clerk of the Board of Supervisors of James City County, Virginia, who has been appointed Registrar. The final installment of principal shall be payable upon presentation and surrender hereof at the office of the Registrar.

[If the United States of America at any time assigns this bond

Alternative 1. If purchaser requests single fully registered bond with principal payable in installments of \$1,000 or multiples thereof.

Alternative 2. If purchaser is United States of America, Farmers Home Administration, and requests a single fully registered bond with combined principal and interest payable in equal annual installments.

and insures the payment thereof, the District shall continue to make payments to the United States of America as collection agent for the holder.]\*

This bond has been authorized at an election duly held in the District on June 29, 1971, and is issued pursuant to the Constitution and statutes of the Commonwealth of Virginia, including Chapter 2, Title 21, Code of Virginia of 1950, as amended, to provide funds to pay the cost of constructing, acquiring and improving a water and sewerage system in the District.

Installments of principal maturing on and after January 1, 1985, may be prepaid at the option of the District upon not less than thirty nor more than sixty days notice forwarded by registered or certified mail to the holder of the bond at his address shown on the registration books maintained at the office of the Registrar, by check or draft mailed to such holder at such address, on January 1, 1984, and on any interest payment date thereafter, as a whole or in part (but if in part, in inverse chronological order), upon payment of the principal amount of installments to be prepaid and interest accrued to the date fixed for such prepayment, without premium. Notwithstanding the foregoing, (a) bond proceeds remaining upon completion of the improvement financed by this bond shall be immediately applied by the District in multiples of \$1,000 to prepay installments in inverse order of maturity, without premium, and (b) so long as the registered owner hereof shall be the United States of America or any agency thereof, this bond may be prepaid at the option of the District at any time as a whole or in part from time to time (but if in part, in inverse chrono-

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\* Alternative language to be used if purchaser is United States of America, Farmers Home Administration, and such purchaser requests provision.

logical order and in multiples of \$1,000), without premium. Prepayments of installments of principal shall not affect the obligation of the District to pay the remaining installments as provided above.

Transfer of this bond may be registered upon books maintained for that purpose by the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

This bond may be exchanged at the expense of the District at the office of the Registrar for an aggregate principal amount of coupon bonds equal to the unpaid principal amount of this bond. The coupon bonds shall be without privilege of registration, of the denomination of \$1,000 each, of the same series and maturity, bearing interest at the same rate and having attached thereto coupons representing all unpaid interest due or to become due thereon.

The net revenues derived from the operation of the water and sewerage system shall be applied to pay the interest on and principal of the bonds as the same become due, and if necessary for the payment of such interest and principal, an annual tax shall be levied upon all property in the District subject to local taxation sufficient to pay such interest and principal as shall annually become due for payment, and the full faith and credit of the District are pledged thereto.

All acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed, and this bond, together with all other indebtedness of the

District is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

IN WITNESS WHEREOF, the Board of Supervisors of James City County, Virginia, has caused this bond to be signed by its Chairman, to be countersigned by its Clerk, its seal to be affixed hereto, and this bond to be dated as of \_\_\_\_\_, 1973.

COUNTERSIGNED:

Clerk, Board of Supervisors of  
James City County, Virginia

(SEAL)

Chairman, Board of Supervisors  
of James City County,  
Virginia

TRANSFER OF BOND

This bond may be transferred only by the registered holder or his duly authorized attorney upon presentation hereof to the Registrar who shall make note of such transfer in books kept by him for that purpose and in the registration blank below.

<u>Date of Registration</u>	<u>Name of Registered Owner</u>	<u>Signature of Registrar</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

CERTIFICATE OF PRINCIPAL ADVANCES\*

The amount and date of principal advances not to exceed the face amount hereof shall be entered hereon by an authorized officer of the United States of America, Farmers Home Administration, when the proceeds of each such principal advance are delivered to the Town.

<u>Amount</u>	<u>Date</u>	<u>Authorized Signature</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

7. The Clerk, Board of Supervisors of James City County, Williamsburg, Virginia, is hereby appointed Registrar of any registered bond issued initially. Transfer of such bond may be registered upon books maintained for that purpose at the

\_\_\_\_\_  
\* Certificate of Principal Advances to be used if purchaser is United States of America, Farmers Home Administration, and such purchaser requests provision for principal advances.

office of the Registrar. Prior to due presentment for registration of transfer the Registrar shall treat the registered owner as the person exclusively entitled to payment of principal and interest and the exercise of all other rights and powers of the owner.

8. If one or more fully registered bonds are issued initially they may be exchanged for coupon bonds in the manner and to the extent set forth in the form provided herein for the fully registered bond, except that the right to exchange shall not apply if the purchaser of the bonds is the United States of America/Farmers Home Administration and one or more fully registered bonds with combined principal and interest payable in equal annual installments is requested.

9. The net revenues derived from the operation of the water and sewer system shall be applied to pay the interest on and principal of the bonds as the same become due, and if necessary for the payment of such interest and principal, an annual tax shall be levied upon all property in the District subject to local taxation sufficient to pay such interest and principal as shall annually become due for payment, and the full faith and credit of the District are pledged thereto. In the event net revenue exceeds the annual principal and interest due on the bonds, such net revenues may be used for extensions and additions to the water and sewer system, purchase and retirement of outstanding bonds of the District, or for any other lawful purpose consistent therewith. The bonds are hereby found to be serial bonds and no sinking fund shall be required with respect thereto.

10. The Chairman and the Clerk are hereby authorized and directed to take all proper steps to advertise the bonds for public sale in a form substantially similar to the form which is attached to this resolution. The form may be short-



March 26, 1973

17.

ened for purposes of publication. After the bids have been received and the bonds awarded, the Chairman and Clerk are hereby authorized and directed to have the bonds prepared and executed in accordance with their terms and to deliver the bonds to the purchaser thereof upon payment therefor.

11. The Board of Supervisors is hereby authorized to borrow \$765,000 in anticipation of the issuance and sale of such water and sewer bonds and for the purposes for which such bonds have been authorized. The Chairman and the Clerk are hereby authorized and directed to borrow such sum from such sources as they may determine. Such borrowing shall be evidenced by one or more negotiable notes which shall be dated and executed by the Chairman and Clerk, shall bear interest at a rate not to exceed the maximum amount which the bonds are authorized to bear and shall mature at such time and may be renewed from time to time, all as the Chairman and Clerk shall determine; provided, however, that each such note and renewal thereof shall mature and be paid not later than the date provided by law for repayment of bond anticipation notes. The full faith and credit of James City County Sanitary District Number 2 are hereby irrevocably pledged to the payment of principal of and interest on such notes.

12. No use of the proceeds derived from the sale of the bonds shall be made which, if such use had been reasonably expected on the date of issue of the bonds, would have caused the bonds to be "arbitrage bonds" under Section 103(d)(2) of the Internal Revenue Code of 1954, as amended, and applicable regulations issued pursuant thereto.

13. All resolutions, or parts thereof, in conflict herewith are hereby repealed.

14. An emergency existing, this resolution shall take effect immediately.

RE: VACATION OF PLAT, KING'S CORNER SUBDIVISION

Mr. Donaldson moved that the following resolution to vacate plat - King's Corner Subdivision be approved. The motion was seconded by Mr. Taylor and adopted on a unanimous roll call vote.

RESOLVED, that pursuant to Section 15.1-482 of the 1950 Code of Virginia, as

March 26, 1973

amended, a portion of that certain plat of subdivision entitled, "King's Corner Properties, Section I, Stonehouse District, James City County, Virginia," dated June 5, 1972, made by L. V. Woodson & Associates, Inc., Engineers and Surveyors, and recorded in James City County Plat Book 30, Page 11, is hereby vacated.

BE IT FURTHER RESOLVED, that the Board of Supervisors of James City County, Virginia, authorizes Abram Frink, Jr., Chairman and Thomas R. McCann, Jr., Clerk, both of the Board of Supervisors, to execute the instrument entitled, "VACATION OF PLAT" for the purpose of showing the approval of such vacation by the governing body of the county in which the land shown on said plat lies.

RE: RESOLUTION ACCEPTING INTO THE STATE SYSTEM STREETS IN FOREST GLEN SUBDIVISION

Mr. Edwards moved that the following resolution to accept streets in Forest Glen Subdivision into the State Secondary Highway System be approved. The motion was seconded by Mr. Waltrip and adopted on a unanimous roll call vote.

WHEREAS, the developer of Forest Glen Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these road to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Forest Glen Subdivision, Powhatan Magisterial District, James City County in the State Secondary Highway System.

Description: Forest Glen Subdivision Section 2

Forest Glen Drive from:	State Rt. 614	0.15
to:	0.15 mi. S.E. of State Rt. 614	
Williamson Drive from:	Forest Glen Drive	0.18
to:	End of cul-de-sac	

\* Forest Glen Drive - 60 foot right of way

Williamson Drive - 50 foot right of way

A Right-of-Way of \*See above feet is guaranteed as evidence by plat of record entitled Forest Glen Subdivision, Section 2, Plat Book 28, Page 70.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Forest Glen Subdivision and the Resident Engineer of the Department of Highways.

RE: EMERGENCY OPERATIONS SIMULATION TRAINING EXERCISE

Mr. Waltrip moved that the following resolution requesting Civil Defense instructors from the University of Virginia to conduct an Emergency Operations Simulation Training Exercise for James City County during the month of May be approved. The motion was seconded by Mr. Donaldson and adopted on a unanimous roll call vote.

In order to better prepare our government and community for possible times of emergency, be it resolved by the Board of Supervisors of James City County that the University of Virginia, School of General Studies, is hereby requested to conduct Emergency Operations Simulation Training (EOST) for the County under the University's contract with the Federal Office of Civil Defense, and in cooperation with the Virginia State Office of Civil Defense. Said EOST is to consist of at least four training sessions, commencing on Tuesday, May 8, 1973, and culminating with the Exercise on Thursday, May 24, 1973.

This Board pledges their personal participation in the Exercise, and requests the cooperation of all County Departments, appropriate State and Federal agencies, as well as selected volunteer organizations in the sequence of training and exercise events.

RE: CONDITIONAL USE PERMIT FOR SEASON'S TRACE SUBDIVISION

Mr. Covey, Assistant to the County Administrator, recommended that the Board approve the request for Conditional Use Permit with the understanding that the property line abutting Season's Trace, owned by James City County School Board, contains a 50' buffer strip, thereby satisfying the 30' requirement contained in Condition #6.

Mr. Donaldson moved that the Conditional Use Permit application be approved with the seven conditions applicable as per Mr. Covey's memorandum with the understanding indicated above. The motion was seconded by Mr. Edwards and adopted on a unanimous roll call vote.

March 26, 1973

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, certified the following warrants for the month of March, 1973:

General Fund -	Checks #6753 through #6911 Totalling \$314,355.58
Sanitary District #1 -	Check #184 Totalling \$4,357.78
Sanitary District #2 -	Checks #145 through #151 Totalling \$36,570.52
James City County School Construction Bond Issue of 3/1/72-	Check #116 Totalling \$177,800.00
Subdivision Escrow Account -	Check #104 Totalling \$5,000.00

The motion was approved on a unanimous roll call vote.

RE: HIGHWAY MATTERS

The Board discussed the following with Mr. Hinman of the Department of Highways:

Lake Powell Road - in vicinity of Route 199 construction -  
pot holes need to be filled.

South Henry Street Extension - Will the City of Williamsburg or the County be responsible for maintenance? Mr. Hinman said it would be maintained by the city for their portion and the State would maintain the County's portion.

Berkeley Town Road - Rural Addition- Will be taken into the State system in the near future.

Proposed extension of Rt. 64 to vicinity of Route 168 - Mr. Taylor discussed the possible safety problem to vehicles crossing Route 168 on State Road 607. He indicated that upon completion of I64 close to this point high speed traffic will be most hazardous. He requested that the Highway Department be asked to take steps to reduce the hazard. Mr. Hinman stated that the Highway Department will be so notified.

Trash pickup - Mr. Hinman stated that this will be done by Garden Week.

RE: REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

Mr. McCann, County Administrator, briefly touched on the subject of Board approval for increased positions in the Sheriff's Department to meet the State standard of one deputy for each 2,000 population.

In response to Mr. Edward's request concerning the appointment of County employees to the Social Services' Board, Mr. McCann indicated that he had talked with the Commonwealth Attorney and found that this could be done. He indicated that the matter would be brought up for Board consideration at its next meeting.

Mr. Donaldson moved that the Board recess for five minutes. Mr. Edwards seconded the motion which was approved by unanimous roll call vote.

\* \* \* \* \*

Mr. Frink reconvened the meeting and the following matters were considered:

RE: AGREEMENT BETWEEN MOTEL ASSOCIATES OF WILLIAMSBURG, JOHN W. JONES AND GERTRUDE H. JONES, AND THE COUNTY OF JAMES CITY

Mr. Donaldson moved that the following agreement between Motel Associates, John W. Jones and Gertrude H. Jones, and the County of James City be approved. The motion was seconded by Mr. Waltrip and adopted on a unanimous roll call vote.

THIS AGREEMENT made this 26th day of March, 1973, by and between MOTEL ASSOCIATES OF WILLIAMSBURG, a Virginia Limited Partnership, first party; JOHN W. JONES and GERTRUDE H. JONES, his wife, second parties; and THE COUNTY OF JAMES CITY, VIRGINIA, third party,

W I T N E S S E T H:

March 26, 1973

WHEREAS, first party is the ground leasee of a 9.058 acre tract on U. S. Route 60 east of Williamsburg, Virginia, in James City County, Virginia, and  
 WHEREAS, second parties are the fee owners of the hereinabove referenced tract, and

WHEREAS, third party plans to cause the construction of a public "access" road or easement along the south line of U. S. Route 60 east of Williamsburg, Virginia and first and second parties desire to have the property aforesaid served by the said public road or easement,

NOW THEREFORE, for and in consideration of ten dollars (\$10.00), the foregoing premises and the following terms and conditions, the parties agree as follows:

1. At its own expense first party will construct a road to Virginia Department of Highways specifications on the hereinabove referenced property and will landscape that portion of said property surrounding said road, which improvements are illustrated on a drawing prepared by Moseley-Hening Associates, Inc., dated March 22, 1973, a copy of which is attached to and made a part of this Agreement as Exhibit "A", and shall maintain such road until released from such duty by third party, or by conveyance or grant to third party pursuant to paragraph 2 hereof.

2. If the Zoning Ordinance of James City County, Virginia applicable to the majority of the property adjoining and on the southerly side of U. S. Route 60 between Williamsburg, Virginia and Black's Crossing is within twelve months from the date hereof amended to provide a procedure for conveyance or dedication of a fifty foot more or less strip of such property fronting on said Route 60 by deed in fee or grant of easement or otherwise to third party, then first party and second parties shall by appropriate action satisfactory to third party, convey in fee or grant an easement to third party a fifty-five feet wide strip of their said property fronting of Route 60 and will otherwise comply with such amendment. Such conveyance will be subject to first and second parties reservation of rights of ingress and egress to, over, across and through said property or property interest conveyed to third party, all of which rights of egress and ingress are shown on the hereinabove referenced Exhibit "A".

WITNESS the following signatures and seals.

MOTEL ASSOCIATES OF WILLIAMSBURG,  
 a Virginia Limited Partnership

By \_\_\_\_\_ (SEAL)  
 General Partner

\_\_\_\_\_  
 John W. Jones (SEAL)

\_\_\_\_\_  
 Gertrude H. Jones (SEAL)

JAMES CITY COUNTY, VIRGINIA

By *Pharm Link* (SEAL)  
 Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
 Clerk

RE: OPEN LETTER TO THE CITIZENS OF JAMES CITY COUNTY FROM THE BOARD

The Board presented the following letter as an invitation for thought on the part of the citizens of the County:

We, the members of the Board of Supervisors of James City County, in talking among ourselves, with staff members, and with our constituents, have come to recognize a number of issues that are important to substantial numbers of people in the County and as to which there appear to be a substantial division of opinion in the community. We, ourselves, differ as to the proper response to a number of these, but we each respect one another's views and the various constituencies represented. Each of use has differing ideas of what government should and should not do; what the County's best interests require; what we want the County to become; and what methods are appropriate to get us there. Notwithstanding these differences, we are in agreement that James City County, will, in the near future, have to resolve, or begin to resolve a number of issues. In the belief that public discussion will be helpful, we feel it desirable to list a number of the more significant questions. That listing follows:

1. To what extent should the County undertake to respond to problems of low income people, problems such as substandard housing, poor roads in many areas, inadequate transportation, and inability to supply the necessities of life?

March 26, 1973

2. To what extent should the County undertake to provide additional or expanded governmental services to the people as a whole, services such as recreational facilities; refuse collection; fire protection and police protection?
3. To what extent should the County accommodate the pressures of growth by using public funds to expand public water and sewerage systems?
4. To what extent should the County encourage increased tourism, industrial development and general commerce?
5. To what extent should the County attempt to restrain and control the rate of development and growth and prescribe land use patterns that must be observed?
6. To what extent should the County forego provision of services in order to keep taxes low?
7. To what extent should the County be committed to the support of public education? Is it sufficient to meet minimum State standards or should we strive for the best that our resources can afford?
8. To what extent should the County, in its planning and development policies, accommodate property owners and developers who can economically benefit by rapid population growth?
9. To what extent should the County be concerned over whether tax revenues attributable to new residential construction are adequate to defer the cost of the expanded governmental services required for an enlarged population?

These issues, which are overlapping, involve essentially two areas of broad concern:

1. The first issue is the need to make an appropriate response to growth and development pressures.
2. The second issue is the need to respond appropriately to the necessities and opportunities for additional County services.

Although the issues can be simply stated, their resolution is exceedingly complex, and attitudes regarding them within the community vary to both extremes.

In the more urban areas of the County, values and attitudes emphasize the importance of the County's responding to service needs such as improved educational programs, better police and fire protection, provision of sanitation services, etc. A lack of congestion, pleasant surroundings and harmonious land use patterns characterize other significant urban concerns. To our urban population, rapid population growth and uncontrolled development threatens to destroy or impair some of the good things of James City County.

In the more rural areas, and particularly where family ties to James City County are deep rooted, attitudes and values are significantly less urban in character. Personal freedom to do as one desires in a reasonable manner is highly regarded and ideas of land use and development controls are repugnant to basic values. Because life style in rural areas has developed a high regard for individual self-reliance and responsibility, less emphasis is placed on the need for new or enlarged public services, and more importance is attached to keeping the tax rates low.

Knowing that growth and development in the rural areas, which has been long awaited, affords opportunities for economic betterment for many of the people currently residing there, emphasis is placed on the need for the County to accommodate growth and development, and to encourage it by such means as provision of water and sewer services and favorable land use policies.

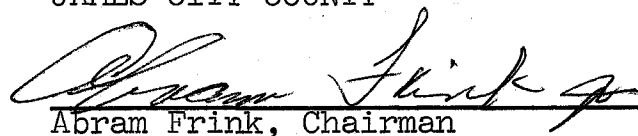
In the preparation of the budget for the coming year expenditures and programs may be proposed for improving roads, expanding office space, building fire stations and buying equipment, bettering teachers' salaries, providing additional services to the poor, improving maintenance of school buildings, increasing effec-

April 9, 1973  
March 26, 1973

tiveness of planning and development guidelines, extending sewer and water lines, and other services.

Each of us, in deciding how to vote on individual matters will frequently face the dilemma of whether to vote the principles and values of our constituents, or to represent our constituents by compromising some points in order to gain concessions on others.

BY THE BOARD OF SUPERVISORS  
JAMES CITY COUNTY

  
Abram Frink, Chairman

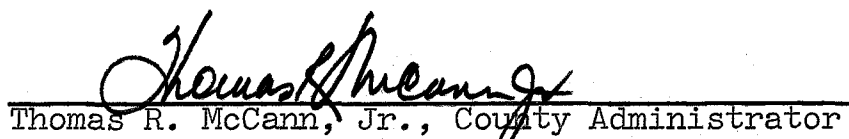
Mayo Waltrip, Vice-Chairman

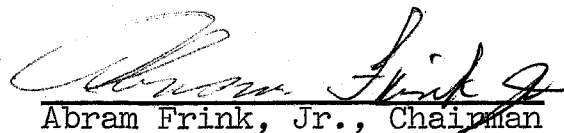
Jack D. Edwards

John E. Donaldson

Stewart U. Taylor

There being no further business, the meeting was adjourned at 5:10 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the ninth day of April, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: MINUTES

Mr. Donaldson moved that the minutes of March 26th, 1973, be approved as published. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

RE: APPOINTMENTS TO ARCHITECTURAL REVIEW BOARD

Mr. Donaldson moved that the following people be appointed to the Architectural Review Board for the terms indicated. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

Mr. Thomas Smith	-	1 year
Mr. Albert White	-	2 years
Mr. William Phillips	-	2 years
Mr. Robert Rist	-	2 years

RE: RESOLUTION RE INTERSECTION OF I-64 AND STATE ROUTE 607

Mr. Taylor moved that the following resolution to the Virginia State Highway Commission regarding the intersection of I-64 and Route 607 be adopted. The motion was seconded by Mr. Donaldson and adopted by a unanimous roll call vote.

Mr. Edwards requested that the resolution be sent to the County's delegation to the General Assembly for maximum impact.



April 9, 1973

WHEREAS, Interstate Route 64 (I-64) is scheduled for extension from the Barhamsville interchange to the intersection of State Primary Route 168 and State Secondary Route 609, and

WHEREAS, this new segment of I-64 will terminate two thousand three hundred (2300') feet west of State Secondary Route 607 which intersects Route 168 and serves James City County residents between the Croaker and Norge communities of James City County, and

WHEREAS, this intersection has been considered for many years by residents of James City County as extremely dangerous to cross due to traffic volume and speed on Route 168, and

WHEREAS, the Board of Supervisors of James City County anticipates additional traffic volume and speeds at this intersection due to construction of I-64 and expanded tourist travel in and through James City County,

NOW, THEREFORE, BE IT RESOLVED, that this Board of Supervisors of James City County does hereby request the Virginia Highway Commission to approve immediate appropriations for completion of I-64 from its proposed terminus at Route 609 to its present eastern terminus at Camp Perry, and

BE IT FURTHER RESOLVED, that the State Highway Commission approve an additional interim safety measure for the users of the Route 168 - 607 intersection by installing caution lights on Route 168 to warn the interstate traveler of a hazardous intersection, thereby affording the citizens of James City County and interstate motorists an extra margin of protection from possible injury or death at this location.

RE: JAMES CITY SERVICE AUTHORITY - SERVICE PROJECT AREA #3 - MANDATORY HOOKUP

Mr. Frink moved that the mandatory connection policy contained in the Service Authority's operating policy for Project Area #3 be adopted with the proviso that the hookup policy be effective July 1st, 1973. The motion was seconded by Mr. Donaldson and approved by a unanimous roll call vote.

RE: JOINT PUBLIC HEARING  
ZONING ORDINANCE AMENDMENT - SECTION 12-12, 12-12-1 & 12-12-2  
RE SITE PLAN PROCEDURE

The Planning Commission was called to order. Quorum present.

The Public Hearing was opened by Mr. Frink.

Mr. Jack Barnett (Powhatan District) pointed out that the ordinance was too prohibitive as far as cost to people is concerned, and that it gives too much authority to the County Planner. He felt that businesses are already being restricted in the County.

There being no further comments from the public the hearing was closed and turned over to the Planning Commission.

Discussion followed.

Dr. Lee moved that the Ordinance be tabled until the next Planning Commission meeting. The motion was seconded and a roll call vote was recorded as follows:

Mr. Waltrip	-	Aye
Mr. Donaldson	-	Aye
Mr. Edwards	-	Nay
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a majority vote.

Mr. Donaldson commented that he believed that the joint public hearing had not followed proper procedure. He moved that the Board of Supervisors readvertise the Zoning Amendment for a Public Hearing by the Board at its meeting of May 14. The motion was seconded and adopted by a unanimous roll call vote.

RE: ORDINANCES AMENDING SECTION 10A OF THE ELECTRICAL CODE AND SECTION 2 OF THE PLUMBING CODE TO PROVIDE FOR AN APPEAL PROCEDURE

Mr. Frink opened the Public Hearing. There being no discussion the Hearing was closed.

April 9, 1973

Mr. Donaldson moved that the following Ordinances amending the Electrical Code and Plumbing Code be adopted. The motion was seconded by Mr. Waltrip and approved by a unanimous roll call vote.

AN ORDINANCE TO ADD SECTION 10A, TO THE ELECTRICAL CODE ORDINANCE; AND TO AMEND SECTION 2, OF THE PLUMBING CODE ORDINANCE WITH THE ADDITION OF SECTION 109.7; BOTH OF WHICH ARE ORDINANCES OF THE COUNTY OF JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 510.3 AND 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

#### SECTION 1

##### ADDITION TO ELECTRICAL CODE

1-1 Section 10A is added as follows:

##### Section 10A - ELECTRICAL BOARD OF ADJUSTMENTS AND APPEALS

There is hereby established a board to be called the Electrical Board of Adjustments and Appeals which shall consist of the same membership as the Electrical Examining Board. The by-laws of said Electrical Examining Board, such as appointments and rules, with any amendments thereto, shall also apply to the Electrical Board of Adjustments and Appeals.

##### Section 10A.1 - APPEALS

A. Whenever the Electrical Inspector shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used in the installation of electrical wiring or apparatus or when it is claimed that the provisions of the Electrical Code do not apply, or that an equally good or more desirable form of installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Electrical Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner or contractor of such building or structure or his duly authorized agent, may appeal from the decision of the Electrical Inspector to the Board of Adjustments and Appeals. Notice of appeals shall be in writing and filed within ninety (90) days after the decision is rendered by the Electrical Inspector and shall be accompanied by a check made payable to the County in the amount of Twenty-Five (\$25.00) Dollars.

B. In case apparatus installed is unsafe or dangerous, the Electrical Inspector may, in his order, limit the time for such an appeal to shorter period. Appeals hereunder shall be on forms provided by the Electrical Inspector.

##### Section 10A.2 - VARIATIONS AND MODIFICATIONS:

A. The Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion, the interpretation of the Electrical Inspector should be modified or reversed.

B. A decision of the Board of Adjustment and Appeals to vary the application of any provisions of this Code or to modify an order of the Electrical Inspector shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

##### Section 10A.3 - DECISIONS

A. Every decision of the Board of Adjustments and Appeals shall be final, subject however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Electrical Inspector, and shall be open to public inspection. A certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the Electrical Inspector for two weeks after filing.

B. The Board of Adjustments and Appeals shall in every case reach a decision without unreasonable or unnecessary delay.

C. If a decision of the Board of Adjustments and Appeals reverses or modifies a refusal, order or disallowance of the Electrical Inspector, or varies the application of any provisions of this Code, the Electrical Inspector shall immediately take action in accordance with such decision.

#### SECTION 2

##### PLUMBING CODE AMENDED

2-1 Section 2(A) is amended as follows:

Section 109.7 is added as follows

##### Section 109.7 - PLUMBERS BOARD OF ADJUSTMENTS AND APPEALS

There is hereby established a board to be called the Plumbers' Board of Adjustments and Appeals which shall consist of the same membership as the

April 9, 1973

Plumbers' Examining Board. The by-laws of said Plumbers' Examining Board, such as appointments and rules, with any amendments thereto, shall apply to the Plumbers' Board of Adjustments and Appeals.

#### Section 109.7.1 - APPEALS

A. Whenever the Plumbing Inspector shall reject or refuse to approve the mode or manner of construction proposed to be followed, or materials to be used in the installation of apparatus, or when it is claimed that the provisions of the Plumbing Code do not apply, or that an equally good or more desirable form of installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Plumbing Code or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner or contractor of such building or structure or his duly authorized agent, may appeal from the decision of the Plumbing Inspector to the Board of Adjustments and Appeals. Notice of appeals shall be in writing and filed within ninety (90) days after the decision is rendered by the Plumbing Inspector and shall be accompanied by a check made payable to the County in the amount of Twenty-Five (\$25.00) Dollars.

B. In case apparatus installed is unsafe or dangerous, the Plumbing Inspector may, in his order, limit the time for such an appeal to a shorter period. Appeals hereunder shall be on forms provided by the Plumbing Inspector.

#### Section 109.7.2 - VARIATIONS AND MODIFICATIONS

A. The Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion, the interpretation of the Plumbing Inspector should be modified or reversed.

B. A decision of the Board of Adjustments and Appeals to vary the application of any provisions of this Code or to modify an order of the Plumbing Inspector shall specify in what manner such variation or modification is made, the conditions upon which it is made and the reasons therefor.

#### Section 109.7.3 - DECISIONS

A. Every decision of the Board of Adjustments and Appeals shall be final, subject however, to such remedy as any aggrieved party might have at law or in equity. It shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Plumbing Inspector, and shall be open to public inspection. A certified copy shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the Plumbing Inspector for two weeks after filing.

B. The Board of Adjustments and Appeals shall in every case reach a decision without unreasonable or unnecessary delay.

C. If a decision of the Board of Adjustments and Appeals reverses or modifies a refusal, order, or disallowance of the Plumbing Inspector, or varies the application of any provisions of this Code, the Plumbing Inspector shall immediately take action in accordance with such decision.

### SECTION 3

#### EFFECTIVE DATE

3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

#### RE: APPOINTMENTS TO BOARD OF SOCIAL SERVICES

Mr. Edwards moved that the following persons be appointed to the Board of Social Services for terms effective immediately and expiring as indicated.

William F. Pettingill - July 1, 1976  
Thomas R. McCann, Jr. - July 1, 1975

The motion was seconded by Mr. Taylor and adopted by a unanimous roll call vote.

#### RE: SANITARY DISTRICT #3 - MANDATORY HOOKUP IN SERVICE PROJECT AREA #1

Mr. Thomas McCann, County Administrator, recommended that the Board concur in the mandatory connection clause of the Operating Policy of Service Project Area III as required under Section 15.1-1261 of the Code of the State of Virginia with the following conditions:

April 9, 1973

1. Connection shall not be required sooner than six months after service is available.
2. The connection charge shall be no more than the allocable amount charged to a specific parcel as established by First Land Corporation, not to exceed \$1500, plus the \$400 availability charge set by the James City Service Authority.
3. Owners of parcels presently served by properly functioning septic systems shall not be required to connect to the public system until five (5) years after service is available unless their septic systems are declared unsatisfactory by the James City County Health Department. Upon receipt of such a declaration, the owner shall be required to connect to the public system within a reasonable time at a cost not to exceed \$1500 plus the availability charge established and in force at that time by the James City Service Authority.

Mr. Donaldson commented that it was in the best interest of the County to have as many people served by water and sewer as possible, but that he had some reservation as to the connection charge being excessive.

Mr. Donaldson moved that this matter be tabled until the first regular meeting in May. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

RE: CONDITIONAL USE PERMIT - TWIN OAKS CAMPGROUND

Mr. Craig Covey, Assistant to the County Administrator, recommended approval with the four conditions listed as follows:

1. Site to be developed and maintained as per approved site plan date 3-20-73;
2. Construction must be within one year from date of issuance of Conditional Use Permit; and
3. The campground site, except the entrance, shall at all times be screened with a dense natural landscape buffer 50' wide located inside the perimeter of the site and
4. All campsites shall be within 300' of a bath house.

Mr. Edwards moved that the Conditional Use Permit be approved with the conditions noted in the recommendation. The motion was seconded by Mr. Donaldson and approved by a unanimous roll call vote.

RE: CODIFICATION OF ORDINANCES OF JAMES CITY COUNTY

Mr. Edwards moved that the Board of Supervisors advertise the adoption of an Ordinance adopting a revision and codification of the Ordinances of the County of James City for May 14, 1973. The motion was seconded by Mr. Waltrip and approved by a unanimous roll call vote.

RE: REGULATION OF SIGNS IN JAMES CITY COUNTY

Mr. Edwards moved that the County Administrator make recommendations to the Board re regulation of signs in James City County. The motion was seconded by Mr. Donaldson and a roll call vote was recorded as follows:

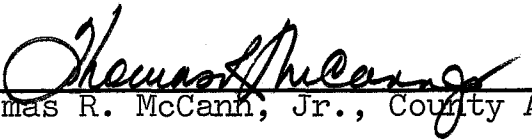
Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

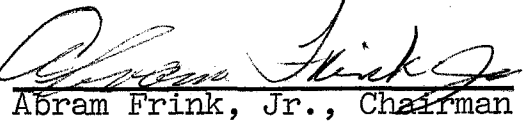
Motion carried by a majority vote.

RE: CONTROL OF DOGS

Mr. Donaldson requested the County Administrator to review the laws regarding dog control.

The meeting was adjourned at 8:45 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

April 23, 1973  
 April 12, 1973

At a special meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the twelfth day of April, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, and MR. STEWART U. TAYLOR, Stonehouse District. Also present were MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: CONSIDERATION OF A CONTRACT BETWEEN THE COUNTY OF JAMES CITY AND WILLIAMSBURG POTTERY CONCERNING THE DEVELOPMENT OF POTTERY SHOP


Mr. McCann, County Administrator, read the agreement as presented. A general discussion was held with Mr. J. F. Phillips, Attorney for the Pottery and E. Martin Schara, Vice-President Development, Williamsburg Pottery; the Commonwealth's Attorney, and the Board.

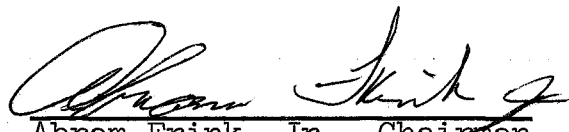
It was the consensus of the members of the Board that the Board did not have the authority to make decisions in setting requirements with reference to a tunnel at the Pottery and to sign the Agreement under consideration, and that to do so would be a disservice to the Planning Commission and Site Plan Review Committee.

Mr. Edwards moved that action be deferred. The motion was seconded by Mr. Donaldson with the request that the motion show that the matter does not necessarily require further action by the Board. The motion was approved by a unanimous roll call vote.

There being no further business, Mr. Donaldson moved that the meeting be adjourned. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

Meeting adjourned at 6:05 P.M.

  
 Thomas R. McCann, Jr., County Administrator

  
 Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the ninth day of April, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, and MR. STEWART U. TAYLOR, Stonehouse District. Also present were MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: RESOLUTION AWARDDING THE SALE OF WATER & SEWER BONDS OF JAMES CITY COUNTY SANITARY DISTRICT #2 IN THE AMOUNT OF \$765,000

Mr. Donaldson moved that the following resolution awarding the sale of water and sewer bonds of James City County Sanitary District #2 in the amount of \$765,000 to the Farmers Homes Administration be approved. The motion was seconded by Mr. Edwards and adopted on a unanimous roll call vote.



April 23, 1973

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, that the Seven Hundred Sixty-Five Thousand Dollars (\$765,000) Water and Sewer Bonds of James City County Sanitary District Number 2, the form and details of which have heretofore been prescribed by a resolution duly adopted March 26, 1973, be and the same are hereby awarded to United States of America/Farmers Home Administration in accordance with the terms of its proposal, and shall bear interest as set out in such proposal.

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board of Supervisors of James City County, Virginia, held on April 23, 1973, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my hand and the seal of the Board of Supervisors of James City County, Virginia, this \_\_\_\_\_ day of April, 1973.

\_\_\_\_\_  
Clerk, Board of Supervisors of  
James City County, Virginia

RE: CONSIDERATION OF CONDITIONAL USE PERMIT FOR LAFAYETTE MANOR

Mr. Craig G. Covey, Assistant to the County Administrator, presented the request for a Conditional Use Permit for Lafayette Manor with the recommendation that it should be granted. A general discussion followed.

Mr. Edwards moved that the Conditional Use Permit request be referred back to the Planning Commission for their review as to the following recommendations from the Board:

1. Two parking spaces per unit.
2. Time should be noted as to the building of recreational facilities (Item #5)
3. Is it appropriate to specify density ceiling?

The Board requested the Planning ReCommission's recommendations for action at the next Board meeting. The motion was seconded by Mr. Donaldson and adopted on a unanimous roll call vote.

RE: HIGHWAY DEPARTMENT MATTERS

(1) & (5) Proposed road improvement program

Mr. Donaldson moved that the Resolution of Agreement with the Highway Department be adopted. Mr. Waltrip seconded the motion and it was approved on a unanimous roll call vote.

WHEREAS, the County has a number of unimproved streets and roads which were built and put to record before the County had enacted a Subdivision Ordinance controlling the building and approval of streets in this County; and,

WHEREAS, the State is allowed to allocate 2% of initial allocation of its Annual Secondary Highway Budget for new additions, but will increase this allocation to a maximum of \$20,000 per year, effective in fiscal year 1973-74; and,

WHEREAS, the County of James City, Virginia, would like to participate in bringing these roads up to the State Standard, and is willing to do so in an amount of funds equalling to the State Highway Department's annual allocation for new additions; and,

WHEREAS, the County is willing to do this for a period not to exceed five (5) years; and,

WHEREAS, IT IS UNDERSTOOD BY THE County and Highway Department that all utility adjustments will be born by the County; and,

WHEREAS, all right of way will be the responsibility of the County (a minimum 40' unrestricted right of way will be required); and,

WHEREAS, it is understood that the Highway Department will not be required to spend any more than it is allotted for new additions each year; and,

WHEREAS, a Priority List will be established by the County's Board of Road Reviewers; and



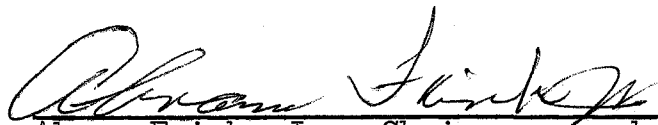
April 23, 1973

WHEREAS, the County agrees to carry forward any funds that are not spent during the Fiscal Year for the purpose of assisting the Highway Department in this program; and,

WHEREAS, the date of the County's Subdivision Ordinance is August 31, 1964, and the State Highway Department's Rural Addition Policy was adopted on November 15, 1959, the earlier date will be the cut-off for these new streets; and,

WHEREAS, this type of program has been initiated in Nansemond & Isle of Wight County and has been very successful in the past four or five years, and is not a new procedure.

THEREFORE, BE IT RESOLVED, that this agreement will go into effect July 1, 1973.



Abram Frink, Jr., Chairman, on behalf of  
the Board of Supervisors

ATTEST:

\_\_\_\_\_  
Thomas R. McCann, Jr.  
County Administrator

(2) Ewell Crossing

Mr. Yeatts reported that the Highway Department is planning on putting this into its budget. Existing crossing would be removed once new one is constructed.

(3) Route 607 and Route 168 Intersection

Mr. Yeatts indicated that the resolution from the Board was forwarded to the District Engineer.

(4) Skipwith Farms Entrance

Procedure was discussed as to obtaining a "No Thru Trucks" sign at the entrance of Skipwith Farms. Mr. Donaldson asked if it would be possible to provide an outlet for Patrick Henry Drive. Mr. Yeatts said that the problem would be funding and the time would be three to four years.

Mr. Donaldson moved that the machinery be put into motion regarding a better access to Patrick Henry Drive. The motion was seconded by Mr. Edwards and adopted by a unanimous roll call vote.

Longhill Road widening

Is parallel artery a better alternative? The County Administrator was requested to investigate the situation and give the Board his recommendation.

Cul-de-sac 656

Mr. Yeatts reported this should be finished now that the weather is dry.

Resolution re: Berkeley Town Road

Mr. Yeatts acknowledged that they are prepared to make up a resolution as soon as suitable tie in can be worked out with the intersection of Route 603.

RE: MOSQUITO CONTROL OPERATIONS

Mr. Donaldson moved approval of the purchase of two LECO, ULV fog generators at a cost of \$2645 each to insure commencement of Mosquito Control Operations in May. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

RE: PUBLIC ADDRESS/RECORDING SYSTEM FOR COUNCIL CHAMBER

Mr. Edwards requested the County Administrator to obtain additional prices for a public address/recording system and to obtain prices for Solid State equipment as well.

April 23, 1973

RE: SUBDIVISION ORDINANCE AMENDMENTS

Mr. Edwards moved that the proposed amendments to the Subdivision Ordinance and Mr. McCann's recommendations be submitted to the Planning Commission for their review with attention given to specific standards regarding recreational facilities. The motion was seconded by Mr. Donaldson and approved on a unanimous roll call vote.

RE: EMERGENCY AMENDMENTS TO SANITARY DISTRICT #2 OPERATING ORDINANCE

Mr. Edwards moved that the following amendments to Sanitary District #2 be approved as Emergency Ordinance #36A-1. The motion was seconded by Mr. Frink and adopted by a unanimous roll call vote.

AN ORDINANCE TO ADD SECTION 4.00A; AND AMEND A PORTION OF SECTION 5.03(A), OF ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NO. 2, JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 118 AND 118.4, ARTICLE 1, CHAPTER 2, TITLE 21, AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

SECTION 1

SECTION 4.00A ADDED

1-1 Section 4.00A is added as follows:

4.00A No dwelling, commercial or industrial building, or other structure used or intended to be used for human habitation shall be constructed, reconstructed, or altered, in the District until such time as District water and sewage service is made available to serve same.

SECTION 2

SECTION 5.03(A) AMENDED

2-1 Section 5.03(A) is amended to read as follows:

5.03(A)

<u>Meter Size</u>	<u>Availability Charge</u>
5/8"	\$ 250.00
3/4"	330.00
1 "	390.00
1 1/2"	580.00
2 "	725.00
3 "	cost + 400.00
4 "	cost + 600.00
5 "	cost + 800.00
6 "	cost + 1000.00
8 "	cost + 1200.00

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charge shall be increased by \$150.00 for each size meter.

SECTION 3

EFFECTIVE DATE

3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

RE: PRESENTATION OF 1973-74 PROPOSED ANNUAL BUDGET, 1973-78 PROPOSED CAPITAL IMPROVEMENTS PROGRAM

Mr. McCann, County Administrator, presented the 1973-74 Proposed Annual Budget for the Board's review, analysis and comment, explaining the new format and listing the reasons for increases in the Budget.

RE: CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of April, 1973:

May 1, 1973  
April 23, 1973

General Fund

- Checks #6912 through #7054  
Totalling - \$332,820.64

Sanitary District #1

- Check #185  
Totalling - \$2,126.56

Sanitary District #2

- Checks #152 through #161  
Totalling - \$47,534.95

RE: REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

Management Training Program - Peninsula Planning District Commission.

Mr. McCann requested an indication from the Board as to a convenient time to hold such a program. Mr. Frink, Mr. Edwards and Mr. Donaldson preferred a date later than June 10, 1973.


FIRST LAND CORPORATION - Mandatory Sewer Connections

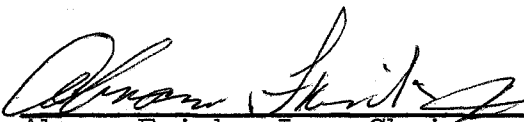
Mr. Donaldson questioned the authority of the Board to pass a resolution requiring mandatory hookup re First Colony.

Mr. Donaldson moved that the Commonwealth Attorney study the degree and capability of the Board re mandatory hookups for First Colony and to report back to the Board. The motion was seconded by Mr. Edwards and approved on a unanimous roll call vote.

Mr. Donaldson moved that the Board recess to reconvene Tuesday, May 1, 1973, at 7:00 P.M., for a public work session on the Budget. The motion was seconded by Mr. Edwards and approved on a unanimous roll call vote.

There being no further business, the meeting was recessed at 5:10 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the first day of May, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, and MR. STEWART U. TAYLOR, Stonehouse District. Also present were MR. THOMAS R. Mc CANN, JR., County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: WATER SYSTEM - SANITARY DISTRICT #3

The Board considered a plan presented by Mr. D. Martin of Deward M. Martin and Associates concerning a possible sanitary sewer system project in Sanitary District #3. Mr. Martin pointed out that the initial hookup charges would have to be increased from \$400 to \$600 for each existing dwelling unit and from \$600 to \$800 for any future dwelling unit connection. He further indicated that connection for a commercial unit will be increased from \$800 to \$1200, and existing commercial units from \$600 to \$1000. Mr. Martin pointed out that monthly charges would amount to \$8.50 for one bathroom and \$2.00 for the second bathroom. He indicated that these increases were necessary in order to produce a project which would satisfy FHA requirements for bond financing. The increases represent a change from the amounts which were first considered when the bond issue was approved; however, they are necessary because the initial project was based on the probability of receiving substantial federal grants. These have not been forthcoming.

May 1, 1973

Mr. McCann, County Administrator, pointed out that the proposal by Mr. Martin was tentative at best and that the Board of Supervisors would have another opportunity to approve or disapprove the overall project.

Upon a motion by Mr. Edwards, seconded by Mr. Donaldson, the Board of Supervisors by roll call vote unanimously approved the following resolution authorizing the Chairman of the Board to sign all necessary documents relative to submitting an application for FHA loan to carry out this project.

The Board of Supervisors of James City County in a duly called meeting resolved as follows:

BE IT HEREBY RESOLVED, that the Board of Supervisors of James City County, acting on behalf of the James City County Sanitary District #3 hereby approve the content of and authorize the execution of Forms FHA 400-4, Nondiscrimination Agreement, and FHA 400-1, Equal Opportunity Agreement, by its Chairman.

BE IT FURTHER RESOLVED that the said Chairman be hereby authorized to execute such other forms and documents, including Promissory Notes, Bonds, Security Instruments, Loan Agreements, Grant Agreements and any others as may be required in obtaining loan and/or grant assistance from the United States of America, acting through the Farmers Home Administration.

RESOLVED and done this the 1st day of May, 1973.

By *Sharon Link*  
Chairman

ATTEST:

\_\_\_\_\_  
Clerk

I hereby certify that the above resolution was duly adopted by the Board of Supervisors of James City County in a duly assembled meeting on the 1st day of May, 1973.

\_\_\_\_\_  
Clerk

RE: SUMMER EMPLOYMENT PROGRAM - VIRGINIA EMPLOYMENT COMMISSION

Mr. Edwards moved that the Board of Supervisors approve the Virginia Employment Commission form "Occupational Summary" reserving four (4) recreational aides to be used on playgrounds during the summer. The motion was seconded by Mr. Donaldson and approved on a unanimous roll call vote.

RE: PROPOSED 1973-74 BUDGET - WORK SESSION

Mr. McCann, County Administrator, presented the Board with a Budget Work Session Agenda.

Mr. Donaldson moved that the Board of Supervisors, James City County, advertise the proposed 1973-74 Budget for Public Hearing to be held on Thursday, May 17th, at 7:30 P.M. The motion was seconded by Mr. Waltrip and approved by a unanimous roll call vote.

RE: PROCLAMATION RE SENIOR CITIZEN MONTH

Mr. Donaldson moved that the Board approve the Proclamation claiming the month of May as Senior Citizen Month. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

WHEREAS, the Peninsula's greatest assets are her citizens, over 26,000 of whom are sixty years and older; and

WHEREAS, the progress and achievements of the Peninsula in this century are due in large measure to their efforts; and

WHEREAS, contrary to popular belief, the vast majority of persons over age sixty remain vital, versatile, and actively involved in the life of their communities; and

WHEREAS, many senior citizens contribute much of their time and energy to volunteer community service which enhances the lives of us all;

May 8, 1973  
May 1, 1973

NOW, THEREFORE, We, the Chief Elected Officials of the Cities of Newport News, Hampton, Williamsburg, the Counties of York and James City, and the Town of Poquoson, do hereby proclaim the month of May, 1973, as

SENIOR CITIZEN MONTH

on the Virginia Peninsula and urge all businessmen, leaders of voluntary and private organizations, and residents to join in appropriate recognition of OLDER AMERICANS IN ACTION by expressing appreciation and concern for our older Americans during this month and throughout the year.

IN WITNESS WHEREOF, we have hereunto set our hands for our respective jurisdictions this 1st day of May, 1973.

\_\_\_\_\_  
Mayor, City of Newport News

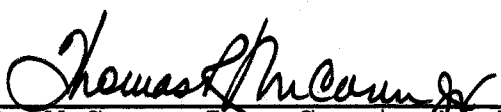
\_\_\_\_\_  
Mayor, City of Hampton

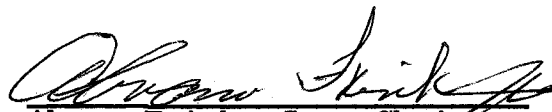
RE: CHANGE OF BOARD MEETING DATE

Mr. Donaldson moved that the Board of Supervisors change their meeting date to May 25th at 3:00 P.M., due to the fact that the regular meeting Monday is Memorial Day.

Mr. Donaldson moved that the Board recess to reconvene Tuesday, May 8, 1973, at 7:30 P.M. to continue the Work Session on the Budget. The motion was seconded by Mr. Edwards and approved on a unanimous roll call vote.

The meeting was recessed at 8:50 P.M.

  
\_\_\_\_\_  
Thomas R. McCann, Jr., County Administrator

  
\_\_\_\_\_  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the eighth day of May, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. McCANN, JR., County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: PROBATION HOUSE - GRANT FROM STATE DIVISION OF JUSTICE AND CRIME PREVENTION

The Board of Supervisors considered the submission of a grant application for funds from the State Division of Justice and Crime Prevention to maintain and operate a probation house for boys to serve Williamsburg, James City County, and York County. Upon a motion by Mr. Edwards, seconded by Mr. Donaldson, the submission of the application was unanimously approved by roll call vote.

RE: JAMES CITY LAND CORPORATION

For information purposes Mr. McCann, County Administrator, passed out a letter from James City Land Corp. requesting the Board of Supervisors to consent to temporary water service for James City Land Corporation from the City of Williamsburg. No action was taken on the request.

RE: REQUEST FROM JAMES CITY SERVICE AUTHORITY

For information purposes, Mr. McCann passed out a request from the James City Service Authority to use 0.88 acres of land located behind the County office building (Toano) for storage use. Mr. Donaldson requested that Mr. McCann ask the Service Authority to try to find a more centrally located parcel for this purpose.

May 14, 1973  
May 8, 1973


RE: 1973-74 PROPOSED BUDGET WORK SESSION


The Board of Supervisors then went into a work session on the Proposed Budget. Mr. McCann handed out materials relating to specific items in the Proposed Budget and reviewed these materials with the members of the Board. After some discussion, the Board of Supervisors agreed to tentatively set May 21, at 7:30 P.M., as the next date for a work session on the Budget if one was found to be necessary. The Board indicated its intent to pass the Budget at its meeting on May 25, 1973.

RE: MEETING WITH BUSCH GARDENS DEVELOPMENT REPRESENTATIVES

Mr. McCann discussed the possibility of meeting with representatives of the Busch Gardens Development in order that the Board might be fully briefed on construction plans. The Board indicated that they wished to have such a meeting so long as it did not conflict with the Virginia Freedom of Information Act. Mr. McCann was requested to check with the Busch representatives to be certain that such a meeting would be in conformity with the open meeting requirements of that law.

The meeting was adjourned to executive session to discuss personnel matters.

  
Thomas R. McCann, Jr., County Administrator

  
Abram, Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held thereof in the Courthouse, Williamsburg, Virginia, on the fourteenth day of May, nineteen hundred and seventy-three, there were present MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. MCCANN, County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

RE: MINUTES

Mr. Waltrip moved that the minutes of April 9, 12, and 23, 1973 be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RE: CONSIDERATION OF CONCURRENCE IN MANDATORY HOOKUP POLICY IN SERVICE PROJECT AREA I (FIRST COLONY)

Mr. McCann read to the Board the Commonwealth Attorney's opinion re the mandatory hookup policy in Service Project Area I (First Colony Subdivision). The letter reads, in part, "The basic question is whether a person in the First Colony Subdivision is legally obligated to connect to sewerage at a charge of \$1,900.00. There is no question that it is legal to provide for mandatory sewer connection with a reasonable charge so that the purpose of providing better health may be promulgated. Under the facts given me as aforesaid I am of the opinion that the charge is not reasonable and therefore a person in the First Colony Subdivision would not be obligated to connect to the sewer service and therefore the County should not concur."

Mr. Donaldson moved that no action be taken in respect to mandatory hookups in First Colony area. The motion was seconded by Mr. Waltrip.

Discussion followed.

Mr. Edwards requested that the Board give some indication as to the direction to be taken by the parties involved.

Mr. McCann pointed out that he did not want to see the project to stop as a result of nonconcurrence by the Board and indicated that he doubted that it would. Individuals wishing to tap on would be able to do so at the stipulated price.



May 14, 1973

Mr. Donaldson withdrew his motion; and Mr. Waltrip his second.

Mr. Donaldson moved that the mandatory hookup policy for First Colony Subdivision be postponed indefinitely. The motion was seconded by Mr. Waltrip and carried on a unanimous roll call vote.

RE: CONDITIONAL USE PERMIT FOR LAFAYETTE MANOR APARTMENTS

Mr. Carter Chinnis, Agent, was present and stated he would comply with the Board's wishes.

Mr. Waltrip moved that the Conditional Use Permit for Lafayette Manor with conditions listed in Mr. Covey's memorandum and shown as follows be approved. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

1. Site to be developed and maintained in accord with an approved site plan.
2. ~~Construction~~ must begin within one year from date of issuance of conditional use permit; failure to begin construction voids permit.
3. Building setback from Long Hill Road to be not less than 150 feet.
4. Site to be selectively cleared to retain every tree possible.
5. Developed active recreation facilities shall be provided amounting to 15% of the land area of the development. As noted on the preliminary site plan, recreation areas are proposed including a 45" x 25" swimming pool, 2 tennis courts, 4 play areas each 2,000 square feet (40" x 50") and a tots' play area at the pool. As a part of recreational services it is also noted that spaces will be provided for parking campers and boats.

In addition to that which is now proposed which amounts to .551 acres or 1.9% of the site, additional pedestrian walks and bicycle trails should be established and be capable of being linked into the future County trails system. The trails system may be computed in the 15% required. All facilities to be built prior to first occupancy.

6. Site shall be buffered on its perimeters with natural vegetation for a minimum distance of 30 feet from the property line except as otherwise provided for in excess of 30 feet and with a minimum of 150 feet at the front along Long Hill Road.
7. Prior, during, and after construction effective sedimentation and erosion control devices shall be employed. As little ground as possible should be left uncovered at any one time.
8. Parking spaces of 2 per unit shall be provided.
9. Density shall not exceed 8.28 dwelling units per acre computed on the gross acreage of site.

RE: STUDY BY CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY, OF POWHATAN CREEK AND BACK RIVER

Mr. Edwards moved that the Board request that the study to dredge and mark Powhatan Creek and Back River by the Corps of Engineers be undertaken with the single proviso that the County has an opportunity to approve or disapprove of the project before it is executed. The motion was seconded by Mr. Donaldson and approved by a unanimous roll call vote.

RE: PUBLIC HEARING  
AN ORDINANCE TO AMEND SECTION 12-12, SECTION 12-12-1 AND SECTION 12-12-2 OF THE ZONING ORDINANCE  
RELATING TO SITE PLAN PROCEDURES (6-4/9/73)

Mr. McCann presented the amendments stating that they would strengthen the Site Plan Review and assist the developer by indicating exactly what is expected of him.

The Public Hearing was opened.

Mr. David Ware, Powhatan District, spoke against amendments.

Mr. J. R. Zepkin urged adoption with a few minor changes relating to reasonable times for categories, such as 30 days from time of filing preliminary site plan to have an answer from the County, and six months for final site plan. Believed that preapplication conference is a good idea. Further urges a full-time consulting engineer.

Mr. J. Moneymaker, representing the Board of Realtors, believes this is a needed Ordinance and that Mr. Zepkin's suggested changes should be considered.

There being no further comments the Public Hearing was closed.

Mr. Taylor indicated his belief that a builder would incur additional costs under the proposed ordinance.

May 14, 1973

Mr. Donaldson moved that the Board defer action on these amendments to Section 12-12 of the Zoning Ordinance to provide the staff with sufficient time to take the comments into consideration and return for final passage at the May 25th meeting of the Board. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

RE: PUBLIC HEARING

AN ORDINANCE ADOPTING A REVISION AND CODIFICATION OF THE ORDINANCES OF THE COUNTY OF JAMES CITY, ENTITLED "THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA," PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, WITH CERTAIN EXCEPTIONS, AND FOR OTHER PURPOSES AS SET OUT IN THE SAID CODE.

Mr. McCann introduced and pointed out a few changes in the ordinance.

Public Hearing was opened. There being no comments the Public Hearing was closed.

Discussion followed.

Mr. Edwards moved that the ordinance adopting a revision and codification of the County's Ordinances be adopted as follows. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor abstained.

ORDINANCE NO. 61

AN ORDINANCE ADOPTED A REVISION AND CODIFICATION OF THE ORDINANCES OF THE COUNTY OF JAMES CITY, ENTITLED "THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA," PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, WITH CERTAIN EXCEPTIONS, AND FOR OTHER PURPOSES HEREINAFTER SET OUT.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, PURSUANT TO AUTHORITY CONTAINED IN SECTION 15.1-37.3 OF THE CODE OF VIRGINIA AS FOLLOWS:

SECTION 1

Adoption

- 1-1 There is hereby adopted by the Board of Supervisors that certain Code entitled "The Code of the County of James City, Virginia" containing certain ordinances of a general and permanent nature as compiled, consolidated, codified and indexed in Chapters 1 to 20, both inclusive, of which Code not less than three copies have been and are now filed in the office of the County Administrator, and shall there be available for public inspection during normal business hours.
- 1-2 The provisions of such Code shall be in force on and after May 14, 1973, and all ordinances of a general and permanent nature adopted on final reading and passage on or before April 24, 1972, and not contained in such Code are hereby repealed from and after May 14, 1973 except as hereinafter provided.
- 1-3 The repeal provided for in the preceding section of this ordinance shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before May 14, 1973, nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to May 14, 1973 nor shall repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the County or authorizing the issue of any bonds of the County or any evidence of the County's indebtedness or any Contract or obligation assumed by the County; nor shall it affect the annual tax levy; nor shall it affect any right or franchise granted or conferred by ordinance or resolution of the Board of Supervisors on any person or municipal or other corporation; nor shall it affect any ordinance which is temporary, although general in effect, or special, although permanent in effect; nor shall it affect any ordinance relating to the salaries of the County officers or employees; nor shall it affect any ordinance naming, renaming, opening, accepting or vacating streets, alleys or rights of way in the County; nor shall it affect any ordinance relating to the County zoning map; nor shall it affect any ordinance adopted on final reading and passage after April 24, 1972; nor shall it affect any ordinance or amendment thereof which:

(a) Adopts or affects the official county map, as such map is within the purview of sections 15.1-458 through 15.1-463 of the Code of Virginia; or (b) which relates to sewerage service charges payable by owners of real estate which is connected to the Toano Sewerage System, as established by the ordinance of December 14, 1964; or (c) which affects the Rules and Regulations for the operation of James City County Sanitary District No. 1, adopted by the ordinance of January 31, 1962 and is subsequently amended or affected by ordinances of later date, including the ordinances of October 28, 1962, June 8, 1964, April 29, 1966, May 31, 1968 and April 12, 1971; or (d) which establishes or affects an operating policy for James City County Sanitary District No. 2.

SECTION 2

Penalty

- 2-1 Whenever in the Code adopted by this ordinance or in any other ordinance or resolution of the Board of Supervisors or in any rule, regulation, notice or order promulgated by any officer or agency of the County under authority duly vested in him or it any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or the doing of any act is required or the failure to do any act is declared to be unlawful or an offense or a misdemeanor, where no specific penalty is provided therefor, the violation of any such provision of such Code or any other ordinance or resolution of the Board of Supervisors or such rule, regulation notice or order shall be punished by a fine not exceeding three hundred dollars or imprisonment for a term not exceeding thirty days or by both such fine and imprisonment.

May 14, 1973

Except where otherwise provided, every day any violation of such Code or any other ordinance or resolution of the Board of Supervisors or such rule, regulation, notice or order shall continue shall constitute a separate offense.

## SECTION 3

## Severability

- 3-1 It is hereby declared to be the intention of the Board of Supervisors that the sections, paragraphs, sentences, clauses and phrases of this ordinance and the Code hereby adopted are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance of the Code hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance or the Code hereby adopted.

## SECTION 4

## Effective Date

- 4-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

RE: CONDITIONAL USE PERMIT FOR THE HAMLET

Mr. Donaldson moved the granting of the Conditional Use Permit to include the conditions set out in the memorandum from Mr. Covey of May 11th. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

1. Site to be developed and maintained in accord with an approved site plan.
2. Construction must begin within one year from date of issuance of conditional use permit; failure to begin construction voids permit.
3. Wooded portions of site to be selectively cleared to retain every tree possible. Cleared areas to be replanted in accord with a detailed landscape plan approved by the Administrator or his designee.
4. Developed active recreation facilities shall be provided amounting to 15% of the land area of the development (15% of 42.95 acres). All recreation facilities to be constructed prior to occupancy of units.
5. Site shall be buffered on its perimeters with a natural or landscaped vegetation for a minimum distance of 30 feet from the property lines.
6. Prior, during, and after construction effective sedimentation and erosion control devices shall be employed. As little ground as possible should be left uncovered at any one time.
7. Parking spaces of 2 per unit for condominium; 2.5 for town house. Separate area for camper and boat parking to be provided.
8. Density computation as recommended by the Site Plan Review Committee is as follows:  

$$(42.95 \text{ ac} \times 15\% \text{ recreation requirement} = 6.4 \text{ ac}; 42.95 - 6.4 = 36.55 \text{ ac} \times 10 \text{ dwelling units per acre} = \underline{365 \text{ units}}.)$$

RE: REVISED MASTER PLAN FOR KINGSMILL PLANNED COMMUNITY

The key change is in the addition of 32.8 acres for multi-family and a reduction of 22.1 acres from detached single family and town house categories. The additional multi-family acreage will provide for an expanded condominium area adjacent to the marina on the James River.

Mr. Taylor moved that the revised plan for Kingsmill Planned Community be approved as presented. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RE: DATE FOR PUBLIC HEARING ON REZONING OF PROPERTY LOCATED ON RT. 60 FROM A-1 (AGRICULTURE) TO M-1 (LIMITED INDUSTRY), Jack L. Massie, Applicant

Mr. Taylor moved that the date for the Public Hearing on the above rezoning application be set for June 11, 1973 at 7:30 P.M. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RE: DATE FOR PUBLIC HEARING ON ORDINANCES RELATING TO SANITARY DISTRICT #2, (a) Prohibition of Private Septic Systems, (b) Increase in rates

Mr. Waltrip moved that the Public Hearing for the captioned Ordinances be set for June 11, 1973, at 7:30 P.M. The motion was seconded by Mr. Taylor and approved by a unanimous roll call vote.

May 17, 1973  
May 14, 1973

RE: DATE FOR PUBLIC HEARING ON ORDINANCES RELATING TO A MECHANICAL CODE AND A ONE AND TWO FAMILY DWELLING CODE

Mr. Edwards moved that the Public Hearing for the captioned Ordinances be set for June 11, 1973, at 7:30 P.M. The motion was seconded by Mr. Waltrip and approved by a unanimous roll call vote.

RE: LEGAL HOLIDAY

On a motion by Mr. Taylor, seconded by Mr. Waltrip, and approved by a unanimous roll call vote, the following resolution was passed:

RESOLVED, by the James City Board of Supervisors that Monday, May 28th, 1973, be declared a legal holiday for all County employees in recognition of Memorial Day.

RE: REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR  
ARCHITECTURAL DESIGN REVIEW BOARD APPOINTMENT

Mr. Edwards moved that Mr. Wright B. Houghland be appointed to the Architectural Design Review Board for a term of two years. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RE: SERVICE AUTHORITY REQUEST FOR STORAGE AREA LOCATED AT TOANO

The Board requested the County Administrator to have appraisals on the two acres referred to in the Service Authority's letter of May 10, 1973.

RE: RESOLUTION - SHORT TERM FINANCING - SANITARY DISTRICT #2

On a motion by Mr. Frink, seconded by Mr. Waltrip, and approved by a unanimous roll call vote, the following resolution was passed:

BE IT RESOLVED by the Board of Supervisors of James City County, acting in behalf of James City Sanitary District #2, that the Sanitary District borrow \$765,000 from United Virginia Bank of Williamsburg, Virginia, for the period of one year at a rate of 4.20%, such amount being in the form of a bond anticipation note in order to facilitate the execution of a water and sewer project in Sanitary District #2.

RE: DOG ORDINANCE

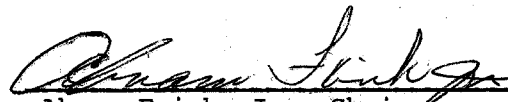
Mr. Frink expressed his concern that the Dog Ordinance was not being properly administered and requested that the County Administrator be sure that appropriate procedures be established and followed by the Dog Warden. Mr. McCann indicated that new procedures would be instituted and that there should be an improvement in the County's effort in this regard very shortly.

RE: EPA LOAN FUNDS

Mr. Edwards requested the County Administrator to comment on the recent court case which released substantial amounts of EPA loan funds for construction of sanitary facilities and the effect that this would have on the County. Mr. McCann indicated that there was a possibility that James City County could receive grants under the released funds, if indeed they became available, but that a priority system was being established by the State Water Control Board and James City County would have to compete with all other jurisdictions for a possible grant award.

There being no further business, the meeting was adjourned at 9:45 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the seventeenth day of May, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS

May 21, 1973  
May 17, 1973

R. McCANN, JR. County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

2. PUBLIC HEARING  
1973-74 BUDGET

The proposed budget was introduced by Mr. McCann in its synopsis form as advertised, giving the total amount of the proposed Budget, \$5,495,514.

The Chairman opened the hearing for public comment.

Mrs. B. Radcliff, Roberts District, read two letters regarding the Community Action Agency, from Rev. J. H. Moody and Clara B. Jones. She presented a petition with 242 signatures in favor of continuing CAA.

Harry B. Wright, Roberts District, President of Williamsburg Community Action Council, read a letter in favor of continuing CAA, keeping current personnel and Board of Directors.

J. E. Hicks, Roberts District, President of local NAACP, gave a CAA testimonial.

Mrs. Mary Cook, Berkeley District, and Mrs. Clara Harris, Jamestown District, read CAA testimonials.

Mrs. White, Powhatan District, Vice Chairman of CAA Council, Member of Board of Directors of Chickahominy CAA, read a CAA testimonial.

Sharon Keifer, President of Williamsburg League of Women Voters, read a letter supporting the Budget and its "new look."

Sam Buchanan, Ruby Tyler, Berkeley District, Dorothy Taylor, Mrs. Palmer, and Leroy Murdock, Berkeley District, all read CAA testimonials.

J. E. Hicks questioned Contributions and Transfers - Proposed Expenditures, which Mr. McCann answered.

Ruth Kernodle, Chairman of Mental Health Services Board, spoke regarding the proposed budget cut for their department.

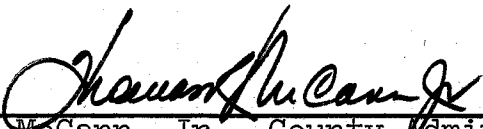
Mr. Treece, Administrative Director, Mental Health Services, listed additional justifications for their full budget.

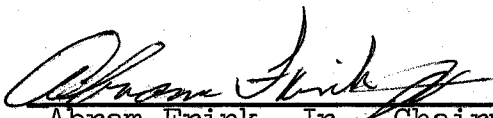
Miss Sharman spoke in favor of Mental Health Services.

Mrs. Dabney, who works at Eastern State Hospital, emphasized the need for a day care center which the Mental Health Services budget supports.

Four other people spoke in favor of continuing the Community Action Agency.

Mr. Donaldson moved that the meeting be recessed to meet at 7:30 P.M., Monday, May 21, 1973. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a reconvened meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the twenty-first day of May, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR. Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R.

May 21, 1973  
May 25, 1973

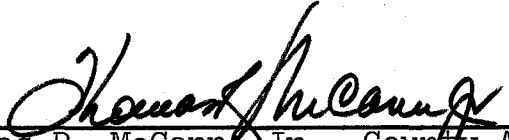
McCANN, JR., County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

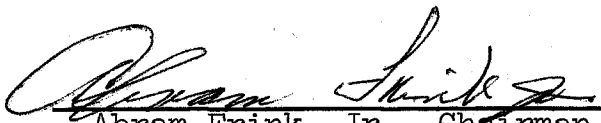
2. SANITARY DISTRICT #3 - FHA LETTER OF INTENT RE LOAN APPLICATION

Mr. McCann read the letter from the Farmer's Home Administration setting forth conditions for a loan not to exceed \$2,000,000 for Sanitary District III. The letter requested the Board's approval of the "Letter of Intent" to meet such conditions, thereby indicating the Board's desire for further consideration of the loan application. The Chairman of the Board signed the Letter of Intent, copy of which is on file in the County Administrator's office.

3. WORK SESSION - 1973-74 BUDGET

Mr. Taylor moved that due to the many questions regarding personnel and salaries pertaining to the Budget that the Board meet in executive session. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the twenty-fifth day of May, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

2. MINUTES

Mr. Waltrip moved that the minutes of May 1 and 8, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. ORDINANCE TO AMEND SECTION 12-12, SECTION 12-12-1 & SECTION 12-12-2 OF THE ZONING ORDINANCE OF JAMES CITY COUNTY, VIRGINIA, RELATING TO SITE PLAN REVIEW PROCEDURES

The Board reviewed the recommended changes as shown underlined as follows:

Section 2.a Submittal Method. Nine (9) copies of a preliminary site plan shall be submitted to the Administrator or his designee who shall review the plans for compliance with these regulations and the requirements for preliminary site plans and shall transmit said plans to the Site Plan Review Committee with his comments for their review. The Committee shall consider the preliminary site plan submittal within 30 days provided that all materials are presented in accord with requirements set forth in this section.

2.e Termination of approved plan. After approval, a preliminary site plan is valid for a period of six (6) months. A complete final site plan must be presented and properly filed with the Administrator or his designee, prior to the termination date of the preliminary site plan. However, if an extension of this period is needed due to extenuating circumstances, it may be granted only after resubmittal of the approved preliminary site plan with the reasons for the requested extension submitted in writing and attached thereto.



May 25, 1973

- 3.b Submittal Contents. The final detailed plan shall be submitted in separate sheets or overlays as appropriate for accurate representation of the project. Insufficient submittals may be returned to the applicant with written notification of deficiencies from the Administrator or his designee. The final plan shall as a minimum contain: . . . .

Mr. Donaldson moved the adoption of the amendments to Section 12, Article 12 of the Zoning Ordinance of James City County with the revisions indicated to the Site Plan Review Procedure. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr Taylor voted nay.

AN ORDINANCE TO AMEND SECTION 12, ARTICLE 12, OF THE ZONING ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 486 THROUGH 498, ARTICLE 8, AND SECTION 431, ARTICLE 1, CHAPTER 11, TITLE 15.1, CODE OF VIRGINIA, OF 1950, AS AMENDED, AS FOLLOWS:

#### 12-12. SITE PLAN REVIEW

For the purpose of assuring public safety, good arrangement and insuring harmony with the Comprehensive Plan, site plans for the following major uses shall be subject to review by the Planning Commission's Site Plan Review Committee:

- (a) Multiple-family dwellings.
- (b) Townhouses.
- (c) Churches; temples; synagogues; cemeteries.
- (d) Docks, marinas, wharves, piers, bulkheads and the like and any over-water structures except private over-water piers and boat houses accessory to a single-family dwelling.
- (e) Hotels; motels; and motor lodges.
- (f) Business, commercial and industrial buildings and developments.
- (g) Mobile Home Parks.
- (h) Campgrounds and recreational vehicle parks.
- (i) Public parks, recreation facilities.
- (j) Utilities.
- (k) Schools and state institutions.
- (l) Hospitals and nursing homes.
- (m) State and public buildings.
- (n) Site development, clearing and grading.
- (o) Towers, smoke stacks, and other structures such as commercial radio, microwave, etc., transmission and reception facilities.

#### 12-12-1. PROCEDURE (See III. 2 Site Plan Review Process)

##### 1. Preapplication Conference

Before filing an application for approval of a site development plan, the developer may confer with the administrator or his designee and such other agencies of the County and State as he or the Administrator deems advisable concerning the general proposal. Such action does not require formal application, or filing of a site plan, and is not to be construed as an application for approval in computing time limitations in relation thereto.

If, after conferring with a developer, the Administrator, or his designee, deems it to be in the best interest of the County due to the complexity or uniqueness of the proposal, the Administrator or his designee, may recommend in addition to general requirements additional special procedures.

##### 2. Preliminary Site Plan

- a. Submittal Method. Nine (9) copies of a preliminary site plan shall be submitted to the Administrator or his designee, who shall review the plans for compliance with these regulations and the requirements for preliminary site plans and shall transmit said plans to the Site Plan Review Committee with his comments for their review. The Committee shall consider the preliminary site plan submittal within 30 days provided that all materials are presented in accord with requirements set forth in this section.

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- b. Submittal contents. The preliminary site plan shall be submitted in three parts. The first shall be a SITE SURVEY showing existing physical features on and immediately adjacent to the site. The SITE SURVEY shall as a minimum contain:

1. Location map with scale no less than 1" = 2000'
2. Title of project.
3. Name of engineer, architect, landscape architect and/or surveyor.
4. Name of developer, property owner if different, and adjacent property owners and addresses.
5. North Arrow.
6. Graphic and written scale as follows:
  - a. for projects containing more than 200 acres, not more than 200 feet to one inch.
  - b. for projects containing 50 acres to 200 acres, not more than 100 feet to one inch.
  - c. for projects containing more than 10 acres but less than 50 acres, not more than 50 feet to one inch.
  - d. for projects containing 10 acres or less, not more than 20 feet to one inch.
7. Date.
8. Zoning (note) and boundaries.
9. Streets.
10. Property lines with distances and bearings.
11. Buildings.
12. Watercourses, waterways, lakes, ponds.
13. Topography of site with contour intervals of 5 feet or less. Intervals of 2 feet preferred.
14. Easements.
15. Sanitary and storm sewers.
16. Water mains.
17. Culverts and underground structures in or near the property.
18. Woodline before site preparation with species and average diameter of trees indicated, also location and diameter of single trees in open areas.
19. Computations (note) including total acres; total developable and total non-developable acreage and percent of site covered by: existing buildings; roads and drives; woods; open fields; and easements.

The second part of the submittal shall be a SITE LAYOUT. The SITE LAYOUT shall as a minimum contain:

1. Location map with scale no less than 1" = 2000'.
2. Title of project.
3. Name of engineer, architect, landscape architect and/or surveyor.
4. Name of developer and owner.
5. North arrow.
6. Graphic scale and written scale as follows:
  - a. for projects containing more than 200 acres, not more than 200 feet to one inch.
  - b. for projects containing 50 acres to 200 acres, not more than 100 feet to one inch.
  - c. for projects containing more than 10 acres but less than 50 acres, not more than 50 feet to one inch.
  - d. for projects containing 10 acres or less, not more than 20 feet to one inch.
7. Date.
8. Zoning (note).
9. Site boundary lines.
10. Proposed locations of: buildings, with approximate elevations and total height; signs, including approximate size and height; recreation facilities; garbage and trash disposal facilities; storm drainage, sanitary waste disposal and water supply exit and entrance points on the site including approximate line sizes and easements; areas to be screened, fenced, walled and/or landscaped with approximate arrangements and plant types and sizes; provisions for pedestrian and vehicular circulations and parking.
11. Location and type of sedimentation and erosion control devices to be used during and after construction.
12. Computations (notes): total acreage or square feet of site and development phases; type, square footage and numbers of dwelling units and dwelling units per acre, total and per phase; percentage and acreage of site in: open space; floor area ratio.

The third part of the submittal shall be the presentation of a scale model as may be requested by the Administrator or his designee or the Site Plan Review Committee, whenever a project is of such scope or complexity as to warrant three-dimensional review. The presentation of models, pictures and other relevant data is encouraged at all times, although this information may not be specifically requested in every preliminary submittal.

- c. Review Criteria. The Site Plan Review Committee shall examine and consider site plans with respect to:

1. Intensity of land use including developable acreage, density, and adequate provisions of open space and recreational facilities as appropriate to the site usage and to the Comprehensive Plan.

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2. Design and layout of the site including buildings; signs; recreation facilities; garbage and trash disposal facilities; sedimentation and erosion controls; storm drainage, sanitary waste disposal, and water supply exit and entrance points on the site including approximate line sizes; areas to be landscaped with approximate arrangement and plant types and sizes indicated; and provisions for pedestrian and vehicular traffic movements within and adjacent to the site. Particular emphasis shall be placed upon the review of on-site aesthetics; of public safety features; environmental, historic and vegetative preservations; and efficient layout of buildings, parking areas, off-street loading and unloading; movement of people, goods, and vehicles (including emergency vehicles) from access roads, within the site, between buildings and vehicles, and between buildings. Vehicular access to the site shall be designed to aid overall traffic flow and to permit vehicles a safe ingress and egress.

Design standards contained in this Zoning Ordinance as they relate to circulation, parking, performance standards, location of structures, setbacks, yards, bulk, height, and coverage shall apply to site plan approval. The design criteria established in the Subdivision Ordinance and applicable standards of the Virginia Department of Highways shall apply, where appropriate, to site plan approval.

- d. Action upon review. The Administrator or his designee shall notify in writing the applicant, owner or developer regarding the findings of the Site Plan Review Committee. Notification shall be given within 10 working days following the review by the Site Plan Review Committee. Arrangements shall be made with the Administrator or his designee for coordination of processing through the Architectural Review Board, as required.
- e. Termination of approved plan. After approval, a preliminary site plan is valid for a period of six (6) months. A complete final site plan must be presented and properly filed with the Administrator or his designee, prior to the termination date of the preliminary site plan. However, if an extension of this period is needed due to extenuating circumstances, it may be granted only after resubmittal of the approved preliminary site plan with the reasons for the requested extension submitted in writing and attached thereto.

### 3. Final Site Plan

- a. Submittal Method. Eleven (11) copies of a final site plan shall be submitted to the Administrator, or his designee, who shall review the plans for compliance with these regulations and the requirements for final site plans and shall provide a set of all submittals to relevant agencies or departments for their review and written comment.
- b. Submittal Contents. The final detailed plan shall be submitted in separate sheets or overlays as appropriate for accurate representation of the project. Insufficient submittals may be returned to the applicant with written notification of deficiencies from the Administrator or his designee. The final plan shall as a minimum contain:
  1. On each separate sheet:
    - a. Title of project.
    - b. Name of engineer, architect, landscape architect and/or surveyor.
    - c. Name of developer and owner.
    - d. North arrow.
    - e. Graphic and written scale as per preliminary submittal.
    - f. Date.
    - g. Site, phase or building boundary lines as appropriate.
  2. Detailed water and sanitary sewer plan including profiles.
  3. Detailed grading, drainage and sedimentation and erosion control plan including profiles of streets, and roads and storm sewer lines.
  4. Detailed landscape plan.
  5. Detailed recreation facilities plan.
  6. Detailed SITE LAYOUT showing pedestrian and vehicular circulation and parking spaces; street names; sign sketch; garbage and trash disposal facilities; fire hydrants.
  7. Detailed building construction plans.
  8. Location map, index, and data computations including:
    - a. Building capacities.
    - b. Zoning.
    - c. Parking tabulation.
    - d. Area and density percentage tabulation.
    - e. Lot size and floor area ratio.

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- f. Summary of areas.
- g. General notes.
- h. Engineer's Foundation Investigation Report.
- c. Review Criteria. The Administrator or his designee shall insure adherence to the criteria and approvals used and given during the preliminary site plan review process and the comments and requirements of the reviewing agencies and departments. Any alterations or amendments to the site plan shall be in accord with Section 12-12-2.
- d. Action upon Review. Upon successful completion of the final site plan review process, the Administrator or his designee shall transmit to the Building Official an officially approved set of plans. One copy of the correspondence and plans is to be transmitted to the developer, owner or authorized project agent, and one copy of the correspondence and plans is to be retained by the Administrator or his designee.
- e. Termination of Approved Plan. After approval, a final site plan is valid for a period of one year. If after one year from the date such plans were approved, construction has not commenced on the site, the Administrator or his designee shall notify the Building Official that approval of said plans has terminated. However, if due to extenuating circumstances an extension for approval is needed, it may be granted only after resubmittal of the approved site plan with reasons for the requested extension attached.

#### 12-12-2. PROCEDURE FOR AMENDMENT

An approved final plan may be amended by the Site Plan Review Committee upon review and recommendation by the Administrator, or his designee, and in accordance with all procedures and stipulations set forth in this article; provided that such proposed amendment does not:

1. Alter a recorded plat.
2. Conflict with the specific requirements of this ordinance.
3. Change the general character or content of an approved development plan or use.
4. Have an appreciable affect on adjoining or surrounding property.
5. Result in any substantial change of major external access points.
6. Increase the approved number of dwelling units or height of buildings.
7. Decrease the minimum specified yards and open spaces and minimum or maximum specified parking and loading spaces.

#### EFFECTIVE DATE

The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

#### 4. REVISION IN MASTER PLAN FOR CROFFTON PLANNED COMMUNITY

Mr. John Flora, Agent, presented his Revised Master Plan indicating the revisions to the 1971 Plan previously submitted.

General discussion followed regarding the dedication of public land to the County.

Mr. Donaldson moved that the Board approve the Revised Master Plan subject to the expressed understanding that prior to the approval of any final plan presented hereunder that no less than 50 acres satisfactory to the County be located on the Master Plan and dedicated to the County for public uses. The motion was seconded by Mr. Waltrip.

After general discussion the motion was withdrawn by Mr. Donaldson and the second withdrawn by Mr. Waltrip.

Mr. Donaldson moved that the Board of Supervisors approve the Revised Master Plan with the expressed understanding that prior to the approval of any final plan hereunder there shall be shown on the Master Plan spaces to be dedicated to the County for public purposes of not less than 50 acres at a suitable site or sites and which land may be required to be dedicated from time to time in various stages of the development of the Planned Community as the Board of Supervisors may require.

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The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

5. PROPOSED BUS ROUTES BY COLONIAL TOURS

Mrs. Louise Johnson presented the plans of Colonial Tours for the Board's information re a neighborhood bus service from the ferry to Centerville Road down Long Hill Road and over to Ironbound Road. Although no action was required by the Board, since all bus runs are dictated by the State Corporation Commission, the Board indicated its approval of the bus service.

6. SELLING PRICE FOR JAMES CITY COUNTY CODE BOOKS

Mr. Waltrip moved that the James City County Code Books be sold for \$40.00 each with an additional \$10.00 deposit made for the first supplement. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

7. PROPOSED 1973-74 BUDGET

Mr. Frink moved an appropriation increase of \$1,800 to 18C designated for Chickahominy Playground. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Frink moved that an additional sum of \$25,000 be added to category 10A - Capital Improvements - for jail expansion. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Edwards moved that an additional \$7,500 be included in 1B - County Administrator's Office - for the position of County Engineer. The motion was seconded by Mr. Frink and passed by the following roll call vote:

Mr. Waltrip	-	Nay
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

Mr. Donaldson moved that category 18C be amended to show an additional expenditure of \$25,000 in the way of a loan for consulting services for Sanitary District #3. The motion was seconded by Mr. Frink and carried by a unanimous roll call vote.

Mr. Edwards moved that the Board reinstate in category 18C monies for the Mental Health, Chapter 10, program in the amount of \$2,531. The motion was seconded by Mr. Waltrip. The motion was denied by the following roll call vote:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Nay
Mr. Taylor	-	Nay
Mr. Frink	-	Nay

Mr. Edwards moved that \$35,000 be transferred from category 18C and added to 18E, Contingent Account, to be used as Loan to Service Authority. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

Mr. Taylor voiced his opinion as to being opposed to the items which limited people's rights as to property use; Board going overboard as to County employees; and feels certain items infringing on his liberties; and did not feel there was a need for 4 additional deputies. However, he did feel there was a need for firemen and was for capital improvements such as water and roads.

Mr. Donaldson moved that the income figure be increased in the amount of \$33,800, funds to be shown taken from unappropriated funds as of 1971-73. Total to read \$5,529,314. The motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

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Mr. Donaldson amended the previous motion to have the income figure to read an increase of \$58,800 rather than \$33,800 and total of James City County General Fund to read \$5,554,314.00. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

After a brief discussion, Mr. Donaldson moved that the Board postpone approval of the appropriations until the County Administrator prepared a final resolution with corrected figures for the June 11, 1973, Board meeting. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

#### 8. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of May, 1973:

General Fund	- Checks #7056 through #7216 Totalling \$355,819.97
Sanitary District #1	- Checks #186 through #188 Totalling \$448.48
Sanitary District #2	- Checks #162 through #170 Totalling \$50,656.01
General Obligation Bonds Water 1970	- Check #121 Total \$11,428.27

#### 9. REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

Rezoning of Property - LeMonde Trust Company from A-1 to B-1, located on Route

31. Mr. Edwards moved that the Board advertise Rezoning Case #Z-3-73 for July 9, 1973, at 7:30 P.M.

#### 10. BOARD VACANCIES

Mr. McCann advised the Board of the need to appoint one member to the Social Services Board at the next meeting and the Board sanctioned advertising of the vacancy.

#### 11. CATV WARNER COMMUNICATIONS

Mr. McCann advised the Board of a request by (CATV) Warner Communications to address the Board at the June 11th meeting and distributed material regarding CATV.

There being no further business, the meeting was adjourned.

Thomas R. McCann, Jr., County Administrator

Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the eleventh day of June, nineteen hundred and seventy-three, there were present: MR. ABRAM FRINK, JR., Chairman, Roberts District, MR. MAYO W. WALTRIP, Vice-Chairman, Powhatan District, MR. JACK D. EDWARDS, Berkeley District, MR. JOHN E. DONALDSON, Jamestown District, MR. STEWART U. TAYLOR, Stonehouse District, MR. THOMAS R. McCANN, JR., County Administrator, MR. JOHN W. WATKINS, Assistant to the County Administrator, and MR. CRAIG G. COVEY, Assistant to the County Administrator.

#### 2. MINUTES

Mr. Waltrip moved that the minutes of May 14, be approved as published. The motion was seconded.



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motion was seconded by Mr. Edwards and approved by a unanimous roll call vote.

3. DATE FOR PUBLIC HEARING ON ORDINANCES RELATING TO SANITARY DISTRICT #2

Due to the press incorrectly advertising the Sanitary District #2 ordinances to be heard at this meeting, Mr. Edwards moved that the ordinances be readvertised for Public Hearing on June 25, 1973. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

4. RESOLUTION APPROPRIATING FUNDS AND SETTING TAX RATE FOR FY 74

Mr. Frink moved that the school appropriation (17A) be reduced by \$23,547 and the Contingent Account (18E) be increased by \$23,547 earmarked for school purposes. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

Mr. McCann read the resolution appropriating funds for fiscal year beginning July 1, 1973 and ending June 30, 1974, as follows:

WHEREAS, the Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1973 and ending June 30, 1974, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein and to set tax rates on real estate, tangible personal property, and machinery and tools to provide certain revenue in support of these appropriations,

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

1. The following amounts are hereby appropriated for the offices and activities in the amounts as shown below:

1A	Board of Supervisors	16,600
1B	Office of County Administrator	57,485
1C	Office of Accounting and Purchasing	14,685
1D	Office of County Attorney	18,350
1E	Office of Citizen Affairs	28,547
2A	Commissioner of the Revenue	53,539
3A	County Treasurer	32,494
4A	County Clerk	8,886
5A	Circuit Court	6,450
5B	County Court	2,677
5C	Commonwealth's Attorney	8,717 ← 8,707
6A	Sheriff	178,522
6B	City-County Jail	9,796
7A	Fire	107,880
8A	Social Services - Administration	200,145
8B	Social Services - Assistances	742,874
8C	Social Services - Lunacy Commissions	300
9A	Health Department	28,145
10A	Office of Planning and Development	69,022
10B	Building Inspection	59,084
10C	Sanitation	32,905
10D	Public Works - Mosquito Control	15,565
11A	Extension Service	12,860
12A	Animal Shelter	7,340
13A	Office of the Registrar	12,788
14A	Buildings and Grounds	25,715
15A	Public Works - Street Lighting	10,000
16A	Public Works - Maintenance	5,700
17A	Public Schools	1,896,129
18A	Civil Defense	8,795
18B	Employee Benefits	63,642
18C	Contributions and Transfers	133,814
18D	Miscellaneous Expenses	66,417
18E	Contingent Account	183,547
19A	Various - Capital Improvements	689,000
20A	Debt Service	745,909

JAMES CITY COUNTY GENERAL FUND

Expenditures	5,554,314
Income	5,554,314

JAMES CITY COUNTY SANITARY DISTRICT #1

Expenditures	23,600
Income	23,600

JAMES CITY COUNTY SANITARY DISTRICT #2

Expenditures	33,124
Income	33,124

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JAMES CITY COUNTY SANITARY DISTRICT #3

Expenditures	25,000
Income	25,000

2. That the tax rates be set on the following class of property for the amounts shown below:

TAX RATE

Real Estate on each \$100 assessed value .....	\$4.00
Tangible Personal Property on each \$100 assessed value .....	\$4.00
Machinery and Tools on each \$100 assessed value .....	\$4.00

3. The County Administrator be authorized to transfer funds and personnel from time to time as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.

Mr. Edwards moved that the Board approve the resolution appropriating funds and setting the tax rate. The motion was seconded by Mr. Waltrip and carried by a majority roll call vote. Mr. Taylor voted nay.

5. PUBLIC HEARING  
REZONING CASE #Z-2-73

Application of Jack L. Massie for rezoning of property from A-1 GENERAL AGRICULTURAL DISTRICT to M-1 LIMITED INDUSTRIAL DISTRICT. Property is located on Route 60 between Norge and Lightfoot on the west side of the street with a frontage of 160 feet and a depth of 380 feet, as recorded in Deed Book 64, Page 360, James City County.

The Chairman opened the Public Hearing.

Mr. Massie was present and explained that the request for rezoning was made so that he could enlarge his office space.

Mr. Waltrip moved that the Board approve the rezoning request from A-1 to M-1. The motion was seconded by Mr. Taylor, but was denied by the following roll call vote:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Nay
Mr. Frink	-	Nay
Mr. Donaldson	-	Nay
Mr. Taylor	-	Aye

6. PUBLIC HEARING  
MECHANICAL CODE ORDINANCE

The Chairman opened the Public Hearing.

Mr. Hutchens, Building Official, was present to answer questions from the Board and public.

Mr. Taylor spoke against the code.

Mr. Donaldson moved that Ordinance #63, Mechanical Code Ordinance, as advertised, be adopted. The motion was seconded by Mr. Edwards and approved by a majority roll call vote. Mr. Taylor voted nay.

AN ORDINANCE REGULATING MECHANICAL WORK IN JAMES CITY COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 510.1 AND 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

SECTION 1

ADOPTION

- 1-1 There is hereby adopted by reference for the purpose of establishment of rules and regulations for every mechanical installation including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and/or appurtenances thereto, and/or when connected to the water, sewerage or electrical system, including permit or penalties, that certain code recommended by the Southern Standard Building Code Congress, being particularly the 1973 Edition therefore, save and except such portions as are hereinafter deleted, modified, or amended and such Mechanical Code is hereby adopted and incorporated as fully as if set out at length herein and, from the date on which this ordinance shall take effect. The provisions thereof shall be controlling in the installation, repairing, or altering of mechanical equipment within the limits of the County, copies of such code and the amendments thereto may be obtained at the office of the County Building Official of James City County, Virginia,

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during normal business hours of the County.

## SECTION 2

### AMENDMENTS

- 2-1 Section 110, of the Code as referenced in Section 1 of this ordinance, is hereby amended to read as follows:

#### SECTION 110 EXAMINING BOARD AND APPEALS BOARD

There is hereby established a Mechanical Examining Board and an Adjustment and Appeals Board, to be the same Board known as the Plumbing Adjustment and Appeals Board. This board shall have authority to examine Mechanical Contractors or Journeymen as to their qualification and hear appeals from the Mechanical Official's decision in the same manner prescribed in the Plumbing Code Ordinance.

- 2-2 Section 110.1, is hereby added to the Code as referenced in Section 1 of this ordinance, as follows:

#### SECTION 110.1 CONTRACTORS BOND

Any Contractor engaging in the business of Mechanical construction shall first obtain a license and deposit with the local governing body a good and sufficient bond in the sum of \$1,000.00 to be approved by the legal department, conditional that the person, firm, or corporation engaged in the Mechanical business will faithfully observe all the laws pertaining to mechanical work. Further, that the local governing body shall be indemnified and saved harmless from all claims arising from accidents and damage of any character whatsoever caused by the negligence of such person, form, or corporation engaged in the mechanical business.

## SECTION 3

### EFFECTIVE DATE

- 3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

## 7. PUBLIC HEARING ONE AND TWO FAMILY DWELLING CODE

The Chairman opened the Public Hearing.

Mr. Donaldson moved that Ordinance #64, One and Two Family Dwelling Code, be adopted. The motion was seconded by Mr. Edwards and approved by a majority roll call vote. Mr. Taylor voted nay.

AN ORDINANCE REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, LOCATION, AND USE OF DETACHED ONE AND TWO FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES IN JAMES CITY COUNTY; PROVIDING FOR THE ISSUANCE OF PERMITS THEREFORE; AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS THE "ONE AND TWO FAMILY DWELLING CODE ORDINANCE" OF JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 510.1 AND 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

## SECTION 1

### ADOPTION

- 1-1 There is hereby adopted by reference for the purpose of rules and regulations for the establishment of a One and Two Family Dwelling Code, that certain Code recommended by the Southern Building Code Congress and others, being particularly the 1971 Edition thereof and the amendments thereto, and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended and such dwelling code is hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect. Copies of such code and amendments thereto may be obtained at the office of the County Building Official of James City County, Virginia, during normal business hours of the County.

## SECTION 2

### AMENDMENTS

- 2-1 Section R-107, of the Code as referenced in Section 1 of this ordinance, is hereby amended to read as follows:

#### RIGHT OF APPEAL

Section R-107. All persons shall have the right to appeal the Building Official's decision through the Board of Adjustments and Appeals, being the same board as appointed by authority of the "Building Code Ordinance" of James City County, Virginia.

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- 2-2 Section R-109, of the Code as referenced in Section 1 of this ordinance, is hereby amended to read as follows:

**PERMIT**

Section R-109. A permit shall be obtained before beginning construction, alteration or repair, using application forms furnished by the Building Official. Permit fees shall be the same as those established by the "Building Code Ordinance" of James City County, Virginia.

**SECTION 3**

**EFFECTIVE DATE**

- 3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

**8. SEASON'S TRACE SUBDIVISION**

Mr. Edwards moved that the Board approve a variance from the town house resolution permitting the smallest unit in Season's Trace to have a lot size below the 2,000 square feet minimum. The Conditional Use Permit granted by the Board of Supervisors on March 26, 1973, would apply to town house as distinguished from multi-family dwellings held in condominium defined in the Zoning Ordinance. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Waltrip voted nay.

**9. KINGSMILL PLANNED COMMUNITY**

Mr. Taylor moved that the final development plans of Section A & B for single family development in Kingsmill Planned Community be approved with the following stipulations and conditions:

1. The final plan process has been established in two parts:
  - a. A submittal should be made to the Board of Supervisors consisting of initial final plans similar to Preliminary Plats in the Subdivision Ordinance.
  - b. A submittal should be made to the County Administrator consisting of as built plans and community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. The Board has delegated to the County Administrator the responsibility of detailed administrative review of both plans and documents. The Board has instructed the County Administrator not to release a plat of any lot or lots for recording and sale until all applicable standards and requirements are met. Considerations should include but are not limited to Section 7-2-3 (bonding), 7-3-3 (deed of easements), 7-3-5 (deeds of public land), 7-9 (building location), 7-10 (water and sewer), and 7-11 (street improvements) of the Zoning Ordinance.
2. As provided for in Section 7-3-4 of the Zoning Ordinance, the Board of Supervisors has required the following:
  - a. Road pavements in Area B should be with an 8-inch base rather than the 6-inch proposed. An 8-inch base is also encouraged in Area A but is not necessary as is its application in Area B.
  - b. Since drainage plan is minimal due to special care proposed for each lot's development and a minimum clearing for roadway construction, the right is reserved by the County to inspect as appropriate from time to time and if drainage areas of greater than 3 per cent are showing noticeable erosion characteristics, the developer at his expense may be required to install appropriate paved drainage channels or other workable stabilization techniques.
  - c. House to house bus service should be programmed as part of the homeowner's association or developer's amenities.
  - d. Centralized community postal and newspaper service areas should be established where practical.
  - e. Monumentation of the two areas shall be as provided for in Section 4-29 and 4-30 of the Subdivision Ordinance.
  - f. Prior to the recording of a final as built plat provided for in 1(b) above, the developer shall record Kingsmill Road (Conference Center Road) as at least a private road. This will facilitate the recording of the as built plat, otherwise there is not way to tie areas A and B into a known plat.

June 11, 1973

- g. Within six (6) months after the recording of the first plat of Kingsmill Planned Community as provided for in 1(b) above, the developer shall submit for review the detailed plans for the Community Center which will service the recreational needs of the residents of the initial areas to be developed.

The Board further waived the following:

1. Roads terminating in a cul-de-sac of up to approximately 2600 ft. will be permitted.
2. The width of graded roadway permitted has been reduced from 30 ft. to 20 ft.
3. The requirement of a grade of no more than 10% has been waived to allow a grade of approximately 12%. The one 190 ft. length of road terminating in a cul-de-sac which has a grade of 16% should be brought closer to the 12% subject to the approval of the County Administrator.

The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

#### 10. SIGN ORDINANCE

Mr. McCann presented the Board with a proposed Sign Ordinance for their review.

Mr. Edwards moved that the Ordinance be forwarded to the Planning Commission for its recommendation and set a tentative public hearing date of August 13, 1973. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote as noted:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

#### 11. PRESENTATION OF PLAN FOR ESTABLISHMENT OF A CATV SYSTEM IN JAMES CITY COUNTY

Mayor Vernon Geddy introduced Mr. Jack Williams of Warner Cable, who presented his company's request to establish a CATV System in the County. The System is to consist of:

- 6 VHF stations
- 4 UHF - public stations
- 2 individual stations
  - certified also - Channels 5 & 20 out of Washington, D.C.
  - (1 Government access channel)
  - (1 public access channel)
  - (1 educational channel)

Mr. Donaldson moved that the County Administrator be directed to discuss and negotiate the question of Cable TV for James City County and to report back to the Board his recommendation regarding Warner Cable serving James City County with such a system. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

#### 12. EMERGENCY ORDINANCE AMENDMENT TO SECTION 11-31 OF COUNTY CODE

Mr. McCann advised the Board that the proposed amendment to Section 11-31 of the County Code is recommended so that it parallels the State statutes regarding the use of blood tests and breath tests to determine the alcoholic content in individuals arrested on suspicion of drunk driving.

Mr. Taylor moved that the amendment to Section 11-31 be adopted as an Emergency Ordinance and advertised for a public hearing on the 9th of July, 1973. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

#### 13. RECORDING AMPLIFICATION SYSTEM FOR COUNCIL CHAMBER

The proposed system would include:

- 1 Webster T-80 Amplifier equipped with 6 Webster WST 417 microphone input transformers
- 6 Altec 656AL Cardioid Microphones on Atlas DS-14 Table Stands
- 6 Switchcraft 91B-92 25' Microphone Extension Cables
- 1 Altec 656BL Cardioid Microphone with Atlas MS-20 Floor Stands
- 2 Atlas C-80 Sound Column Speakers
- 2 Atlas CSS-100 Speaker Mounting Stands

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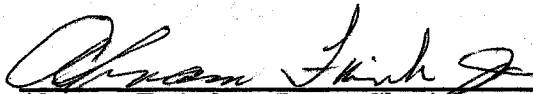
- 2 501 Speaker Extension Cables
- 1 UHER 5000 Recorder
- 1 UHER M-154 Microphone
- 1 UHER 690 Remote Foot Control
- 1 UHER W1212 Earphone

Mr. Donaldson moved that the Board purchase the proposed system from Electronics Engineering Company and that \$1,993.95 be transferred from the Contingent Account (18E-901) to the Building and Grounds Account (14A-403) to cover the cost of purchase. The motion was seconded by Mr. Edwards and carried by a majority roll call vote as noted:

Mr. Waltrip	-	Abstain
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Nay
Mr. Frink	-	Aye

There being no further business, the meeting was adjourned at 10:10 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

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At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the twenty-fifth day of June, Nineteen Hundred and Seventy-three.

1. ROLL CALL

- Mr. Abram Frink, Jr., Chairman, Roberts District
- Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
- Mr. John E. Donaldson, Jamestown District
- Mr. Jack D. Edwards, Berkeley District
- Mr. Stewart U. Taylor, Stonehouse District
- Mr. Thomas R. McCann, Jr., County Administrator
- Mr. John W. Watkins, Assistant to the County Administrator
- Mr. Craig G. Covey, Assistant to the County Administrator

2. MINUTES

Mr. Waltrip moved that the minutes of May 17, 21, 25 and June 11, 1973, be approved as published. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. PUBLIC HEARING

An Ordinance to add Section 4.00A; and amend Section 5.03 of Ordinance establishing an operating policy for Sanitary District #2, James City County, Virginia.

The public Hearing was opened by the Chairman.

There being no discussion from the public the hearing was closed.

Mr. Frink commented as to a problem with this particular Ordinance.

There are two particular areas in Sanitary District #2 that are not being served with water and sewer systems and that they are being considered to see if feasible to serve. Since Section 1 prohibits construction until service is available, he suggested tabling the Ordinance.



June 25, 1973

Mr. Donaldson moved that Section 2 and Section 3 of the proposed Ordinance 36A1 amendment to the operating policy for Sanitary District #2 be approved and adopted. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Edwards moved that Section 1, Section 4.00a, be tabled. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

AN ORDINANCE TO ADD SECTION 4.00A; AND AMEND SECTION 5.03 OF ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NUMBER 2, JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 118 and 118.4, ARTICLE 1, CHAPTER 2, TITLE 21, AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA, OF 1950, AS AMENDED, AS FOLLOWS:

#### SECTION 1

##### SECTION 4.00A ADDED

1-1 SECTION 4.00A is added as follows:

4.00A No dwelling, commercial or industrial building, or other structure used or intended to be used for human habitation shall be constructed, reconstructed, or altered, in the District until such time as District water and sewage service is made available to serve same.

#### SECTION 2

##### SECTION 5.03 AMENDED

SECTION 5.03 is amended and readopted as follows:

##### 5.03 Water Availability Charges

There shall be a water availability charge payable to the District at the time application is made for connection to the water distribution system. The District will, in turn, pay applicable charges to the Newport News Water Department.

(a)	<u>Meter Size</u>	<u>Availability Charge</u>
	5/8"	\$ 250.00
	3/4"	\$ 330.00
	1 "	390.00
	1 1/2"	580.00
	2 "	725.00
	3 "	400.00 + cost
	4 "	600.00 + cost
	5 "	800.00 + cost
	6 "	1,000.00 + cost

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

(b) A building under one roof, owned or leased by one party, and occupied as one business or residence, the availability charge will be according to meter size or as otherwise stated herein.

(c) The availability charge for the first unit, cabin, space, lot, store, or base of all facilities shown below shall be that shown, or the availability charge for the size of meter used, whichever is the greater.

Duplex House (defined as having two dwelling units under one roof), the availability charge shall be \$200.00 for the first unit and \$200.00 for the additional unit.

June 25, 1973

Multi-family Dwellings (defined as a dwelling containing three or more units) - The availability charge shall be \$320.00 for the first dwelling unit and \$150.00 for each dwelling unit in addition to the first unit.

Motels, Tourist Cabins and Tourist Courts, where multiple units or cabins use a single water service connection, there shall be an availability charge of \$320.00 for the first dwelling unit and for each dwelling unit in addition to the first, the charges shall be:

For a 0 - 50 Unit Installation	\$50.00
For a 51 - 100 Unit Installation	35.00
For an over 100 Unit Installation	25.00

Trailer Parks and Mobile Home Parks - The availability charge shall be the cost for the meter as shown in 5.03a above plus a charge of \$50.00 for each trailer or mobile home space or trailer lot in addition to the first trailer or mobile home space or lot.

Shopping Centers and Commercial Groups (where two or more stores or commercial establishments are grouped together to form a complex having one water connection and meter for the entire group) - The availability charge shall be \$350.00 for each separate store or rental space within the complex.

Subdivision Developments (where water distribution mains have been installed at the expense of the developer in accord with standards of the District and such mains dedicated to and accepted by the District) - the availability charge shall be \$100.00 for a 5/8" meter and \$120.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$350.00 base charge, plus \$10.00 per seat.

Filing Stations - The availability charge shall be \$350.00 base charge, plus \$50.00 per delivery hose.

Schools - The availability charge shall be \$500.00, plus \$15.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$500.00, plus \$15.00 per bed.

- (d) Subsequent to the approval of the initial application for such water service connections outlined above, no service shall be provided for any additional single or multiple units or spaces before the availability fee or fees are paid therefore.
- (e) After the end of the first two years, the availability charge for all units shall be increased by \$150.00, for the first unit and by 50% for all additional units.
- (f) Where the above schedule of availability charges is not applicable to an application for water service, the proposed service shall be investigated by the Administrator and/or the committee, upon completion of its investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

### SECTION 3

#### EFFECTIVE DATE

- 3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

Section 2 and Section 3 adopted by the Board of Supervisors of James City County on June 25, 1973.

Section 1 tabled.

#### 4. RESOLUTION TRANSFERRING FUNDS IN FY 73 BUDGET

Mr. Edwards moved that the resolution transferring funds be approved as presented. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

#### RESOLUTION

WHEREAS, the Board of Supervisors of James City County finds it necessary to fund certain categories in its 1972-73 appropriations, and

WHEREAS, these amounts are available from other FY 73 categories,

NOW, THEREFORE, BE IT RESOLVED, the James City County Board of Supervisors hereby transfers the following amounts from categories 8C and 18G as shown:

June 25, 1973

## FROM CATEGORY 8C TO:

1A	Board of Supervisorsx	\$ 5,500.00
1C	Building Official	5,450.00
2	Commissioner of the Revenue	7,650.00
3	Treasurer	600.00
5a	Circuit Court	776.61
5b	County Court	437.02
5c	Commonwealth Attorney	2,332.00
7a	Fire Prevention & Extinction	1.00
9	Public Health	1,444.16
10	Public Works	23,000.00
11	Home Economics	124.38
14	Maintenance of Buildings & Grounds	4,000.00
18g	Miscellaneous Operating Functions	6,000.00
12	Protection of Livestock & Fowl	1,592.35

## FROM CATEGORY 18G TO:

6a	Crime Prevention & Detection	34,000.00
12	Livestock & Fowl	2,651.21

TOTAL \$ 95,558.73

RESOLVED, this 25th day of June, 1973.

5. ORDINANCE TO SUPPLEMENT THE SALARY OF THE JUDGE OF CIRCUIT COURT

Mr. Taylor moved that a public hearing for the Ordinance to the salary of the Judge of the Circuit Court be set for July 23, 1973, at 3:00 P.M. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

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Mr. Donaldson moved that since Items 6, 7 & 8 in the Agenda involved personnel that the Board adjourn for executive session to reconvene in ten minutes. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

## AT A RECONVENED MEETING:

6. APPOINTMENT OF DOG WARDEN

Mr. Donaldson moved that Mr. D. E. Matheny currently serving as Dog Warden be reappointed for a one year term to commence July 1, 1973. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

7. APPOINTMENT TO THE BOARD OF SOCIAL SERVICES

Mr. Edwards moved that Mrs. Katherine Champion be appointed to serve on the Board of Social Services for a four year term to commence July 1, 1973. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

8. JAMES CITY SERVICE AUTHORITY APPOINTMENT

Mr. Frink moved that John W. Watkins be appointed to the James City Service Authority Board. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

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Mr. Donaldson moved that the County Administrator prepare resolutions for the next Board meeting recognizing the services to the County made by Mr. John Moneymaker as a member of the James City Service Authority Board, and Mrs. Irene Douglas as a member of the Board of Social Services. The County Administrator was also directed to send letters of appreciation to the applicants who applied for these Board positions. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

June 25, 1973

9. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of June, 1973.

General Fund	Checks #7217 through #7416 Totalling \$394,142.78
Sanitary District #1	Checks #189 through #190 Total \$2,600.71
Sanitary District #2	Checks #171 through #182 Totalling \$459,800.91
General Obligation Bonds Water 1970	Checks #122 through #123 Total \$96,527.01
School Construction Bond Issue of March 1, 1972	Check #118 Total \$95,278.35

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

10. RESOLUTION TO STATE BOARD OF BUILDING CODE REVIEW

Mr. Edwards moved the adoption of the Resolution requesting permission for a two year extension of existing local codes. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RESOLUTION:

WHEREAS, in accordance with Section 36-98 of the Code of the State of Virginia, the State Board of Housing has promulgated a uniform statewide building code which supercedes certain building codes now in effect in the County of James City; and

WHEREAS, Section 36-101 of the Code of the State of Virginia permits local codes which are in substantial conformity with the uniform statewide building code to remain in effect for a period of two years from the effective date of the State Code; and

WHEREAS, the continuance of such local codes must have the concurrence of the Board of State Building Code Review; and

WHEREAS, the Board of Supervisors of James City County has adopted the following codes as amended:

Southern Standard Building Code  
Southern Standard Plumbing Code  
Southern Gas Code  
Southern Standard Mechanical Code  
One & Two Family Dwelling Code  
1971 National Electrical Code

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the State Board of Building Code Review be requested to permit existing local codes to remain in force for a period of two years in order to provide for an orderly transition from current procedures to the recently adopted uniform statewide building code; and that all necessary documentation be forwarded to the appropriate State office to support this request.

RESOLVED, this 25th day of June, 1973.

11. HOLIDAY - JULY 4, 1973

Mr. Waltrip moved that Wednesday, July 4, 1973, be declared a legal holiday for county employees. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

July 9, 1973  
June 25, 1973

12. HIGHWAY MATTERS

Check on reducing speed limit on Centerville Road.


Check on driveway belonging to church cemetery on U. S. 60 and New Kent County line.

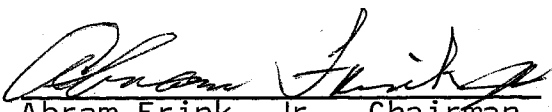
The Board also requested that a Highway Department representative attend the last Board meeting of each month.

13. RECYCLING OPERATION

Mr. Edwards requested the County staff to investigate the possibility of assisting volunteers in recycling operations.

There being no further business, the meeting was adjourned.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE NINTH DAY OF JULY, NINTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-THREE.

1. Roll Call

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. MINUTES

Mr. Taylor moved that the minutes of June 25, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. PUBLIC HEARINGS

An Ordinance to amend Section 31, Article 2, Chapter 11, of the Code of the County of James City, Virginia, relating to motor vehicles and traffic code laws.

The Public Hearing was opened by the Chairman.

There being no discussion from the public the hearing was closed.

Mr. Edwards moved the approval of the ordinance as presented. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

AN ORDINANCE TO AMEND SECTION 31, ARTICLE 2, CHAPTER 11, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTION 57, ARTICLE 6, CHAPTER 2, TITLE 18.1, AND SECTION 504, ARTICLE 1, CHAPTE 12, AND SECTION 136, ARTICLE 1, CHAPTER 3, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

SECTION 1

CODE SECTION 11-31 AMENDED

July 9, 1973

- 1-1 Section 31, Article 2, Chapter 11, of the Code of the County of James City, Virginia, is amended and readopted as follows:

Section 11-31. Same --Presumptions from alcoholic content of blood.

In any prosecution for a violation of Section 11-28, the amount of alcohol in the blood of the accused at the time of the alleged offense as indicated by a chemical analysis of a sample of the accused's blood or breath to determine the alcoholic content of his blood in accordance with the provisions of Section 11-30 shall give rise to the following presumptions:

- (a) If there was at that time 0.05 per cent or less by weight by volume of alcohol in the accused's blood, it shall be presumed that the accused was not under the influence of alcoholic intoxicants.
- (b) If there was at that time in excess of 0.05 per cent but less than 0.10 per cent by weight by volume of alcohol in the accused's blood, such facts shall not give rise to any presumption that the accused was or was not under the influence of alcoholic intoxicants, but such facts may be considered with other competent evidence in determining the guilt or innocence of the accused.
- (c) If there was at that time 0.10 per cent or more by weight by volume of alcohol in the accused's blood, it shall be presumed that the accused was under the influence of alcoholic intoxicants.

## SECTION 2

### EFFECTIVE DATE

- 2-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

#### 4. Rezoning Case #Z-3-73.

Application of Le Monde Land Trust for rezoning of property from A-1 General Agricultural District to B-1 Business District and R-3 Residential Limited District. Property is located on Route 31, near Jamestown Ferry between Powhatan Creek and State Route 680 with a frontage of 3026 feet and a depth of 665 feet, as recorded in Deed Book 142, Page 468, James City County.

The Public Hearing was opened by the Chairman.

Mr. James Carter spoke in favor of the rezoning.

There being no further discussion from the public the hearing was closed.

Mr. Donaldson moved to approve the rezoning of the section indicated on the application from A-1 to R-3. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Donaldson moved that the request to rezone the indicated area from A-1 to B-1 be deferred. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted nay.

#### 5. RESOLUTIONS OF APPRECIATION

WHEREAS, the James City Service Authority was established May 12, 1969, and

WHEREAS, Mr. John F. Moneymaker was duly appointed by the Board of Supervisors to serve on the James City Service Authority at the time of its establishment in May, 1969; and

WHEREAS, for four years, Mr. Moneymaker has served as both a member and as Secretary-Treasurer of said Authority, and during this time his contritition of time, technical expertise and personal commitment has been characterized by an unselfish devotion to the County and its citizens consistent with the highest ideals of public service;



July 9, 1973

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the Board hereby express its deep appreciation to Mr. John F. Moneymaker for his outstanding contribution as a member of the James City Service Authority and for his role in assisting the Authority in the completion of its substantial work program over the period of his service.

BE IT FURTHER RESOLVED, that a copy of this resolution of appreciation be presented to Mr. Moneymaker and spread upon the minutes of this meeting of the Board of Supervisors.

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WHEREAS, Mrs. Irene Douglas was appointed to the Board of Social Services on May 26, 1969, and has served the Board both as a member and Chairman for over four years, and

WHEREAS, Mrs. Douglas has faithfully served the Social Services Board giving unselfishly of her time, talents, and abilities; and

WHEREAS, under her leadership the Social Services Department has provided excellent service as governed by State and Federally established rules and regulations; and

WHEREAS, Mrs. Douglas has significantly contributed to the responsible and orderly growth of the Social Services Department during her term of office;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board express its appreciation to Mrs. Douglas for her untiring efforts in guiding the Social Services Board over the last four years and for her unselfish contribution towards the improvement of the quality of life of many James City County residents through her faithful membership on the Social Services Board;

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Mrs. Douglas and that this resolution be spread upon the minutes of this meeting of the Board of Supervisors.

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Mr. Edwards moved approval of the two resolutions. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

6. REQUEST OF JAMES CITY COUNTY SCHOOL BOARD FOR FUNDS TO ESTABLISH A NEW ADMINISTRATIVE POSITION

Mr. Edwards moved that \$11,000 be transferred from Contingent Account (18e) to School Administration and Operations (17a) for the establishment of a new administrative position. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor abstained.

7. RESOLUTION REQUESTING THE STATE HIGHWAY DEPARTMENT TO INCORPORATE CERTAIN ROADS IN THE INDIGO PARK SUBDIVISION INTO THE STATE SECONDARY SYSTEM

Mr. Donaldson moved the adoption of the resolution requesting the State Highway Department to incorporate certain roads in the Indigo Park Subdivision into the State Secondary System. Mr. Waltrip seconded the motion and it carried by a unanimous roll call vote.

WHEREAS, the developer of Indigo Park Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the Day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Indigo Park Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description:

Cooley Drive: From: 0.48 mi. north of Route 5  
To: End of cul-de-sac

Gladys Drive: From: Intersection of Cooley Drive  
To: End of cul-de-sac

A Right-of Way of 5- feet is guaranteed as evidenced by plat of record, entitled Indigo Park Subdivision, Plat Book 30, Page 24, dated 11-3-72.

July 23, 1973  
July 9, 1973

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Indigo Park Subdivision and the Resident Engineer of the Department of Highways.

8. PUBLIC HEARING DATE ON AN ORDINANCE AMENDING THE SUBDIVISION REGULATIONS

Mr. Donaldson moved that August 13, 1973, be set for the Public Hearing on the proposed amendments to the Subdivision Ordinance. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

9. RESOLUTION AUTHORIZING A CHANGE IN SUBDIVISION PLAT FOR WINDSOR FOREST SUBDIVISION

Mr. Edwards moved approval of the resolution "Vacation of Part of Windsor Forest, Section 3-A". The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

WHEREAS, Heritage Development Company, has recorded a plat entitled "Record Plat, Windsor Forest, Section 3-A," said plat being recorded in Plat Book 30, page 55, in the Clerk's Office of the Circuit Court for the City of Williamsburg and James City County, Virginia; and

WHEREAS, Lot 6 as shown on said plat has a side line restriction on the south-westerly side of said lot of thirty-five (35) feet; and,

WHEREAS, Virginia Code Section 15.1-482 authorizes the vacation of a plat, or part thereof, pursuant to agreement in writing between all of the owners of the lots on any subdivision plat and approved by the governing body of the County in which said property is located.

WHEREAS, Heritage Development Company, has requested the vacation of said side line restriction; and,

NOW, THEREFORE, BE IT RESOLVED, that this Board of Supervisors of James City County, Virginia, does hereby approve of the vacation as requested, and

FURTHER, BE IT RESOLVED, that the Chairman and Clerk of this Board are hereby authorized to sign and seal an agreement to this effect in the name of this governing body.

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10. REQUEST FOR A SPECIAL PERMITTED USE BY SCHNEIDER'S DISPOSAL SERVICE

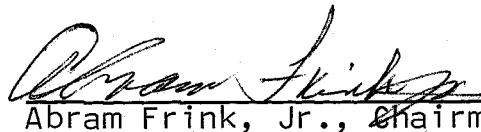
Mr. Waltrip moved that the request for a Special Permitted Use by Schneider's Disposal Service be referred to the Planning Commission for their recommendation back to the Board. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

11. MORATORIUM ON THE CONSTRUCTION OF NEW GAS STATIONS

Mr. Frink requested Mr. McCann for his recommendation regarding a moratorium on the construction of new gas stations in the County.

THEREBEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

At a regular meeting of the Board of Supervisors of the County of James City, Virginia, held in the Courthouse, Williamsburg, Virginia, on the twenty-third day of July, nineteen hundred and seventy-three.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkin, Assistant to the County Administrator  
Mr. Criag G. Covey, Assistant to the County Administrator

July 23, 1973

2. MINUTES

Mr. Waltrip moved that the minutes of July 9, 1973, be approved as published. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. HIGHWAY MATTERS  
(a) Resolution

## RECREATIONAL AREA ACCESS ROAD FUNDS YORK RIVER STATE PARK

WHEREAS, the York River State Park is owned and is to be developed by the Commonwealth of Virginia as a recreational facility serving the residents of James City County and adjoining counties; and

WHEREAS, the procedure governing the allocation of recreational access funds as set forth in Section 33.1-223, Code of Virginia, 1950, as amended, requires joint action by the Commission of Outdoor Recreation and the Highway Commission; and

WHEREAS, a statement of policy agreed upon between the said Commissions approves the use of such funds for the construction of access roads to publicly-owned recreational areas or historical sites; and

WHEREAS, the Board of Supervisors of James City County has duly adopted a zoning ordinance pursuant to Article 8 (Section 15.1-486 et. sec.), Chapter 11, Title 15.1; and

WHEREAS, it appears to the Board that all requirements of the law have been met to permit the Commission of Outdoor Recreation to designate the York River State Park as a recreational facility to permit the Virginia Highway Commission to provide funds for access to this public recreation area in accordance with Section 33.1-223, Code of Virginia, 1950, as amended:

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County hereby requests the Commission of Outdoor Recreation to designate the York River State Park as a public recreational area; and to recommend to the State Highway Commission that recreational access funds be allocated for an access road to serve said park; and

BE IT FURTHER RESOLVED, that the Virginia Highway Commission is hereby requested to allocate the necessary recreational access funds to provide a suitable access road as hereinbefore described.

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Mr. Edwards moved that the Resolution regarding the use of State Highway Department recreational access funds to construct an entrance to York River State Park be approved. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

## (b) Resolutions incorporating certain roads into the State Secondary System.

Mr. Donaldson moved that the resolutions mentioned in Item 3B of the Agenda, copies of which the Board reviewed, be approved. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

## (a) Riverside Drive

WHEREAS, the Board of Supervisors desires a road in Chickahominy Haven Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Chickahominy Haven Subdivision, Stonehouse Mageristerial District, James City County in the State Secondary Highway System.

Description: Riverside Drive  
From: State Route 716  
To: End of cul-de-sac  
Distance: 0.21 mi.

A Right-of-Way of 50 feet is guaranteed as evidenced by plat of record, entitled Chickahominy Haven Subdivision, Plat Book 21, Page 46, dated 5-12-64.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

July 23, 1973

## (b) Canal Street

WHEREAS, the Board of Supervisors desires a road in Chickahominy Haven Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Chickahominy Haven Subdivision, Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description: Canal Street  
From: State Route 716  
To: End of cul-de-sac  
Distance: 0.64 mi.

A Right-Of-Way of 50 feet is guaranteed as evidenced by plat of record, entitled Chickahominy Haven Subdivision, Plat Book 21, Page 46, dated 5-12-64.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (c) Alesa Drive

WHEREAS, the Board of Supervisors desires a road in Belen Heights Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Belen Heights Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description: Alesa Drive  
From: State Route 672  
To: Intersection of Debra Drive  
Distance: 0.15 mi.

A Right-Of-Way of 40 feet is guaranteed as evidenced by plat of record, entitled Belen Heights Subdivision, Plat Book 19, Page 22, dated 9-21-61.

BE IT FURTHER RESOLVED THAT a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (d) Debra Drive

WHEREAS, the Board of Supervisors desires a road in Belen Heights Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Belen Heights Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description: Debra Drive  
From: State Route 672  
To: Intersection of Alesa Drive  
Distance: 0.05 mi.

A Right-Of-Way of 40 feet is guaranteed as evidenced by plat of record, entitled Belen Heights Subdivision, Plat Book 19, Page 22, dated 9-21-61.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (e) Beechwood Drive

WHEREAS, the Board of Supervisors desires a road in Cypress Point Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Cypress Point Subdivision, Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description: Beechwood Drive  
 From: State Route 715  
 To: Intersection of River Drive  
 Distance: 0.31 mi.

A Right-Of-Way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 30, dated 5-29-59.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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(f) Indigo Terrace Road

WHEREAS, the Board of Supervisors desires a road in Indigo Terrace Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Indigo Terrace Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description: Indigo Terrace Road  
 From: State Route 615  
 To: End of cul-de-sac  
 Distance: 0.21 mi.

A Right-Of-Way of 40 feet is guaranteed as evidenced by plat of record, entitled Indigo Terrace Subdivision, Plat Book 14, Page 63, dated 10/53.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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(g) Williams Circle

WHEREAS, the Board of Supervisors desires a road in Williams Circle Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Williams Circle Subdivision, Powhatan Magisterial District, James City County in the State Secondary Highway System.

Description: Williams Circle  
 From: State Route 603  
 To: End of cul-de-sac  
 Distance: 0.07 mi.

A Right-Of-Way of 50 feet is guaranteed as evidenced by plat of record, entitled Williams Circle Subdivision, Plat Book 28, Page 32, dated 3-23-71, and Plat Book 29, Page 1, dated 11-10-71.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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(c) Presentation of Budget

Mr. R. Yeatts, Resident Engineer, presented the Board with the Department of Highways Secondary System Budget for their review and discussion at the August 27th Board meeting.

(d) General Discussion

July 23, 1973

The Board requested the following matters checked:

1. Location of litter receptacles
2. Speed limit at Five Forks on Route 5
3. Clean up of cut trees on Route 616 & Route 5
4. Railroad into Anheuser Busch
5. Resolution re street in Windsor Forest tabled until staff checks to see if it meets all Subdivision regulations.

4. PUBLIC HEARING

An Ordinance to supplement the salary of the Circuit Court Judge serving James City County, Virginia.

The Chairman opened the Public Hearing.

There being no discussion from the public the hearing was closed.

Mr. Donaldson moved that the ordinance to supplement the salary of the Circuit Court Judge be adopted as presented. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

AN ORDINANCE TO SUPPLEMENT THE SALARY OF THE CIRCUIT COURT JUDGE SERVING JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 38 AND 33, ARTICLE 4, CHAPTER 1, TITLE 14.1; AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

SECTION 1

SALARY SUPPLEMENTED

- 1-1 The sum of \$2,500.00 is hereby authorized to be expended as a supplement to the salary of the Judge of the Circuit Court serving James City County, Virginia.
- 1-2 The amount so authorized in Section 1-1 shall be paid into the State Treasury on or before the first day of August in the fiscal year in which such amount shall be current.

SECTION 2

SEVERABILITY

- 2-1 Should any article, section, subsection, paragraph, clause or other provision of this ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

SECTION 3

EFFECTIVE DATE

- 3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

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5. DATE FOR PUBLIC HEARING ON AN ORDINANCE AUTHORIZING ESTABLISHMENT OF A COMMUNITY ANTENNA TELEVISION (CATV) SYSTEM IN JAMES CITY COUNTY.

Mr. Donaldson requested that Section XIX in the CATV Ordinance presented, clearly notes that the County would have the right to approve the transferrability of the license. Mr. Taylor moved that the ordinance relating to the CATV system be advertised for public hearing on August 13, 1973, with the rewording of Section XIX. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.



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6. DATE FOR PUBLIC HEARING ON AMENDMENTS TO THE ZONING ORDINANCE RELATING TO THE CONTROL OF SIGNS.

Mr. Edwards moved that the amendments to the Zoning Ordinance relating to the control of signs as submitted by the Planning Commission be advertised for a public hearing on August 13, 1973. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor and Mr. Waltrip voted nay.

7. DATE FOR PUBLIC HEARING ON A SPECIAL USE PERMIT FOR REALITY CHILD CARE CENTER (ST. MARTIN'S EPISCOPAL CHURCH)

Mr. Donaldson moved that a public hearing date for a Special Use Permit for Reality Child Care Center be set for August 13, 1973. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

8. CONDITIONAL USE PERMIT FOR HOWARD JOHNSON CAMPGROUND: Ed Carson & Associates, Agent.

Mr. Ed Carson presented a brief summary of the plans for the campground to the Board. Discussion followed. Mr. Taylor moved that the Conditional Use Permit be approved subject to the conditions listed. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

1. Site to be developed and maintained in accord with an approved site plan.
2. Construction must begin within one year from date of issuance of conditional use permit; failure to begin construction voids permit.
3. Site to be selectively cleared for improvements to retain every tree possible.
4. With the exception of the entrance area, which is expected to have special landscape treatment, the entire site should be bordered inside the property line either by a minimum of 30 ft. of natural screening vegetation in areas adjoining drainage fields or 50 feet in areas without drainage fields.

9. CONDITIONAL USE PERMIT FOR LAFAYETTE MANOR TOWN HOUSES; Carter Chinnis, Agent

After a brief discussion with Mr. Chinnis the following motion was passed.

Mr. Donaldson moved the approval of the County Administrator's recommendation that the Conditional Use Permit be issued subject to the nine conditions listed. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

1. Site to be developed and maintained in accord with an approved site plan.
2. Construction must begin within one year from date of issuance of conditional use permit; failure to begin construction voids permit.
3. Building setback from Long Hill Road to be not less than 150 ft.
4. Site to be selectively cleared to retain every tree possible.
5. Developed active recreation facilities shall be provided amounting to not less than 15% of the land area of the development. As noted on the preliminary site plan 16.04% of the site is in recreational use. Included is a 35' x 55' swimming pool, 3 tot play areas, 4 tennis courts, picnic areas and trails. As a part of recreational services spaces shall also be provided for parking recreational vehicles and boats. Recreation facilities to be constructed prior to first occupancy.
6. Site shall be buffered on its perimeters with natural vegetation for a minimum distance of 30 feet from the property line except as otherwise provided for in excess of 30 feet and with a minimum of 150 feet at the front along Long Hill Road.
7. Prior, during and after construction effective sedimentation and erosion control devices shall be employed. As little ground as possible should be left uncovered at any one time.
8. Parking spaces of 2.5 per unit shall be provided.
9. Density shall not exceed 5.95 dwelling units per acre computed on the gross acreage of the site.

10. MASTER PLAN FOR MIDDLE PLANTATION AND PHASE I OF THE DEVELOPMENT

Mr. Donaldson moved that the recommendation of the Planning Commission as set forth in its minutes of July 18, 1973, be approved by the Board of Supervisors and that the Master

July 23, 1973

Plan be approved pursuant to that recommendation and the further recommendation of the County Administrator. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Taylor moved that the preliminary development plan for Phase I and the final plans for the entrance road, the first 18 hole golf course and two lakes be approved. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

#### 11. PERMITS TO CONDUCT BINGO GAMES

Mr. Edwards moved that the Board of Supervisors approve permits to authorize the American Legion, Post 39, and the Lions Club International, to conduct bingo games for charitable purposes. These permits to terminate at midnight July 31, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

#### 12. PERSONNEL POLICIES AND REGULATIONS

The Board reviewed and discussed with Mr. McCann, County Administrator, the proposed Personnel Policy and tabled the matter until the next Board meeting.

#### 13. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of July, 1973.

General Fund	Checks #7417 through #7579 Totalling \$337,835.34
Sanitary District #2	Checks #183 through #188 Totalling \$423,518.73
General Obligation Bonds Water 1970	Check #124 Totalling \$30,063.41
Subdivision Escrow Account	Check #106 Total \$2,643.30

#### REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

#### 14. CHAPTER 10, BOARD OF MENTAL HEALTH AND RETARDATION

Mr. McCann announced the resignation of Mr. Woodrow W. Stratton from the Chapter 10 Board, Mental Health and Mental Retardation Services.

#### 15. REQUEST OF JACK P. KIRTLAND

Mr. Jack P. Kirtland requested Board approval to place "No Wake" markers in Powhatan Creek, 100 yards from each side of his property. This matter was tabled until the next Board meeting so that the general public could be informed.

#### 16. PLANNING DEPARTMENT APPOINTMENTS

The Board was informed by the County Administrator of the candidates selected for the three positions in the Planning Department authorized in the Budget:

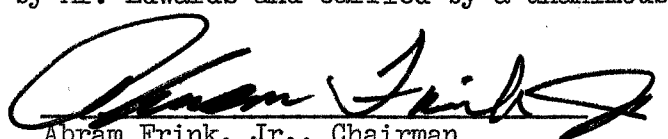
1. Peter Koetting
2. Rajesh C. Jain
3. Michael D. Harris

Mr. Donaldson moved that the recommended appointments by the County Administrator be accepted and that they be employed. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Waltrip voted nay, and Mr. Taylor voted nay as he voted against this during the adoption of the Budget.

\* \* \* \*

Mr. Donaldson moved that the meeting be adjourned to reconvene in executive session to discuss property matters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

August 13, 1973

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTEENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator

2. MINUTES

Mr. Waltrip moved that the minutes of July 23, 1973, be approved as published. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. PUBLIC HEARING

AN ORDINANCE GRANTING TO WARNER CABLE OF VIRGINIA INC. (FORMERLY PENINSULA CABLE CORPORATION) ITS SUCCESSORS AND ASSIGNS THE NONEXCLUSIVE LICENSE TO CONSTRUCT, MAINTAIN AND OPERATE TRANSMISSION AND DISTRIBUTION FACILITIES IN, UNDER, OVER, ALONG, ACROSS AND UPON THE STREETS, LANES, AVENUES, ALLEYS, BRIDGES, HIGHWAYS AND OTHER PUBLIC PLACES IN THE COUNTY OF JAMES CITY, VIRGINIA, FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION BY CABLE, OF AUDIO AND VIDEO AND OTHER IMPULSES IN CONNECTION WITH THE OWNING AND OPERATING OF A CABLE COMMUNICATIONS (CATV) SYSTEM FOR THE INHABITANTS OF SAID COUNTY AND OTHER RELATED PURPOSES, FOR A PERIOD OF FIFTEEN YEARS, AND REGULATING THE SAME.

The Chairman opened the hearing.

Mr. George Douglas (Berkeley District) - objected to the way that the cable is currently being installed in the City of Williamsburg. He said that the lines should be underground.

A representative from Warner Cable, Inc., indicated that where either telephone or utilities go underground the cable will go underground also.

There being no further comments the public hearing was closed by the Chairman.

Warner Cable, Inc., reported that there would be twelve (12) channels - 13, 15, 3, 27, 8, 6, 12, 23, 57, 10, 5, and 20.

Mr. Edwards indicated his support of the idea of cable TV but expressed some misgivings as to whether or not the County was obtaining the best service possible.

Mr. McCann advised the Board that if the ordinance is adopted it should be made effective as of September 15, 1973, allowing thirty days for review of the ordinance by the Virginia Public Telecommunications Council pursuant to Section 15.1-23.1 of the State Code.

Mr. Donaldson moved that the CATV Ordinance as presented be approved. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

AN ORDINANCE GRANTING TO WARNER CABLE OF VIRGINIA INC. (FORMERLY PENINSULA CABLE CORPORATION) ITS SUCCESSORS AND ASSIGNS THE NON-EXCLUSIVE LICENSE TO CONSTRUCT, MAINTAIN AND OPERATE TRANSMISSION AND DISTRIBUTION FACILITIES IN, UNDER, OVER, ALONG, ACROSS AND UPON THE STREETS, LANES, AVENUES, ALLEYS, BRIDGES, HIGHWAYS AND OTHER PUBLIC PLACES IN THE COUNTY OF JAMES CITY, VIRGINIA, FOR THE PURPOSE OF TRANSMISSION AND DISTRIBUTION BY CABLE, OF AUDIO AND VIDEO AND OTHER IMPULSES IN CONNECTION WITH THE OWNING AND OPERATING OF A CABLE COMMUNICATIONS (CATV) SYSTEM FOR THE INHABITANTS OF SAID COUNTY AND OTHER RELATED PURPOSES, FOR A PERIOD OF FIFTEEN YEARS, AND REGULATING THE SAME.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA; PURSUANT TO SECTION 15.1 - 23.1 OF THE CODE OF VIRGINIA, PUBLIC NOTICE HAVING BEEN GIVEN AND ALL REQUIREMENTS OF DUE PROCESS HAVING BEEN COMPLIED WITH AS FOLLOWS:

SECTION I

In the consideration of the faithful performance and observance of the conditions, restrictions and reservations hereinafter specified, the non-exclusive right and privilege (herein called the license) is hereby granted to WARNER CABLE OF VIRGINIA INC. (formerly Peninsula Cable Corporation) its successors and assigns, hereinafter called the "Grantee", whose legal, character, financial, technical and other qualifications, and the adequacy and feasibility of whose construction arrangements, have been approved by the Board of Supervisors to construct, maintain, and

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operate for a period of fifteen (15) years from the date of passage of this Ordinance, an audio and video (television) transmission and distribution system and its necessary facilities, additions thereto, in, under, over, along, across and upon streets, lanes, avenues, alleys, sidewalks, bridges and highways and other public places in the County of James City, Virginia, for the purpose of transmission and distribution of audio and video (television) and other impulses and energy, in connection with owning and operating a cable communications (CATV) system, in accordance with the laws of the United States of America, the State of Virginia and Ordinance of the County of James City, Virginia

#### SECTION II

Whenever used herein, the words "Audio", "Video", and "Television" shall mean a system for transmission of audio signals and transient visual images by means of electrical impulses.

#### SECTION III

The distribution system of the Grantee shall be underground, except, that the Grantee shall have the right to use the poles erected and maintained by the locally franchised Telephone Company and/or the locally franchised Power Company; provided mutually satisfactory rental agreements can be entered into with said companies. Where such locally franchised underground conduits and poles are not available, the Grantee shall underground its own distribution system. The location of underground conduits shall be under the supervision and with the approval of the County Administrator. (Service lines installed by Grantee to individual residences or places of business shall be installed underground if any such residence or place of business is, at the time of such installation by Grantee, then served by either underground electric service or underground telephone lines.) Grantee shall not, during the term of this permit, oppose the adoption by James City County, of lawful ordinances or regulations requiring that all public utility service lines be installed underground.

#### SECTION IV

The Grantee's transmission and distribution system, poles, wires and appurtenances, and underground conduit installations, shall be located, constructed and maintained so as not to endanger or interfere with the lives of persons or interfere with any improvements or additions the County may deem proper to make from time to time, or to unnecessarily hinder or obstruct the free use of the streets, alleys, bridges, or other public property; removal or relocation of any part of the Grantee's transmission and distribution to avoid such interference shall be at the Grantee's expense.

#### SECTION V

In the maintenance and operation of the television transmission and distribution system in the County of James City and in the course of construction or additions to its facilities, the Grantee shall proceed so as to cause the least possible inconvenience to the general public. Any opening or obstruction in the streets or other public place made by the Grantee in the course of its operations or the operations of its successors or assigns, shall be approved by the Virginia Highway Department and shall be guarded and protected at all times by the placement of adequate barriers, fencings or boardings, the bounds of which during period of dusk and darkness shall be designated by warning lights of approved types.

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Whenever the Grantee shall take up or disturb any pavement, sidewalk or other improvement of any street, avenue, alley, highway, or other public place, the same shall be replaced and the surface restored in as good condition as before entry within forty-eight (48) hours after completion of the Grantee's work. Upon failure of the Grantee to make such restoration within such time, or to begin such restoration within such time, if the restoration cannot be made within such time, or upon the Grantee's delay of more than twenty-four (24) hours in the continuation of a restoration begun, the Virginia Highway Department may serve upon the Grantee notice of the Highway Department's intent to cause restoration to be made, and unless the Grantee, within twenty-four (24) hours after receipt of such notice, begins or resumes the proper restoration, the Highway Department may cause the proper restoration to be made, including the removal of excess debris, and the reasonable expense of same, as itemized, shall be paid by the Grantee upon demand by the Highway Department.

#### SECTION VI

The Grantee shall have the right to prescribe service rules and regulations for the conduct of its business not inconsistent with the provisions of this and other ordinances of the County.

#### SECTION VII

The Grantee shall provide channels for the reception of the maximum number of "local" commercial and non-commercial television stations and the maximum number of "distant" independent stations and, in addition, may provide programs of other types and from other sources, making available a wide selection of programming and services to its subscribers, all pursuant to and consistent with FCC rules and policies and subject to prior approval of the FCC, if necessary. Initially, Grantee shall provide not less than twelve (12) commercial channels with public access, educational and governmental channels. Grantee will provide in James City County or in the City of Williamsburg adjacent thereto a minimal black-and-white on site transmission facility for public and governmental access. Grantee will maintain in the City of Hampton a mobile color transmitting facility to which access will be available from James City County subject to reasonable scheduling limitations.

#### SECTION VIII

The Grantee's distribution system shall conform to the rules prescribed by the Federal Communications Commission with respect to maximum tolerance for spurious radiation.

#### SECTION IX

The Grantee's receiving equipment, transmission and distribution lines and related electronic components shall be installed and maintained so as to provide pictures on subscriber receivers throughout the system essentially of the same visual quality as those received at the antenna site. The Grantee shall not engage in any phase of renting, selling, or servicing (other than making normal adjustment on) any television sets or receivers. Violation of this section of the ordinance shall be just cause for cancellation of the Grantee's rights hereunder.

#### SECTION X

Installation and maintenance of equipment shall be such that the standard NTSC color signals shall be transmitted with fidelity to any subscriber color receiver.

August 13, 1973

As expeditiously as possible after receipt of subscriber complaints regarding quality of service, equipment malfunctions, and similar matters, the Grantee shall investigate such complaints and resolve them to the extent reasonably possible, and agents shall be available in the County for such purposes.

#### SECTION XI

All rules, regulations, and policies of the Federal Communications Commission shall be followed including, but not limited to, non-duplication protection and carriage.

#### SECTION XII

The Grantee shall indemnify, protect and save harmless the County from and against losses and physical damages to property, bodily injury or death to persons, including payments made under any workmen's compensation law, which may arise out of or be caused by the erection, maintenance, presence, use or removal of said attachments on poles within the County, or by any act of the Grantee, its agents or employees. The Grantee shall carry insurance to protect the parties hereto from and against all claims, demands, actions, judgments, costs, expenses, and liabilities which may arise or result, directly or indirectly from or by reason of such loss, injury or damage. The amounts of such insurance against liability due to physical damage to property shall not be less than twenty-five thousand dollars as to any one accident and not less than two hundred thousand dollars aggregate in any single policy year; and against liability due to bodily injury or to death of persons not less than one hundred thousand dollars as to any one person and not less than three hundred thousand dollars as to any one accident. The Grantee shall also carry such insurance as it deems necessary to protect it from all claims under any workmen's compensation laws in effect that may be applicable to the Grantee. All insurance required by this agreement shall be and remain in full force and effect for the entire life of this agreement. Said policy or policies of insurance or a certified copy or copies thereof shall be approved by the County Administrator.

#### SECTION XIII

If the Grantee shall fail to comply with any of the provisions of this License, or default in any of its obligations, except for causes beyond the reasonable control of the Grantee, or shall fail within ninety (90) days after written notice from the County, to correct such default or non-compliance, the Board of Supervisors shall have the right to revoke this License and all rights of the Grantee hereunder.

#### SECTION XIV

At the time this License becomes effective, the Grantee shall furnish a bond to the County in the amount of ten thousand dollars, in such form and with such sureties as shall be acceptable to the County, guaranteeing the payment of all sums, which may at any time become due from the Grantee to the County under the terms of this grant (except such sums as are covered by the insurance provided in Section XII), and further guaranteeing the faithful performance of all the obligations of the Grantee under the terms of this License.

#### SECTION XV

Should any Section, Clause, or Provision of this License be declared invalid by a Court of Law, or by an administrative agency, it shall not affect the validity of the License as a whole or any part hereof, other than the part declared invalid. Any modifications of the provisions of Section 76.31 of the Rules of the FCC relating to



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franchise or licensing standards shall be incorporated in this license within one (1) year of adoption of the modification, or at the time of renewal of the license whichever occurs first.

#### SECTION XVI

This License shall be between the County of James City, Virginia, and the Grantee or its successors or assigns and shall take effect and be in force for fifteen (15) years from the date of its passage by the Board of Supervisors of the County of James City and the ratification and acceptance of its terms in writing by the Grantee within sixty (60) days of the awarding of this License. Ratification and acceptance of this License shall be accomplished by delivering to the County Administrator the following: (1) Its written acceptance of this License; (2) A duly executed bond in favor of the County in the sum of ten thousand dollars (\$10,000.00), conditioned and approved as provided in Section XIV hereinabove; and (3) Certificates of liability insurance, conditioned and approved as provided in Section XII hereinabove. At the expiration of the fifteen year License term the License may be renewed, upon approval after the exercise of due process by the Board of Supervisors, for three consecutive five-year periods, subject to all Federal and State regulations.

#### SECTION XVII

The rights and privileges hereby granted and conferred shall lapse and terminate and this License shall be forfeited unless the Grantee shall, within one year from the date of FCC certification of this License, commence operating its system for providing the Community Antenna Television services herein provided for. The Grantee shall accomplish significant construction within one (1) year after receiving FCC certification, and shall thereafter, each year, equitably and reasonably extend energized trunk cable to a substantial percentage of the potential subscribers in the County based on concentration of population in accordance with FCC requirement. Grantee shall apply for FCC certification within thirty (30) days of grant of this License and shall diligently prosecute same.

#### SECTION XVIII

The Grantee agrees that the maximum connection charges and monthly service charges as shown on the rate schedule hereto attached as Exhibit A shall not be increased for a period of two years beginning on the date when service is first provided to subscribers in James City County, provided, however, that the installation charges shown on the attached schedule shall apply where the structure to be connected is within 200 feet from a public way. If such structure be more than 200 feet from a public way, the installation charge may be increased not more than \$5.00 for each 25 feet in excess of 200 feet.

After the two year period set forth above, Grantee agrees that its regular installation cost shall not exceed \$25.00 per connection and that the monthly service charge for regular subscriber service shall not be more than \$6.00 per month per connection. In the event that the Grantee shall feel that charges for regular services are insufficient or are inequitable in any manner, the Grantee may apply, after advertisement required by law, to the Board of Supervisors for a revision of such charges. The Board of Supervisors may revise the maximum limits of such regular charges as herein established, provided that the determination of the Grantee's rates shall be subject solely to the rules and regulations of any State or Federal authority which may

August 13, 1973

subsequently, by due process of law, acquire jurisdiction over this type of industry or enterprise. Notwithstanding anything herein to the contrary, no increases in rates charged for regular subscriber services above the maximum set forth above shall be made except as authorized by the Board of Supervisors after an appropriate public proceeding affording due process.

SECTION XIX

This license shall not be assignable except with the approval of the Board of Supervisors (and such approval shall not unreasonably be withheld), and the rights and privileges of this license shall not accrue to any successor, assignee or designee until there is filed with the County Administrator the ratification and acceptance of this license (as to any successor, assignee, or designee) as is required of the Grantee in Section XVI hereinabove, and the assignment and succession of such rights and privileges has been approved by said Board.

SECTION XX

In consideration of the grants contained herein, the Grantee agrees to pay annually to the County of James City a sum equal to three per cent of the gross annual revenues derived from its regular subscriber services under this license.

The term "regular subscriber services" shall mean all revenue derived from monthly service charges to residential, commercial and institutional subscribers of whatever nature for connections to Grantee's system, but shall not include advertising revenue and other revenues of Grantee derived from the use of Grantee's system by others.

Grantee agrees to provide a statement of the gross annual revenues derived from its regular subscriber service within 60 days of the end of each calendar year (or Grantee's fiscal year) which shall be certified under oath by an officer of the Grantee.

SECTION XXI

This Ordinance is adopted in the interest of the Public welfare and convenience.

SECTION XXII

This Ordinance shall be in full force and effect from and after September 15, 1973.

EXHIBIT A  
PENINSULA CABLE CORPORATION  
RATE SCHEDULE JAMES CITY COUNTY

<u>RESIDENTIAL DWELLING UNITS</u>	<u>INSTALLATION</u>	<u>MONTHLY SERVICE CHARGE</u>
First Connection	\$19.95	\$5.95
Each Additional Connection	5.00	2.00
Move to Another Dwelling	5.00	
Relocate Within Same Dwelling	5.00	
Dwellings more than 200 Feet from a public way	add 5.00 for each 25 feet over 200 feet	
<u>COMMERCIAL UNITS</u> (Bars, Restaurants, Clubs, and other places of public gatherings)		
Each Connection	Time and Material	5.95
<u>HOTELS, MOTELS, HOSPITALS, &amp; OTHER INSTITUTIONS</u>		
First Connection	Time and Material	5.95
Each Additional Connection (up to 50)	" "	2.00
Each Additional Connection (over 50)	" "	1.50
<u>SCHOOLS, POLICE STATIONS, FIRE HOUSES &amp; TOWN HALL</u>		
First Connection	Free	Free
Additional Connection	Time and Material	5.95

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SUPPLEMENTAL RATE INFORMATION

- A. Multiple Dwelling Units - Treated the same as Residential Dwelling
- B. When a Subscriber specifically requests unusual or non-standard routing of our cable, Installation Charges will be based on Time and Material costs.

Adopted by the Board of Supervisors of James City County, Virginia, August 13, 1973.

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4. PUBLIC HEARING

AN ORDINANCE TO AMEND CHAPTER 17 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA. THESE AMENDMENTS PERTAIN TO VARIOUS AMENDMENTS IN THE COUNTY SUBDIVISION ORDINANCE.

Mr. McCann introduced the Subdivision Ordinance and requested that the Board not act upon this ordinance until the staff has completed a review of the section pertaining to curbs and gutters.

Mr. Donaldson commented that curbs and gutters should not be required unless the topography indicates the need for them. He said that he will move to have the ordinance tabled for further consideration in order to receive appropriate language on curbs and gutters.

The Chairman opened the hearing.

Several people spoke in opposition to the curb and gutter requirement indicating that this would cost a substantial increase in land development costs. Me. William Maner, District Manager, VEPCO, suggested that certain paragraphs relating to underground utilities be reworded to conform with the language contained in the B-2 zone.

The following people spoke:

J. R. Zepkin  
Victor Woodson  
William L. Maner  
A. G. Rogers  
Robert Hornsby  
Clarence Douglas  
Sam Hazelwood  
Gordon Yaegar

Mr. Donaldson moved that the ordinance be tabled until the first meeting in September so that the County Administrator and staff could give consideration to the comments presented during the Public Hearing regarding possible standards for curbs and gutters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

5. PUBLIC HEARING

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA; AND AMEND ARTICLES 7, 8A, and 12 OF THE ZONING ORDINANCE OF JAMES CITY COUNTY, VIRGINIA. THIS ORDINANCE PERTAINS TO REGULATIONS FOR EXTERIOR SIGNS IN ALL ZONES OF JAMES CITY COUNTY.

Mr. McCann introduced the amendments to the Zoning Ordinance with the request that this ordinance be tabled by the Board after hearing the public so that additional work by the staff could be carried out. The matter will then be returned to the Board for final consideration.

The Public Hearing was opened by the Chairman.

Mr. W. S. Scruggs, a member of the Planning Commission, spoke in favor of the Sign Ordinance but indicated that directional signs were essential in serving commercial interests in the County. Several people spoke in opposition to the Ordinance indicating that the County would lose considerable tax revenue, that the Ordinance goes farther than needed, that it represented an infringement on personal freedom and that the Ordinance would be difficult to administer.

The following people spoke:

A. G. Rogers  
Phil Richardson  
Sam Hazelwood  
Clarence Douglas  
Sam Delucia  
David Ware, Jr.  
J. D. Richardson

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There being no further discussion, the hearing was closed.

Mr. Taylor voiced his strong opposition to the proposed Ordinance and said that he would like to see the Powhatan and Stonehouse District deleted.

Mr. Donaldson explained that in a growing community the use of individually held land should be subject to certain control in order to serve the general public. He indicated that signs were offensive to many people and that the Ordinance was needed.

Mr. Donaldson moved that the sign ordinance be tabled until the first meeting in September during which time the County Administrator and staff consider the comments made and provisions be made appropriately. The motion was seconded by Mr. Edwards and carried by a majority vote.

Mr. Donaldson moved that the proposed ordinance to prohibit the construction of signs be adopted as an emergency ordinance. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

#### EMERGENCY SIGN ORDINANCE

AN ORDINANCE TO REGULATE THE ERECTION OR CONSTRUCTION OF SIGNS; AND TO FIX PENALTIES FOR THE VIOLATION THEREOF. THIS ORDINANCE SHALL BE KNOWN AND MAY BE CITED AS "THE SIGN ORDINANCE OF JAMES CITY COUNTY, VIRGINIA."

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTIONS 504, 505, AND 510, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED, AS FOLLOWS:

#### ARTICLE 1

##### DEFINITIONS

- 1-1 SIGN: Any display of any letters, words, numerals, figures, devices, emblems, pictures, or any parts or combinations thereof, by any means whereby the same are made visible for the purpose of making anything known, whether such display be made on, attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground, any rock, tree, or other natural object, which display is visible beyond the boundaries of the parcel of land on which the same is made.
- 1-2 SIGN STRUCTURE: Includes the supports, uprights, bracing, and framework of any structure, be it singlefaced, double-faced, v-type or otherwise, exhibiting a sign.
- 1-3 STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, signs, etc.

#### ARTICLE 2

##### SIGN REGULATION

- 2-1 No approval shall be given nor any permit issued for the construction or erection of any sign or sign structure within any area of James City County, Virginia.

#### ARTICLE 3

##### PENALTIES

- 3-1 Any person, firm or corporation, whether as principal, agent, employed or otherwise, violating, causing or permitting the violation of any of the articles, sections, subsections, regulations, or provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty (50) dollars, nor more than three hundred (300) dollars, or imprisonment in the County jail, not to exceed thirty (30) days, or both. Each and every day during which any violation of this ordinance is committed, continued or permitted, shall constitute a separate offense and shall be punishable as herein provided.

#### ARTICLE 4

##### SEVERABILITY

- 4-1 Should any article, section, subsection, paragraph, clause or other provision of this ordinance be decided by the Courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

#### ARTICLE 5

##### CONFLICTING ORDINANCES

- 5-1 All conflicting ordinances or parts thereof which are inconsistent with the provisions of this ordinance are hereby repealed.

August 13, 1973

## ARTICLE 6

## EFFECTIVE DATE

- 6-1 There deemed to be an emergency existing the effective date of this ordinance shall be from its date of passage and legal application, and its provisions shall be in force for a period of sixty (60) days thereafter, save those provisions which may be amended or repealed.

Adopted by the Board of Supervisors of James City County, Virginia, on August 13, 1973, as an Emergency Ordinance.

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Mr. Donaldson moved that the Board direct the County Administrator to inquire into the feasibility of establishing an information station or stations in James City County, and to seek such cooperation from other State agencies as may be possible. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

Upon a motion by Mr. Edwards, seconded by Mr. Donaldson, and the unanimous agreement of the Board, the meeting recessed for five minutes.

6. PUBLIC HEARING

APPLICATION OF PAMELA SAVAGE, DIRECTOR, ON BEHALF OF REALITY CHILD CARE CENTER FOR A SPECIAL PERMITTED USE IN A B-1 GENERAL BUSINESS ZONE TO ALLOW THE OPERATION OF A CHILD CARE CENTER IN ST. MARTIN'S EPISCOPAL CHURCH, 1331 JAMESTOWN ROAD.

The Chairman opened the Public Hearing.

Mrs. Savage was present to answer the Board's inquiries.

There being no further discussion, the hearing was closed.

Mrs. Edwards moved that the Special Permitted Use be granted for one year beginning September 1, 1973. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

7. DATE FOR PUBLIC HEARING ON APPLICATION BY HORNSBY INVESTMENT COMPANY FOR REZONING OF CERTAIN PROPERTY AT THE INTERSECTION OF I64 AND RT. 168 FROM A-1 GENERAL AGRICULTURE TO B-1 GENERAL BUSINESS.

Mr. Edwards moved that the Board advertise the application of Hornsby Investment Company for public hearing on September 10, 1973. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

8. DATE FOR PUBLIC HEARING ON AN ORDINANCE RELATING TO LICENSE TAXES.

Mr. Edwards moved that the Board advertise for Public Hearing on October 8, 1973, the ordinance relating to license taxes. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor voted no.

9. APPROVAL OF WATER SYSTEMS FOR ST. GEORGE'S HUNDRED SUBDIVISION AND SECTIONS 4 and 5 OF FOREST GLEN SUBDIVISION

Mr. Waltrip moved that the water systems for St. George's Hundred Subdivision and Sections 4 and 5 of Forest Glen Subdivision be approved subject to the additional recommendations of the County Administrator. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

St. George's Hundred Conditions:

1. That the County Fire Marshal select the location of fire hydrants.
2. That connections not exceed the number approved by State Health Department permit, a copy of which must be filed with the Board of Supervisors.
3. That satisfactory arrangements be made with the James City Service Authority for conveyance of the system to the Authority for ownership.

Sections 4 and 5 of Forest Glen Subdivision Conditions:

1. That the Fire Marshal be permitted to select the location of fire hydrants.
2. That hydrants be spaced 800 ft. apart rather than 1000 ft. as shown on the proposed plan.
3. That connections not exceed the number approved by the State health department permit, a copy of which must be filed with the Board of Supervisors.
4. That satisfactory arrangements be made with the James City Service Authority for final ownership of the system.

August 13, 1973

10. JAMES CITY SERVICE AUTHORITY LOAN FOR THE PURCHASE OF EQUIPMENT

Mr. McCann presented a memorandum from W. C. Johnson, Administrator, James City Service Authority, requesting a loan of approximately \$52,000 to the Service Authority to purchase equipment. He recommended that \$42,217 be made available to the Service Authority to cover the costs in the list with the exception of an accounting machine. Mr. McCann also recommended that these funds be expended from the General Fund as the items are purchased rather than in a lump sum transfer.

Mr. Waltrip moved that the Board approve the request by the Service Authority and the County Administrator's recommendations in the amount of \$42,217. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

11. RESOLUTION AUTHORIZING THE PLACEMENT OF "NO WAKE" MARKERS ON POWHATAN CREEK.

Mr. Jack Kirtland appeared before the Board and presented pictures showing land erosion due to excessive wakes from power boats along his property.

Mr. Edwards moved that the Board approve the resolution authorizing "No Wake" markers in Powhatan Creek, 100 yards from each side of Mr. Kirtland's property. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor abstained.

Mr. Larry Waltrip requested the Board to take another look at the situation. He believes a seawall instead of a "No Wake" sign is needed.

12. WILLIAMSBURG-JAMES CITY COUNTY RECYCLING PROGRAM.

Mr. McCann presented a report on the recycling program indicating that the Board would hear from this organization in November or December after their needs and goals are clearly defined.

13. PERSONNEL POLICIES FOR JAMES CITY COUNTY EMPLOYEES.

Mr. Donaldson moved that the change in insurance carrier (from Travelers to Blue Cross/Blue Shield) for County employees be approved effective September 1, 1973. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Frink recommended that the Board have a work session on the Personnel Policies. All members agreed.

14. LEASE OF OFFICE SPACE

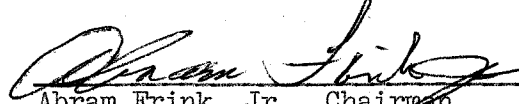
Mr. McCann presented a memorandum comparing two alternatives for the Board to consider regarding office space for expanding County operations.

The Board indicated its desire to discuss this during a work session.

Mr. Donaldson moved that the meeting be adjourned to reconvene at 10:00 A. M. on Wednesday, August 15, 1973, in the Council Chambers to consider further the last two items. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

THE MEETING ADJOURNED TO RECONVENE AUGUST 15, 1973.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman



August 15, 1973

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FIFTEENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator

2. PERSONNEL POLICY.

The Board reviewed the Personnel Policy presented and after discussion requested the County Administrator to send copies to personnel for any questions or comments.

Mr. Donaldson moved that the County Administrator be authorized to execute an agreement with Yarger and Associates for consultation on the development of personnel policies, pay plan and grievance procedures in accordance with an agreement presented by Mr. McCann submitted by Yarger Associates. It was decided that the proposed Personnel Policies be included in the final plan. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. LEASE OFFICE SPACE.

The Board reviewed the memorandum from the County Administrator comparing two alternatives for leasing office space.

Mr. Edwards moved that the County Administrator be authorized to negotiate with Tide-water Bank for the most favorable lease possible. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor voted no.

4. DATE FOR PUBLIC HEARING ON ORDINANCE TO VACATE CERTAIN AREAS OF BIRCHWOOD PARK SUBDIVISION.

Mr. Waltrip moved that the Board advertise for public hearing on September 10, 1973, the ordinance to vacate certain areas of Birchwood Park Subdivision. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

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 Mr. Donaldson moved that the meeting be reconvened on Friday, August 17, 1973, at 1:00 P.M.. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Donaldson moved that the Board meet in executive session to discuss legal matters. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

THE MEETING ADJOURNED TO RECONVENE AUGUST 17, 1973.

  
 Thomas R. McCann, Jr., County Administrator

  
 Abram Frink, Jr., Chairman

August 27, 1973  
August 17, 1973

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SEVENTEENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. SIGN ORDINANCE

The Board, County Administrator, and the Assistants to the County Administrator generally discussed the provisions of the Ordinance. The Board suggested that the staff review and clarify the following areas:

1. Definition of sign
2. Amortization clause
3. Size of sign
4. Section 12-14-4 of the ordinance

3. SUBDIVISION ORDINANCE

The Board, County Administrator, and the Assistants to the County Administrator discussed the need for curb and gutter as part of the Ordinance in order to:

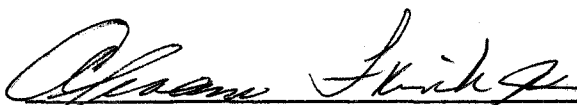
1. Protect the public health and public welfare
2. Reduce the cost of street maintenance
3. Solve drainage problems
4. Facilitate the provision of other public services such as refuse collection, leaf collection, etc.

Mr. Edwards commented that street requirements are too wide.

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Mr. Waltrip moved that the Board adjourn the meeting and go into executive session to discuss legal and personnel matters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

THE MEETING WAS ADJOURNED AT 3:10 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SEVENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. HIGHWAY MATTERS

a. Secondary System Budget

Mr. Hinmann represented the Highway Department and answered questions regarding the the Secondary System Budget.

Mr. Donaldson moved that the proposed Budget for the Secondary Road System be approved. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

August 27, 1973

## b. Agreement with the Virginia Department of Highways to construct subdivision streets.

Mr. Edwards moved the approval of the Resolution of Agreement with The Virginia Department of Highways to construct subdivision streets. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RESOLUTION OF AGREEMENT

WHEREAS, as of the date of this resolution, James City County has a number of unimproved streets and roads providing public service which were built and put to record between November 15, 1959 (the date of the adoption by the State Highway Department of its subdivision control policy) and August 31, 1964 (the date of the adoption by James City County of its Subdivision Ordinance) and these streets serve individually-owned lots and dwellings; and

WHEREAS, as of the date of this resolution, James City County has certain unimproved streets and roads providing public service which were built and put to record subsequent to August 31, 1964, and these streets serve individually-owned lots and dwellings; and

WHEREAS, James City County would like to participate in bringing these roads up to Subdivision standards which would allow their inclusion into the State Secondary System and is willing to provide funds necessary to accomplish this; and

WHEREAS, James City County has no method by which to construct these roads other than the necessary funds; and

WHEREAS, the County is willing to provide funds for this purpose for a period not to exceed five (5) years; and

WHEREAS, it is understood by the County and Highway Department that all costs for roads recorded subsequent to November 15, 1959, and prior to August 31, 1964, will be borne by the County and all costs for roads recorded subsequent to August 31, 1964, will be borne by the County through the use of defaulted bonds placed with the County by developers for the construction of these roads; and

WHEREAS, acquisition of all right-of-way will be the responsibility of the County (a minimum 40' unrestricted right-of-way will be required), and

WHEREAS, the Highway Department will execute the necessary contracts to perform the work needed to bring these roads up to subdivision standards permitting their inclusion into the State Secondary System with the County reimbursing the Highway Department for the total contract price plus necessary administrative costs; and

WHEREAS, the County agrees to request, by resolution, the Virginia Department of Highways to include all of these streets and roads into the State Highway Secondary System.

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that this agreement will go into effect from and after August 27, 1973.

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## c. Revised resolutions requesting the Highway Department to incorporate certain unimproved streets into the Secondary System.

RESOLUTIONS

## (a) Alesa Drive

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on August 27, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Belen Heights Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Belen Heights Subdivision Berkeley Magisterial District, James City County in the State Secondary System.

Description: Alesa Drive  
From: State Route 672  
To: Intersection of Debra Drive  
Distance: 0.15 miles

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Belen Heights Subdivision, Plat Book 19, Page 22, dated 9/21/61.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (b) Williams Circle

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on August 27, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

August 27, 1973

WHEREAS, the Board of Supervisors desires a road in Williams Circle Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Williams Circle Subdivision Powhatan Magisterial District, James City County in the State Secondary Highway System.

Description: Williams Circle  
From: State Route 603  
To: End of Cul-de-sac  
Distance: 0.07 Miles

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Williams Circle Subdivision, Plat Book 28, Page 32, dated 3/23/71, and Plat Book 29, Page 1, dated 11/10/71.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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(c) Riverside Drive

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on August 27, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Chickahominy Haven Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Chickahominy Haven Subdivision Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description: Riverside Drive  
From: State Route 716  
To: End of Cul-de-sac  
Distance: 0.21 miles

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Chickahominy Haven Subdivision, Plat Book 21, Page 46, dated 5/12/64.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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(d) Canal Street

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on August 27, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Chickahominy Haven Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Chickahominy Haven Subdivision Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description: Canal Street  
From: State Route 716  
To: End of Cul-de-sac  
Distance: 0.64 miles

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Chickahominy Haven Subdivision, Plat Book 21, Page 46, dated 5/12/64.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (e) Debra Drive

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on August 27, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Belen Heights Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Belen Heights Subdivision Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description: Debra Drive  
 From: State Route 672  
 To: Intersection of Alesa Drive  
 Distance: 0.05 mile

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Belen Heights Subdivision, Plat Book 19, Page 22, dated 9/21/61.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (f) Beechwood Drive

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on April 23, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Cypress Point Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection:

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Cypress Point Subdivision Stonehouse Magisterial District, James City County in the State Secondary Highway System.

Description: Beechwood Drive  
 From: State Route 715  
 To: Intersection of River Drive  
 Distance: 0.31 miles

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 30, dated 5/29/59.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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## (g) Indigo Terrace Road

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on April 23, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors desires a road in Indigo Terrace Subdivision to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia in accordance with the above referenced agreement, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Indigo Terrace Subdivision Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description: Indigo Terrace Road  
 From: State Route 615  
 To: End of cul-de-sac  
 Distance: 0.21 mile

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Indigo Terrace Subdivision, Plat Book 14, Page 63, dated 10/53.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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August 27, 1973

Resolution requesting the Highway Department to incorporate Berkeley Town Road into the Secondary System:

WHEREAS, by resolution of agreement adopted by the James City County Board of Supervisors on April 23, 1973, funds have been committed for the improvement of certain roads in James City County, Virginia, and

WHEREAS, the Board of Supervisors of James City County has appointed a Board of Road Viewers to inspect certain unimproved roads in James City County, Virginia, and

WHEREAS, the Board of Road Viewers has recommended that a certain road known as "Berkeley Town Road" be constructed and included as a rural addition in the State Highway Secondary System,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, in accordance with the above referenced agreement, that the Virginia Department of Highways is hereby requested to construct and include the following road in the State Secondary Highway System by rural addition:

Berkeley Town Road  
From: State Route 603  
To: Cul-de-sac  
Distance: 0.15 mile

A right-of-way of 40 feet is guaranteed as evidenced by Deed of Record, recorded in Deed Book 146, Page 695, Dated 8-14-73, in the Clerk's Office of James City County, Virginia.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

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Mr. Donaldson moved that the resolutions requesting the Highway Department to incorporate certain unimproved streets into the Secondary System be approved. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

### 3. STATUS REPORT ON PROPOSED SANITARY DISTRICT III SEWER SYSTEM

Mr. McCann presented his report on the proposed Sanitary District III sewer system stating that because federal grants contemplated at the time of the bond issue have not materialized, the entire project as originally conceived cannot be built. He presented a financial information sheet indicating a connection charge of \$600 for a single family residence and a monthly service charge of \$8.50 for the first bath and an additional charge of \$1.50 for each bath. Mr. McCann also presented a map with an explanation of the new boundary lines for Sanitary District III.

Mr. Donaldson moved that the Board of Supervisors advertise the Sanitary District III changes for public hearing on September 17, 1973, at 8:00 P.M. at the Rawls Byrd Elementary School. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

### 4. FINAL PLANS FOR CERTAIN SECTIONS OF THE KINGSMILL PLANNED COMMUNITY.

#### (a) Winstor Fax

Mr. Donaldson moved that the Board accept the recommendations of the Department of Planning regarding the approval of the final plans of Winstor Fax multi-family section. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. The following waivers and conditions were made a part of this approval:

1. Cul-de-sacs of approximately 600 feet (in two cases) and 860 feet will be permitted.
2. A graded roadway of 24 feet including curb and gutter will be permitted. The roadway pavement width will be 20 feet.
3. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after seventy-five (75) per cent of the project is developed. If problems are noted which the developer can and should correct then the developer will be required at his expense to install appropriate paved drainage channels or other appropriate workable stabilization techniques approved by the County.
4. School bus shelters and bus pull off lanes should be provided at the entrances to the one development area. It should be considered also that families will want to have a better system of house to house bus service which system should be programmed as part of the homeowner's association or developer's amenities.
5. Monumentation of the area shall be as provided for in Sections 4-29 and 4-30 of the Subdivision Ordinance.
6. Prior to the recording of a final as built plat the developer shall record Kingsmill Road (Conference Center Road) as at least a private road. This will facilitate the recording of the as built plat. Otherwise there is no way to tie areas of Winstor Fax to a known point.

The final plan process will be established in two phases:

1. A submittal will be made to the Board of Supervisors consisting of initial final plans similar to Preliminary Plats in the Subdivision Ordinance. These plans have been submitted to, reviewed and approved by the Site Plan Review Committee and used as the basis of these comments.



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2. A submittal should be made to the County Administrator, or his designee, consisting of (1) complete final plans prior to and also for recording; and (2) community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. The Board has requested the County Administrator to assume responsibility for protecting the County's interest through a detailed administrative review of both plans and documents. The Board has instructed the County Administrator not to release a plat of any lot or lots for recording the sale until all applicable standards and requirements are met by the developer. Considerations should include but not be limited to Sections 7-2-3 (bonding), 7-3-3 (deed of easements), 7-3-5 (deeds of public land), 7-9 (building locations), 7-10 (water and sewer), and 7-11 (street improvements) of the Zoning Ordinance.

(b) Golf Maintenance Building

Mr. Edwards moved the approval of the final plans for the Golf Maintenance Building and the recommendations by the Planning Department with the date for water and sewer connections changed to 1975. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. The following conditions were made a part of this approval:

1. As shown on the final plans, water and sewer connections to be made to the Kingsmill system not later than June 1, 1975.
2. Property line survey to be completed and prepared for recording for Homeowner's Association prior to the issuance of a building permit and that survey be submitted as part of the County records on Kingsmill file SP-42-73.
3. Homeowner's Association management agreement to include provisions, as appropriate, for this facility's operation. This language to be submitted to the County Administrator, or his designee, for approval prior to the recording and sale of any residential property. It is understood that this matter may be resolved by making the Conference Center responsible for management of the facilities. In either case, the County Administrator shall review final language.
4. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after the construction of the initial building and one year after the expansion. If problems are noted which the developer can and should correct then the developer will be required at his expense to install appropriate paved drainage channels or other workable stabilization technique approved by the County.

5. RESOLUTION AUTHORIZING LABOR DAY HOLIDAY

On a motion by Mr. Taylor, seconded by Mr. Edwards, and carried by the unanimous approval of the Board, the following resolution was passed.

BE IT RESOLVED by the Board of Supervisors of James City County that Monday, September 3, 1973, be authorized as a holiday for all County employees in commemoration of Labor Day.

6. RESOLUTION AUTHORIZING A CHECKING ACCOUNT FOR SANITARY DISTRICT #3

Mr. Taylor moved that the Resolution designating United Virginia Bank of Williamsburg as a depository be approved. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RESOLUTION

UNITED VIRGINIA BANK OF WILLIAMSBURG

BE IT RESOLVED, that the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #1, Sanitary District #2, Sanitary District #3, Payroll Deduction Fund Account, James City County Bond Issue 1964-B Sinking Fund, James City County General Obligation Water Bonds - 1970, Courthouse Construction Fund and the James City County Subdivision Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.

Chairman

OR

Mayo W. Waltrip

Vice-Chairman

T. R. McCann

County Administrator

OR

John W. Watkins

Assistant to the Administrator

Frances B. Whitaker

Treasurer

OR

Eunice P. Stewart

Deputy Treasurer

OR

Betty S. Angle

Deputy Treasurer

August 27, 1973

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, That said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank. This resolution shall be effective on and after August 27, 1973.

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7. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, and carried by the unanimous approval of the Board, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of August, 1973.

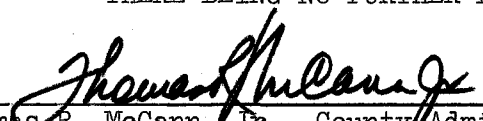
General Fund	Checks #7580 through #7790 Totalling \$534,531.65
Sanitary District #1	Checks #191 through #193 Totalling \$4,177.43
Sanitary District #2	Checks #189 through #195 Totalling \$73,584.70

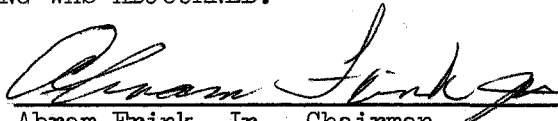
8. REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

FEDERAL HIGHWAY ACT 1973

Mr. Edwards requested the staff to keep track of the Federal Highway Act for 1973, House Bill 93410. Particularly interested in the part regarding bicycle paths.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator

2. Minutes - August 13, 15, 17, 1973

Mr. Taylor moved that the minutes of August 13, 15, and 17, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. PUBLIC HEARING - VACATION OF PLAT OF PORTION OF THE BIRCHWOOD PARK SUBDIVISION

The Public Hearing was opened by the Chairman.

September 10, 1973

Mr. A. B. Smith, Attorney, representing Mr. Rothman of Ames-Ennis Inc., presented the request for the vacation of plat of a portion of Birchwood Park Subdivision. Mr. Smith and Mr. Rothman answered questions from the following people who spoke in opposition of the ordinance:

Mr. William Held  
 Mr. Richard Coakley  
 Mr. Thomas Verzi  
 Mr. Lionel Serake  
 Mrs. Janet Smith  
 Mrs. Mary Lee McGregor  
 Mr. Tom LeGrande  
 Mrs. Thomas Verzi  
 Mrs. Peggy Miller  
 Mr. Earl McLean  
 Mrs. Linda Leonard

The Public Hearing was closed by the Chairman.

General Discussion followed. Mr. Donaldson stated that the people living in Birchwood area were entitled to know additional information of the proposed plans for the area to be vacated before the Board could support this change.

Mr. Edwards moved that the ordinance to vacate the portion of Birchwood Park Subdivision be tabled. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. Mr. Donaldson requested the County Administrator to make sure that this item gets sufficient publicity when a date for resubmittal to the Board is determined.

4. PUBLIC HEARING - APPLICATION BY HORNSBY INVESTMENT COMPANY FOR REZONING OF CERTAIN PROPERTY AT THE INTERSECTION OF 164 AND ROUTE 168

Mr. Norman T. Hornsby appeared before the Board to answer any questions regarding his request to rezone property at the intersection of 164 and Route 168 from A-1 GENERAL AGRICULTURE to B-1 GENERAL BUSINESS.

The Public Hearing was opened by the Chairman.

Mr. Hornsby spoke in favor of the rezoning.

General discussion followed.

Mr. Donaldson moved that the request for rezoning be denied. The motion was seconded by Mr. Edwards and carried by a majority vote.

5. WATER SYSTEM FOR OLD STAGE MANOR

Mr. Edwards moved that the request for seven additional connections to water system by Sydnor Hydrodynamics be approved for Old Stage Manor. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. This approval was conditioned so that the Fire Marshal has had an opportunity to review the plans as to the location of fire hydrants.

6. DATE FOR PUBLIC HEARING OF APPLICATION BY ALLEN'S ORDINARY DEVELOPMENT

Mr. Edwards moved that the date of October 8 be set for a public hearing of the application by Allen's Ordinary Development Company for rezoning of property located at Route 168 at its intersection with Interstate 64 from A-1 GENERAL AGRICULTURE to B-1 GENERAL BUSINESS; J. R. Zepkin Agent. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

September 21, 1973  
September 10, 1973

7. DATE FOR PUBLIC HEARING ON APPLICATION BY SCHNEIDER'S DISPOSAL SERVICE, INC. FOR A SPECIAL PERMITTED USE

Mr. Taylor moved that the date of October 8 be set for a public hearing of the application by Schneider's Disposal Service, Inc., for a Special Permitted use in order to use property located on Route 640 in an A-2 zone for local base of operation; J. F. Phillips, Agent. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

8. CHANGE OF DATE FOR NEXT MEETING OF THE BOARD OF SUPERVISORS

Mr. Edwards moved that the date of the next Board meeting be changed from September 24th to September 12st due to the fact Mr. McCann would be out of town on the 24th. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.


9. REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

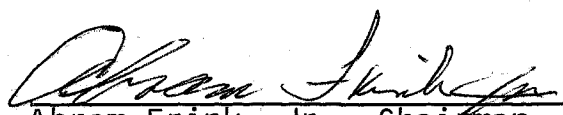
ZONING ORDINANCE AMENDMENT - SECTION 12-15  
EXCEPTION FOR EXPANSION OF EXISTING BUILDINGS

Mr. McCann presented the amendment to the Zoning Ordinance.

Mr. Edwards moved that a joint public hearing with the Planning Commission be set for October 8, 1973, and that the material be referred to the Planning Commission. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIRST DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. HIGHWAY MATTERS

- (a) Consideration of petition from residents in the Jamestown Farms and Indigo Park Subdivisions for special attention to traffic signing and speed control.
- (b) The Board requested that the Sheriff's Department enforce speed limits in these areas.

September 21, 1973

- (b) Speed Limit at Lafayette High School. Mr. Hinmann stated that if the school requested a timed flashing speed sign that the Highway Department would assist in the matter. The Board requested the Highway Department to make a study of Long Hill Road to reduce the speed limit.
- (c) Lakewood residents problem on Neck-of-Land Road. Mr. Edwards requested the Highway Department to make a study of curve and intersection.

### 3. SUBDIVISION ORDINANCE

Mr. McCann introduced the ordinance amending the Subdivision Ordinance pointing out the requirements for curb and gutters that were modified by the staff.

General discussion followed.

Mr. Edwards moved that the ordinance amending the Subdivision Ordinance be tabled until a future work session could be held. The date of this work session to be decided at the October 8th meeting. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

### 4. ORDINANCE AMENDING ZONING ORDINANCE TO PROVIDE FOR THE REGULATION OF EXTERIOR SIGNS

Mr. McCann introduced the ordinance.

General discussion followed. Mr. Taylor spoke against this ordinance.

Mr. Edwards moved that Ordinance No. 31A-18 amending the Zoning Ordinance of James City County be approved. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor voted no.

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, AND AMEND ARTICLES 7, 8A, AND 12, OF THE ZONING ORDINANCE OF JAMES CITY COUNTY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, PURSUANT TO SECTION 491, ARTICLE 88, AND 431, ARTICLE 1, CHAPTER 11, TITLE 15.1, CODE OF VIRGINIA OF 1950, AS AMENDED; AND SECTION 14, ARTICLE 1, CHAPTER 20, CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, AS FOLLOWS:

#### SECTION 1

#### CODE AMENDED

1-1 Article 1, Chapter 20 is amended as follows:

1-1-1 Section 2 is amended by deleting the following definitions:

Sign  
Sign categories  
Sign structure  
Sign, temporary

1-2 Division 2, Article IV, Chapter 20 is amended as follows:

1-2-1 Section 29 is amended by deleting the following:

Business signs  
Church bulletingboard and identification signs  
Directional signs  
Home occupation signs  
General advertising signs as defined, with a conditional use permit and in accordance with provisions contained herein; provided, that the distance between such signs is not less than one thousand feet on the same side of a right-of-way, but in no case shall a sign be closer than five hundred feet to another sign on either side of a right-of-way.  
Location Signs

1-2-2 Section 34A1 is adopted as follows:

Section 20-34A1. SIGN REGULATIONS

September 21, 1973

- To assure an appearance and condition which is consistent with the purposes of the A-1 General Agricultural District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12-14 of the Zoning Ordinance, except that home occupation signs shall not exceed four (4) square feet in area directing attention to a product, commodity, or service available on the premises, but which product, commodity or service is clearly a secondary use of the dwelling.
- 1-3 Division 3, Article IV, Chapter 20 is amended as follows:
- 1-3-1 Section 36 is amended by deleting the following:
- Business signs  
Church bulletin boards and identification signs  
Directional signs  
Home occupation signs  
General advertising signs as defined, with a conditional use permit and in accordance with provisions contained herein; provided, that the distance between such signs is not less than one thousand feet on the same side of a right-of-way, but in no case shall a sign be closer than five hundred feet to another sign on either side of a right-of-way.  
Location signs
- 1-3-2 Section 41.1 is adopted as follows:
- Section 2--41.1 SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the A-2 Limited Agricultural District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance, except that home occupation signs shall not exceed four (4) square feet in area directing attention to a product, commodity or service available on the premises, but which product, commodity or service is clearly a secondary use of the dwelling.
- 1-4 Division 4, Article IV, Chapter 20 is amended as follows:
- 1-4-1 Section 43 is amended by deleting the following:
- Business signs only to advertise the sale or rent of the premises upon which erected  
Church bulletin boards and identification signs  
Directional signs, non-business
- 1-4-2 Section 49.1 is adopted as follows:
- Section 20-49-1. SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the R-1 Limited Residential District, outdoor signs on the properties within the district shall comply with the regulations for exterior sign in Article 12, Section 12-14 of the Zoning Ordinance, except home occupation signs shall not be permitted.
- 1-5 Division 5, Article IV, Chapter 20 is amended as follows:
- 1-5-1 Section 51 is amended by deleting the following:
- Business signs only to advertise the sale or rent of the premises upon which erected  
Church bulletin boards and identification signs  
Directional signs, non-business
- 1-5-2 Section 57.1 is adopted as follows:
- Section 20-57.1. SIGNS REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the R-2 Limited Residential District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance, except home occupation signs shall not be permitted.
- 1-6 Division 6, Article IV, Chapter 20 is amended as follows:



September 21, 1973

- 1-6-1 Section 59 is amended by deleting the following:
- Church bulletin boards and identification signs
  - Directional signs
  - Home occupation signs
- 1-6-2 Section 65.1 is adopted as follows:
- Section 20-65-1. SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the R-3 General Residential District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance, except home occupation signs shall not exceed four (4) square feet in area directing attention to a product, commodity or service available on the premises but which product, commodity or service is clearly a secondary use of the dwelling.
- 1-7 Division 8, Article IV, Chapter 20 is amended as follows:
- 1-7-1 Section 82 is amended by deleting the following:
- Business signs
  - General advertising signs
  - Location signs
- 1-7-2 Section 86.1 is adopted as follows:
- Section 20-86.1. SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the B-1 General Business District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance.
- 1-8 Division 9, Article IV, Chapter 20 is amended as follows:
- 1-8-1 Section 88 is amended by deleting the following:
- Business signs
  - General advertising signs
  - Location signs
- 1-8-2 Section 94.1 is adopted as follows:
- Section 20-94.1. SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the M-1 Limited Industrial District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance.
- 1-9 Division 10, Article IV, Chapter 20 is amended as follows:
- 1-9-1 Section 96 is amended by deleting the following:
- Business signs
  - General advertising signs
  - Location signs
- 1-9-2 Section 102.1 is adopted as follows:
- Section 20-102.1. SIGN REGULATIONS
- To assure an appearance and condition which is consistent with the purposes of the M-2 General Industrial District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance.

## SECTION 2

## ZONING ORDINANCE AMENDED

- 2-1 Section 13, Article 7, is adopted as follows:

September 21, 1973

7-13

7-13.

## SIGN REGULATIONS

To assure an appearance and condition which is consistent with the purposes of the R-4 Residential Planned Community District, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article 12, Section 12-14 of the Zoning Ordinance, except that unique signing systems may be approved by the Site Plan Review Committee and the Board of Supervisors where such sign systems contribute significantly to the character of the residential planned community. However, in no case shall the sign square foot size exceed the maximum allowed in Article 12, Section 12-14 of the Zoning Ordinance. Home occupation signs shall not be allowed in the residential planned community district.

2-2

Section 9, Article 8A, is amended and readopted as follows:

8A-9.

## SIGN REGULATIONS

To assure an appearance and condition which is consistent with the purposes of the TOURIST ENTRY DISTRICT, outdoor signs on properties within the district shall comply with the regulations for exterior signs in Section 12-14.

2-3

Section 14, Article 12, is amended and readopted as follows:

12-14

## REGULATIONS FOR EXTERIOR SIGNS

12-14-1

Definitions. For the purpose of this section, the following definitions of terms and words shall apply:

- (a) Sign. A structure, display, or device that is arranged, intended, designed, or used as an advertisement, announcement, identification, description, or direction.
- (b) Gross Sign Area. That area within a line including the outer extremities of all letters, figures, characters, and delineations, or within a line including the outer extremities of the framework or background of the sign whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof, shall not be included in a sign area. Only one side of a double-faced sign shall be included in a computation of sign area. The area of signs with more than two (2) faces shall be computed by multiplying one-half the perimeter of one face by the height of the sign. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.
- (c) Free Standing Sign. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a flat surface such as a fence or wall not a part of a building, shall be considered a free standing sign.
- (d) Double -faced Sign. A sign with two parallel, or nearly parallel faces, back to back, and located not more than 24 inches from each other.
- (e) Flashing Sign. An illuminated sign on which the artificial or reflected light is not maintained stationary and constant in intensity and color at all times when in use. Any sign which revolves or moves, whether illuminated or not, shall be considered a flashing sign.
- (f) Flat Sign. Any sign attached to, and erected parallel to the face of, or erected or painted on the outside wall of a building and supported throughout its length by such wall or building and not extending more than 18 inches from the building wall.
- (g) Illuminated Sign. Any sign designed to give forth artificial light or designed to reflect light from one or more sources of artificial light erected for the purpose of providing light for the sign.
- (h) Indirectly Illuminated Sign. A sign which does not produce artificial light from within itself but which is opaque and backlighted or illuminated by spotlights or floodlights not a part of or attached to the sign itself, or a sign or translucent non-transparent material illuminated from within but with no exposed or exterior bulbs, tubes, or other light source.
- (i) Marquee Sign. Any sign attached to or hung from a marquee. For the purpose of this Article, a marquee is a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

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- (j) Projecting Sign. A sign which is attached to and projects more than 18 inches from the face of a wall of a building. The term projecting sign includes a marquee sign.

12-14-2

Allowable Content of Signs

It is the intent of this limitation to prohibit the use of exterior signs for the general advertisement of products, service or other matters having no relation to the premises upon which they are placed. The content or advertising message carried by signs hereafter erected shall be limited to one or more of the following:

- (a) The identification of building or its owners or occupants of the premises;
- (b) Information concerning lawful activities on the premises, or goods or services offered in connection therewith;
- (c) Information concerning the sale, rental or lease of the premises;
- (d) Information on directional signs as prescribed in Section 12-14-3.

12-14-3

Allowable Sign Dimensions and Special Regulations

- (a) Each property having less than 400 feet of lot frontage shall be permitted one (1) free standing sign. All free standing signs shall not exceed thirty-two (32) square feet per face nor an overall height of twenty (20) feet. Individual Businesses on the same property shall combine signs on a single standard and the square footage of the combined signs shall not exceed thirty-two (32) square feet per face.

Shopping centers shall be permitted one (1) free standing sign per major street frontage, except that no more than two (2) free standing signs will be permitted for each shopping center. A free standing shopping center sign shall display only the shopping center name. Individual shops and businesses in shopping centers may have building face signs as provided for in Section 12-14-3, (c) and (d); or specially designed signing consistent with the overall development plan for the shopping center and approval as a part thereof by the Planning Commission.

- (b) Each property having in excess of 400 feet of lot frontage shall be permitted one additional free standing sign of the same size and height as subparagraph (a) above.
- (c) In zones where business or manufacturing is permitted a building face sign shall also be permitted. The area devoted to such sign shall not exceed ten (10) per cent of the area of the first story of the front facade of the building. Such signs shall be mounted flat against the building.
- (d) When the same building faces onto a public right-of-way or parking lot on the rear or side of the building, an additional sign may be erected at the entrance on that side. The area devoted to such a sign shall not exceed ten (10) per cent of the area of the face of the building to the first story height, and such sign must be mounted flat against the building.
- (e) Banners or flags, used as signs, may be allowed by permit provided that the same are installed in a permanent fashion and are maintained in good repair at all times.
- (f) Signs on entrance marquee or canopies shall be allowed, provided that the total area of such signs if constructed alone or in combination with other building signs, does not exceed the maximum allowable dimensions as set forth in item (c) above.
- (g) In no case shall a sign be permitted which will detrimentally affect the safety of the traveling public.
- (h) Directional signs may be allowed upon the determination of the Administrator, or his designee, that the sign or signs:
  - (1) are necessary to the traveling public to locate distinctive places of historical significance, businesses, and residences remotely located and not visible from the state primary road giving principal access to the property; and
  - (2) show only the name, mileage and direction; and
  - (3) are aesthetically compatible in color, shape and scale with the proposed area of location.

If determined necessary by the Administrator, or his designee, each such place of historical significance, residence or business may be allowed three (3) directional signs.

Sign size and location shall be determined in accordance with the criteria below:

<u>Road Along Which Sign is to be Placed</u>	<u>Min. Distance From Intersection Where Sign may be Placed</u>	<u>Max. Sign Size Under 25ft. from Road Right-of-Way</u>	<u>Max. Sign Size Over 25ft. from Road Right-of-Way</u>
Interstate & Primary	1000 ft.	7 SF	10 SF
Secondary	100 ft.	4 SF	6 SF

12-14-4

Exemptions.

The following signs are exempted from the provisions of these regulations and may be erected or constructed without a permit but in accordance with the structural and safety requirements of the building code.

- (a) Official traffic signs, historical markers, provisional warning signs or sign structures when erected or required to be erected by a governmental agency, and temporary signs indicating danger.
- (b) Signs authorized by the State Highway Department to be placed on a highway right-of-way.
- (c) Changing of the copy on a bulletin board, poster board, or display encasement.
- (d) Temporary non-illuminated signs, not more than six feet square in area, advertising real estate for sale or lease and located on the premises, one such sign for each street frontage.
- (e) Temporary non-illuminated signs not more than ten square feet in area, erected in connection with new construction work and displayed on the premises during such time as the actual construction work is in progress, one such sign for each street frontage.
- (f) Non-illuminated signs warning trespassers or announcing property as posted, not to exceed four (4) feet per sign.
- (g) Sign on a truck, bus or other vehicle, while in use in a normal course of business. This section should not be interpreted to permit parking for display purposes of a vehicle to which signs are attached in a district where such signs are not permitted.
- (h) Mailboxes and similarly located signs identifying a private residence.

12-14-5.

Prohibited Signs. The following signs shall be specifically prohibited:

- (a) Flashing, animated, and rotating signs or appurtenances to signs which are non-stationary.
- (b) Displays intermittent lights resembling or seeming to resemble the flashing lights customarily associated with danger of such as are customarily used by police, fire, or ambulance vehicles or for navigation purposes.
- (c) Signs so located and so illuminated as to provide a background or colored lights blending with traffic signal lights to the extent of confusing a motorist when viewed from normal approach position of a vehicle at a distance of 25 to 300 feet.
- (d) Signs which are not an integral part of the building design but fastened to and supported by or on the roof of a building or projecting over or above the roof line or parapet wall of a building.
- (e) Signs, portable or otherwise, placed or located to conflict with the vision clearance or other requirements of applicable traffic ordinances.
- (f) Signs attached to trees, utility poles, or other unapproved supporting structure.

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12-14-6.

Temporary Signs

The Administrator or his designee, upon application may issue temporary permits for the following signs and displays for a period of not exceeding 30 days, when in his opinion the use of such signs and displays would be in the public interest and would not result in damage to private property.

- (a) Signs of not more than 32 square feet advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting, sponsored by a governmental or charitable organization.
- (b) Special decorative displays used for holidays, public demonstrations, or promotion for non-partisan civic purposes.

12-14-7.

Procedures. The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this Ordinance.

- (a) Permits. No sign, unless herein excepted, shall be erected, constructed, posted, painted, altered, maintained, or relocated, except as provided in this Article and in these regulations, until a permit has been issued by the Administrator or his designee. Before any permit is issued, an application especially provided by the Administrator or his designee shall be filed, together with three sets of drawings and/or specifications (one to be returned to the applicant) as may be necessary to fully advise and acquaint the Administrator or his designee with the location in relation to adjacent buildings, construction, materials, manner of illuminating and/or securing or fastening, and number of signs applied for, and the working of the sign or advertisement to be carried on the sign. Each sign for which a permit is issued shall be inspected by the building inspector of James City County to insure compliance with applicable codes.
- (b) Electrical Permit. All signs which are electrically illuminated shall require a separate electrical permit and an inspection.
- (c) Permit Time Limit. All signs shall be erected on or before the expiration of six (6) months from the date of issuance of the permit; otherwise, the permit shall become null and void and a new permit shall be required.
- (d) Permit Number. Each sign requiring a permit shall be clearly marked with the permit number and the name of the person or firm placing the sign on the premises.
- (e) Fees-Required. For all sign permits required, a fee of \$1.00 per square foot of surface area shall be charged to cover the cost of administration. Area shall be computed in accordance with Section 12-14-1 (b) Gross Sign Area.

12-14-8.

Non-conforming Signs.

Any sign existing prior to adoption of this Ordinance, and not conforming to the terms of this Ordinance, is hereby declared a nonconforming sign and may not be altered, reworded, or replaced unless said sign conforms to the requirements of the Ordinance. Upon the cessation or termination of particular use on a parcel of real property, the owner thereof shall within ninety (90) days of said cessation or termination remove all non-conforming signs. If the owner shall fail to comply with this requirement then written notice shall be given by the Administrator to the owner advising of the violation. If such signs are then not removed within ten (10) days, the Administrator shall cause such removal and charge the cost to the owner of the premises.

12-14-9

Conformance.

Existing advertising business or location signs in districts where Article 12-14 applies shall be brought into conformity with the regulations herein established in accordance with the following schedule:

September 21, 1973

<u>Value of Sign</u>	<u>Period of Compliance</u>
Less than three thousand (3000) dollars	within two (2) years from the effective date of this Ordinance
From three thousand one (3001) dollars to six thousand (6000) dollars	within three (3) years from the effective date of this Ordinance
From six thousand one (6001) dollars to fifteen thousand (15,000) dollars	within four (4) years from the effective date of this Ordinance
Fifteen thousand one (15,001) dollars or more	within five (5) years from the effective date of this Ordinance.

The prescribed value of the sign shall be construed as that value listed upon the building permit of the sign, if one exists, or on the Administrator's certificate, and all periods of compliance as listed above shall commence from the effective date of this Ordinance. Within six (6) months from the effective date of this Ordinance, those signs erected prior to the adoption of this Ordinance without a building permit shall be removed or an application shall be submitted to the Administrator, or his designee, for the purpose of certifying the sign value and date of construction.

12-14-10 REMOVAL OF SIGNS IN VIOLATION

The Administrator or his designee shall remove or cause to be removed at the owner's or tenant's expense any sign erected or maintained in conflict with these regulation if the owner or lessee of either the site or the sign fails to correct the violation within 30 days after receiving written notice of violation from the Administrator or his designee. Removal of a sign by the Administrator or his designee shall not affect any proceedings instituted prior to removal of such sign.

SECTION 3  
EFFECTIVE DATE

3-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended and repealed.

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Mr. Frink stated that he was still interested in a County information center or a sign park.

5. REQUEST FROM MENTAL HEALTH-MENTAL RETARDATION BOARD FOR FUNDS FOR SARAH BONWELL HUDGINS REGIONAL CENTER

Mr. Donaldson moved that the sum of \$2,620.00 be appropriated to the Sarah Bonwell Hudgins Regional Center for the construction of residential facilities. These funds are to be transferred from the Contingent Fund Account (18E) to the Contributions and Transfers Account (18C). The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

6. ADDITIONAL WAIVERS ON SECTIONS A AND B OF THE KINGSMILL DEVELOPMENT

Mr. Donaldson moved that the following waivers be approved with the condition that final lighting and street signing plans should have the approval of the County Administrator. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

1. Waiver of the requirement that the subdivider obtain standard street signs from the County
2. Waiver of the requirement that building restriction lines be placed on the final subdivision plat.

7. RESOLUTION PROCLAIMING MONTH OF OCTOBER AS UNITED FUND MONTH IN JAMES CITY COUNTY



September 21, 1973

Mr. Edwards moved the approval of the resolution proclaiming the month of October as United Fund Month. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

WHEREAS: The GREATER WILLIAMSBURG UNITED FUND has been serving our Community for twenty-four years by raising funds for various Civic Agencies; and,

WHEREAS: Through the UNITED FUND DRIVE and the generosity of our Citizens, countless dollars have been raised to aid those less fortunate; and,

WHEREAS: This year's UNITED FUND DRIVE will be held during the month of OCTOBER; and,

WHEREAS: We are desirous of expressing our support for this most worthwhile endeavor; now, therefore,

BE IT RESOLVED, by the BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, that the month of OCTOBER be proclaimed UNITED FUND MONTH in JAMES CITY COUNTY; and,

BE IT FURTHER RESOLVED, that all of the Citizens of JAMES CITY COUNTY are urged to give generously to this year's UNITED FUND DRIVE, as they have done in the past.

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#### 8. AWARD OF CONTRACT FOR COUNTY AERIAL MAPPING PROJECT

Mr. Donaldson moved to award the contract for the County aerial mapping project to Abrams Aerial Survey Corporation of Lansing, Michigan, in the amount of \$147,179.60. This amount to be paid from revenue sharing funds over a two year period. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

#### 9. AGREEMENT WITH THE CITY OF NEWPORT NEWS FOR CONSTRUCTION OF A WATER LINE FROM BLACK'S CROSSING TO ROUTE 5.

Mr. McCann introduced the agreement.

General discussion followed.

The Board decided to postpone action until the meeting of October 22. A more thorough engineer's report was requested by Mr. Edwards.

#### 10. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of September, 1973. Carried by a unanimous roll call vote.

General Fund	Checks #7791 through #7938 Totalling \$281,079.13
Sanitary District #1	Check #194 Total \$684.28
Sanitary District #2	Checks #196 through #201 Totalling \$16,038.40

#### REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

#### 11. EMPLOYMENT OF ADDITIONAL SECRETARY AND TRANSFER OF FUNDS

Mr. Donaldson moved the approval of employing a secretary to assist the County Attorney and Accounting Supervisor and the transfer of funds from Contingent Account (18E) to the County Administrator Account (1B) in the amount of \$5,617.00. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

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12. RESOLUTION - ACTING COUNTY ADMINISTRATOR

On a motion by Mr. Edwards, seconded by Mr. Taylor, and carried by a unanimous roll call vote, the Board of Supervisors hereby appoints Mr. John W. Watkins Acting County Administrator during the absence of Thomas R. McCann, Jr. from the County from September 22, 1973, to September 29, 1973.

13. SANITARY DISTRICT NO. 3

Mr. Donaldson asked if there was any urgency for the Board to take action regarding Sanitary District No. 3. Mr. McCann stated that the Board needs to take no further action except for reaffirmation on October 8th to proceed with Sanitary District No. 3.

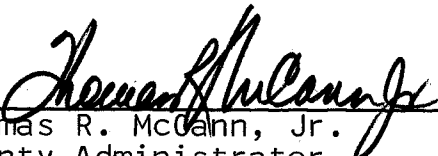
Mr. Frink questioned whether or not all of White Oaks was against connecting, and if so, if there was a possibility of deleting this section and adding another section.

14. THE USE OF ROUTE 611 BY SCHOOL BUSES

Mrs. Harris appeared before the Board to report that four school buses were travelling on Route 611 due to the opening of Lafayette High School and that the road was too narrow and hazardous for the buses.

The Board requested the County administrator to notify the Highway Department to look into this matter.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr.  
County Administrator

  
Abram Frink, Jr.  
Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. MINUTES

Mr. Waltrip moved that the minutes of August 27, September 10, and 21, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. COLONIAL SOIL AND WATER CONSERVATION DISTRICT - L. HARRIS, CHAIRMAN

October 8, 1973

Mr. L. Harris, Chairman of the Colonial Soil and Water District, and James City County's representative on the Commission, presented a booklet entitled "Guidelines for Erosion and Sediment Control in Urban Areas" and a film for use by the Schools.

4. PUBLIC HEARING - BOARD OF SUPERVISORS AND PLANNING COMMISSION

Consideration of an ordinance to adopt Section 12-15 of the Zoning Ordinance of James City County.

A quorum being present, the Chairman of the Planning Commission opened the public hearing.

There being no discussion the Chairman closed the public hearing.

Upon a motion by Mr. Hicks, seconded by Mr. Scruggs, and carried by a unanimous roll call vote, the Commission moved that the ordinance to adopt Section 12-15 of the Zoning Ordinance be tabled until the next Planning Commission meeting.

The public hearing was closed by Mr. Frink, Chairman.

Mr. Donaldson moved to defer consideration of the ordinance to adopt Section 12-15 of the Zoning Ordinance until such recommendation comes from the Planning Commission. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

5. PUBLIC HEARING - CONSIDERATION OF APPLICATION BY ALLEN'S ORDINARY DEVELOPMENT COMPANY FOR REZONING OF PROPERTY LOCATED AT ROUTE 168 AT ITS INTERSECTION WITH INTERSTATE 64 FROM A-1 TO B-1 - J. R. ZEPKIN, AGENT

The public hearing was opened by the Chairman.

Mr. J. R. Zepkin spoke in favor of the rezoning of 115 acres.

Mr. Scruggs commented on topographic aspects of the property - 60 acres very developable.

There being no further discussion the Chairman closed the public hearing.

The Board questioned the desirability of rezoning 115 acres without more definite plans for the site. Mr. Zepkin said the applicant would be happy to reduce the size of the property to be rezoned. However, he felt that applicants should be informed that intended plans are needed and that an applicant should not be allowed to apply for permits and go through all the procedure of filing if the Board wishes this information.

Mr. McCann spoke of the County's comprehensive plan which is to be implemented within the next 12 months.

Mr. Frink moved that the County Administrator meet with the agent of the developer and choose a 510+ acre portion of the 115 acres which they want to be developed and bring back to the Board for final action. The motion was seconded by Mr. Taylor and carried by a majority roll call vote. Mr. Edwards and Mr. Donaldson voted no.

6. PUBLIC HEARING - APPLICATION BY SCHNEIDERS DISPOSAL SERVICE, INC. FOR A SPECIAL PERMITTED USE IN ORDER TO USE PROPERTY ON ROUTE 640 IN AN A-2 ZONE - J. F. PHILLIP, S AGENT

The Chairman opened the public hearing.

Mr. Phillips, Agent, explained Schnider's request for a Special Permitted Use to use property on Route 640 for a local base of operation to store and clean the company trucks. Mr. Bill Finley of Schneider's Disposal Service was present to answer questions.

Speaking in opposition were:

Mr. Bascal Brown - resident of area  
 Mr. Thomas Calvin Waltrip - representative of Jamestown Presbyterian Church  
 Mrs. Irene Douglas

There being no further discussion the public hearing was closed by the Chairman.

Mr. Waltrip moved that the Special Permitted Use for Schneider's Disposal Service be denied. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

7. PUBLIC HEARING - ORDINANCE AMENDING THE BUSINESS LICENSE TAX TO INCREASE PENALTIES AND INTEREST FOR NONPAYMENT AND TO CLARIFY THE METHOD OF ASSESSMENT OF CONTRACTS

The public hearing was opened by the Chairman.

There being no discussion the public hearing was closed by the Chairman.

Mr. Taylor commented he was opposed to this ordinance.

Mr. Donaldson moved that the proposed amendments to the license tax ordinance be adopted. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY VIRGINIA, PURSUANT TO SECTION 266.1, ARTICLE 1, CHAPTER 7, TITLE 58; AND SECTION 504, ARTICLE 1, CHAPTER 12, TITLE 15.1, CODE OF VIRGINIA, 1950, AS AMENDED, AS FOLLOWS:

SECTION 1 - CODE AMENDED

1-1 Article 1, Chapter 9, is amended as follows:

1-1-1 Section 5 is amended and readopted as follows:

SECTION 9-5. WHEN LICENSES DUE AND PAYABLE

All licenses imposed by this Chapter except as otherwise herein provided shall be deemed to be due on the date of the beginning of the business, employment or profession by the person entering into the business, employment or profession held liable for licenses under this chapter. Any person prosecuting any licensable business, employment or profession on or before January one of any year shall submit to the Commissioner of the Revenue any and all information pertinent to the issuing of licenses as set forth in this Chapter on or before the tenth day of January of such year and the applicable license tax shall be paid to the County Treasurer, as collector of County taxes and levies, on or before the thirty-first day of January except as otherwise herein provided; and any person beginning a business, employment or profession on any date other than January 1 of any year, unless otherwise stated, shall file with the Commissioner of the Revenue an application for license covering such business, employment, or profession within ten days after date of beginning of business, employment or profession and the license tax shall be paid to the County Treasurer, as collector of County taxes and levies, on or before the expiration of one month.

1-1-2 Section 6 is amended and readopted as follows:

SECTION 9-6. PENALTIES FOR NONPAYMENT OF LICENSE TAX

Any person conducting any business, occupation or profession, or doing other things for which a license tax is required under this chapter, without applying for and obtaining such license as set forth in section 9-5, or who shall fail to obtain any tag, certificate or sign required under this chapter, shall be subject

October 8, 1973

to a fine of not less than twenty-five dollars nor more than three hundred dollars and each day of default shall constitute a separate offense. Such conviction shall not relieve any such person from the payment of any license tax imposed by this chapter.

In addition to the above fine, if any license tax imposed by this Chapter is not paid within the time prescribed in Section 9-5, there shall be added to such license tax a penalty of five percent if payment is not more than thirty days delinquent, with an additional five percent for each thirty days or fraction thereof during which the payment continues delinquent not to exceed twenty-five percent in the aggregate.

In the case of a false or fraudulent application where willful intent exists, penalty of fifty percent of the amount of the proper tax shall be assessed.

1-2 Article 11, Chapter 9 is amended as follows:

1-2-1 Section 52 is amended and readopted as follows:

#### SECTION 9-52. CONTRACTORS.

Every person who accepts or offers to accept orders or contracts for doing any work on or in any building or structure, requiring the use of paint, stone, brick mortar, wood, cement, structural iron or steel, sheet iron, galvanized iron, metallic piping, tin, lead, or other metal or any other building material or who shall accept or offer to accept contracts to do any paving, curbing or other work on sidewalks, streets, alleys, or highway or public or private property, using asphalt, brick, stone, concrete wood or any composition, or, who shall accept or offer to accept an order or to contract to excavate earth, rock or other materials for foundation or any other purpose, or who shall accept an order or contract to construct any sewer of stone, brick, terra cotta or other material, shall be deemed to be a general contractor and shall pay an annual license tax of fifty dollars on the first ten thousand dollars of gross receipts and in addition thereto, ten cents per one hundred dollars on all additional gross receipts; provided, that any person engaged in the business of electrical plumbing, steam fitting, well drilling or digging and air-conditioning shall also be deemed to be contractors and pay for the privilege of the same license as that required of contractors by this section.

Every person who or which accepts or offers to accept contracts for the clearing and/or grading of grounds, the clearing and/or grading of rights-of-way for streets, driveways, line poles or towers, shall be deemed liable for and pay the same license tax as imposed on other contracts in this section. And, provided, further, that any person engaging in the business of selling and installing air-conditioning units which are placed in windows or other openings with frames and requiring no ducts, shall be deemed a merchant and shall pay a license tax as imposed on merchants in this Chapter.

The Commissioner of the Revenue in performing his duties shall have authority to require any person having a contractor's license in this County to furnish a list of subcontractors to whom any part of the original contract is sublet, and the amount of such subcontract. Any person refusing to furnish such information shall be liable to a fine of not less than ten dollars nor more than one hundred dollars, recoverable before the County court of this County. Each day's failure to furnish such information shall constitute a separate offense.

#### SECTION 2. EFFECTIVE DATE

2-1 The effective date of this ordinance shall be from and after its passage and legal application, and its provisions shall be in force thereafter, save those provisions which may, from time to time, be amended or repealed.

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#### 8. STATEMENT OF INTENT BY BOARD RE PROCEEDING WITH SANITARY DISTRICT NUMBER 3

Mr. McCann presented a synopsis of the public hearing held at Rawls Byrd Elementary School. The County Administrator's office will investigate various methods of paying for the initial connection fee and for determining monthly service charge, and with work with engineers as to whether certain portions of the system could be eliminated for other portions where the need would be greater.

October 8, 1973

Mr. Edwards moved that the Board go on record that it supports the development of the sewerage system in Sanitary District No. 3. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

9. RESOLUTION TO RETURN OVERPAID TAXES TO ROBERT H. JONES, JR., POWHATAN DISTRICT

Mr. Waltrip moved the approval of the resolution to return overpaid taxes to Robert H. Jones, Jr., Powhatan District. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mr. Robert H. Jones, Jr., was erroneously assessed for personal property located in James City County on his 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mr. Jones overpaid his tax by the amount of \$284.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator be authorized to refund the amount of \$284.00 to Mr. Robert H. Jones, Jr.

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of October, 1973.

10. ANNUAL REPORT FROM V.P.I. EXTENSION SERVICE - M. W. BRYANT

Mr. Bryant introduced his staff and presented his Annual Report to the Board, a copy of which is on file in the office of the County Administrator.

11. RESOLUTION - W. L. GOFF, COMMISSIONER OF THE REVENUE

Mr. Donaldson moved that an appropriate resolution for the family of Mr. W. L. Goff, be prepared and presented at the next Board meeting. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

12. LEGISLATIVE SESSION

The Board set the date of October 15, 1973, at 7:30 P. M., to work on legislation for 1974 to submit to the General Assembly.

13. SOUTH HENRY STREET EXTENSION

Mr. John Weber, Jamestown District, inquired as to whether the Board would consider taking a firm position on the South Henry Street extension -- or did the lack of taking no position at the public hearing indicate approval of the extension.

Mr. Jack Coffman also requested the position of the Board as to this extension. He wished to know if by taking no position if this is an endorsement of the extension?

Mr. Donaldson replied that the County's taking no position could be construed as lack of a position and not as support of the road. He felt that the road served no general interest in the County, but on the other hand did not know the road caused difficulties as a road other than contributing to major congestion of a road already planned. For the County to oppose would indicate a lack of sympathy or lack of cooperation with the City of Williamsburg.

General discussion followed.




October 22, 1973  
 October 15, 1973  
 October 8, 1973

Mr. Edwards hoped that Mr. Weber and Mr. Coffman would take part in the comprehensive planning of the County, indicating that their arguments were supportive of the need in this community to control growth.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
 Thomas R. McCann, Jr., County Administrator

  
 Abram Frink, Jr., Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FIFTEENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-THREE

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator

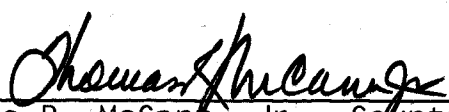
2. LEGISLATIVE SESSION

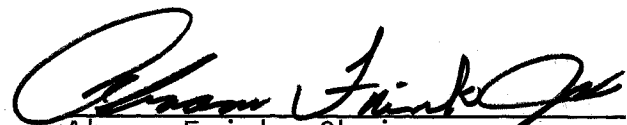
On a motion by Mr. Donaldson, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby adjourns to executive session to discuss legislation for 1974 and personnel matters.

The County Administrator was directed to take a roll call vote which is recorded as follows:

Mr. Waltrip	-	Aye
Mr. Edwards	-	Aye
Mr. Donaldson	-	Aye
Mr. Taylor	-	Aye
Mr. Frink	-	Aye

Motion carried by a unanimous vote.

  
 Thomas R. McCann, Jr., County Administrator

  
 Abram Frink, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SECOND DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator

Mr. McCann introduced the new County Attorney, Mr. Frank Morton, III.

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2. HIGHWAY MATTERS

## (a) Resolution

Mr. Edwards moved the approval of resolution requesting the Highway Department to accept Sheffield Road in Windsor Forest, Section 1, into the State Secondary System. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

WHEREAS, the developer of Windsor Forest, Section 1 Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, The Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following street in Windsor Forest Subdivision, Powhatan Magisterial District, James City County in the State Secondary Highway System.

## Description:

Sheffield Road - From: Intersection of Rt. 612  
To: .253 mi. NE of Intersection of Rt. 612

A Right-of-Way of 60 feet is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section 1, Plat Book 28, Page 52.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Windsor Forest Subdivision and the Resident Engineer of the Department of Highways.

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The Board asked Mr. Yeatts, Resident Engineer, about the following roads:

Berkeley Town Road - Mr. Yeatts said motor grading could be done.  
Carriage Road - Debra Drive impassable - Mr. Yeatts said these could be graded.  
Route 60-168 - Hole to be fixed.

3. RESOLUTION OF SYMPATHY TO FAMILY OF W. LEONARD GOFF, COMMISSIONER OF THE REVENUE

Mr. Donaldson moved the adoption of the resolution of sympathy to the family of Mr. W. Leonard Goff, Commissioner of the Revenue. The motion was seconded by Mr. Taylor, and carried by a unanimous roll call vote.

WHEREAS, the citizens of James City County were deeply saddened by the untimely passing of Mr. W. Leonard Goff on Thursday, September 27, 1973; and

WHEREAS, Mr. W. Leonard Goff became the Commissioner of the Revenue for the County of James City on January 1, 1964, and served in this capacity continuously from that time; and

WHEREAS, during the nine years of his service to the citizens of the County, Mr. Goff distinguished himself as a loyal, conscientious, and considerate public servant reflecting the high ideals which reside in such a position of public trust; and

WHEREAS, Mr. Goff demonstrated his interest in civic affairs through his active participation as a member and past president of the Williamsburg Lions Club; as Vice Commander of Post #39 of the American Legion; and as a member of the James City Ruritan Club;

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, that the Board extend its sincere sympathy to the family of Mr. W. Leonard Goff and that a copy of this resolution be spread across the minutes of this meeting of the Board of Supervisors;

BE IT FURTHER RESOLVED That a copy of this resolution be forwarded to Mrs. W. Leonard Goff.

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4. REPORT OF FEASIBILITY STUDY COMMITTEE ON THE MERGER OF SOCIAL SERVICES AGENCIES OF JAMES CITY COUNTY, CITY OF WILLIAMSBURG AND YORK, COUNTY, VA

Mrs. Irene Douglas presented the report of the Feasibility Study Committee with the endorsement of the merger of the three Social Services Agencies into one agency.

The Board expressed concern about some of the projected statistics. Discussion followed.

Upon Mr. McCann's recommendation, Mr. Frink moved that this report be transmitted to the Social Services Board and to the County Administrator for study and recommendation back to the Board regarding a preferred course of action. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

5. RECONSIDERATION OF ALLEN'S ORDINARY DEVELOPMENT COMPANY REZONING

The Board reviewed a letter of October 12, 1973, from Mr. J. R. Zepkin with a description of the parcel being rezoned in the name of Allen's Ordinary Development Company.

Mr. Frink moved that a 50± acre parcel located at Route 168 be zoned from A-1 GENERAL AGRICULTURE to B-1 GENERAL BUSINESS as requested by Allen's Ordinary Development Company. The motion was seconded by Mr. Taylor and passed by a majority roll call vote. Mr. Edwards and Mr. Donaldson voted no.

6. AGREEMENT WITH CITY OF NEWPORT NEWS FOR THE CONSTRUCTION OF A WATER LINE FROM BLACK'S CROSSING TO ROUTE 5

Mr. McCann presented the revised draft of contract between the City of Newport News on an extension of the Newport News water line from Black's Crossing to Route 5.

General discussion followed. Mr. Edwards noted his disagreement.

Mr. Waltrip moved that the agreement be approved with the establishment of the 50 year term added and that the Chairman and County Administrator be authorized to sign the necessary documents. The motion was seconded by Mr. Taylor and carried by a majority roll call vote. Mr. Edwards voted no.

7. CONSIDERATION OF AGREEMENT WITH STONE, BLAND AND WOOD FOR LEGAL SERVICE FOR SANITARY DISTRICT NO. 3.

An agreement with Stone, Bland and Wood for legal service for Sanitary District No. 3 was presented and discussed.

Mr. Edwards moved to defer action until the next meeting of the Board. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

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8. CONDITIONAL USE PERMIT FOR COLONY POINT CONDOMINIUMS

Mr. Taylor moved that the Conditional Use Permit be granted with conditions noted for Colony Point Condominiums.

1. The site is to be developed and maintained with an approved site plan.
2. Construction must begin within one year from the date of issuance of the Conditional Use Permit; failure to do so voids permit.
3. Prior, during and after construction, effective sedimentation and erosion control devices shall be employed in accordance with an approved soil erosion control plan to be submitted by the developer.
4. The developer agrees to connect to the proposed water line which will be located at the intersection of Route 31 and 199 upon completion. The developer will be responsible for placing the necessary line in Jamestown Road to meet this condition.
5. The developer understands that he might be required to connect to a Sanitary District III sewer line when it becomes available.
6. The entrance sign design is submitted to and approved by the Administrator or his designee as per Section 12-14 of the County Zoning Ordinance.

The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

9. RESOLUTION PERTAINING TO NOVEMBER HOLIDAYS AND CANCELLATION OF BOARD MEETING

Mr. Frink moved that the resolution pertaining to the holidays for the month of November be approved. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

## RESOLUTION

BE IT RESOLVED by the Board of Supervisors of James City County that Tuesday, November 6 (Election Day); Monday, November 12 (Armistice Day); and Thursday, November 22 (Thanksgiving Day); be declared holidays for all County employees.

Mr. Waltrip moved that the November 12th meeting of Board of Supervisors be cancelled. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

10. RESOLUTIONS RECOMMENDING CERTAIN LEGISLATION BY THE GENERAL ASSEMBLY

## RESOLUTIONS

- (a) Authorizing Boards of Supervisors to appoint Boards of Equalization of real estate assessments.

RESOLUTION REQUESTING AN AMENDMENT TO SECTION 58-769.2 OF THE CODE OF THE STATE OF VIRGINIA TO AUTHORIZE BOARDS OF SUPERVISORS TO APPOINT BOARDS OF EQUALIZATION OF REAL ESTATE ASSESSMENTS.

WHEREAS, Section 58-769.2 of the State Code authorizes Commissioners of the Revenue to carry out an annual program of real property assessments when requested to do so by Boards of Supervisors and agreed to by said Commissioners; and

WHEREAS, there is no provision in the law which authorizes the establishment of a Board of Equalization of Real Estate Assessments to review such annual assessments;

NOW, THEREFORE, BE IT RESOLVED, that Section 58-769.2 be amended to authorize Boards of Supervisors to appoint a Board of Equalization of Real Estate Assessments so as to fully implement the procedure set forth in that Section.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Waltrip and carried by a majority roll call vote. Mr. Taylor voted no.

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- (b) Authorizing Boards of Supervisors to create offices of real estate assessments.

RESOLUTION REQUESTING THE ESTABLISHMENT OF A NEW GENERAL LAW WHICH PERMITS THE BOARD OF SUPERVISORS TO CREATE AN OFFICE OF REAL ESTATE ASSESSMENTS AND A BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS AND TRANSFER THE REAL ESTATE ASSESSMENT FUNCTIONS FROM THE COMMISSIONER OF THE REVENUE.

WHEREAS, under the County Administrator form of government in the State of Virginia, Commissioners of the Revenue are charged with responsibility for the assessment of real property; and

WHEREAS, the need for trained professionals in this complicated field is fundamental to the fair and equitable taxation of real property for all citizens of Virginia Counties; and

WHEREAS, the State Code currently does not permit a simplified procedure for Counties wherein this may be accomplished.

NOW, THEREFORE, BE IT RESOLVED, that the Code of the State of Virginia be amended to permit Boards of Supervisors to establish offices of Real Estate Assessments and to transfer real estate assessment functions from the Commissioner of the Revenue to such offices in order to effectively carry out a fair and equal real estate assessment system.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Waltrip and carried by a majority roll call vote. Mr. Taylor voted no.

- (c) Authorizing local jurisdictions to provide for joint offices of real estate assessments.

RESOLUTION REQUESTING THE ENACTMENT OF A GENERAL LAW WHICH AUTHORIZES LOCAL JURISDICTIONS TO PROVIDE FOR JOINT OFFICES FOR THE ANNUAL REASSESSMENT OF REAL ESTATE.

WHEREAS, there are many instances where adjoining cities and counties could conveniently carry on joint procedures with regard to appraisals and assessments of real property and

WHEREAS, such joint appraisal would provide for the fair and equitable taxation of real property across jurisdictional lines to the advantage of such coterminous jurisdictions wherein lax property assessment procedures unfairly work to the advantage of certain citizens both corporate and private; and

WHEREAS, the establishment of such joint offices would permit economies of scale, greater professionalism, interjurisdictional equality, and fair treatment of all affected citizens;

NOW, THEREFORE, BE IT RESOLVED, that State legislation be enacted which would authorize neighboring jurisdictions to enter into joint agreements for the establishment of joint offices of Real Estate Assessments in order to carry out an aggressive real property tax assessment program.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Waltrip and carried by a majority roll call vote. Mr. Taylor voted no.

- (d) Permitting or mandating a tax on disposable beverage containers.

Mr. Edwards moved approval of the resolution. The motion was seconded by Mr. Frink. This resolution was denied by a majority roll call vote. Mr. Donaldson, Mr. Taylor and Mr. Waltrip voted no.

- (e) Authorizing the amortization of open-air nonconforming uses (junk yards, billboards) so as to ensure the timely removal of such uses on equitable basis.

RESOLUTION REQUESTING THE ENACTMENT OF A GENERAL LAW WHICH EXPRESSLY AUTHORIZES THE AMORTIZATION OF OPEN-AIR NONCONFORMING USES (JUNK YARDS, BILLBOARDS) SO AS TO ENDURE THE TIMELY REMOVAL OF SUCH USES ON EQUITABLE BASIS.

WHEREAS, some Counties in the State of Virginia have enacted zoning ordinances or amendments to zoning ordinances which require the removal of nonconforming uses within a certain

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specified time; and

WHEREAS, the elimination of certain nonconforming uses may be more equitably accomplished through a fair form of amortization of property value residing in the nonconforming use; and

WHEREAS, there is a need for certain State legislation which will clarify the authority for the amortization of nonconforming uses which do not involve a substantial building structure;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the State legislature be requested to enact a general law which will expressly permit local jurisdictions to include in their zoning ordinances certain provisions which authorize the amortization of certain open-air nonconforming uses such as junk yards and billboards, not involving a substantial structure, in order to enable the more effective resolution of land use problems affecting the general welfare.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

- (f) Requiring that population be used as part of the formula for allocation of secondary road funds in the State Highway Department Budget.

RESOLUTION REQUESTING THE ENACTMENT OF A GENERAL LAW TO REQUIRE THAT POPULATION BE USED AS PART OF THE FORMULA FOR ALLOCATION OF SECONDARY ROAD FUNDS IN THE STATE HIGHWAY DEPARTMENT BUDGET.

WHEREAS, certain Counties in the State of Virginia are experiencing rapid growth which severely taxes numerous public services in those jurisdictions; and

WHEREAS, existing secondary road systems within those growing Counties are insufficient to meet the demands which an increasing population places upon them; and

WHEREAS, the allocation of secondary road funds for the improvement, expansion, and extension of new roads within said Counties does not take into account rapid population increase; and

WHEREAS, as a result, road construction in rapidly growing Counties is severely reduced thus placing a much higher burden on existing road systems and substantially increasing the risk factor with regard to the use of those roads;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that State legislation be enacted which will require the State Highway Department to include a population change factor as a part of their formula for the allocation of secondary road funds to assist rapidly growing Counties in meeting the needs which increased population places upon them.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

- (g) Permitting local option income tax for Virginia jurisdictions.

RESOLUTION REQUESTING THE ENACTMENT OF A GENERAL LAW WHICH WILL PERMIT LOCAL OPTION INCOME TAX FOR VIRGINIA JURISDICTIONS.

WHEREAS, the cost of providing public services has increased substantially over the last decade; and

WHEREAS, the number of tax or service charge alternatives available to local jurisdictions in Virginia have not been sufficient in many instances to cover the cost of such services; and

WHEREAS, the cost of education, public works, police and fire services are essential to the well being of Virginia citizens and represent the largest portion of any budget; and

WHEREAS, the enactment of State legislation permitting labor unions in local jurisdictions has substantially increased the cost of providing public service;



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NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors, that the additional tax alternative of a local option piggy-back income tax be authorized for use by localities in the State of Virginia as a viable alternative to generate additional funds for the support of essential public services.

Mr. Edwards moved approval of the resolution. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Waltrip abstained and Mr. Taylor voted no.

- (h) Amending Section 15.1-491 of the Code of the State of Virginia which permits Counties having the urban County executive form of government to enter into contractual rezonings to apply to all Counties.

**RESOLUTION REQUESTING AN AMENDMENT TO SECTION 15.1-491 of THE STATE OF VIRGINIA WHICH PERMITS COUNTIES HAVING THE URBAN COUNTY EXECUTIVE FORM OF GOVERNMENT TO ENTER INTO CONTRACTUAL REZONINGS TO APPLY TO ALL COUNTIES.**

WHEREAS, the 1973 session of the General Assembly enacted Section 15.1-491(a) which permits contractual rezoning; and

WHEREAS, such a device is often useful to encourage developers to more appropriately use land under certain circumstances; and

WHEREAS, said amendment was made applicable to Counties with the urban County executive form of government only; and

WHEREAS, such an alternative would be helpful to all Counties in carrying out their zoning ordinances for the benefit of all the people;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the State legislature be requested to amend Section 15.1-491 to permit all Counties to use this sevice as a part of their zoning ordinances.

Mr. Donaldson moved approval of the resolution. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

11. REPLACEMENT OF TRACTOR TANKER #1 AND THE TRANSFER OF FUNDS.

Mr. Taylor moved that \$3750 be transferred from (18E) Contingent Account to Fire Department (7A) Capital Outlay for the replacement of tractor tanker #1. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

The total amount available for this unit is \$7500, since York County contributed a similar amount of \$3750.

12. AUTHORIZATION OF A SUPPLEMENT TO THE CODE OF THE COUNTY OF JAMES CITY

Mr. Donaldson moved that all ordinances of a general and permanent nature, adopted subsequent to April 24, 1972 and on or before October 22, 1973, to be codified and included in the Code of the County of James City. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

13. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of October, 1973.

General Fund

Checks #7939 through #8108  
Totalling \$292,455.72

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Sanitary District #2

Checks #202 through #208  
Totalling \$58,400.42

Sanitary District #3

Checks #101 thorough #102  
Totalling \$5,177.00Williamsburg-James City County  
School Construction Bond Issue  
of 3/1/72Check #120  
Total \$365,000.00Williamsburg-James City County  
Courthouse Construction AccountChecks #220 through #223  
Totalling \$1,469.73

## REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

14. RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG

Mr. Waltrip moved that the resolution designating the United Virginia Bank of Williamsburg the depository for the James City County Revenue Sharing fund be approved. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

## RESOLUTION

## UNITED VIRGINIA BANK OF WILLIAMSBURG

BE IT RESOLVED, that the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County Revenue Sharing Fund, and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Abram Frink, Jr.

Chairman

OR

Mayo W. Waltrip

Vice-Chairman

T. R. McCann

County Administrator

OR

John W. Watkins

Assistant to the Administrator

Frances B. Whitaker

Treasurer

OR

Eunice P. Stewart

Deputy Treasurer

OR

Betty Angle

Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank. This resolution shall be effective on and after August 27, 1973.

15. WETLANDS BOARD APPOINTMENT - LEONARD P. HARRIS

Mr. Donaldson moved that Mr. Leonard P. Harris be reappointed to the James City County Wetlands Board for a term of five years. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

16. MENTAL HEALTH-MENTAL RETARDATION BOARD APPOINTMENT - DR. JOHN MULLANEY

Mr. Frink moved that Dr. John Mullaney be appointed to the Mental

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Health and Mental Retardation Board for a term of four years. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

17. RESOLUTION RE COOPERATIVE AREA MANPOWER PLANNING SYSTEM (CAMPS)

Mr. Frink moved approval of the following resolution. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Manpower Revenue Sharing can be made available to large jurisdictions to the exclusion of smaller towns and counties under currently contemplated federal legislation; and

WHEREAS, James City County is below the population limit for eligibility for Manpower Revenue Sharing funds; and

WHEREAS, the Cooperative Area Manpower Planning System (CAMPS) has determined that it would be advantageous to the peninsula area to enter into a consortium to include all peninsula jurisdictions so as to ensure that manpower funds will be available to all potential participants in the region;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the Board endorse the idea of cooperation in Manpower Revenue Sharing on a multi-jurisdictional basis so as to take advantage of possible future programs that will benefit the residents of James City County, and

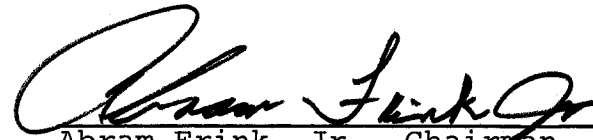
BE IT FURTHER RESOLVED, that the Board of Supervisors request that any future working agreements along these lines be returned to the Board for its final approval.

18. LAFAYETTE HIGH SCHOOL WEEK - OCTOBER 21 - 28, 1973

Mr. Frank moved to designate the week of October 21 - 28 as Lafayette High School Week. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SIXTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

2. MINUTES

Mr. Waltrip moved the approval of the minutes of October 8, 15 and 22, 1973, as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

Mr. H. H. Gordon, Berkeley District, presented a petition of over

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200 residents of the Route 5 area lying between Five Forks and the City of Williamsburg requesting speed limit on Route 5 be reduced from 55 mph to 35 mph.

General discussion followed.

The Board requested Mr. McCann to check into the correct procedure to see that this speed limit is reduced.

Mr. Yeatts informed the Board that Alesa, Carriage and Debra Drives and Berkeley Town road had been graded.

4. CONSIDERATION OF AN ORDINANCE TO ADOPT SECTION 12-15 OF THE ZONING ORDINANCE OF THE COUNTY OF JAMES CITY. (4-10/8/73)

This ordinance provides for building expansion beyond building restriction lines. The board received the Planning Commission's recommendation to deny the amendment.

General discussion followed.

Mr. Waltrip moved the approval of this amendment as presented. The motion was seconded by Mr. Taylor and was denied by a majority roll call vote. Mr. Edwards, Mr. Donaldson and Mr. Frink voted no.

Mr. Frink requested that since this amendment was to help Jack Massie, that the County staff see how Mr. Massie's problem can be solved.

Mr. McCann commented that this property is being used well and is a credit to the County and felt that the answer is going to come from a complete review of the Zoning Ordinance with an eye toward more realistic setting of side and front yard lines.

5. CONDITIONAL USE PERMIT FOR JAMESTOWN 1607 TOWNHOUSES FOR SALE

Mr. Waltrip moved the issuance of a Conditional Use Permit for Jamestown 1607 Townhouses for sale with the eight conditions as shown in memorandum to the Board. The motion was seconded by Mr. Taylor and after discussion carried by a unanimous roll call vote.

CONDITIONS:

1. The site is developed and maintained in accordance with an approved site plan.
2. Construction must begin within one year from the date of issuance of the Conditional Use Permit; failure to do so voids permit.
3. Prior, during and after construction, effective sedimentation and erosion control devices shall be employed in accordance with an approved soil erosion control plan to be submitted by the developer.
4. The entrance sign design is submitted to and approved by the Administrator or his designee as per Section 12-14 of the County Zoning Ordinance.
5. Documentation of the manner in which the civic or homeowner's association will be set up is submitted and approved by the Administrator or his designee.
6. A landscape plan is submitted to be reviewed and approved by the Administrator or his designee.
7. All finished floor elevations are higher than elevation 7.5 as per Section 873.5 of the Virginia Uniform Statewide Building Code, Administrative Amendments amended October 9, 1973.
8. All utilities will be underground.

6. REIMBURSEMENT OF OVERPAYMENT OF TAXES - Mr. & Mrs. Raymond Englert; Gelco Co.

Mr. Waltrip moved the approval of resolutions to refund overpayment of taxes in the amount of \$23.20 to Mr. and Mrs. Raymond Englert, and \$76.00 to

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Gelco Co. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

## RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mr. & Mrs. Raymond Englert were erroneously assessed for personal property located in James City County on their 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mr. & Mrs. Englert overpaid their tax by the amount of \$23.20;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator be authorized to refund the amount of \$23.20 to Mr. & Mrs. Raymond Englert.

## RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Gelco Corporation was erroneously assessed for personal property located in James City County on their 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Gelco Corporation overpaid its tax by the amount of \$76.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator be authorized to refund the amount of \$76.00 to Gelco Corporation.

7. CONTINUING GRANT FOR JUVENILE PROBATION VOLUNTEER PROGRAM

Mr. Donaldson moved the approval of the continuing grant #72A 1399 from the Division of Justice and Crime Prevention with matching funds in the amount of \$422.48 provided out of current Probation Dept. budget. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

8. CONSIDERATION OF APPOINTMENTS TO JAMES CITY COUNTY COMPREHENSIVE PLANNING COMMITTEE.

Mr. McCann presented the booklet "James City County Prepares for Planning" prepared by the Planning Department. He also introduced the new members of the Comprehensive Planning Team--Mr. William Brown, and Mr. Michael Tompkins.

Mr. Donaldson moved that the Board defer action on the appointments until the agenda items were completed. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

9. DATE FOR PUBLIC HEARING FOR REZONING FROM A-1 AGRICULTURE TO R-1 LIMITED RESIDENTIAL FOR ST. GEORGE'S HUNDRED

Mr. Taylor moved that the Board advertise for rezoning of St. George's Hundred for public hearing on December 17, 1973 at 7:30 P.M. in the Courthouse. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

9a. SETTING DATE FOR DECEMBER BOARD OF SUPERVISORS' MEETING

Mr. Edwards moved that the Board have only one meeting for the month of December and set the date for Monday, December 17, 1973. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

10. DATE FOR PUBLIC HEARING OF ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, CODE OF JAMES CITY COUNTY, VIRGINIA, PERTAINING TO MAGISTERIAL DISTRICTS AND ELECTION DISTRICTS.

Mr. Taylor moved to schedule and advertise for Public Hearing the above ordinance for December 17, 1973 at 7:30 P.M. at the Courthouse. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

11. DATE FOR PUBLIC HEARING OF ORDINANCE ESTABLISHING CONNECTION POLICY IN SANITARY DISTRICT #3

Mr. Donaldson moved to schedule and advertise for Public Hearing of the ordinance establishing connection policy in Sanitary District #3 for December 17, 1973, at 7:30 P.M. at the Courthouse. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

12. AGREEMENT WITH STONE, BLAND AND WOOD FOR LEGAL SERVICES FOR SANITARY DISTRICT #3.

Mr. Donaldson moved the approval of the agreement with the law firm of Stone, Bland and Wood to complete the necessary legal work for Sanitary District #3 setting the fees at \$35.00 an hour for the attorney's time and \$15.00 an hour for clerical work. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

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13. TRANSFER OF FUNDS FOR LANDFILL IMPROVEMENTS

Mr. Donaldson moved the acceptance of the County Administrator's recommendation to make site improvements at the landfill and transfer \$3,500 from the Contingent Fund (18E) to Refuse Disposal (10C). The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

14. TRANSFER OF FUNDS FOR RELOCATION OF COUNTY ADMINISTRATIVE OFFICES

Mr. Donaldson moved that the lease agreement for offices in the Tidewater Bank building be approved and that \$25,296.00 be transferred from the Contingent Fund (18E) to Buildings and Grounds (14A) and that the Chairman and County Administrator be authorized to sign the necessary documents. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

15. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Donaldson, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of November, 1973.

General Fund	Checks #8109 through #8328 Totalling \$362,886.19
Sanitary District #1	Check #195 Total \$2,222.65
Sanitary District #2	Checks #209 through 218 Totalling \$32,520.45
Sanitary District #3	Check #103 Total \$6,597.00
Williamsburg-James City County Courthouse Construction Acct.	Check #224 Total \$76.15

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR16. PLANNING COMMISSION VACANCIES

Mr. Frink moved that the County Administrator's office advertise the vacancies becoming available in January on the Planning Commission. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Donaldson moved that the meeting be adjourned to executive session to consider personnel matters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS - November 26, 1973.

17. APPOINTMENTS TO THE COMPREHENSIVE PLANNING COMMITTEE

Mr. Edwards moved the approval of the following applicants as members of the Comprehensive Planning Committee. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Robert O. Bush	Wallace C. Sawyer
J. M. Cottrell	Sally W. Soest (Mrs. J. F.)
Bruce K. Goodwin	Stephen A. Turner
Eugene J. Hofmeyer, Jr.	Louis F. Vosteen
Elaine A. Houghland (Mrs.)	Alma White (Mrs.)
Rudy Johnston	Gerald Mephram
James H. Richardson	


18. V. P. I. EXTENSION AGENT APPOINTMENT


Mr. Waltrip moved the approval of the appointment of Mrs. Gilda Davis at an annual salary of \$9,168 beginning January 1, 1974. As of July 1, 1974, her salary will be increased to \$9,600. To defray the County's share of Mrs. Davis' salary the Board hereby appropriates \$2,220 for the period January 1 to June 30, 1974; and \$420 and \$60 to raise the County's minimum for Mrs. Virginia Davis and Miss Marion Puster. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

19. HOLIDAYS

On a motion by Mr. Taylor and seconded by Mr. Waltrip, Monday, December 24, 1973 and Monday, December 31, 1973, were declared holidays for County employees. The motion was carried by a unanimous roll call vote.

On a motion by Mr. Donaldson, seconded by Mr. Waltrip, and carried by a unanimous roll call vote, the meeting was adjourned to reconvene on December 3, 1973.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman



December 3, 1973

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRD DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator

2. RESOLUTION REQUESTING REDUCTION OF SPEED LIMIT ON ROUTE 5 FROM 55 MPH TO 40 MPH.

RESOLUTION

The Board of Supervisors of James City County has received a petition from more than 180 persons asking that the speed limit on Virginia Route 5 be reduced. We unanimously urge the State Highway Commission to reduce the limit to 40 miles per hour from Five Forks to the Williamsburg city limits.

The Board of Supervisors is also concerned about the speed limit on Route 615. We unanimously urge the State Highway Commission to reconsider the limit between Route 31 and the Williamsburg city limit, and to reduce the present limit of 55 miles per hour to 40 miles per hour.

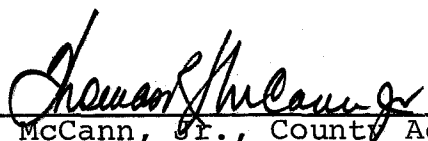
Mr. Edwards moved the approval of the resolution requesting a reduction in speed limit on Route 5. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

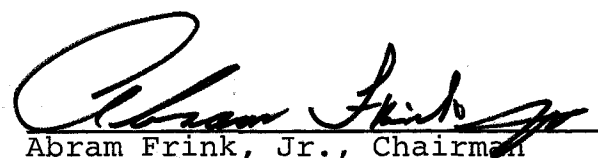
3. REQUEST FOR OFFICE SPACE IN COURTHOUSE

Mr. Edwards submitted a resolution for Board consideration requesting the Board of Supervisors to allow Delegate George W. Grayson to use two offices in the basement of the Courthouse for a district legislative office. It was understood that the offices would be used only until such time as they were needed by the County.

After discussion, the Board requested that Mr. Edwards get back in touch with Mr. Grayson to determine the particulars with regard to hours that the office would be open, whether or not it would be staffed full time, and so forth.

On a motion by Mr. Waltrip, seconded by Mr. Donaldson, and carried unanimously, the Board adjourned into executive session to consider personnel matters.

  
 Thomas R. McCann, Jr., County Administrator

  
 Abram Frink, Jr., Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTEENTH DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. Jack D. Edwards, Berkeley District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Stewart U. Taylor, Stonehouse District

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Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

Due to the fact that December 17th meeting had to be postponed because of a snowstorm, the Public Hearings scheduled for this meeting are to be readvertised for the January 14th, 1974, Board meeting (Nos. 2, 3 and 4 of the 12/17/73 Agenda). See Item No. 20.

5. EMERGENCY ORDINANCE TO INCREASE WATER CONNECTION FEES IN  
SANITARY DISTRICT #2.

In order to adjust the revised Newport News water connection charges effective January 1, 1974, Mr. Frink moved the adoption of the Emergency Ordinance amending Section 5.03, water availability charges of Ordinance 36. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

ORDINANCE NO. 36A-3

AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 36, ENTITLED AN ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NO. 2, JAMES CITY COUNTY, VIRGINIA, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Ordinance No. 36, entitled An Ordinance Establishing An Operating Policy for Sanitary District No. 2, James City County, Virginia, be and the same is, hereby, amended and reordained by amending Section 5.03, Water Availability Charges to read as follows:

AN ORDINANCE ESTABLISHING AN OPERATING POLICY  
FOR  
SANITARY DISTRICT NO. 2  
JAMES CITY COUNTY, VIRGINIA

5.03 Water Availability Charges

There shall be a water availability charge payable to the District at the time application is made for connection to the water distribution system. The District will, in turn, pay applicable charges to the Newport News Water Department.

(a)	<u>Meter Size</u>	<u>Availability Charge</u>
	5/8"	\$ 280.00
	3/4"	370.00
	1 "	430.00
	1 1/2"	630.00
	2 "	750.00
	3 "	400.00 + cost
	4 "	600.00 + cost
	5 "	800.00 + cost
	6 "	1,000.00 + cost

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

- (b) A building under one roof, owned or leased by one party, and occupied as one business or residence, the availability charge will be according to meter size or as otherwise stated herein.
- (c) The availability charge for the first unit, cabin, space, lot, store, or base of all facilities shown below shall be that shown, or the availability charge for the size of meter used, whichever is the greater.

Duplex House (defined as having two dwelling units under one roof), the availability charge shall be \$280.00 for the first unit and \$280.00 for the additional unit.

Multi-family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$450.00 for the first dwelling unit and \$250.00 for each dwelling unit in addition to the first unit.

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Motels, Tourist Cabins and Tourist Courts, where multiple units or cabins use a single water service connection, there shall be an availability charge of \$450.00 for the first dwelling unit and for each dwelling unit in addition to the first, the charges shall be:

For a 0 - 50 Unit Installation	\$70.00
For a 51 - 100 Unit Installation	\$55.00
For an over 100 Unit Installation	\$45.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03a plus a charge of \$70.00 for each trailer or mobile home space or trailer lot in addition to the first trailer or mobile home space or lot.

Shopping Centers and Commercial Groups (where two or more stores or commercial establishments are grouped together to form a complex having one water connection and meter for the entire group) - The availability charge shall be \$480.00 for each separate store or rental space within the complex.

Subdivision Developments (where water distribution mains have been installed at the expense of the developer in accord with standards of the District and such mains dedicated to and accepted by the District) - The availability charge shall be \$180.00 for 5/8" meter and \$240.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$480.00 base charge, plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$480.00 base charge plus \$55.00 per delivery hose.

Schools - The availability charge shall be \$630.00, plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$630.00, plus \$18.00 per bed.

- (d) Subsequent to the approval of the initial application for such water service connections outlined above, no service shall be provided for any additional single or multiple units or spaces before the availability fee or fees are paid therefor.
- (e) After the end of the first two years, the availability charge for all units shall be increased by \$150.00 for the first unit and by 50% for all additional units.
- (f) Where the above schedule of availability charges is not applicable to an application for water service, the proposed service shall be investigated by the Administrator and/or the committee. The Administrator and/or the committee, upon completion of its investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

An emergency is hereby declared to exist and this ordinance shall be in effect from the date of its passage.

6. RESOLUTION FROM THE PLANNING COMMISSION REQUESTING A FLOOD PLAINS STUDY

Mr. Donaldson moved the adoption of the resolution from the Planning Commission requesting the Board to secure a flood plain study from the Soil Conservation Service. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City at the present time has no flood plain study, and

WHEREAS, impending developments may be encroaching on the flood plain, and

WHEREAS, such encroachment may be hazardous to the health, safety,

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and welfare of present and future residents of James City County.

NOW THEREFORE BE IT RESOLVED that the Planning Commission of James City County hereby requests that the Board of Supervisors proceed in a most expeditious manner to secure a flood plain study from the Corps of Engineers for the purpose of defining the flood plain in various areas throughout James City County.

7. REPORT OF SUBSTANDARD HOUSING ORDINANCE STUDY COMMITTEE

Mr. A. White, Chairman of the Substandard Housing Ordinance Study Committee presented a report recommending (1) an appointment of a Housing Board, (2) formulation of a relocation program and (3) the designation of an agency to administer the ordinance.

Mrs. Irene Douglas commented from the floor that there is an immediate need for such a Board. She is concerned with the rental problem and absentee landlords.

General discussion followed.

Mr. Edwards moved that the matter be deferred until the next Board meeting. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

8. RESOLUTION REQUESTING STATE FUNDING FOR GROUP FOSTER HOMES  
(Teen Homes Inc.)

Mr. Donaldson moved the approval of the resolution requesting the State legislation to fund Group Foster Homes. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS the social service agencies of our community have called for the establishment of a group foster home to meet the needs of our children; and

WHEREAS the 1973 General Assembly enacted enabling legislation providing for the establishment and state financial support for such homes;

BE IT THEREFORE RESOLVED that the James City County Board of Supervisors hereby respectfully urges the 1974 General Assembly to appropriate funds for the immediate implementation of the legislation providing for the establishment and maintenance of group foster homes.

9. SUPPLEMENTAL GRANT APPLICATION FOR REGIONAL PROBATION HOUSE

Mr. Taylor moved the approval of a supplemental grant application for a Regional Probation House and the authorization to transfer \$158.23 from the Contingent Fund (18E) to the Contributions and Transfer (18C). The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

11. CROFFTON PLANNED COMMUNITY - PHASE I ROADS

Mr. Waltrip moved the approval of Phase I roads, to be constructed in conformance with State Highway Department standards, for Phase I of the Croffton Planned Community. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

10. REVISED MASTER PLAN FOR CROFFTON PLANNED COMMUNITY

Mr. Taylor moved the approval of the revised Master Plan for Croffton Planned Community which sets aside approximately 50 acres of land for public use. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

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12. FINAL PLANS FOR LITTLE TOWN QUARTER (KINGSMILL PLANNED COMMUNITY.)

Mr. Donaldson moved the approval of the Final plans for Little Town Quarter subject to the conditions recommended by the County Administrator. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

1. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of 1 year after 75% of the project is developed. If problems are noted which the developer can and should correct, then the developer will be required at his expense to install appropriate paved drainage channels or other appropriate workable stabilization techniques approved by the County.
2. School bus shelters and bus pull off lanes should be provided at the entrances to the development.
3. Monumentation of the area shall be as provided for in Sections 4-29 and 5-30 of the Subdivision Ordinance.

The final plan process will be established in two phases:

1. A submittal will be made to the Board of Supervisors consisting of initial final plans similar to preliminary plats in the Subdivision Ordinance. These plans have been submitted to, reviewed and approved by the Site Plan Review Committee and are the basis of these comments.
2. A submittal should be made to the County Administrator, or his designee, consisting of (1) complete final plans prior to and also for recording; and (2) community associates documentation as provided in Section 7-11-3 of the Zoning Ordinance. The Board should charge the County Administrator with the responsibility of protecting the County's interest through a detailed administration review of both plans and documents. The Board should further instruct the County Administrator not to release a plat of any lot or lots for recording and sale until all applicable standards and requirements are met by the developer. Consideration should include but not be limited to Section 7-2-3 (bonding) 7-3-3 (deed of easements, 7-3-5 (deeds of Public land), 7-9 (building locations), 7-10 (water and sewer), and 7-11 (street improvements) of the Zoning Ordinance.
3. Signage of the area will be in accord with overall signage plans previously approved by the County Administrator's office.
4. A lighting plan shall be submitted to and approved by the County Administrator.

13. RESOLUTION RE SANITARY DISTRICT #1 LIENS

Mr. Edwards moved the approval of the resolution to enter delinquent charges for use of sanitary sewer system in Sanitary District #1 in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

## RESOLUTION

## Sanitary District #1 - Liens

WHEREAS, the Manager of the James-York Joint -Sanitary Board has certified to the Board of Supervisors of the County of James City, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems are made and for which the charge was imposed,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Mr. Donaldson moved to go into executive session to discuss personnel matters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

November 30, 1973

## James City County - Sanitary District #1

Lien List

A/C #	Name & Address of Property	Description of Property	Amount	Fee	Total \$
80	Roland E. Collier & Ethel E. Collier 706 Mosby Dr.	Lot 97, Sec. 5, James Terrace	46.50	\$1.00	47.50
109	Leslie L. Chalkley & Eileen J. Chalkley 706 Coleman Dr.	Lot 11, Sec. 9, James Terrace	46.50	1.00	47.50
146	Charles <sup>J.</sup> Satterfield & Mary Sue Satterfield 908 Jackson Dr.	Part of lot 63 & 62, Sec. 4 James Terrace	63.00	1.00	64.00
171	Roland E. Michelli 918 Coleman Dr.	Lot 1, Sec. 8, James Terrace DB 109, P. 398, Map Bk 7, P. 108	62.25	1.00	63.25
178	Arthur R. & Rebecca W. Williams 1343 Merrimac Trail	Lot fronting 60 ft. on Merrimac Trail, P. B. 11, P. 4, Adj. Solomon Orange	46.50	1.00	47.50
190	Winfrey L. Fowler & Minnie Fowler Husband & Wife, 1447 Rt. 143	Solomon Orange Subdivision, D. B. 73, P. 330, P. B. 7, P. 16 Lot 50 ft. by 100 ft.	46.50	1.00	47.50
221	Ananias Johnson 1425 Merrimac Trail	Lot A, Adjoining Solomon Orange Estate	62.25	1.00	63.25
277	Arthur C. Devletian & Meredith A Devletian 703 Penniman Rd.	Lot 1, James Terrace D. B. 114, P. 628 P. B. 12, P. 16	46.50	1.00	47.50
279	Mark E. & Katherine B. Lusk 1207 Penniman Rd.	Lot fronting 95 ft. on Penniman Rd. shown as Lot 28-3 on J.C.C. property maps	46.50	1.00	47.50
280	Mark E. & Katherine B. Lusk 1209 Penniman Rd.	Lot part of Estate of J. P. Sharp	46.50	1.00	47.50
310	Kenneth Stafford Bradby 121 Wickre St.	Lot 21, Magruder View, Plat Bk 12, P.24 P. B. 11, P. 16	46.50	1.00	47.50
328	Franklin D. R. Long & Thelma Ashlock Husband & wife 103 Wallace Rd.	Subdivision of the property of Schuyler & Troy Smith being a part of D. B. 80, P.303 Sarah Wallace Estate	46.50	1.00	47.50



## CONTINUED

330	Ronnie L. Lassiter 1335 Oak Dr.	one-half acre adjoining Walter Smith estate	46.50	1.00	47.50
335	Mattie Foster 703 Mosby Dr.	Lot 104, Sec. 5, James Terrace	46.50	1.00	47.50
336	James Davis & Eva Mae Davis 1237 Oak Dr.	Lots 1 & 2 Old Penniman Rd. Estate of Thomas Kearney D. B. 56, P.110	93.00	1.00	94.00
358	Robert T. & Sarah Walker 1419 Merrimac Trail	Lot 7 Old Penniman Rd. Pt. of Estate of Thomas Kearney	46.50	1.00	47.50

December 18, 1973

## AT A RECONVENED MEETING:

14. APPOINTMENTS TO THE PLANNING COMMISSION

Mr. Donaldson moved the reappointment of Gerald H. Mephram to a four year term on the Planning Commission. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Waltrip moved the reappointment of Dr. William Lee to a four year term on the Planning Commission. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

Mr. Frink moved the appointment of Mr. Harry B. Wright to a four year term. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

15. APPOINTMENT TO THE PENINSULA COMPREHENSIVE HEALTH PLANNING COUNCIL

Mr. Taylor moved the appointment of Mr. John H. Bullock to the Peninsula Planning District Commission for a term of three years effective January 1, 1974. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Donaldson moved that the County Administrator and staff make a study re improving citizen participation on Boards, Committees and Commissions, e.g., length of terms, etc. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

16. APPOINTMENTS OF PLUMBING EXAMINING BOARD & ELECTRICAL EXAMINING BOARD

Mr. Waltrip moved the appointments to the Plumbing Examining Board of Mr. Carl Roy, to replace Mr. James R. Rarsley who resigned, to expire December 31, 1974, and Mr. Forrest Lee Hazelwood to a four year term to expire December 31, 1977; and to the Electrical Examining Board, Mr. E. M. Cox, to a four year term expiring December 31, 1977. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

17. RESOLUTION ESTABLISHING A PAY PLAN AND CLASSIFICATION PLAN FOR JAMES CITY COUNTY EMPLOYEES.

Mr. Donaldson moved the adoption of the position classification and pay plan by Yarger and Associates, Inc., and approves the Alternative I with implementation date November 1, 1973, and authorizes the transfer of \$13,031 from the Contingent Fund (18E) to the various departmental accounts to cover the costs of implementation. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Donaldson moved the adoption of the following resolution with the addition of the effective date November 1, 1973 and the sum of \$13,031 included in the transfer of funds item 4. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

## RESOLUTION

WHEREAS, the General Assembly has enacted Section 15.1-7.1 of the State Code during its 1973 session which requires the governing body of every County, City and Town with more than 15 employees to establish a grievance procedure and a personnel system to include a classification plan and pay plan for all employees including those of constitutional officers, but excluding school systems; and

WHEREAS, in accordance with said law, the Board of Supervisors of James City County has contracted with Yarger and Associates, Inc., of Falls Church, Virginia, to develop such plans; and

December 18, 1973

WHEREAS, the plans have now been completed and are attached hereto and made a part hereof by reference; and

WHEREAS, said plans include the employees of all County offices including the constitutional offices and the Department of Social Services; and

WHEREAS, such plan includes a grievance procedure which has been reviewed and accepted by the State Director of Personnel; and

WHEREAS, said plan establishes a pay plan based on a wage study of the Peninsula area and establishes competitive rates of pay for similar positions in order to attract and retain qualified employees for all County positions.

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

1. the plans and procedures hereto attached be approved;
2. this plan be made effective as of November 1, 1973.
3. the portion of the plan relating specifically to the Department of Social Services be submitted to the State Board of Welfare and Institutions for approval and to be made effective upon the date of such approval.
4. the sum of \$13,031 be transferred from the Contingent Account (18E-999) "Salary and Fringe Benefits Adjustments" to the various departmental accounts to be distributed at an appropriate time to cover the costs of implementation of the pay plan.
5. the sum of \$3,200 be transferred from the Contingent Account (18E-999) "Salary and Fringe Benefits Adjustments" to (18D-999) "Miscellaneous Expenses-Consulting Services" to cover the cost of consulting services provided by Yarger and Associates, Inc.

#### 18. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the Month of December, 1973.

General Fund	Checks #8329 thru #8397 Totalling \$262,397.96
Sanitary District #1	Check #196 Totalling \$1,743.70
Sanitary District #2	Checks #219 thru 223 Totalling \$6,536.35
Sanitary District #3	Checks #104 thru #105 Totalling \$10,778.00
Williamsburg-James City County Courthouse Construction Acct.	Check #226 Totalling \$46.65
James City County Revenue Share Fund	Checks #100 thru #103 Totalling \$49,764.50

#### REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

##### 19. BOARD MEETING

Mr. Waltrip moved that the meeting be adjourned to reconvene on Friday, December 21, 1973, at 8:00 A.M. to sign warrants. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

##### 20. ADVERTISING PUBLIC HEARINGS

Mr. Taylor moved that the Board advertise the three public hearings listed in the agenda for January 14, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

##### 21. WETLANDS BOARD

The Board requested the position on the Wetlands Board be advertised.

##### 22. FUNDING PROBABILITIES FOR SANITARY DISTRICT NO. 3

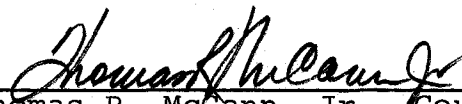
The Board reviewed a letter from Deward M. Martin and Associates,

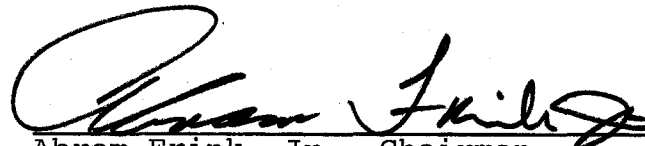
December 18, 1973

giving additional data regarding financing of Sanitary District #3 sewage works project considering a grant probability.

Mr. Edwards moved the Board authorize the engineering staff to proceed with the engineering on the complete Sanitary District No. 3 project and that they do the necessary paper work for FHA consideration of increasing the County's loan. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD STANDS RECESSED UNTIL DECEMBER 21, 1973.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIRST DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator

2. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Waltrip, and carried by a unanimous roll call vote the following warrants were certified.

General Fund	Checks #8398-#8483 Totalling \$44,060.82*
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Sanitary District #2	Check #224 Totalling \$7,619.21*
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\* These totals make the December warrants to total:

General Fund	\$306,458.78
Sanitary District #2	\$ 14,155.56

3. RESOLUTIONS TO MR. JAMES E. HICKS AND LAFAYETTE FOOTBALL TEAM

Mr. Frink requested Mr. McCann to draft resolutions of appreciation to the Lafayette High School football team for their outstanding season, and Mr. James Hicks for his faithful participation on the Planning Commission. The Board approved the resolutions in advance and requested that they be sent.

RESOLUTION OF CONGRATULATIONS AND APPRECIATION  
TO THE LAFAYETTE HIGH SCHOOL FOOTBALL TEAM

WHEREAS, the year 1973 marked the opening of Lafayette High School;  
and

WHEREAS, major accomplishments in a new school establish firm traditions and foster outstanding school spirit essential to a memorable high school experience; and

WHEREAS, the Lafayette Football Team distinguished itself in interscholastic competition by becoming the number one team in their district and in their region and the number two team in the entire state; and

WHEREAS, the Lafayette Football Team has established a mark of excellence in interscholastic competition which will set the foundation for excellence in all areas of educational and sports activity; and

WHEREAS, the Lafayette Rams Football Team, through its outstanding

December 21, 1973

performance during its first year at the new school, has greatly contributed to the creation of outstanding public and private support for the team and the school;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City, that the Board extend its sincere congratulations to the players, coaches, and staff of the Lafayette Football Team, along with its expression of appreciation to each team member for his personal effort, positive attitude, and conspicuous display of sportsmanship; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to each Lafayette football Ram player, coach and staff member; and

BE IT FINALLY RESOLVED, that this resolution be spread across the minutes of this Board meeting to be preserved in perpetuity.

\* \* \* \* \*

#### RESOLUTION OF APPRECIATION

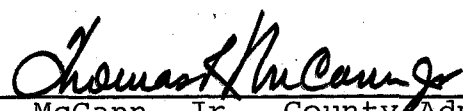
WHEREAS, Mr. James E. Hicks was appointed to the Planning Commission on April 30, 1971, and has served the commission as a member for over three years, and

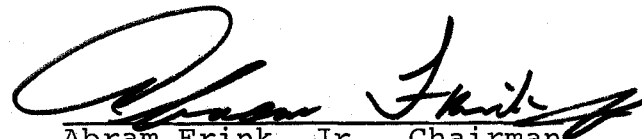
WHEREAS, Mr. Hicks has faithfully served the Planning Commission giving unselfishly of his time, talents and abilities,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the Board express its appreciation to Mr. Hicks for his contributions as a member of the James City County Planning Commission during the period of his service.

BE IT FURTHER RESOLVED, that a copy of this resolution of appreciation be presented to Mr. Hicks and spread upon the minutes of this meeting of the Board of Supervisors of James City County.

THE BOARD STANDS ADJOURNED UNTIL ITS NEXT REGULAR MEETING  
ON JANUARY 14, 1974.

  
Thomas R. McCann, Jr., County Administrator

  
Abram Frink, Jr., Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FOURTEENTH  
DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-FOUR.

#### 1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

#### 2. ORGANIZATIONAL MEETING OF THE BOARD

##### Election of Chairman

Mr. Frink moved the nomination of Mr. Jack Edwards, Berkeley District as Chairman of the Board. The motion was seconded by Mr. Donaldson and the nomination was approved by a unanimous roll call vote.

##### Election of Vice Chairman

Mr. Taylor moved the nomination of Mr. Mayo W. Waltrip, Powhatan District, as Vice Chairman of the Board. The motion was seconded by Mr. Frink and the nomination was approved by a majority roll call vote. Mr. Waltrip abstained.

January 14, 1974

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Meeting dates and place

Mr. Donaldson moved that the current policy of holding regular meetings of the Board of Supervisors on the second Monday, at 7:30 P.M., and the fourth Monday, at 3:00 P.M., be continued. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. MINUTES

Mr. Donaldson moved that the minutes of November 26, 1973 , December 3, 18, and 21, 1973, be approved. The motion was seconded by Mr. Frink and carried by a unanimous roll call vote.

4. PUBLIC HEARING

Ordinance to amend and reordain Chapter 2, Administration of the Code of the County of James City, Virginia, Article 2, Magisterial District and Election Precincts, Section 2-3, Designation and Population of Districts, Section 2-4, District Boundaries and Section 2-6, Precinct Boundaires. (10-11/26/73;2-12/17/73)

The Chairman opened the public hearing.

There being no discussion the hearing was closed.

Mr. Edwards moved that the names be attached to the electoral districts and the numbers be attached to the appropriate magisterial districts. The motion was seconded by Mr. Waltrip. After further discussion, the motion and second was withdrawn.

The Board deferred the matter for further study.

5. PUBLIC HEARING

Rezoning Case N. Z-7-73. Application of Walter C. Palmer on behalf of St. George's Hundred for rezoning Section 3 from A-1 GENERAL AGRICULTURE to R-1 LIMITED RESIDENTIAL. (9-11/16/73; 3-12/17/73)

The Chairman opened the public hearing.

There being no discussion the hearing was closed.

Mr. Waltrip moved that the Board approve the request for rezoning certain land located on Route 5 adjacent to St. George's Hundred Subdivision from A-1 to R-1. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

6. PUBLIC HEARING

Ordinance to establish a connection policy for Sanitary District No. 3, James City County, Virginia (11-11/16/73)

Mr. McCann requested the Board to defer action due to the possibility of the County receiving a grant and the costs changing.

The Board deferred action.

7. NUTRITION PROJECT FOR PENINSULA PLANNING DISTRICT #21

The Board reviewed information from the Community Action Agency regarding the nutrition project for Peninsula Planning District #21 and Mr. Trumbo was present for discussion.

Mr. Frink moved that James City participate in the nutrition project for Peninsula Planning District 21. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.



January 14, 1974

8. RESOLUTION AUTHORIZING THE REFUND TO THE CLERK OF THE CIRCUIT COURT FOR OVERPAYMENT OF EXCESS FEES

Mr. Waltrip moved the approval of the resolution authorizing the refund to the Clerk of the Circuit Court for overpayment of excess fees. The motion was seconded by Mr. Frink and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Clerk of the Circuit Court was required to pay \$1,466.25 more than the excess fee payment requirement for calendar year 1972 (paid to the County in August 1973), as a result of an audit error, and

WHEREAS, it has been determined that this amount was overpaid by a subsequent review of the State statutes, and

WHEREAS, the James City County share of this overpayment amounted to \$488.75 was deposited with the County, August 1973, and

WHEREAS, the County has been advised by the Chairman of the Compensation Board that this amount should be refunded to the Clerk of the Circuit Court.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the County Administrator and the Treasurer be authorized to refund the amount of \$488.75 to the Clerk of the Circuit Court in order to correct this overpayment.

9. PROPOSED AGREEMENT WITH AREA JURISDICTIONS FOR THE EXECUTION OF MANPOWER PROGRAMS

Mr. Frink moved the approval of the resolution of a joint working agreement for manpower programs between the City of Newport News, Hampton, Williamsburg, and the counties of York, James City, and the town of Poquoson. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

10. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO INCREASE WATER CONNECTION FEES IN SANITARY DISTRICT #2.

Mr. Taylor moved that the ordinance to increase water connection fees for Sanitary District #2 be advertised for Public Hearing on February 11, 1974. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

11. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO AMEND THE WETLANDS ORDINANCE TO INCREASE FEES.

Mr. Frink moved that the ordinance to amend the Wetlands Ordinance be advertised for Public Hearing on February 11, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

12. REPORT CONCERNING IMPROVING CITIZEN PARTICIPATION ON APPOINTED BOARDS, COMMITTEES AND COMMISSIONS.

The Board received a report from the County Administrator concerning the improving of citizen participation on appointed boards, committees and commissions. Mr. Donaldson moved that the staff proceed as indicated in the County Administrator's recommendation -- to supply a list of all existing Board appointed Boards and Commissions with individual recommendations concerning (1) those which should be discharged or reactivated; (2) suggested terms of membership (3) assignment of staff support and (4) suggested number of meetings each year. The motion was seconded by Mr. Frink and carried by a unanimous roll call vote.

January 14, 1974

13. TRANSFER OF FUNDS FROM THE CONTINGENT ACCOUNT TO THE CITY OF WILLIAMSBURG TO COMPENSATE OFF-DUTY FIREMEN RESPONDING TO COUNTY FIRE CALLS.

Mr. Donaldson moved the authorization to reimburse City of Williamsburg firemen participating in responding to James City alarms, the amount of \$1,272.03, transferring funds from the Contingent Account (18E) to Fire Special Service 7A-266. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

14. APPOINTMENT TO WETLANDS BOARD

Deferred action until end of Agenda.

15. APPOINTMENT TO THE MENTAL HEALTH AND MENTAL RETARDATION SERVICES BOARD

Deferred action until end of Agenda.

16. REVISED MASTER PLAN AND PHASE I DEVELOPMENT FOR MIDDLE PLANTATION PLANNED COMMUNITY.

Mr. Waltrip moved that the Revised Master Plan for Middle Plantation Community be approved. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

Mr. Waltrip moved the approval of Phase I, Section I, with the waivers and conditions as follows. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

The Board approved Section 1 of Phase I waiving the cul-de-sac length requirement in the Subdivision Ordinance and allowing the elimination of building restriction lines on the final plats.

The Board requests street sign and lighting design be submitted to the County Administrator's office for final approval.

A submittal should be made to the County Administrator, or his designee, consisting of record plats and community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. The Board has charged the County Administrator with the responsibility of protecting the County's interest through a detailed administrative review of both plans and documents.

The Board has further instructed the County Administrator to not release the plat of any lot or lots for recording and sale until all applicable standards and requirements are met by the developer. Considerations should include but not be limited to Sections 7-2-3 (bonding), 7-3-3 (deed of easements) 7-3-5 (deeds of public land), 7-10 (water and sewer), and 7-11 (street improvements) of the Zoning Ordinance.

As provided for in Section 7-3-4 of the Zoning Ordinance, the Board of Supervisors require the following:

1. Monumentation of the area shall be as provided for in Sections 4-29 and 4-30 of the Subdivision Ordinance.
2. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after seventy-five per cent of Section 1 is developed. If problems are noted which the developer can and should correct then the developer should be required to correct these problems with techniques approved by the County.

DIVISION OF FORESTRY REPRESENTATIVE - W. J. SCRUGGS, SR.

Mr. W. J. Scruggs, Sr., publicly thanked the Board, members of various

January 14, 1974

departments and the citizens for their support and assistance while he served as a representative of the County with the Department of Forestry. He has represented the County since 1946.

\* \* \* \* \*

Mr. Donaldson moved that the Board adjourn into executive session relating to personnel matters and appointments to Wetlands Board and Mental Health and Mental Retardation Boards. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

AT A RECONVENED MEETING -

14. APPOINTMENT TO WETLANDS BOARD


Mr. Waltrip moved the appointment of David W. Ware, Jr., to complete the term of Mr. William Snyder whose term expires October 1976, to the Wetlands Board. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

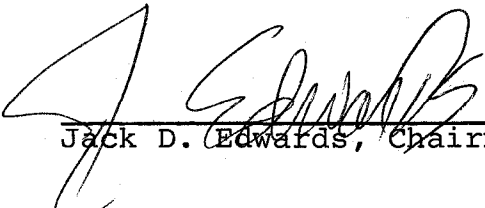
15. APPOINTMENT TO MENTAL HEALTH AND MENTAL RETARDATION SERVICES BOARD

Mr. Donaldson moved the reappointment of Mr. Alvin Anderson to a three year term on the Mental Health and Mental Retardation Services Board. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

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On a motion by Mr. Donaldson, seconded by Mr. Taylor, and unanimous roll call vote, the meeting was adjourned.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-EIGHTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District -- absent  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

2. MINUTES

Mr. Waltrip moved approval of the January 14, 1974, minutes as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

Mr. R. Yeatts, Resident Engineer, Virginia Department of Highways, was present to discuss road matters with the Board.

January 28, 1974

4. RESOLUTION OF SYMPATHY - Mr. William Cholko

Mr. Taylor moved the adoption of the Resolution of Sympathy for the family of Mr. William Cholko. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION OF SYMPATHY

WHEREAS, the citizens of James City County were saddened by the passing of Mr. William Cholko on January 16, 1974, and

WHEREAS, Mr. William Cholko served as a member of the James City County Electoral Board for two terms beginning in 1968, serving as both a member and Chairman of the Electoral Board, and

WHEREAS, during his term of office the Electoral Board greatly expanded its capacity to effectively provide services to the citizens of James City County, and

WHEREAS, Mr. William Cholko served for 15 years as an official in charge of the European Theater of CARE, and

WHEREAS, his life exemplified a conspicuous concern for unfortunate peoples throughout the world as well as a deep commitment to his friends and his County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the Board extend its sincere expression of sympathy to the members of the family of Mr. William Cholko; that a copy of this resolution of sympathy be spread upon the minutes of this meeting of the Board of Supervisors, and that a copy of this resolution be forwarded to his family.

5. CONSIDERATION OF ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE 2, MAGISTERIAL DISTRICT AND ELECTION PRECINCTS, SECTION 2-3, DESIGNATION AND POPULATION OF DISTRICTS, SECTION 2-4, DISTRICT BOUNDARIES AND SECTION 2-6, PRECINCT BOUNDARIES. (10-11/26/73; 2-12/17/73; 1/14/74)

The Board requested the County Attorney, Mr. Morton, to redraft the ordinance to have only one magisterial district and that make suggestions as to the name of this magisterial district.

6. RESOLUTION ESTABLISHING POLICIES REGULATING BOARDS AND COMMISSIONS

The County Administrator presented the resolution. General discussion followed.

This matter was deferred until the next Board meeting.

7. RECOMMENDATION FROM THE ELECTORAL BOARD CONSIDERING HIRING OF ASSISTANT REGISTRAR

The Board reviewed the letter from the Electoral Board requesting consideration of the appointment of an Assistant Registrar. The Board agreed with the County Administrator's recommendation to consider this matter as a part of the Fiscal 75 budget and deferred the matter until then.

8. RESOLUTION RE FLOOD PLAINS STUDY FOR JAMES CITY COUNTY

Mr. Waltrip moved the approval of the resolution authorizing the County Administrator to make application to the Soil Conservation Service for a Flood Plain Information Study. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the James City County Board of Supervisors recognizes its responsibility to provide for the orderly development of the County; and

WHEREAS, the Board through the administrative staff of the County,

January 28, 1974

the Planning Commission, and with appropriate consultants has initiated the preparation of a Comprehensive Plan; and

WHEREAS, the Board is in need of studies to delineate the boundaries of and give details regarding the flood plain of Powhatan Creek in order that the information may be incorporated in the Comprehensive Plan and Zoning Ordinance of the County;

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator is hereby authorized to make an application to the Soil Conservation Service through the State Water Control Board for a Flood Plain Information Study of Powhatan Creek and its tributaries; and

BE IT FURTHER RESOLVED, that the Board of Supervisors indicates hereby its willingness to cooperate in providing all appropriate assistance in the accomplishment, publication and use of said Flood Plain Information Study with all financial and contractual matters pertaining hereto to be approved by the Board as these matters arise.

9. REPORT ON FEES STRUCTURE ON BUILDING AND PLANNING

The Board reviewed the report on development processing fees and building inspection fees. Mr. Donaldson moved that the proposed amendments to the County Zoning Ordinance as set forth in Attachment III of the report of December 20, 1973, be referred to the Planning Commission for their recommendation and that the County Administrator bring back a draft ordinance. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

10. RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO SIGN CHECKS

Mr. Taylor moved the approval of the following resolutions authorizing the chairman of the Board to sign checks. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

RESOLUTION

UNITED VIRGINIA BANK OF WILLIAMSBURG

BE IT RESOLVED, that the United Virginia Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County General Fund, Sanitary District #1, Sanitary District #2, Sanitary District #3, Payroll Deduction Fund Account, James City County Bond Issue 1964-B Sinking Fund, James City County General Obligation Water Bonds - 1970, Courthouse Construction Fund, James City County Revenue Sharing Fund and the James City County Subdivision Escrow Account and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

Jack D. Edwards Chairman

OR

Mayo W. Waltrip Vice-Chairman

T. R. McCann County Administrator

OR

John W. Watkins Assistant to the Administrator

Frances B. Whitaker Treasurer

OR

Eunice P. Stewart Deputy Treasurer

OR

Betty S. Angle

Deputy Treasurer

January 28, 1974

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank. This resolution shall be effective on and after January 28, 1974.

\* \* \* \* \*

RESOLUTION  
WILLIAMSBURG NATIONAL  
BANK

BE IT RESOLVED, that the Williamsburg National Bank of Williamsburg, Virginia, be and it is hereby designated a depository for the James City County School Construction Bond Issue of March 1, 1972 and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED, that all checks, drafts, notes or orders drawn against said accounts be signed by three of the following:

- |                     |                                       |
|---------------------|---------------------------------------|
| Jack D. Edwards     | Chairman                              |
|                     | OR                                    |
| Mayo W. Waltrip     | Vice-Chairman                         |
| T. R. McCann, Jr.   | County Administrator                  |
| OR                  |                                       |
| John W. Watkins     | Assistant to the County Administrator |
| Frances B. Whitaker | Treasurer                             |
| OR                  |                                       |
| Eunice P. Stewart   | Deputy Treasurer                      |
| OR                  |                                       |
| Betty S. Angle      | Deputy Treasurer                      |

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or to the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistant Secretary, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank. This resolution shall be effective on and after January 28, 1974.

11. REPORT RE TRANSFER OF JUVENILE PROBATION DEPARTMENT TO COMMONWEALTH OF VIRGINIA

Mr. A. Matthews, Director of Juvenile Court Services, Juvenile Probation Department requested the Board not to transfer the Juvenile Probation Department to the state and to defer action for further study.

Mr. Donaldson moved that the Board obtain Judge J. Sowder's opinion on the matter and to defer action until this is obtained. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.



January 28, 1974

12. DATE FOR PUBLIC HEARING OF AMENDMENTS TO SUBDIVISION ORDINANCE

Mr. Donaldson moved that the Board advertise the amendments to the Subdivision Ordinance for Public Hearing on February 11, 1974. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

13. DATE FOR PUBLIC HEARING OF ORDINANCE TO VACATE PORTION OF PLAT ON CANTERBURY HILLS SUBDIVISION, PROPERTIES OF JAMES J. CONNOLLY

Mr. Donaldson moved that the Board advertise the ordinance to vacate a portion of plat on Canterbury Hills Subdivision for Public Hearing on February 25, 1974. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

14. DATE FOR PUBLIC HEARING ON REZONING OF CERTAIN LAND LOCATED BETWEEN POWHATAN CREEK AND STATE RT.31 FROM A-2 to R-3; CARTER HILL, INC., APPLICANT

Mr. Donaldson moved that the Board advertise the rezoning case Z-8-73 for Public Hearing on March 11, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

15. CERTIFICATION OF WARRANTS

On a motion by Mr. Edwards, seconded by Mr. Waltrip, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of January, 1974.

General Fund	Checks #8484 thru #8670 Totalling \$335,352.47
Sanitary District #1	Checks #197 thru 199 Totalling \$13,807.61
Sanitary District #2	Checks #225 thru #235 Totalling \$49,940.22
Sanitary District #3	Checks #106 Totalling \$16, 662.00
James City County Revenue Sharing Fund	Check #104 Totalling \$6,966.00

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

16. REBATES OF ERRONEOUS TAX ASSESSMENTS

Mr. Taylor moved that the Treasurer refund overpayments of certain taxes to Mrs. M. Robinson, Mrs. Douglas Whitacre, Mr. & Mrs. Bennett J. Clark, and Mr. Pernell J. Jones, as shown in the following resolutions. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mrs. Mandy Robinson was erroneously assessed for personal property located in James City County on her 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mrs. Robinson overpaid her tax by the amount of \$80.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$80.00 to Mrs. Robinson.

\* \* \* \* \*

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mrs. Douglas Whitacre was erroneously assessed for personal

January 28, 1974

property located in James City County on her 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mrs. Whitacre overpaid her tax by the amount of \$135.12;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$135.12 to Mrs. Whitacre.

\* \* \* \* \*

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mr. & Mrs. Bennett J. Clark were erroneously assessed for personal property located in James City County on their 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mr. & Mrs. Clark overpaid their tax by the amount of \$190.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$190.00 to Mr. & Mrs. Bennett J. Clark.

\* \* \* \* \*

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mr. Pernell J. Jones was erroneously assessed for personal property located in James City County on his 1973 Personal Property Tax bill; and

WHEREAS, due to this erroneous assessment Mr. Jones overpaid his tax by the amount of \$59.20;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$59.20 to Mr. Pernell J. Jones.

\* \* \* \* \*

Mrs. Mandy Robinson Route 1, Box 111 Lanexa, Virginia	Mr. & Mrs. Bennett J. Clark Lot 232, Sec. IV, First Colony Williamsburg, Virginia 23185
Mrs. Douglas Whitacre 106 Haynes Avenue Williamsburg, Virginia	Mr. Pernell J. Jones Rt. 3, Box 306 Williamsburg, Virginia 23185

17. PENINSULA GERONTOLOGY SERVICES PROJECT REQUEST FOR FUNDING


The request from the Peninsula Gerontology Services Project for funding was deferred until Mr. Frink's return.

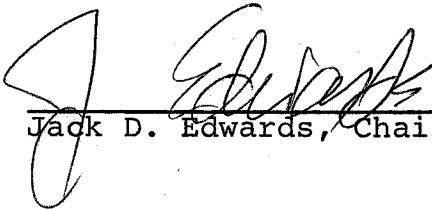
18. PERMITTED USE REQUEST FROM MR. HARRISON SAUNDERS

Mr. Donaldson moved that the request from Mr. Harrison Saunders for a Permitted Used in B-1 zone to enlarge baitshop at the corner of Rt. 615 and Rt. 5 to include public amusements be advertised for Public Hearing on February 25, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Waltrip moved that the meeting be adjourned until February 7, 1974, at 7:30 P.M. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

February 7, 1974

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SEVENTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL


Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Stewart U. Taylor, Stonehouse District

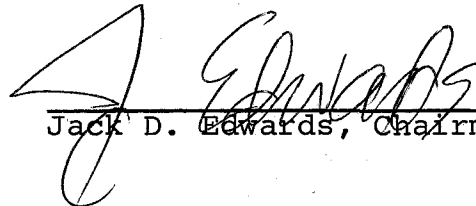
Mr. Thomas R. McCann, Jr., County Administrator

2. EXECUTIVE SESSION

On a motion by Mr. Donaldson, seconded by Mr. Taylor, the Board of Supervisors by unanimous roll call vote adjourned to executive session to discuss personnel matters.

The board adjourned after the meeting on a motion by Mr. Donaldson, seconded by Mr. Waltrip and carried unanimously.

  
 Thomas R. McCann, Jr., County Administrator

  
 Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE ELEVENTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank M. Morton, III, County Attorney

Mr. Edwards presented Mr. Abram Frink with a gavel and engraved plaque in appreciation of his excellent service as Chairman of the Board of Supervisors during the years 1972 and 1973.

Mr. Edwards announced the following procedural changes regarding meetings:

1. It is no longer required that motions be seconded.
2. Roll call vote will only be taken when pertaining to ordinances, resolutions or appropriations of money.
3. The Board will set aside a meeting each month as a work session. These meetings will be open to the public as long as they do not go into executive session.

2. MINUTES

Mr. Donaldson moved approval of the January 28, 1974, minutes as published. The motion was carried by a unanimous roll call vote.

February 11, 1974

3. PUBLIC HEARING

Ordinance to amend and reordain Ordinance 36A-3 entitled, An Ordinance Establishing an Operating Policy for Sanitary District #2, James City County, Virginia, by amending Section 5.03, water availability charges. (10-1/14/74)

The Chairman opened the public hearing.  
There being no discussion the hearing was closed.

Mr. Donaldson moved to approve the ordinance establishing increased water connection fees for Sanitary District #2, previously adopted as an emergency ordinance. The motion was carried by a unanimous roll call vote.

ORDINANCE NO. 36A-3

AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 36, ENTITLED AN ORDINANCE ESTABLISHING AN OPERATING POLICY FOR SANITARY DISTRICT NO. 2, JAMES CITY COUNTY, VIRGINIA, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Ordinance No. 36, entitled An Ordinance Establishing An Operating Policy for Sanitary District No. 2, James City County, Virginia, be and the same is, hereby, amended and reordained by amending Section 5.03, Water Availability Charges to read as follows:

AN ORDINANCE ESTABLISHING AN OPERATING POLICY  
FOR  
SANITARY DISTRICT NO. 2  
JAMES CITY COUNTY, VIRGINIA

5.03 Water Availability Charges

There shall be a water availability charge payable to the District at the time application is made for connection to the water distribution system. The District will, in turn, pay applicable charges to the Newport News Water Department.

(a)	<u>Meter Size</u>	<u>Availability Charge</u>
	5/8"	\$ 280.00
	3/4"	370.00
	1 "	430.00
	1 1/2"	630.00
	2 "	750.00
	3 "	400.00 + cost
	4 "	600.00 + cost
	5 "	800.00 + cost
	6 "	1,000.00 + cost

The above availability charges and those shown in the detailed schedule below shall apply during the first two years after the water system is placed into operation. After the end of the first two years, the availability charges shall be increased by \$150.00 for each size meter.

- (b) A building under one roof, owned or leased by one party, and occupied as one business or residence, the availability charge will be according to meter size or as otherwise stated herein.
- (c) The availability charge for the first unit, cabin, space, lot, store, or base of all facilities shown below shall be that shown, or the availability charge for the size of meter used, whichever is the greater.

Duplex House (defined as having two dwelling units under one roof), the availability charge shall be \$280.00 for the first unit and \$280.00 for the additional unit.

Multi-family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$450.00 for the first dwelling unit and \$250.00 for each dwelling unit in addition to the first unit.

Motels, Tourist Cabins and Tourist Courts, where multiple units or cabins use a single water service connection, there shall be an availability charge of \$450.00 for the first dwelling unit and for each dwelling unit in addition to the first, the charges shall be:

For a 0 - 50 Unit Installation	\$70.00
For a 51 - 100 Unit Installation	\$55.00
For an over 100 Unit Installation	\$45.00

Trailer Parks and Mobile Parks - The availability charge shall be the

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cost for the meter as shown in 5.03a plus a charge of \$70.00 for each trailer or mobile home space or trailer lot in addition to the first trailer or mobile home space or lot.

Shopping Centers and Commercial Groups (where two or more stores or commercial establishments are grouped together to form a complex having one water connection and meter for the entire group) - The availability charge shall be \$480.00 for each separate store or rental space within the complex.

Subdivision Developments (where water distribution mains have been installed at the expense of the developer in accord with standards of the District and such mains dedicated to and accepted by the District) - The availability charge shall be \$180.00 for 5/8" meter and \$240.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$480.00 base charge plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$480.00 base charge plus \$55.00 per delivery hose.

Schools - The availability charge shall be \$630.00, plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$630.00, plus \$18.00 per bed.

- (d) Subsequent to the approval of the initial application for such water service connections outlined above, no service shall be provided for any additional single or multiple units or spaces before the availability fee or fees are paid therefor.
- (e) After the end of the first two years, the availability charge for all units shall be increased by \$150.00 for the first unit and by 50% for all additional units.
- (f) Where the above schedule of availability charges is not applicable to an application for water service, the proposed service shall be investigated by the Administrator and/or the Committee. The Administrator and/or the committee, upon completion of its investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

#### 4. PUBLIC HEARING

Ordinance to amend and reordain Ordinance 65A-1, entitled an Ordinance Regulating the Use and Development of Wetlands, of the Code of County of James City, Virginia. (11-1/14/74)

It was explained by the County Administrator that adoption of the proposed ordinance would increase the fee for application to the Wetlands Board from \$25 to \$100 for the purpose of covering processing costs, especially when it is necessary to use a court reporter.

The Chairman opened the public hearing.

Mr. Ralph Gill, Jamestown District, questioned the Board as to whether this fee could be made flexible on a case-by-case basis.

There being no further discussion the hearing was closed.

After general discussion, Mr. Donaldson moved the adoption of the ordinance establishing a \$100 processing fee for application to the Wetlands Board. The motion was carried by a unanimous roll call vote.

#### ORDINANCE NO. 65A-1

AN ORDINANCE TO AMEND AND REORDAIN ORDINANCE NO. 65, ENTITLED, AN ORDINANCE REGULATING THE USE AND DEVELOPMENT OF WETLANDS, OF THE CODE OF COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 4 (c).

BE IT ORDAINED by the Board of Supervisors of the County of James City that Ordinance No. 65, entitled, An Ordinance Regulating the Use and Development of Wetlands, of the Code of the County of James City be, and the same is, hereby, amended and reordained by amending Section 4 (c) to read as follows:

#### AN ORDINANCE REGULATING THE USE AND DEVELOPMENT OF WETLANDS

##### Section 4

- (c) A nonrefundable processing fee of One Hundred Dollars to

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cover the cost of processing shall accompnay each application.

5. PUBLIC HEARING

Ordinance to amend and reordain Chapter 17, Subdivisions, of the Code of the County of James City, Virginia, by amending certain sections, deleting certain sections and reordaining the remaining sections.

Mr. McCann presented the ordinance stating that the fundamental changes were as follows:

1. Certain utility facilities shall be placed underground.
2. All excavations and distrubed soil shall be reseeded; and during construction, soil erosion control procedures shall be used.

The Chairman opened the public hearing.

There being no discussion the hearing was closed.

After general discussion, Mr. Edwards requested the County Administrator and staff to include along with the study of curb and gutter alternatives a policy which would require the dry sewerling of subdivision in advance of the availability of public sewer.

Mr. Waltrip moved that the ordinance to amend and reordain the Subdivision Ordinance be adopted. The motion was carried by a unanimous roll call vote.

ORDINANCE NO. 30A-2

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISION OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING CERTAIN SECTIONS, DELETING CERTAIN SECTIONS AND REORDAINING THE REMAINING SECTIONS.

BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia, that Chapter 17, Subdivision, of the Code of the County of James City, Virginia, be and the same is, hereby, amended and reordained by amending certain sections, deleting certain sections and reordaining the remaining sections, as follows:

CHAPTER 17

SUBDIVISIONS

Article 1. In General.

Section 17-2. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section; all distances and areas refer to measurements in a horizontal plane.

AGENT. The representative of the governing body who has been appointed to serve as the agent of the governing body in approving the subdivision plats.

ALLEY. A permanent service way providing a secondary means of access to abutting properties.

APPROVED. The "approved" shall be considered to be followed by the words "or disapproved," when the sense so requires.

BUILDING LINE. The distance which a building is from the front lot line or front boundary line.

COMMISSION. The planning commission of James City County, Virginia.

CUL-DE-SAC. A Street with only one outlet and having an appropriate turn-around for a safe and convenient reverse traffic movement.

DEVELOPER. An owner of property being subdivided, whether or not represented by an agent.

EASEMENT. A grant by a property owner of the use of land for a specific purpose or purposes.

ENGINEER. An engineer licensed by the Commonwealth of Virginia.



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GOVERNING BODY. The Board of Supervisors of James City County, Virginia.

HEALTH OFFICIAL. The health officer or sanitarian of James City County, Virginia.

HIGHWAY ENGINEER. The resident engineer employed by the Virginia department of highways.

JURISDICTION. The area or territory subject to the legislative control of the governing body.

LOT. A numbered and recorded portion of a subdivision intended for transfer of ownership or for building development for a single building and its accessory building. The word "lot" shall be construed to be synonymous with "parcel."

LOT, CORNER. A lot abutting upon two or more streets at their intersection; the shortest side fronting upon a street shall be considered the front of the lot, and the longest side fronting upon a street shall be considered the side of the lot.

LOT, DEPTH OF. The mean horizontal distance between the front and rear lot lines.

LOT, DOUBLE FRONTAGE. An interior lot having frontage on two streets.

LOT, INTERIOR. A lot other than a corner lot.

LOT OF RECORD. A lot which has been recorded in the office of the clerk of the appropriate court.

LOT, WIDTH OF. The mean horizontal distance between the side lot lines.

PARCEL. The word "parcel" shall be construed to be synonymous with "lot".

PLAT. Includes the terms: Map, plan, plot, replat or replot; a map or plan of a tract or parcel of land which is to be, or which has been, subdivided. When used as a verb "plat" is synonymous with "sub-divide."

PROPERTY. Any tract, lot, parcel or several of the same collected together for the purposes of subdividing.

STREET. A publicly dedicated right-of-way, the principal means of access to abutting properties, which is presently a portion of the Virginia State Highway Department street and road system, or is a proposed addition to the Virginia State Highway Department street and road system, plans for which have been approved and bonds for the improvements of same shall have been posted in accordance with provisions elsewhere in this chapter.

STREET, COLLECTOR. Providing for traffic movement between major arterials and local streets, and direct access to abutting property.

STREET, MAJOR. A heavily traveled thoroughfare or highway that carries a large volume of through traffic, or anticipated traffic exceeding five hundred vehicles per day.

STREET or ALLEY; PUBLIC USE OF. The unrestricted use of a specified area or right of way for ingress and egress to two or more abutting properties.

STREET, OTHER. A street that is used primarily as a means of public access to the abutting properties with anticipated traffic of less than five hundred vehicles per day.

STREET, SERVICE DRIVE. A public right of way generally parallel and contiguous to a major highway, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right of way by providing safe and orderly points of access to the highway.

STREET WIDTH. The total width of the strip of land dedicated or reserved for public travel, including roadway, curbs, gutters, sidewalks and planting strips.

SUBDIVIDE. To divide any tract, parcel or lot of land into two or more parts. The agent may however, permit the separation of one parcel from a tract of land without complying with all requirements of this chapter if it is: (1) not in conflict with the general meaning and purpose of this chapter; and (2) no new streets are required to serve the parcel; and (3) at least one acre in area; and (4) not less than one hundred fifty (150) foot frontage.

The word "subdivide" and any derivative thereof shall have reference to the term "subdivider" as defined hereafter in this section.

SUBDIVIDER. An individual, corporation or registered partnership owning any tract, lot or parcel of land to be subdivided, or a group of two or more persons owning any tract, lot or parcel of land to be subdivided, who have given their power of attorney to one of their group or to another individual to act on their behalf in planning, negotiating for, in representing, or executing the legal requirements of the subdivision.

ZONING ADMINISTRATOR. The agent of the Board of Supervisors of this County, as hereinbefore defined in this section; the officer designated by the governing body to administer and enforce the provisions of this chapter.

#### Section 17-11. Improvements.

(a) Generally, All required improvements shall be installed by the subdivider at his cost. In cases where specifications for streets or roads have been established either by the State Department of Highways or by local ordinances and codes, such specifications shall be followed. The subdivider's bond shall not be released until construction has been inspected and approved by the appropriate engineer.

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(b) Utilities. All utility facilities including but not limited to wires, cables, pipes, conduits and appurtenant equipment, carrying or used in connection with the furnishing of electric, telephone, telegraph, cable television or similar service shall be placed below the surface of the ground, provided that the following utility facilities shall be permitted above ground:

1. Electric transmission lines and facilities in excess of 50 kilovolts;
2. Equipment such as electric distribution transformers, switch gear, meter pedestals, telephone pedestals, outdoor lighting poles or standards, radio antenna and associated equipment, which is, under accepted utility practices, normally installed above ground;
3. Meters, service connections and similar equipment normally attached to the outside wall of the customer's premises.

(c) Flood control and drainage. The subdivider shall provide all necessary information needed to determine what improvements are necessary to properly develop the subject property, including contour intervals, drainage plans and flood control devices. The subdivider shall also provide plans for all such improvements together with a properly qualified certified engineer's statement that such improvements, when properly installed, will be adequate for proper development. The highway engineer shall then approve or disapprove the plans. The subdivider shall also provide any other information required by the highway engineer.

(d) Lot size. The minimum lot size in any area shall be in accordance with the Zoning Ordinance, except that where public water or public sewer systems or both such systems are not available such minimum lot sizes may be increased by the agent in accordance with the recommendations of the health officer, which shall be submitted to the agent in writing, either by notations on the plat or by letter. The health officer may be guided by appropriate tests in determining the area required for the sanitary and safe disposal of septic tank effluent.

Section 17-23. Same -- Corner.

Corner lots shall have extra width sufficient for maintenance of required building lines on both streets. The building line shall be thirty feet on the public streets and roads having a right-of-way of fifty feet or more, and fifty-five feet if of less width.

Section 17-23 is hereby deleted.

Section 17-35. Same -- Construction Requirements.

In cases where state department of highways specifications are lacking or are less restrictive than the requirements of this chapter, the following construction standards shall prevail:

- (a) The roadway shall be graded to thirty feet exclusive of side ditches.
- (b) Base for pavement shall be at least twenty-four feet in width and six inches in depth and be of stone, gravel or other satisfactory material approved by the state department of highways.
- (c) Pavement width shall be a minimum of twenty-two feet, constructed of material passing the state department of highways specifications. The pavements shall consist of a bituminous oil primer treatment and double sealed treatment with rates of application to be in accordance with the state department of highways specifications.
- (d) All excavations and other disturbed soil shall be reseeded in accordance with existing Highway Department procedures and during construction, soil erosion control procedures shall be used. An action plan for these requirements shall be made a part of the specifications for the project. The grades of streets submitted on subdivision plats shall be approved by the agent upon recommendation of the highway engineer prior to final action by the agent. Wherever feasible, street grades shall not exceed ten per cent.

Section 17-45. Exceptions to Requirements of Chapter.

Where the subdivider can show that a provision of the Standards set out in this chapter would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the commission, a departure may be made without destroying the intent of such provisions, the commission may authorize an exception. Any exception thus authorized is to be stated in writing in the report of the commission with the reasons for such departures clearly set forth. No such exception may be granted which is opposed in writing by the County or highway engineer or health official.

Section 17-47. How Chapter may be Amended.

This chapter may be amended in whole or in part by the governing body; provided, that any such amendment shall either originate with or be submitted to the commission for recommendation prior to adoption; and further provided, that no such amendment shall be adopted without a public hearing having been held by the governing body.

## Article II. Plats

### Division 1. Generally.

Section 17-48. Platting Required Prior to Sale of Lots: Plats to be Approved and Recorded.

Any owner or developer of any tract of land situated within this County who subdivides the same shall cause a plat of such subdivision, with reference to known or permanent monuments, to be made and recorded in the office of the clerk of the appropriate court. No such plat shall be recorded unless and until it shall have been submitted, approved and certified by the agent in accordance with the regulations set forth in this chapter.

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No lot shall be sold or transferred in any such subdivision before the plat shall have been recorded.

#### Section 17-54. Fees.

There shall be a charge for the examination of every plat reviewed by the agent or commission. At the time of filing the preliminary plat, the subdivider shall deposit with the agent, checks payable to the treasurer in the amount of twenty-five dollars (\$25.00) per plat plus one dollar (\$1.00) per lot, if the subdivision contains five (5) or more lots; if the subdivision contains less than five (5) lots, the charge shall be twenty-five (\$25.00) per plat.

#### Division 2. Approval of Plats

#### Section 17-55. Approval and Recording Required Prior to Granting of Building Permit or Sale of Lots; Preliminary Plats.

Whenever any subdivision of land is proposed, and before any permit for the erection of a structure shall be granted, the subdivider or his agent shall apply in writing to the agent for the approval of the subdivision plat and submit three copies of the preliminary plat including the lot, street and utilities layout. No lot shall be sold or transferred until a final plat for the subdivision shall have been approved and recorded as provided in this article.

#### Section 17-58. Procedure Following Submittal of Preliminary Plat.

The commission or their appointed representative shall discuss the preliminary plat with the subdivider in order to determine whether or not his preliminary plat generally conforms to the requirements of this chapter and of the Zoning Ordinance. The subdivider shall then be advised in writing within forty-five days, which may be by formal letter or by legible markings on his copy of the preliminary plat, concerning any additional data that may be required, the character and extent of public improvements that will have to be made, and an estimate of the cost of construction or improvements and the amount of the performance bond which will be required as a prerequisite to approval of the final subdivision plat. In determining the cost of required improvements and the amount of the performance bond, the agent may consult with a duly licensed engineer who shall prepare this data for the agent, or preferably, may require a bona fide estimate of the cost of improvements to be furnished by the subdivider.

#### Section 17-59. Effect of Approval of Preliminary Plat.

Approval by the commission of the preliminary plat does not constitute a guarantee of approval of the final plat.

#### 6. CONSIDERATION OF AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE 2, MAGISTERIAL DISTRICT AND ELECTION PRECINCTS, SECTION 2-3, DESIGNATION AND POPULATION OF DISTRICTS, SECTION 2-4, DISTRICT BOUNDARIES AND SECTION 2-6, PRECINCT BOUNDARIES. (10-11/26/73; 2-12/17/73; 1/14/74; 1/28/74)

Mr. Frink moved that the Board adopt the proposed ordinance which separates magisterial districts from election districts and establishes a single magisterial district, designated as the James City County Magisterial District, the boundaries of which are coterminous with the boundaries of James City County. The motion was carried by a unanimous roll call vote.

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE 2, MAGISTERIAL DISTRICTS AND ELECTION PRECINCTS, BY AMENDING CERTAIN SECTIONS, DELETING CERTAIN SECTIONS AND REORDAINING THE REMAINING SECTIONS.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 2, Administration, of the Code of the County of James City, Virginia, Article 2, Magisterial Districts and Election Precincts, be and the same is, hereby, amended and reordained by amending certain sections, deleting certain sections and reordaining the remaining sections, as follows:

#### CHAPTER 2

#### ADMINISTRATION

#### Article II

#### Magisterial District, Election Districts and Election Precincts.

#### Section 2-2. Designation and Boundaries of Magisterial District.

There shall be one Magisterial District to be known and designated as the James City County Magisterial District. The boundaries of such district shall be contiguous with and identical to the boundaries of James City County.

#### Section 2-3. Designation and Population of Election Districts.

The election districts with populations set forth are as follows:

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	Population
Berkeley .....	5,459-2,353 (ESH) = 3,106
Jamestown.....	3,156
Roberts .....	3,119
Powhatan .....	3,031
Stonehouse .....	3,088

Section 2-4. Election Precincts and Polling Places Established.

Pursuant to authority contained in the Code of Virginia, sections 24.1-37 through 24.1-39, the precincts and their respective polling places for the County are hereby created and established as set forth in this section.

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

- Berkeley election district:  
Berkeley precinct - Berkeley Jr. High School polling place.
- Jamestown election district:  
Jamestown precinct - Rawls Byrd Elementary School polling place.
- Roberts election district:  
Roberts precinct - Mt. Gilead Baptist Church polling place.
- Powhatan election district:  
Powhatan precinct - Norge Elementary School polling place.
- Stonehouse election district:  
Stonehouse precinct - County Office Building polling place.  
(Emergency operations center)

Section 2-5. Election District Boundaries.

The boundaries of the respective election districts are as follows:

- (a) Berkeley Election District. Beginning at the intersection of State Route 603 and the street across the railroad at Ewell; said point being on the James City County-York County boundary line; thence with the James City County-York County line to the junction with the City of Williamsburg city limit line; thence northerly, westerly and southerly with the James City-Williamsburg city line to a point at the intersection of College Creek and Monticello Avenue extended; thence in a northwesterly direction to a point in the center-line of State Route 615 and 300 feet south of the centerline of Magazine Road; thence with State Route 615 to the junction with the north property line of the Berkeley High School; thence easterly, southerly, and westerly with the Berkeley High School property to State Route 616; thence southerly with State Route 616 to Beler Street extended; thence southerly in a straight line to the intersection of State Route 5 and Ferncliffe Drive; thence southerly in a straight line approximately 2400 feet to the intersection of the Druid Hills Subdivision northeast boundary and the Colonial Pipeline easement; thence southeasterly with the Colonial Pipeline easement to State Route 31; thence southwesterly with State Route 31 to the James River and continuing to the centerline of James River being the James City County boundary line; thence northwesterly with the James City County boundary line to Shell Bank Creek; thence northerly with Shell Bank Creek to State Route 5; thence easterly with State Route 5 to the junction with State Route 615; thence northeasterly with State Route 615 to the junction with Indigo Dam Road; thence northwesterly in a straight line approximately 10,200 feet to the centerline of Powhatan Creek and the southwest corner of the Williamsburg West Tract; thence northeasterly with Powhatan Creek approximately 3000 feet to its confluence with Long Hill Swamp and Chisel Run; thence easterly in a straight line approximately 6100 feet to the intersection of State Route 612 and State Route 658; thence easterly with State Route 658 to the junction with U. S. 60; thence northerly with U.S. 60 to the street crossing the railroad at Ewell; thence easterly with said street to the point of beginning.
- (b) Jamestown Election District. Beginning at a point in the centerline of College Creek at Monticello Avenue extended, said point lying on the James City County and Williamsburg City limit line; thence southerly and easterly with the James City County-Williamsburg City line to its junction with the James City-York County line at Penniman Road, thence along Penniman Road with the James City County-York County line to the back lot line between Jackson Drive and Mosby Drive in the James Terrace Subdivision; thence southeasterly along said back lot lines to Tyler Drive; thence westerly with Tyler Drive to the back lot line between Tyler Drive and Jackson Drive; thence southeasterly along said back lot line to the back lot line of Lot 59, 59A, 60 and 74, all fronting the north side of Adams Drive; thence southerly along the west lot line of Lot 74 to Adams Drive; thence westerly with Adams Drive to State Route 143; thence northwesterly with State Route 143 to its junction with Tutter's Neck Creek; thence southwesterly with Tutter's Neck Creek to Halfway Creek; thence westerly with Halfway Creek to the Colonial Parkway; thence southerly with Colonial Parkway to College Creek; thence southerly with College Creek to the James River centerline and James City County-Surry County boundary line; thence westerly with the river centerline and the James City County boundary line to State Route 31 extended; thence northeasterly with State Route 31 to the junction with the Colonial Pipeline easement; thence northwesterly along the Colonial Pipeline easement to the intersection of said easement and the Druid Hills Subdivision northeast boundary, thence northerly in a straight line approximately 2400 feet to the intersection of State Route 5 and Ferncliffe Drive; thence northerly to the intersection of State Route 616 and Beler Street extended; thence northerly with State Route 616 to the Berkeley High School property; thence easterly, northerly and westerly with the Berkeley High School property line to State Route 615; thence northerly with State Route 615 to a point 300 feet south of Magazine Road; thence easterly along a straight line to the point of beginning.
- (c) Roberts Election District. Beginning at a point in Penniman Road at the back lot lines between Jackson Drive and Mosby Drive, said point being on the James City County

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York County line; thence easterly and southerly with the James City County-York County line to the junction with the Newport News city line; thence southerly with the James City County-Newport News line to the James River centerline and the James City County-Surry County line to College Creek; thence northerly with College Creek to the Colonial Parkway; thence northerly with Colonial Parkway to Halfway Creek, thence easterly with Halfway Creek to Tutter's Neck Creek; thence northerly and easterly with Tutter's Neck Creek to State Route 143; thence easterly with State Route 143; thence easterly with State Route 143 to Adams Drive; thence northerly with Adams Drive to the west lot line of Lot No. 74 of the James Terrace Subdivision; thence northerly along the west lot line of Lot 74 to the rear lot line of Lot 74; thence easterly along the back lot lines of Lots 74, 60, 59A, and 59 of the James Terrace Subdivision; thence northwesterly along the back lot lines between Jackson Drive and Tyler Drive to the centerline of Tyler Drive; thence easterly with Tyler Drive to the back lot line between Jackson Drive and Mosby Drive; thence northwesterly along the back lot lines between Jackson Drive and Mosby Drive to the point of beginning.

(d) Powhatan Election District. Beginning at the intersection of State Route 610 and the Chickahominy River; thence in an easterly direction with State Route 610 to its intersection with State Route 631; thence in a southerly and an easterly direction with State Route 631 to its intersection with U.S. Route 60; thence in a southerly direction with U. S. Route 60; thence in a southerly direction with U. S. Route 60 to its intersection with State Route 603 at Lightfoot; thence in a southerly direction with State Route 603 to its intersection with the railroad crossing at Ewell; thence in a westerly direction in the railroad crossing street to its intersection with U.S. Route 60; thence in a southerly direction with U. S. Route 60 to its intersection with State Route 658; thence in a westerly direction with State Route 658 to its intersection with State Route 612; thence in a westerly direction on a straight line approximately 6100 feet to the confluence of streams called "Chisel Run", "Long Hill Swamp", and "Powhatan Creek"; thence southwesterly along the centerline of Powhatan Creek approximately 3000 feet to a point being the Southwest Corner of the Williamsburg West Tract; thence in a southeasterly direction in a straight line a distance of approximately 10,200 feet to the intersection of State Route 615 and Indigo Dam Road; thence southwesterly with State Route 615 to the junction with State Route 5 at Five Forks; thence westerly with State Route 5 to the centerline of Shell Bank Creek; thence southwesterly with the centerline of Shell Bank Creek to the James River and continuing to the centerline, being the boundary line between James City County and Surry County; thence northwesterly along the James City County boundary line in the James River and the Chickahominy River to the point of the beginning.

(e) Stonehouse Election District. Beginning at the intersection of State Route 610 and the Chickahominy River said point being on the James City County and Charles City County boundary line; thence westerly and northerly with the Chickahominy River and the James City County boundary line to the intersection of Chickahominy River and Diascund Creek, said point being a corner of the James City County and New Kent County boundary line; thence northerly and easterly to the centerline of the York River at a point being a corner of the New Kent County James City County boundary line; thence southeasterly with the centerline of the York River and the James City County boundary line to the intersection with the James City County-York County boundary line; thence with the James City County-York County boundary line in a westerly direction along Skimino Creek and continuing with the James City County-York County line to the intersection of U.S. Route 60 and Lightfoot; thence in a northerly direction with U. S. 60 to its intersection with Route 631 at Toano; thence westerly and northerly with Route 631 to its junction with State Route 610; thence westerly with State Route 610 to the point of beginning.

Section 2-6. One Supervisor from Each Election District.

One supervisor shall be elected from each election district as created under this chapter.

#### 7. PENINSULA GERONTOLOGY SERVICES PROJECT REQUEST FOR FUNDING

The Board reviewed the proposed grant application and letter from C. E. Johnson, Hampton City Manager, requesting the County's share of local funds necessary for continuation of the Peninsula Gerontology Services Mass Media Project for a six month period of the second project year.

General discussion followed.

Mr. Frink moved that the Board approve the request for James City County's participation in the funding of this project for a period of six months only, by allocating the County's portion of the local budget in the amount of \$631.60. A vote was taken and the motion was unanimously carried.

#### 8. RESOLUTION ESTABLISHING POLICIES REGULATING BOARDS AND COMMISSIONS

The County Administrator presented the resolution establishing policies designed to improve citizen participation on Boards, Committees and Commissions.

A list of all Boards and Commissions appointed by the Board of Supervisors was also present, and discussion followed concerning the County Administrator's recommendation that certain inactive boards and commissions be deleted. The Board requested Mr. McCann and staff to draft a resolution to this effect.



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Mr. Donaldson moved that the resolution establishing policies regulating Boards and Commissions be approved. The motion was carried by a unanimous roll call vote.

#### RESOLUTION

WHEREAS, the Board of Supervisors of James City County is desirous of ensuring full participation by various members of the community on the Boards and Commissions which it has established, and

WHEREAS, the Board of Supervisors recognizes that citizen participation is a necessary ingredient of responsible government, and

WHEREAS, the Board of Supervisors is interested in ensuring that as many people have an opportunity to participate as possible;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the following policies shall be followed insofar as practical in an effort to carry out these concerns:

1. An effort will be made to ensure geographic representation and different philosophies;
2. Reappointments will generally be limited to one additional term;
3. Memberships by a single individual will generally be limited to one Board, Commission or Committee;
4. Definite terms of membership will be established for all appointments;
5. All Boards, Commissions and Committees shall adopt by-laws which will establish meeting times, attendance requirements, quorum requirements, and a method by which absences may be excused. Such by-laws shall be submitted to the Board of Supervisors for approval.
6. The County Administrator is requested to ensure that all existing Boards and Commissions submit an annual report to the Board of Supervisors concerning its work by June 30th of each year;
7. Appropriate personnel will be assigned to assist the Board, Committee or Commission in carrying out its responsibilities.

#### 9. RESOLUTION RE DIRT STREET IMPROVEMENT PROGRAM

Mr. Donaldson moved the approval of the resolution authorizing the Virginia Department of Highways to award a contract of \$144,449.50 for the improvement of certain dirt streets located in the County. A roll call vote was taken and the motion was carried unanimously.

WHEREAS, bids have been received by the Virginia Department of Highways in the amount of \$144,499.50 for a maintenance restoration schedule for 8 streets listed below to be improved in James City County so they will be eligible for addition to the Secondary System, and

WHEREAS, the restoration Berkeley Town Road can be financed from rural addition funds programmed in the James City County Secondary budget for Fiscal 73-74 not to exceed \$20,000.00, the remainder of cost of carrying out work in the maintenance restoration schedule as well as engineering costs will be borne by the James City County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that the Board requests the Virginia Department of Highways to award a contract of \$144,449.50 for the improvement of:

1. Ales Drive
2. Debra Drive
3. Riverside Drive
4. Canal Street
5. Beechwood Drive
6. Indigo Terrace Road
7. Berkeley Town Road
8. Wilson Circle

BE IT FURTHER RESOLVED, that the Board of Supervisors guarantees to the Virginia Department of Highways the sum of \$124,499.50 in addition to engineering and administrative expenses incurred by the Department of Highways in this maintenance restoration schedule.

#### 10. RESOLUTION TRANSFERRING JUVENILE PROBATION DEPARTMENT OF THE COMMONWEALTH OF VIRGINIA

The resolution was presented by the County Administrator, and he reported that he had contacted Judge Sowder as the Board had requested. It is Judge Sowder's opinion that the transfer be made.

On a motion by Mr. Donaldson, a resolution transferring the Juvenile Probation Department to the State Court services unit was approved by a unanimous roll call vote.



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## RESOLUTION

WHEREAS, under Section 16.1-205 of the Code of the State of Virginia, provision is made for the transfer of local juvenile probation units to the State of Virginia, and

WHEREAS, such a transfer will ensure the economical continuation of responsible professional services to the citizens of James City County, and

WHEREAS, the Board of Supervisors of James City County deems it appropriate and expedient that such a transfer be made;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Juvenile Probation Department serving this County be transferred to the State court services unit which serves this jurisdiction, such transfer to be effectuated on or about July 1, 1974.

11. REAPPOINTMENT TO BOARD OF ADJUSTMENT AND APPEALS

Mr. Taylor moved the reappointment of Mr. H. G. Sheldon to the Board of Adjustment and Appeals for a four-year term to expire March, 1978. The motion was carried by unanimous vote.

12. APPOINTMENT TO ARCHITECTURAL DESIGN REVIEW BOARD

Mr. Waltrip moved the appointment of Mr. Larry McCardle, President of the local Board of Realtors, to the Architectural Design Review Board to fill the vacancy created by the expiration of the term of Mr. Thomas Smith. A vote was taken and the motion was carried unanimously.

13. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO VACATE CERTAIN STREETS AND

ALLEYS IN NORGE

Mr. Waltrip moved that the ordinance to vacate certain street and alleys in Norge be advertised for Public Hearing on March 11, 1974. The motion was carried by a unanimous vote.

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

14. RESOLUTION REQUESTING AUTHORIZATION TO RETAIN AN ARCHITECT TO DESIGN COUNTY SERVICES BUILDING

Mr. Donaldson moved the approval of the resolution authorizing the County Administrator to retain an architect to design a County services building and master site plan of construction. The motion was carried by a unanimous roll call vote.

## RESOLUTION

WHEREAS, the County of James City has limited office space in which to conduct necessary and essential functions required by State law and requested by a growing population; and

WHEREAS, the Williamsburg/James City County Courthouse does not offer sufficient room to meet current and project space needs; and

WHEREAS, the Department of Social Services has been severely criticized for a lack of space in which to adequately serve its clients; and

WHEREAS, the Williamsburg/James City County School Board offices are overcrowded and the School Board requires additional space to properly carry out the educational program for City and County students; and

WHEREAS, the County of James City is required by State law to provide adequate office space for the Juvenile Probation Department as well as Constitutional officers and such space cannot now be provided in the present Court House facility; and

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WHEREAS, the County of James City, the School Board and the James City Service Authority must now lease additional space to properly meet its obligations to the public at considerable cost; and

WHEREAS, the County of James City has been allocated fifty (50) acres of land for public use purposes in accord with Section 7-3-5 of the R-4 Ordinance; and

WHEREAS, said land is located on News Road (Rt. 613), a major improved artery linking Ironbound Road and Centerville Road, which will provide a central accessible location for a County services building to serve all County residents; and

WHEREAS, the News Road Site is of sufficient size to accommodate a facility which can combine all County services in a one-stop, centralized facility; and

WHEREAS, the County's Capital Budget includes funds to commence architectural work on a County services building;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator be authorized to retain an architect to design a County services building and master site plan of construction in order to commence work on this essential project.

15. REQUEST FOR AUTHORIZATION TO EMPLOY SECRETARY II

Mr. McCann requested that the Board authorize him to employ an additional secretary under the classification "Secretary II" to work with the County Administrator's office. He proposed that the \$2200 salary for this position for the remainder of the fiscal year be transferred from the funds previously set aside to hire a County Engineer, since the County Engineer will not be hired until sometime in April.

This recommendation had the unanimous approval of the Board.

16. REQUEST FOR FIREARMS ORDINANCE

Mr. Edwards stated that the Board had received several complaints concerning the firing of weapons near residential areas and requested that the County Attorney draft an ordinance limiting the use of firearms to protect subdivision residents.

17. SANITARY DISTRICT #3 MEETING

Due to complaints received by residents of Sanitary District #3, Mr. Edwards requested that the County Administrator set up a night meeting with the consulting engineer to discuss these problems.

18. COMPREHENSIVE PLANNING COMMITTEE APPOINTMENT

Mr. Donaldson resigned from the Comprehensive Planning Committee and moved that Mr. Frink be appointed to serve in his place. A vote was taken and the motion carried unanimously.


19. PLANNING COMMISSION APPOINTMENT

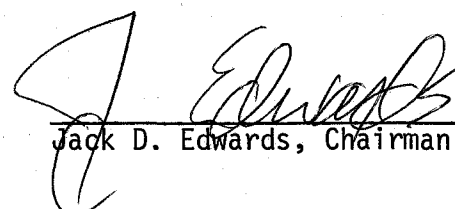
Mr. Edwards announced his resignation from the Planning Commission and moved that Mr. Donaldson be appointed to succeed him. The motion was carried unanimously.

20. CIVIL DEFENSE COMMITTEE APPOINTMENT

Mr. Taylor resigned as Chairman of the Civil Defense Committee and moved the appointment of Mr. Waltrip to succeed him. The motion had the unanimous approval of the Board.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

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AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIFTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

2. MINUTES

Mr. Frink moved the approval of the February 7 and 11, 1974 minutes as published. The motion was carried by a unanimous roll call vote.

2A. HIGHWAY MATTERS

Mr. R. Yeatts, Resident Engineer, was present to answer inquiries from the Board.

Mr. Yeatts informed the Board that the Highway Department was working on a master plan for secondary routes. He will be meeting with the Board in the near future to discuss this master plan.

3. PUBLIC HEARING

Ordinance to vacate portions of plat on Canterbury Hills Subdivision, properties of James J. Connolly.

The public hearing was opened by the Chairman. There being no discussion the public hearing was closed.

Mr. Donaldson moved that the ordinance to vacate a portion of plat on Canterbury Hills Subdivision be approved. The motion was seconded by Mr. Waltrip and carried by an unanimous roll call vote.

ORDINANCE NO. 76

AN ORDINANCE TO VACATE A CERTAIN PORTION OF THAT PLAT ENTITLED, CANTERBURY HILLS SUBDIVISION, JOSEPH S. TERRELL, OWNER, JAMESTOWN DISTRICT, JAMES CITY COUNTY, VIRGINIA, DATED NOVEMBER 1, 1959, REVISED AUGUST 15, 1960, AND PREPARED BY McMANUS, MROCK & McMANUS, CIVIL ENGINEERS & LAND SURVEYORS, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF JAMES CITY COUNTY IN PLAT BOOK 18, PAGE 31; THE PORTION TO BE VACATED IS MORE PARTICULARLY DESCRIBED AS THAT CERTAIN COMMON PROPERTY LINE BETWEEN AND DIVIDING LOTS 10 & 16; THE RESULT OF SUCH VACATION BEING THE ELIMINATION OF THE LOT DESIGNATED AS LOT 10, THE ENTIRE PARCEL TO BE KNOWN & DESIGNATED HERE-AFTER AS LOT 16.

BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia:

1. That pursuant to Section 15.1-482, Code of Va., 1950, as amended, a certain portion of that plat entitled, Canterbury Hills Subdivision, Joseph S. Terrell, owner, Jamestown District, James City County, Va., dated November 1, 1959, revised August 15, 1960, and prepared by McManus, Mrock & McManus, civil engineers and land surveyors, and recorded in the Clerk's Office for James City County in Plat Book 18, page 31, and more particularly described as that property line between and dividing lots 10 and 16, be and the same is, hereby, vacated.
2. That the result of the vacation of such property line described herein shall be the elimination of the lot known and designated as lot 10, the entire parcel to be known and designated hereafter as lot 16.
3. That this Ordinance shall be in full force and effect in accordance with Section 15.1-482, Code of Va., 1950, as amended, and a certified copy hereof shall be recorded in the Clerk's Office of the Circuit Court of James City County, Virginia.

4. PUBLIC HEARING

Consideration of Permitted Use in B-1 Zone - Harrison Saunders

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The chairman opened the public hearing.

Mr. W. R. Bland, Attorney, represented Mr. Saunders in his request for a Permitted Use in B-1 zone to enlarge bait shop at the corner of Rt. 615 and Rt. 5 to include public amusements. He described the adjoining properties and that the addition was in character of the area.

Mrs. I. Douglas did not believe this is the kind of tourist attraction the County needs.

The public hearing was closed by the chairman.

Mr. Donaldson inquired if the building can be built for less than \$1,000 and still comply with the Code.

Mr. Waltrip felt this addition could be detrimental to the Five Forks area.

The Board deferred action until its next regular meeting.

5. REQUEST FROM PENINSULA SYMPHONY ORCHESTRA FOR A CONTRIBUTION

Mr. Cary McMurran represented the Peninsula Symphony Orchestra in requesting funding from James City County in the amount of \$500.

Mr. Donaldson moved the approval of the request for a grant of \$500.

Mr. Donaldson moved the approval of the request for a grant of \$500 and further moved that the necessary appropriations be made from the Contingent Account (18E) to Contributions and Transfers (18C). The motion was seconded by Mr. Waltrip and carried by a majority roll call vote. Mr. Taylor voted no.

6. MIDDLE PLANTATION MASTER PLAN REVISION

The Board reviewed the revised Master Plan of Middle Plantation approved by the Site Plan Committee. Miss Sturgeon pointed out the change in the road plans for the Board.

Mr. Taylor moved the approval of the revised master plan and the motion carried by a unanimous roll call vote.

7. TRANSFER FROM CONTINGENT ACCOUNT TO COVER LANDFILL EXPENSES

Mr. Frink moved the approval of the request to transfer \$13,500 from Contingent Account (18E) to Special Services (10C-226) to cover landfill expenditures. The motion carried by a unanimous roll call vote.

8. RESOLUTION REQUESTING THE STATE HIGHWAY DEPARTMENT TO CONSTRUCT CARRIAGE ROAD TO WILLIAMSBURG CITY LIMITS

Mr. Donaldson moved the approval of the resolution to the Highway Department requesting them to construct Carriage Road to the Williamsburg City limits. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Carriage Road (Route 672) is a dead end road restricting access to neighborhood shopping areas; and,

WHEREAS, the residents of Carriage Road have petitioned the James City County Board of Supervisors for several years to provide a more suitable route to these shopping areas; and

WHEREAS, the City of Williamsburg is planning for the improvement of New Hope Road to serve proposed development in that area of the City; and

WHEREAS, a connection of Carriage Road to New Hope Road would provide a more suitable shopping access for the Carriage Road residents; would provide through street access for planned development in Williamsburg; and would open an area in James City

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for the potential development of residential units.

NOW, THEREFORE, BE IT RESOLVED, that the James City County Board of Supervisors hereby requests the Virginia Department of Highways to include in its 1974-75 Budget, funds sufficient for the extension of Carriage Road in James City County to a connection with New Hope Road at the City-County limits.

9. APPROVAL OF ERRONEOUS ASSESSMENTS AND TRANSFER OF FUNDS

Mr. Donaldson moved the approval of the three resolutions refunding tax assessments and authorized the amount of \$4,264.63 be transferred from the Contingent Account (18E) to Claims Against the County (18D) to cover the costs.

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County, has certified that the Williamsburg Church of the Nazarene was erroneously assessed for real estate located in James City County on their 1973 Real Estate Tax bill; and

WHEREAS, due to this erroneous assessment the Williamsburg Church of the Nazarene overpaid their tax by the amount of \$116.77;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$116.77 to the Williamsburg Church of the Nazarene.

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that W. M. Jordon Company, Inc. was erroneously assessed for 1973 contractors' licenses; and

WHEREAS, due to this erroneous assessment W. M. Jordon Company overpaid their license fees by the amount of \$3,959.00;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$3,959.00 to W. M. Jordon Company, Inc.

RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County has certified that Mr. John C. Richardson was erroneously assessed for his 1972 and 1973 business license; and

WHEREAS, due to this erroneous assessment Mr. Richardson overpaid his license fee by the amount of \$188.86;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$188.86 to Mr. Richardson.

10. DATE FOR JOINT PUBLIC HEARING ON AMENDMENTS TO B-2 ZONE

The Board referred the amendments to B-2 zone of the Zoning Ordinance to the Planning Commission and upon concurrence of the Commission to advertise the amendments for a joint public hearing on March 25, 1974, at 7:30 P.M.

11. RESOLUTION DISMISSING CERTAIN BOARDS AND COMMISSIONS APPOINTED BY THE BOARD OF SUPERVISORS

Mr. Donaldson moved the approval of the resolution dismissing certain Boards and Commissions changing the James River Basin committee to Item 2 to be reappointed. The motion was carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors has adopted a policy to guide the appointment of individuals to Committees, Boards, and Commissions; and

WHEREAS, several Committees, Boards, and Commissions have been found to have completed their work and can be dismissed or reconstituted;

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

1. The following Committees, Boards, and Commissions are hereby dismissed and the County Administrator is requested to so advise

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their members, conveying the sincere thanks of the Board of Supervisors.

Commission on Recreation Opportunities  
 Courthouse Dedication Committee  
 Firearms Committee  
 Utilities Committee  
 Solid Waste Disposal Areas Committee  
 Substandard Housing Committee  
 Water and Sewerage Study Commission  
 York River Basin  
 Zoning & Subdivision Ordinance Review Committee

2. That the following Committees, Boards, and Commissions shall be dismissed and reappointed in order to clarify memberships and dates of appointment:

Highway Safety Commission  
 James River Basin  
 Mosquito Control  
 Peninsula Bicentennial Commission

12. Certification of Warrants

General Fund	Checks #8671 thru #8845 Totalling \$813,435.17
Sanitary District #1	Check #200 Totalling \$953.32
Sanitary District #2	Checks #236 thru #240 Totalling \$38,997.13
Sanitary District #3	Check #107 Totalling \$18,992.80
Courthouse Construction Fund	Check #228 Totalling \$3,900.00

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

13. Gasoline Dealers Meeting


Mr. Edwards informed the public of a meeting of gasoline dealers of the City of Williamsburg and the York and James City Counties to approve an agreement for gas dealers to be allowed to stay open on Sundays.

Mr. Frink requested the County Administrator and staff to investigate the possibility of guaranteeing the availability of gasoline supplies for County emergency vehicles.

14. Williamsburg Motor Court - Request for Variance

Mr. Donaldson moved that the Board refer the request from the Williamsburg Motor Court for a height limitation waiver of the Zoning Ordinance for their proposed convention center to the Planning Commission. The Board requested the Commission to schedule a public hearing on the matter and inform the Board of its recommendation. The motion was carried by a unanimous roll call vote.

THE MEETING WAS ADJOURNED TO RECONVENE AT 7:30 P.M. ON MARCH 5, 1974.

  
 Thomas R. McCann, Jr., County Administrator

  
 Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE ELEVENTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. Roll Call

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District

Meeting of  
 March 11, 1974  
 Changed



March 11, 1974

Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton III, County Attorney

2. MINUTES

Mr. Donaldson corrected Item 14 to read, "...refer the request from the Williamsburg Motor Court for a height limitation waiver of the Zoning Ordinance for their proposed convention center to the Planning Commission."

Mr. Frink moved the approval of the Minutes of February 25 with the correction as noted. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING

Rezoning Case #Z-8-73. Application by Carter Hill, Inc. for rezoning of property from A-2 Agriculture Limited to R-3 Residential Limited. Property to be rezoned near Jamestown Ferry on State Rt. 680.

The Chairman opened the public hearing.

Mr. James Carter presented a brief description of plans for property to be rezoned.

There being no further discussion the Chairman closed the public hearing.

Discussion followed.

Mr. Donaldson moved that action be deferred until the County Attorney can determine whether or not a townhouse is a single family dwelling. The motion carried by a unanimous roll call vote.

4. PUBLIC HEARING

Ordinance to vacate certain unimproved streets and alleys in Norge, James City County, Virginia (formerly known as Norvalia).

The chairman opened the public hearing.

Mr. J. R. Zepkin, attorney was present to explain the location and reason for vacating these unimproved streets and alleys.

There being no further comments from the public the Chairman closed the hearing.

Mr. Donaldson moved that the Board approve the ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE #77

AN ORDINANCE VACATING CERTAIN UNIMPROVED STREETS AND ALLEYS IN NORGE, JAMES CITY COUNTY, VIRGINIA (FORMERLY KNOWN AS NORVALIA).

WHEREAS, application was made by Old Colony Bank and Trust Company of Williamsburg to vacate certain streets and alleys lying in James City County, Virginia, herein more particularly described; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given as required by Section 15.1-431 of the Code of Virginia (1950) as amended; and

WHEREAS, the Board of Supervisors of James City County did consider such application on the \_\_\_\_\_ day of \_\_\_\_\_, 1974, pursuant to such notice; and

WHEREAS, the Board of Supervisors of James City County is of the opinion that such vacating would not result in any inconvenience and is in the interest of public welfare.

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

That the following streets and alleys in James City County, Virginia being more particularly described as follows:

March 11, 1974

1. All of the alleyways and parcels of land shown as shaded areas and to be vacated on that certain Plat entitled: "MAP SHOWING PROPOSED VACATION OF CERTAIN ALLEYS AND STREETS IN NORGE, VIRGINIA: FORMERLY NORVALIA, VIRGINIA", compiled by L. V. Woodson & Associates, Inc., dated May 22, 1973, a copy of which is hereto attached and incorporated by reference; and

2. All that certain parcel shown as Parcel A on that certain Plat entitled: "MAP SHOWING PROPOSED VACATION OF CERTAIN ALLEYS AND STREETS IN NORGE, VIRGINIA: FORMERLY NORVALIA, VIRGINIA".

Be closed and vacated and the same shall no longer be deemed public streets or alleys in James City County, Virginia.

5. REQUEST FROM HARRISON SAUNDERS FOR A PERMITTED USE IN B-1 ZONE TO ENLARGE BAIT SHOP AT THE CORNER OF RT. 5 and RT. 615 to INCLUDE PUBLIC AMUSEMENTS.  
(4-2/25/74)

Mr. McCann presented the Board with suggested limitations for the captioned use.

Mr. Taylor moved to amend Item 3 relating to hours of operation changing "daylight hours" to read "9:00 A.M. to 11:00 P.M. Closed Sundays."

Mr. Frink moved that the request for a Permitted Use from Mr. Saunders be approved with the nine conditions listed and Item 3 amended. The motion carried by a majority roll call vote. Mr. Waltrip abstained.

1. One toilet for each sex should be provided on premise.
2. Permitted off-street parking at the rate of 1 1/2 spaces per table or machine.
3. The hours of operation should be limited to 9:00 A.M. - 11:00 P.M. Closed Sunday.
4. No alcoholic beverages should be kept, sold, or consumed on the premises.
5. Minors under the age of 15 should not be permitted.
6. No more than three pin ball or other type machines and no more than one pool table should be authorized.
7. An employee of the applicant should be present in the facility at all times while it is opened to the public.
8. Minimum interior illumination of 70' candles should be established.
9. The addition should have a minimum of 100 sq. ft. of transparent glass area to permit unobscured view of the interior of said amusement area during the hours of operation.

6. MIDDLE PLANTATION PLANNED COMMUNITY FINAL PLANS FOR CONDOMINIUM UNITS

Mr. Waltrip moved to approve the Final Plans for Middle Plantation Condominiums with the conditions listed.

Mr. Donaldson moved that Item 1 note that the Board of Supervisors requires 2.5 parking spaces per unit.

Mr. Waltrip moved to approve the Final Plans for Middle Plantation Condominiums with conditions and modification of Item 1 as noted. The motion carried by a unanimous roll call vote.

1. The Board requires 2.5 parking spaces per unit.
2. Monumentation of the area shall be as provided for in Sections 4-29 and 4-30 of the Subdivision Ordinance.
3. A school bus shelter should be provided at the entrance to the development.
4. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after seventy-five (75) per cent of the project is developed. If problems are noted which the developer can and should correct then the developer should be required at his expense to install appropriate paved drainage channels or other appropriate workable stabilization techniques approved by the County.
5. A submittal should be made to the County Administrator or his designee, consisting of (1) complete final plans prior to and also for recording; and (2) community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. The Board has also charged the County Administrator with the responsibility of protecting the County's interest through a detailed administrative review of both plans and documents.

7. RESOLUTION BETWEEN JAMES CITY AND YORK COUNTIES AND THE CITY OF WILLIAMSBURG AUTHORIZING A VOLUNTARY PLAN OF HOURS AND DAYS OF OPERATION FOR PARTICIPATING SERVICE STATIONS.

Mr. Donaldson moved the approval of the resolution authorizing a voluntary plan of hours and days of operation for participating service stations. The motion was

March 11, 1974

carried by a unanimous roll call vote.

#### JOINT RESOLUTION

WHEREAS there is presently a motor vehicle fuel shortage and the economy of the Williamsburg, James City County and York County areas is heavily dependant on tourism; and

WHEREAS the comfort, convenience, trade and commerce of the area and its inhabitants would be promoted and furthered by a voluntary program of scheduled hours and days of operation by the service stations in the area; and

WHEREAS the Governor of Virginia, pursuant to authority granted him under Section 44-146.17 of the Code of Virginia as amended by an Act of the General Assembly signed into law on February 15, 1974, issued Executive Order Number Two permitting and authorizing localities to adopt voluntary local programs covering days and hours of operation of individual gasoline retailers; and

WHEREAS the majority of the service station operators in the Williamsburg, James City County and York County areas have recognized the necessity of such a plan and, at sacrifices to themselves and their families, have agreed to participate in a voluntary plan sponsored and arranged by the City of Williamsburg, the County of James City and the County of York; NOW THEREFORE

BE IT JOINTLY RESOLVED BY THE CITY COUNCIL OF WILLIAMSBURG, THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY AND THE BOARD OF SUPERVISORS OF YORK COUNTY, that the following voluntary plan of hours and days of operation be and is adopted and approved in conjunction with all of the service stations represented by their signatures hereto:

1. That there shall be a minimum of 4 service stations open on Sundays.
  - a) Selection of stations shall be on a voluntary basis and if there are not enough volunteers, then lots shall be drawn monthly.
  - b) No station will be required or expected to open more than one Sunday per month.
2. That the stations open on Sunday will save at least 4/30 or 5/31 of their monthly allocation for each Sunday they will be open.
3. That the Chamber of Commerce and the Governing Bodies will encourage local residents to refrain from buying on Sundays except in emergencies.
4. That the Chamber of Commerce will coordinate the selection and scheduling of Sundays, will receive and disseminate information on which stations shall be open and the hours of operation of all participating stations.
5. That service stations may trade off and switch dates but will notify the Chamber of Commerce by Noon on the Tuesday prior to such Sunday date.
6. That the localities and the Chamber of Commerce will continue to assist the service stations in the administration of the program and in completing the FEO Form 17's and in the submission of same.

BE IT FURTHER RESOLVED That the City Manager and City Attorney for the City of Williamsburg, the County Administrator and County Attorney for James City County and the County Administrator and Commonwealth Attorney for York County be and are directed and requested to render all assistance and guidance, as may be reasonable and appropriate to such service station operators in carrying out this plan:

8. RECOMMENDATION FROM THE SOCIAL SERVICES BOARD RECOMMENDING THE MERGER OF JAMES CITY COUNTY DEPARTMENT OF SOCIAL SERVICES WITH THE WILLIAMSBURG AND YORK COUNTY DEPARTMENTS OF SOCIAL SERVICES.

Mr. Donaldson moved that the recommendation of the County Administrator to hold a public hearing on the captioned matter be approved setting the date for the hearing March 25, 1974. The motion carried by a unanimous roll call vote.

9. CONVEYANCE OF EASEMENT IN SANITARY DISTRICT #2 TO POCAHONTAS INVESTMENT CO.

Pocahontas Investment Company requested that unnecessary portion of sewer easement conveyed by them to Sanitary District 2 in 1972 be conveyed back to them.

Mr. Waltrip moved the approval of the deed of conveyance to Pocahontas Investment Company. The motion carried by a unanimous roll call vote.

10. DATE FOR PUBLIC HEARING FOR A SPECIAL PERMITTED USE TO CONSTRUCT RENTAL STORAGE UNITS IN B-1 ZONE - MR. HARRISON SAUNDERS APPLICANT.

Mr. Donaldson moved to set the date of April 8 for public hearing

March 25, 1974  
March 11, 1974

at 7:30 PM in the Courthouse, Williamsburg, on the captioned matter. Motion carried by a unanimous roll call vote.

11. DATE FOR PUBLIC HEARING ON REQUEST TO ZONE LAND ON STRAWBERRY PLAINS ROAD TO R-2, NOW DESIGNATED "P" (PUBLIC USE) ON THE COUNTY ZONING MAP - MR. ST. GEORGE GRINNAN, APPLICANT

Mr. Donaldson moved to set the date of April 8 for public hearing at 7:30 PM in the Courthouse, Williamsburg, on the captioned matter. Motion carried by a unanimous roll call vote.

12. DATE FOR PUBLIC HEARING TO AMEND THE SUBDIVISION ORDINANCE TO REQUIRE AN APPLICANT TO NOTIFY JOINT PROPERTY OWNERS OF AN APPLICATION FOR A VARIANCE.

Mr. Donaldson moved to set the date of April 8 for public hearing at 7:30 PM in the Courthouse, Williamsburg, on the captioned matter. Motion carried by a unanimous roll call vote.

13. DATE FOR PUBLIC HEARING TO AMEND ZONING ORDINANCE TO ALLOW NURSERIES AND GREENHOUSES IN THE B-1, M-1 AND M-2 ZONES.

Mr. Donaldson moved to set the date of April 8 for public hearing at 7:30 P.M. in the Courthouse, Williamsburg, on the captioned matter. Motion carried by a unanimous roll call vote.

14. REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR  
SCHOOL BOARD BUDGET MEETING

The Board scheduled the School Board Budget meeting for March 18 at 4:00 P.M.

15. SERVICE AUTHORITY REQUEST FOR TEMPORARY WATER CONNECTION

The Board deferred action.

16. CHAMBER OF COMMERCE APPOINTMENT

Mr. Donaldson nominated Mr. Mayo Waltrip to be the Board's representative on the Chamber of Commerce. The motion carried by a majority roll call vote. Mr. Waltrip abstained.


17. BOARDS AND COMMISSIONS

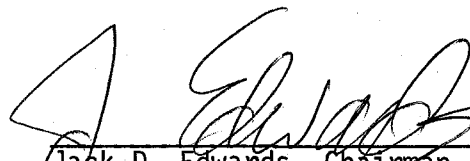
The Board directed the County Administrator to advertise vacancies on the following Commissions:

Highway Safety Commission  
James River Basin Commission  
Peninsula Bicentennial Commission

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIFTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District

March 25, 1974

Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank M. Morton III, County Attorney

## 2. MINUTES

Mr. Donaldson moved the approval of the March 11, 1974 minutes as published. The motion was carried by a unanimous roll call vote.

## 3. RESOLUTION AUTHORIZING THE ABANDONMENT OF CERTAIN SECTIONS OF ROUTE 613

Mr. Waltrip moved the approval of the resolution abandoning certain sections of Rt. 613. The motion carried by a unanimous roll call vote.

### RESOLUTION

WHEREAS, Secondary Route 613, from the Intersection of Route 614 to 2.252 mi. East Intersection of Route 614, a distance of 2.252 miles, has been altered, and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizens as the road so altered; and

WHEREAS, certain sections of this new road follow new locations, these being shown on the attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 613, Project 0613-047-111, C501, dated at Richmond, Virginia December 14, 1973."

NOW, THEREFORE, BE IT RESOLVED: That the portions of Secondary Route 613, i.e., Sections 7-8-9-10-11-12, shown in red on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 613, Project 0613-047-111, C501, dated at Richmond, Virginia, December 14, 1973", a total distance of 0.99 miles be, and hereby is, added to the Secondary System of State Highways, pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended;

BE IT FURTHER RESOLVED, that the Sections of old location, i.e., Sections 1-2-3-4-5-6, shown in blue on the aforementioned sketch, a total distance of 1.07 miles, be, and the same hereby is, abandoned as a public road, pursuant to Section 33.1-155 of the Code of Virginia of 1950, as amended.

## 4. RESOLUTION ABANDONING RAIL CROSSING ON RT. 708 UPON COMPLETION OF NEW CROSSING TO BE LOCATED ON RT. 645.

Mr. Frink moved the approval of the resolution abandoning the rail crossing on Rt. 708. The motion carried by a unanimous roll call vote.

### RESOLUTION

WHEREAS, the Virginia Department of Highways has plans to improve and relocate a portion of State Route 645 in York County in the vicinity of the abandoned college airport; and,

WHEREAS, the relocation and improvement of Route 645 would cause this road to pass through James City County and connect State Route 60 with State Route 603 in the vicinity of the American Road Museum, thereby allowing for a new signalized railroad crossing from Route 603 to Route 60; and,

WHEREAS, this new rail crossing would position the State Department of Highways to abandon the existing rail crossing on Route 708 adjacent to the Anvil Trailer Court; and,

WHEREAS, the Chesapeake and Ohio Railroad will not enter into an agreement with the Virginia Department of Highways for this new crossing until the governing body of James City County renders its intent to abandon the existing crossing upon completed construction of the new crossing;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that in consideration of the Safety benefits which will be received by the traveling public through the relocation of State Route 645 and the concurrent abandonment of the existing rail crossing on Route 708 the Board does hereby authorize and approve the abandonment of the existing rail crossing on Route 708 effective upon the completion of the new crossing to be located on State Route 645;

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Williamsburg resident engineer of the Virginia Department of Highways.

March 25, 1974

5. REZONING CASE #Z-8-73. Application by Carter Hill Inc. for rezoning of property from A-2 Agriculture Limited to R-3 Residential Limited. Property to be rezoned near Jamestown Ferry.

Mr. Waltrip moved to approve the request for rezoning from A-2 Agriculture Limited to R-3 Residential Limited. Discussion followed with Mr. J. Carter and Mr. Parrish, and the Board expressed its general concern over making such a rezoning while the County is completing its comprehensive program which includes a Land Development Concept. The motion was defeated by a majority roll call vote. Messrs. Frink, Donaldson and Edwards voted no.

6. CONSIDERATION OF A WAIVER OF THE HEIGHT LIMITATION ON THE PROPOSED WILLIAMSBURG MOTOR COURT AND CONVENTION CENTER

Mr. Taylor questioned whether the Board should have a public hearing on the matter. Mr. Donaldson felt that the Planning Commission's public hearing was well attended and that the developer needed an answer. General discussion followed.

Mr. Donaldson moved that the recommendation of the Planning Commission be accepted and that in accepting the recommendation that the request for a height limitation waiver be denied. The motion carried by a majority roll call vote. Mr. Taylor voted no.

7. CONSIDERATION OF RECOMMENDATION FROM THE SOCIAL SERVICES BOARD RECOMMENDING THE MERGER OF THE JAMES CITY COUNTY DEPARTMENT OF SOCIAL SERVICES WITH THE WILLIAMSBURG AND YORK COUNTY DEPARTMENTS OF SOCIAL SERVICES.

The following people spoke against the merger:

Mr. W. F. Pettingill, Stonehouse District  
Mr. Richard Coakley, Jamestown District  
Mrs. Irene Douglas, past chairman of the Feasibility Study Committee  
Mr. J. Hicks, Chairman of the Social Services Board

The following people spoke for the merger:

Mrs. Sharon Keifner, President, League of Women Voters  
Mrs. Alma White, Powhatan District

The matter came before the Board .

Mr. Taylor moved that we postpone action until the Board could meet with the Social Services Board. The motion carried by a unanimous roll call vote.

8. FINAL PLANS ON GATEHOUSE AND INFORMATION CENTER - MIDDLE PLANTATION PLANNED COMMUNITY

Mr. Donaldson moved that the final plans on the Gatehouse and Information Center - Middle Plantation - be approved subject to the conditions set forth. The motion carried by a unanimous roll call vote.

1. The future parking area designated to the right of the entrance be omitted and left as landscaped area;
2. Signing and lighting shall be in accordance with the overall plan for the community;
3. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after the construction of the initial building and if problems are noted which the developer can and should correct then the developer should be required at his expense to install appropriate devices to correct the problems.

9. ERRONEOUS ASSESSMENT - Mrs. Gladys C. Gilley

Mr. Waltrip moved the approval of the resolution authorizing the refund of \$534.40 to Mrs. Gladys C. Gilley for an erroneous assessment. The motion carried by a unanimous roll call vote.



March 25, 1974

## RESOLUTION

WHEREAS, the Commissioner of the Revenue of James City County, has certified that Mrs. Gladys C. Gilley, 109 Leon Drive, Williamsburg, was erroneously assessed for real estate located in James City County on her 1972 and 1973 Real Estate Tax bills; and

WHEREAS, due to these erroneous assessments Mrs. Gilley overpaid her taxes by the amounts of \$267.20 for 1972 and \$267.20 for 1973;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Treasurer be directed to refund the amount of \$534.40 to Mrs. Gladys C. Gilley.

10. RESOLUTION APPROVING NINE MONTHS OF EDUCATIONAL LEAVE FOR DR. PHILIP WILSON, DIRECTOR OF THE COLONIAL HEALTH DISTRICT

Mr. McCann advised the Board that management of the Health Department would be supplemented by special attention from Dr. King and his administrative assistant in Newport News and that Mr. Basil would be responsible for routine daily operations during Dr. Wilson's absence.

Mr. Donaldson moved to approve the resolution as set forth below. The motion carried by a unanimous roll call vote.

## RESOLUTION

BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the Board concur in the desire of Dr. Philip Wilson, Director, Colonial Health District, for a nine month leave of absence to attend Johns Hopkins University to obtain a Master of Public Health degree commencing September 1, 1974.

11. DATE FOR PUBLIC HEARING ON THE PROPOSED VACATION OF A PORTION OF LOTS 23 & 25, JAMESTOWN FARMS, JAMES CITY COUNTY

Mr. Waltrip moved to set the date of April 22, 1974, at 3:00 P.M., in the Courthouse, Williamsburg, for public hearing on the captioned matter. The motion carried by a unanimous roll call vote.

12. DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 13, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, BY ADDING A NEW SECTION, SECTION 13-36, ENTITLED "FIREARMS CONTROL ORDINANCE" PROHIBITING THE DISCHARGE OF SAME IN RECORDED SUBDIVISIONS WITHIN THE COUNTY: EXCEPTIONS

The Board discussed the ordinance with Mr. Morton.

Mr. Edwards moved that the words "300 feet" be added to Item 1, in Section 13-36, to read as follows:

"1. It shall be unlawful for any person to discharge any firearms or air-operated or gas operated weapons in or within 300 feet of the boundaries of any recorded subdivision located in James City County."

The motion carried by a unanimous roll call vote.

Mr. Frink moved to advertise the "Firearms Control Ordinance" as amended for public hearing on May 13, 1974 at 7:30 P.M., in the Courthouse, Williamsburg. The motion carried by a unanimous roll call vote.

13. CERTIFICATION OF WARRANTS

On a motion by Mr. Edwards and a unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of March 1974.

General Fund	Checks #8846 thru #9017
	Totalling \$154,208.35

Sanitary District #1	Checks #201 and 202
	Totalling \$786.24

March 25, 1974

Sanitary District #2                      Checks #241 thru #244  
 Totalling \$15,232.36

JCC Revenue Sharing Trust Fund      Checks #105 thru #107  
 Totalling \$48,666.34

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

14. PURCHASE OF ACCOUNTING MACHINE

Mr. Donaldson moved to authorize the transfer of funds in the amount of \$11,183 from the Contingent Fund (18E) to the Office of Accounting and Purchasing to cover the purchase of an accounting machine and to authorize the chairman to sign the contract for same. The motion carried by a unanimous roll call vote.

15. CONTRACT WITH MALCOLM PIRNIE, CONSULTANTS FOR WATER AND SEWER MASTER PLAN

Mr. McCann explained that the County was prepared to proceed with hiring a consultant to carry out a water and sewer master plan as a part of the comprehensive program. The Board concurred in his recommendation to enter into a contract since funds were already available in the current budget.

Mr. Donaldson moved that the meeting adjourn into executive session to consider personnel matters. The motion carried by a unanimous roll call vote.

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THE MEETING WAS ADJOURNED TO RECONVENE AT 7:30 P.M., MARCH 25, 1974.

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AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIFTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank M. Morton, III, County Attorney

2. PUBLIC HEARING HELD WITH PLANNING COMMISSION

An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 8A, Business Tourist Entry District B-2, by amending and reordaining Section 8A-2 Setback Regulations and adding a new Section, Section 8A-12, Dedication of Land for access Roads.

The ordinance was explained by Messrs. McCann, Covey and Morton.

Mr. Malvin Rowe spoke against the B-2 Zone.

On a 4-2 vote the Planning Commission recommended approval of the ordinance.

Mr. Donaldson moved that the Board of Supervisors approve Ordinance No. 31A-19.

The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

ORDINANCE No. 31A-19

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE 8A, BUSINESS TOURIST ENTRY DISTRICT B-2, BY AMENDING AND REORDAINING SECTION 8A-2, SETBACK REGULATIONS AND ADDING A NEW SECTION, SECTION 8A-12, DEDICATION OF LAND FOR ACCESS ROADS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, Zoning Ordinance, of the Code of the County of James City County, Article 8A, Business Tourist Entry District B-2, be

April 2, 1974  
March 25, 1974

and the same is, hereby, amended by amending and reordaining Section 8A-2, Setback Regulations and adding a new section, Section 8A-12, Dedication of Land for Access Roads, as follows:

# CHAPTER 20

## ZONING ORDINANCE

### Article 8A. Business Tourist

#### Entry District B-2

#### Section 8A-2. SETBACK REGULATIONS

- 8A-2-1. Buildings shall be located seventy-five (75) feet or more from the back of the highway curb closest to such buildings, or, if no such curb exists, from the top of the outer slope of the drainage way. From the point thus established there shall be dedicated to the County fifty-five (55) feet for purposes of right-of-way for construction of an access road; such dedication to be in accordance with the provisions of Article 8A, Section 12 hereof. Such access road shall be constructed by the developer in accordance with Section 8A-2-2. All land area within the seventy-five (75) foot setback, except for the access road and approved sidewalks and entry drives, shall be landscaped with grass, trees, or shrubs or evergreen ground cover and maintained in good condition.
- 8A-2-2. Illustration 1 on the following page is the minimum design of a cross section of the front part of property in this district showing the access road to be constructed by the developer within the fifty-five (55) foot right-of-way in accordance with the applicable standards of the Virginia Department of Highways.

#### Section 8A-12. DEDICATION OF LAND FOR ACCESS ROADS


Prior to the issuance of approval of a final site plan under this ordinance, or at such later date as shall be agreed upon by the Administrator in writing, all land designated in such final site plan as access roads, or for other public use, shall be dedicated to James City County by a deed in form approved by the Administrator and executed, acknowledged and delivered by or on behalf of all persons having any interest in said land.

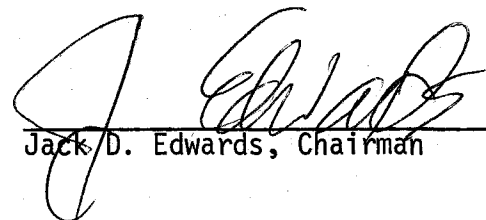
Recordation of such deed of dedication shall constitute acceptance by James City County of the dedication of such land.

This ordinance shall be in full force and effect from the day of its adoption.

3. Mr. Donaldson moved that a joint public hearing with the Planning Commission be held on Tuesday, April 23, 1974, in the Courthouse, Williamsburg, Virginia, at 7:30 P.M. to consider the following ordinances:
1. An ordinance to amend and reordain Chapter 20, Zoning ordinance, of the Code of the County of James City, Article 8A, Business Tourist Entry District B-2, by amending certain Articles, repealing certain Articles, adding certain Articles and reordaining the remaining Articles.
  2. An ordinance to amend and reordain Chapter 20, Zoning Ordinance of the Code of the County of James City, Article 12-13, Architectural Design Review, by amending certain articles, deleting certain Articles and reordaining the remaining Articles.
  3. An Ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, by amending Article 16-5, Severability.
  4. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 17, Subsection 17-91.

Mr. Donaldson moved that the meeting be adjourned. The motion carried by a unanimous vote.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SECOND DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FOUR.

#### 1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

April 8, 1974  
April 2, 1974

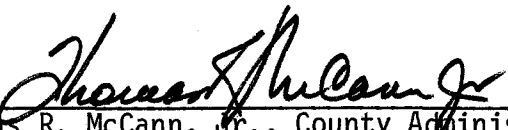
Mr. Thomas R. McCann, Jr., County Administrator

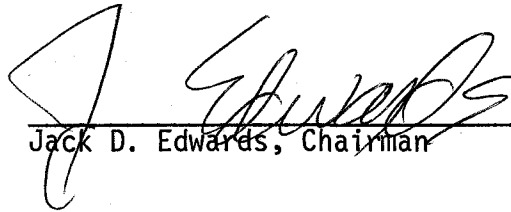
2. AGENDA FOR WORKSESSION

The following items were discussed:

1. Announcements of topics for future worksession
2. Container collection system
3. Update on Comprehensive Planning Committee
4. Firearms Ordinance
5. Curb and gutter and other Subdivision matters
6. Reports pending
7. Kingsmill Land Dedication
8. Report on Federal and State funding on park and playground development

THE MEETING WAS ADJOURNED UNTIL APRIL 8, 1974, at 7:30 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton III, County Attorney

2. MINUTES

Mr. Waltrip moved the approval of the March 25, 1974, minutes as published.

The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING

An ordinance to amend and reordain Chapter 20, Zoning Ordinance of the Code of the County of James City, Article 8, General Business District 1, Article 9, Industrial, Limited, District M-1, Article 10, Industrial General, District M-2, amended. (13-3/11/74)

The chairman opened the public hearing. There being no discussion the hearing was closed.

Mr. Donaldson moved that the recommendation of the Planning Commission be accepted and that the ordinance amending Chapter 20 of the Zoning Ordinance be adopted. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-20

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE IV, DISTRICTS, DIVISION 8, BUSINESS, GENERAL, DISTRICT B-1, SECTION 20-82, PERMITTED USES: DIVISION 9, INDUSTRIAL, LIMITED, DISTRICT M-1, SECTION 20-88, PERMITTED USES: AND DIVISION 10, INDUSTRIAL, GENERAL, DISTRICT M-2, SECTION 20-96, PERMITTED USES.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, be and the same is hereby amended and reordained by adding the following paragraphs:

CHAPTER 20

ZONING ORDINANCE

Article IV. Districts

April 8, 1974

## DIVISION 8. BUSINESS, GENERAL.

## District B-1

## Section 20-82. Permitted Uses

Retail Stores

Retail Nurseries.

DIVISION 9. INDUSTRIAL, LIMITED.  
DISTRICT M-1

## Section 20-88. Permitted Uses.

Retail Nurseries

DIVISION 10. INDUSTRIAL, GENERAL.  
DISTRICT M-2

## Section 20-96. Permitted Uses.

Retail Nurseries

This ordinance shall be in full force and effect from the date of its adoption.

4. PUBLIC HEARING

An ordinance to amend and reordain Chapter 17, Subdivisions, Article 1, In General, of the Code of the County of James City, Virginia, by amending Section 17-45, Exceptions to Requirements of Chapter to provide notice to certain parties. (12-3/11/74)

The chairman opened the public hearing. There being no discussion the hearing was closed.

Mr. Frink moved that the recommendation of the Planning Commission be accepted and that the ordinance amending Chapter 17 of the Subdivision Ordinance be adopted. The motion carried by a unanimous roll call vote.

## ORDINANCE NO. 30A-3

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, ARTICLE I, IN GENERAL, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 17-45, EXCEPTIONS TO REQUIREMENTS OF CHAPTER TO PROVIDE NOTICE TO CERTAIN PARTIES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 17, Subdivisions, Article 1, In General, of the Code of the County of James City, Virginia, be and the same is, hereby, amended and reordained by amending Section 17-45, Exceptions to Requirements of Chapter to provide notice to certain parties, as follows:

## CHAPTER 17

## SUBDIVISIONS

## Article I, In General

## Section 17-45. Exceptions to requirements of chapter.

Where the subdivider can show that a provision of the standards set out in this chapter would cause unnecessary hardship if strictly adhered to, and where, because of topographical or other conditions peculiar to the site, in the opinion of the agent, a departure may be made without destroying the intent of such provisions, the agent may authorize an exception. Any exception thus authorized is to be stated in writing in the report of the agent, with the reasoning on which the departure was justified set forth. No such variance may be granted which is opposed in writing by the county or highway engineer or health official.

No such variance shall be granted unless the applicant shall present evidence to the satisfaction of the agent that all property owners of pre-existing development contiguous to and sharing a common property line with said applicant or whose property lies directly across from the proposed development, have been notified in writing at the time the preliminary plat is filed for approval. Evidence that such notice was sent by mail to the last known address of such owner as shown on the current real estate tax assessment books shall be deemed adequate compliance.

5. PUBLIC HEARING

Application by Mr. Harrison Saunders for a Special Permitted Use to construct rental storage units in B-1 zone at Five Forks. (10-3/11/74)

The chairman opened the public hearing.

Mr. Harrison Saunders displayed plans of first stage of motel to be used for storage units.

April 8, 1974

The chairman closed the public hearing.

The Assistant to the County Administrator, Mr. Watkins, read the Planning Commission's recommendation to deny the request listing reasons.

Mr. Taylor spoke in favor of granting the permit.

Mr. Donaldson spoke opposing the granting of the permit. He felt it would unduly change the character of the area and that such a proposal should await the County's comprehensive plan.

Mr. Donaldson moved that the recommendation of the Planning Commission be accepted and the request for a Special Permitted Use be denied. The motion carried by a majority roll call vote. Mr. Taylor voted no.

6. PUBLIC HEARING

Case #Z-1-74. Application by Mr. St. George Grinnan for zoning of property from designation "P" Public Use to R-2 Limited Residential District. Property to be zoned located on Strawberry Plains Road.

The chairman opened the public hearing. There being no discussion, the hearing was closed.

Mr. Taylor moved that the request for zoning be approved. The motion carried by a unanimous roll call vote.

7. RESOLUTION RE SANITARY DISTRICT #1 LIENS

Mr. Donaldson moved the approval of the resolution listing sewer accounts delinquent and unpaid in James City Sanitary District No. 1. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems are made and for which the charge was imposed,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District No. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

A/C #122 Andrew Ellis & Mary Ellis husband & wife  
1409 Merrimac Trail  
Lot 8 & 9, Solomon Orange Subdivision  
D. B. 72, P. 55  
Amount - 46.50 Fee 1.00 Lien List Total \$47.50

A/C #188 Vincent D. McManus  
908 Coleman Drive  
Lot 6, Sec. 8, James Terrace  
Amount 46.50 Fee 1.00 Lien List Total \$47.50

8. RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING AN EROSION AND SEDIMENTATION CONTROL ORDINANCE

The Board discussed the Planning Commission's recommendations listing alternatives for local erosion and sediment control programs. The Board agreed that the staff should follow Guideline B while preparing the Erosion and Sedimentation Control Ordinance.

9. RECOMMENDATION FROM THE PLANNING COMMISSION RE AN ORDINANCE TO ESTABLISH FEES FOR PLANNING REVIEWS AND SETTING A DATE FOR PUBLIC HEARING

The Board discussed the Planning Commission's recommendations for fees for review of plans and requested Mr. Morton, County Attorney, to draft an ordinance to effectuate the changes. The date for public hearing of this ordinance set for May 13, 1974, at 7:30 P.M.

10. APPOINTMENTS TO COMMISSIONS

Mr. Waltrip moved to appoint the following people to the Bicentennial Commission and the James River Basin Commission. The motion was carried by a unanimous roll call vote.



April 8, 1974

BICENTENNIAL COMMISSION

Mr. Samuel T. Powell  
Mr. Bill Bryant  
Mrs. Bonnie Lent

JAMES RIVER BASIN

Mr. Charles Garland

11. DATE FOR PUBLIC HEARING TO AUTHORIZE A SPECIAL PERMITTED USE TO CONSTRUCT AN ACCESSORY BUILDING TO A NONCONFORMING USE IN A B-1 ZONE: J. D. Cunningham, Applicant.

The Board set the date of May 13, 1974, at 7:30 P.M. to conduct a public hearing on the captioned request.

12. SOIL SURVEY - VIRGINIA SOIL AND WATER CONSERVATION COMMISSION

Mr. Waltrip moved that James City County indicate its intention to participate in the soil survey to the Virginia Soil and Water Conservation Commission to include necessary local financial participation of approximately 25% of the total cost of the survey.

Mr. Waltrip's motion included a request that preliminary agreements be brought back to the Board by the County Administrator for final consideration. The motion carried by a unanimous roll call vote.

13. BLUE LAW

The Board concurred in Mr. Donaldson's request for Mr. Morton, County Attorney, investigate the procedure to be followed for having a referendum to obtain an exemption from the new "blue law" that is being imposed.

Mr. Donaldson moved that the Board go into executive session to discuss personnel matters. The motion carried by a unanimous vote.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS, APRIL 8, 1974.

Appointments made to commissions as noted in Item 10.

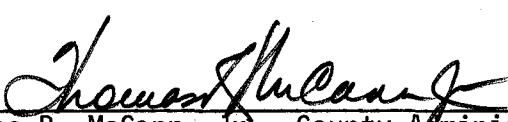
14. RESOLUTION DESIGNATING ZONING ADMINISTRATOR AND SUBDIVISION AGENT

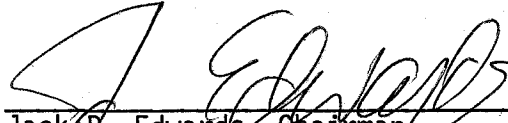
Mr. Frink moved that the resolution designating Mr. Craig G. Covey as Zoning Administrator and Subdivision Agent be approved. The motion carried by a unanimous roll call vote.

## RESOLUTION

BE IT RESOLVED, by the Board of Supervisors of James City County that the enforcement of the Zoning and Subdivision Ordinances be assigned to the Assistant to the County Administrator for Special Projects as a regular part of his duties under the direction of the County Administrator, and that the incumbent in that position, Mr. Craig G. Covey, be, and hereby is, designated Zoning Administrator and Subdivision Agent pursuant to the requirements of law.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

April 22, 1974

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SECOND DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank M. Morton, III, County Attorney

2. MINUTES

Mr. Waltrip moved the approval of the April 2 and 8, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

Mr. Yeatts appeared before the Board to discuss matters of interest pertaining to roads. He informed the Board that a new master plan on secondary roads would be completed shortly and that the Department of Highways would be contacting the Board within the next thirty days to set a date for a worksession.

4. PUBLIC HEARING - Ordinance vacating a portion of Lots 23 and 25, pertaining to a certain platted cul-de-sac; Jamestown Farms.

The chairman opened the public hearing. There being no discussion the public hearing was closed.

Mr. Taylor moved the approval of Ordinance No. 78 vacating a portion of Lots 23 and 25, Jamestown Farms. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 78

AN ORDINANCE VACATING A PORTION OF LOTS 23 & 25, JAMESTOWN FARMS, JAMES CITY COUNTY, VIRGINIA

WHEREAS, application was made by Gladys C. Gilley, widow, Johnny E. Furlough and Joan F. Furlough, husband and wife, to vacate certain portions of Lots 23 and 25, Jamestown Farms, more particularly described herein; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given as required by Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors of James City County did consider such application on the \_\_\_\_\_ day of \_\_\_\_\_, 1974, pursuant to such notice; and

WHEREAS, the Board of Supervisors of James City County is of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare.

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

That the following described portions of Lots 23 and 25, Jamestown Farms, lying in James City County, Virginia, be and the same are hereby vacated as follows:

1. All that certain part and parcel shown as a cul-de-sac on the plat of the Subdivision entitled "JAMESTOWN FARMS", recorded in the Clerk's Office of the Circuit Court of James City County in Plat Book 15, page 42, as far as such plat pertains to Lots 23 and 25 set out and shown on said plat.

2. The property as described herein shall be closed and vacated, and the same shall no longer be deemed public streets or alleys in James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

April 22, 1974

5. MOSQUITO CONTROL COMMISSION

Mr. Waltrip moved to reestablish the Mosquito Control Commission with the appointment of Mr. McCann, County Administrator; Mr. John Watkins, Assistant to the County Administrator; and Mr. R. E. Dorer, Director of the State Bureau of Solid Waste and Vector Control; to a term of four years each. The motion carried by a unanimous roll call vote.

6. FINAL PLANS FOR RECREATION CENTER IN KINGSMILL PLANNED COMMUNITY

Mr. Donaldson moved that the recommendation of the County Administrator be accepted and that the final plans for the Southall Recreation Center, Kingsmill, be approved. The motion carried by a unanimous roll call vote.

7. FINAL PLANS FOR SECTIONS D AND E IN KINGSMILL PLANNED COMMUNITY

Mr. Donaldson moved the approval of final plans for Sections D and E of the Kingsmill Planned Community with the conditions recommended by the County Administrator. The motion carried by a unanimous roll call vote.

1. Lighting and signing of the two areas shall be in accordance with the overall lighting and signing programs for the community.
2. A waiver should be granted to allow cul-de-sacs to be longer than 400 feet in length.
3. Waiver of the requirements that building restriction lines be placed on the final subdivision plat should be granted as architectural control will be exercised by the developer.
4. Monumentation of the two areas should be as provided in Sections 4-29 and 4-30 of the Subdivision Ordinance.
5. A submittal should be made to the County Administrator consisting of final plats and community association documentation. The Board should charge the County Administrator with the responsibility of detailed administrative review of both plats and documents. No plat should be released or approved for recording until all applicable standards and requirements of the Zoning Ordinance are met.
6. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after seventy-five percent of the project is developed. If problems are noted which the developer can and should correct, then the developer should be required to correct these problems with techniques approved by the County.

8. FINAL PLANS FOR VIEW TOWER IN KINGSMILL PLANNED COMMUNITY

Mr. Donaldson moved that the recommendation of the County Administrator be accepted and that the final plans for a 16' View Tower in Kingsmill Planned Community be approved. The motion carried by a unanimous roll call vote.

9. FINAL PLANS FOR GOLF MAINTENANCE BUILDING - MIDDLE PLANTATION PLANNED COMMUNITY

Mr. Taylor moved the approval of the final plans for the Golf Maintenance Building - Middle Plantation Planned Community with the conditions listed. The motion carried by a unanimous roll call vote.

1. The building will be served by septic tank until sewerage is available to the site. At this time the building must be connected to the line serving the area.
2. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of one year after the building is occupied. If problems are noted which the developer can and should correct, then the developer should be required to correct these problems with techniques approved by the County.
3. If a Home Owners's Association is established at Middle Plantation with the responsibility for maintaining this building, the County must review and approve that agreement to ensure proper maintenance.

10. GRANT APPLICATION FOR REGIONAL JUVENILE PROBATION HOUSE.

Mr. James Elliott appeared before the Board to explain the Action Grant

April 22, 1974

Application for continued support of the Regional Juvenile Probation House. Discussion followed.

Mr. Donaldson moved to authorize the submittal of the Grant and the Board's intention of contributing \$522.09 as James City County's cost-share requirement. These funds to be made available after July 1, 1974. The motion carried by a unanimous roll call vote.

11. PRESENTATION OF 1974-75 OPERATING BUDGET AND 1975-79 CAPITAL IMPROVEMENTS PROGRAM

Mr. McCann, County Administrator, presented the Proposed 1974-75 Operating Budget and 1975-79 Capital Improvements Program and paraphrased portions of the Budget message which conveyed the document.

The Board set the date of Tuesday, April 30, 1974, at 7:30 PM for its first worksession on the budget.

12. CERTIFICATION OF WARRANTS

On a motion by Mr. Edwards and carried by a unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of April, 1974.

General Fund	Checks #9018 thru #9100 Checks #101 thru 184 Totalling \$202,974.24
Sanitary District #1	Check #203 Totalling \$3,023.02
Sanitary District #2	Checks #245 and 246 Totalling \$3,455.67
Sanitary District #3	Check #108 Totalling \$14,198.00
School Construction Bond Issue of March 1, 1972	Check #122 Totalling \$105,000.00
General Obligations Bonds Water 1970	Check #125 Totalling \$10,467.23

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

13. BOARD OF SUPERVISORS MEETING DATE CHANGE

The Board changed the date of their regular Board meeting from May 27 to Friday, May 24, 1974, due to the fact that Memorial Day Holiday falls on the 27th. The meeting will be held at 3:00 P.M. in the Council Chambers at the Courthouse.

14. BLUE LAW

In answer to the Board's request for information regarding the procedure to be followed for the County to become exempt from the new Blue Law, Mr. Morton stated that to have a referendum -


1. Petition signed by 5% of qualified voters
2. Order by court setting date for the proposed special election
3. Notice once a week for three weeks subsequent to the entry of the order of special election
4. Election itself to determine whether or not the blue laws are prohibited.

Mr. Morton said that it is his consensus that nothing can be done prior to July 1 other than submitting a petition signed by 5% of the qualified voters (which he understood has already been initiated). The Judge can then enter an order by July 2---set an election for 60 days later. That election would then be held on either September 1, 2, 3, 4 or 5, as there is a five day span in which the County could hold an election.

THE BOARD ADJOURNED THE MEETING TO RECONVENE ON APRIL 23, 1974, at 7:30 P.M.

April 23, 1974

  
 Thomas R. McCann, Jr., County Administrator

  
 Jack D. Edwards, Chairman

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-THIRD DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FOUR.

JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS.

Mr. Edwards called on Mr. F. Morton, County Attorney, to summarize the major changes contained in the B-2 Amendments.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank M. Morton, III, County Attorney

ROLL CALL taken of the Planning Commission.

Quorums being present on both the Board of Supervisors and the Planning Commission, Mr. Edwards introduced the ordinances under consideration.

2. PUBLIC HEARINGS

a. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 8A Business Tourist Entry District B-2, by amending certain Articles, repealing certain Articles, adding certain Articles and reordaining the remaining Articles.

Mr. Morton, County Attorney, explained the contents of the ordinance whereupon Mr. Edwards opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

b. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 12-13, Architectural Design Review, by amending certain articles, deleting certain Articles and reordaining the remaining Articles.

Mr. Morton, County Attorney, explained the contents of the ordinance whereupon Mr. Edwards opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

c. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, by amending Article 16-5, Severability.

Mr. Morton, County Attorney, explained the contents of the ordinance whereupon Mr. Edwards opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

d. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, by amending Article 17, Definition, Subarticle 17-91, Open Space.

Mr. Morton, County Attorney, explained the contents of the ordinance whereupon Mr. Edwards opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

THE PLANNING COMMISSION considered each item individually and recommended that the ordinances be approved by the Board of Supervisors.

April 23, 1974

After receiving the recommendations of the Planning Commission, each of the items were taken up individually by the Board of Supervisors.

2a. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 8A, Business Tourist Entry District B-2, by amending certain articles, repealing certain Articles, adding certain Articles and reordaining the remaining Articles.

Mr. Donaldson moved the adoption of the captioned ordinance with Paragraph 8A-3 deleted. After a brief discussion, the Board of Supervisors approved the deletion of Article 8A-3 by unanimous roll call vote. The amended Ordinance was then approved by a 3-2 vote, with Mr. Waltrip and Mr. Taylor voting no.

#### ORDINANCE NO. 31A-21

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE 8A, BUSINESS TOURIST ENTRY DISTRICT B-2, BY AMENDING CERTAIN ARTICLES, REPEALING CERTAIN ARTICLES, ADDING CERTAIN ARTICLES AND REORDAINING THE REMAINING ARTICLES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 8A, Business Tourist Entry District B-2, be and the same is, hereby, amended and reordained by amending certain articles, adding certain articles and reordaining the remaining articles as follows:

#### CHAPTER 20

#### ZONING ORDINANCE

#### Article 8A. Business Tourist Entry District B-2.

#### Statement of Intent

The primary purpose of this district is to protect and enhance the quality of those highway corridors which provide access to the National Historic District of Williamsburg. This district is not intended for general application in all parts of the County but will be limited to those areas where high traffic volume tourist corridors exist. The regulations for the TOURIST ENTRY DISTRICT are intended to encourage the most appropriate use of land in accordance with a comprehensive plan, to minimize hazardous and unsightly conditions which may be distracting to and impair the safety of highway users, to preserve the efficiency of transportation facilities, to protect, emphasize and preserve the distinctive character of the historical tourist attractions in the area, and to encourage development of tourist facilities in an attractive and harmonious manner.

#### 8A-1. USE REGULATIONS

In a TOURIST ENTRY DISTRICT, structures to be erected or land to be used shall be for one or more of the following uses:

8A-1-1. Hotels and motels;

8A-1-2. Restaurants except for "fast food" or drive-in eating establishments;

8A-1-3. Indoor theaters;

8A-1-4. Service stations (with facilities under cover for minor repairs only) with a conditional use permit;

8A-1-5. Handcrafts and art galleries, which may include not more than two (2) operatives in process of manufacturing craft items for demonstration and sales;

8A-1-6. Antique shops;

8A-1-7. Business signs as permitted in this Article;

8A-1-8. Other similar tourist oriented businesses with a conditional use permit.

8A-1-9. Accessory uses and structures: Uses and structures which are customarily accessory and clearly incidental and subordinate to principal uses and structures, including:

1. Establishments for the sale of gifts, clothing, drugs, photographic supplies, newspapers and magazines and sundries, eating and drinking establishments and professional and personal service establishments; provided that such uses are accessory to hotels or motels having 50 or more dwelling or lodging units for rent; and provided further, that all such establishments shall be designed and scaled only to meet the requirements of occupants and their quests; and provided further that the total floor area occupied by all such establishments shall not exceed, in the aggregate, 15% of the total floor area of the hotel or motel;
2. Meeting rooms and convention hall facilities.

8A-3. Deleted



April 23, 1974

## 8A-4. FRONTAGE REGULATIONS

8A-4-1. For permitted uses the minimum lot width at the setback line shall be one hundred and fifty (150) feet or more; however, development of lots or parcels with frontages of a minimum of 120 feet existing on January 10, 1973, will be permitted.

8A-4-2. Access points to the major thoroughfare from the access road shall, where possible, be spaced at approximate intervals of six hundred (600) feet or more.

## 8A-5. PERIMETER OPEN SPACE AND BUILDING LINE REGULATIONS

8A-5-1. For permitted uses a ten (10) foot minimum perimeter open space area shall be provided adjoining the sides and rear property lines within which no building, structure, driveway, or parking surface will be permitted. In addition to such minimum side and rear landscaped areas, a minimum ten (10) foot perimeter open space strip shall be provided adjacent to buildings. Such open space shall not be used for parking, and shall be landscaped except for walkways, which shall not exceed five (5) feet in width, service entrances and such other accesses as may be necessary for the operation of the uses permitted.

8A-5-2. Land within the perimeter open space areas shall be landscaped with grass, trees, shrubs, or evergreen ground cover and maintained in good condition.

8A-5-3. The minimum side and rear building line shall be increased beyond the interior edge of the perimeter open space area one (1) foot for each one (1) foot of building height in excess of thirty-five (35) feet.

## 8A-6 HEIGHT REGULATIONS

Buildings may be erected up to sixty (60) feet in height from grade by right; from sixty (60) to one hundred (100) feet in height from grade with a height limitation waiver\*\*subject in either case to building line regulations as set forth in Section 8A-5-1, and the criteria below.

Maximum Height	Maximum Percentage of the lot area in Building Coverage	Maximum Floor Area Ratio	Minimum Percentage of the lot area in open space
Up to 3 floors or 35 feet	20%	.6	1 30%
Over 35 feet or 4 floors or more	2 20%	2 .6	1 40%

<sup>1</sup>Land in required setback areas and perimeter open space may be included within the minimum percentage of lot area in Open Space.

<sup>2</sup>Coverage may be increased to 25% and/or floor area ratio may be increased to 0.75 if the additional floor area is used for inside parking space.

\*\* Upon application to the Administrator or his designee, the Board of Supervisors may grant a height limitation waiver upon finding that:

- the regulations of this section regarding building coverage, floor area ratio and open space are met;
- such building will not impair property values in the surrounding area;
- such building will not impair the enjoyment of historic attractions and areas of significant historic interest;
- the uses accommodated in such buildings and other buildings on the site are adequately served by the site plan and lot area;
- the traffic volume generated by such building will be readily accommodated by the public roads affected;
- such building is adequately designed and served from the standpoint of safety;
- such building, from considerations of height, design, bulk, and appearance is compatible with the neighborhood; and
- such building would not be contrary to the public health, safety, morals or general welfare.

## 8A-7. OFF-STREET PARKING REGULATIONS

Off-Street parking within the TOURIST ENTRY DISTRICT shall comply with the regulations as set forth in Article 12, Section 6, General Provisions, and with the following special provisions:

8A-7-1. Screening and Landscaping. Off-street parking for vehicles shall be effectively screened on each side which faces other properties, public rights-of-way, or recorded street lines, by a fence, wall or compact hedge, except where access ways to the parking lot are to be provided. Such fence, wall, or hedge shall be not less than six (6) feet in height and shall be maintained in good condition and shall provide year round screening. The space, if any, between such fence, wall, or hedge and the side lot line of adjoining premises shall be landscaped with grass, shrubs, or evergreen ground cover and maintained in good condition.

April 23, 1974

8A-7-2. Surfacing of Parking Areas. Any off-street parking area shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulation within the area. Surface water from any parking, loading, or other paved area shall not be permitted to drain onto adjoining property, but shall be required to drain directly into established and approved public drainage ways.

8A-7-3. Exterior Loading Areas. Exterior areas used for loading, unloading, and standing or turning of service vehicles shall comply with Article 12, Section 12-11, General Provisions, and with the screening, landscaping and surfacing requirements as set forth in 8A-7-1, and 8A-7-2, above.

#### 8A-8. SPECIAL REGULATIONS FOR UNDERGROUND UTILITIES

In TOURIST ENTRY DISTRICTS, facilities of electric and communications utilities shall be installed below the surface of the ground to the extent provided herein.

8A-8-1. All utility facilities, constructed or installed after the effective date of this ordinance, including but not limited to wires, cables, pipes, conduits and appurtenant equipment, carrying or used in connection with the furnishing of electric, telephone, telegraph, cable television or similar service, shall be placed below the surface of the ground, provided that the following utility facilities shall be permitted above ground:

- (a) Electric transmission lines and facilities in excess of 50 kilo-volts;
- (b) Equipment such as electric distribution transformers, switchgear, meter pedestals, telephone pedestals, outdoor lighting poles or standards, radio antennae and associated equipment, which is, under accepted utility practices, normally installed above ground;
- (c) Meters, service connections and similar equipment normally attached to the outside wall of the customer's premises;
- (d) When authorized by the Board of Supervisors or their designee, utility facilities crossing or entering any portion of the TOURIST ENTRY DISTRICT and originating or terminating in some other district where overhead utility facilities are permitted.

8A-8-2. Above-ground utility facilities in existence on January 10, 1973 may remain above ground and may be repaired, replaced or increased in capacity, provided that:

- (a) Whenever any tract or parcel of land, upon which above-ground utility facilities are located, is subdivided or otherwise developed, the subdivider or developer shall pay to the appropriate utility the non-betterment cost of relocating those utility facilities underground.
- (b) The Board of Supervisors may from time to time direct the utility company owning any above-ground utility facilities in existence on January 10, 1973 to relocate such facilities underground, in specified areas, in which case the cost of such relocation shall be borne by James City County.

8A-8-3. All installation of utility facilities below ground will be made in accordance with accepted standards of utility practice for underground construction and with applicable rules, regulations and policies of the State Corporation Commission.

#### 8A-9. SIGN REGULATIONS

To assure an appearance and condition which is consistent with the purposes of the TOURIST ENTRY DISTRICT, outdoor signs on properties within the district shall comply with the Special Regulations for Exterior Signs in Section 12-14.

#### 8A-10. SITE PLAN REVIEW

All buildings or complexes of buildings erected, altered, or restored within the TOURIST ENTRY DISTRICT shall be subject to Site Plan Review in accordance with General Provisions set forth in Article 12, Section 12-12, and the special provisions for the district as set forth in this Article. In the case of any disparities in the regulations, the provisions in this Article shall supersede.

#### 8A-11. ARCHITECTURAL DESIGN REVIEW

Approval of the Preliminary site plan will be conditional, subject to Architectural Design Review procedures as set forth under General Provisions, Article 12, Section 12-13.

This ordinance shall be full force and effect from the day of its adoption.

2b. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 12-13, Architectural Design Review, by amending certain articles, deleting certain Articles and reordaining the remaining Articles.

Mr. Donaldson moved that the captioned ordinance be approved. The motion was carried by a 3-2 roll call vote with Mr. Waltrip and Mr. Taylor voting no.

April 23, 1974

## ORDINANCE NO. 31A-22

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE 12-13, ARCHITECTURAL DESIGN REVIEW, BY AMENDING CERTAIN ARTICLES, DELETING CERTAIN ARTICLES, AND REORDAINING THE REMAINING ARTICLES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 20, Zoning Ordinance, of the Code of the County of James City, Article 12-13, Architectural Design Review, be, and the same is, hereby, amended and reordained by amending certain articles, deleting certain articles and reordaining the remaining articles as follows:

## CHAPTER 20

## ZONING ORDINANCE

## 12-13 ARCHITECTURAL DESIGN REVIEW

The purpose of architectural design review is to protect property values and to promote the general welfare by insuring buildings in good taste, proper proportion, in general and reasonable harmony with the existing buildings in the surrounding area, and to encourage architecture which shall be distinct from the Colonial Williamsburg architecture.

- 12-13-1. In such instance where Architectural Design Review is required, the procedure for such review will commence following preliminary site plan approval. Upon receipt of a preliminary site plan, under conditions as set forth for a particular district, the applicant will submit to the Administrator or his designee schematic architectural plans indicating accurate elevations of each facade, and sufficient detailing to indicate materials, colors, texture, light reflecting characteristics, and special features intended for the building. This may be supplemented by sketches as deemed necessary by the applicant to present the intended design. Submission of actual samples of building materials is encouraged.
- 12-13-2. Adequate time shall be made available to the applicant for the preparation of these materials, provided that not more than sixty (60) days elapse between conditional approval of the preliminary site plan and the submission of architectural plans to the Administrator or his designee.
- 12-13-3. The Administrator or his designee shall request the Architectural Design Review Board to examine the above material, and report its findings as to whether the proposed building or buildings are acceptable in accordance with the provisions of this Section.
- 12-13-4. The Architectural Design Review Board, in making its decisions shall be governed solely by the purposes of architectural design review as set forth above in Article 12-13, shall not consider in detail interior design or arrangements, or features not subject to public view.
- 12-13-5. The Architectural Design Review Board shall make its report to the Administrator or his designee within thirty (30) days, approving or disapproving the plans as presented or advising the Administrator or his designee as to the changes or alterations in the plans as necessary to bring the proposed building(s) in harmony with the intent of this Article. Such changes or alterations shall not impose unreasonable increases in construction costs.
- The Administrator or his designee shall immediately transmit to the applicant the decision of the Architectural Design Review Board. Upon approval the Administrator or his designee may authorize the preparation of final site engineering and architectural plans in accordance with preliminary approvals and architectural approval. Following the submittal to and appropriate review by the Administrator or his designee(s), the issuance of a building permit will be authorized by the Administrator or his designee. Required conditional use permits shall be obtained only after approval of a preliminary site plan and architectural design approval.
- 12-13-6. If a statement of changes necessary to secure approval is issued, revised plans shall be submitted and approved. Action following approval shall then be in accordance with Article 12-13-5 of this Ordinance.
- 12-13-7. If the Architectural Design Review Board disapproves any plan as presented or requires changes or alterations, an appeal may be taken as provided in Article 13.
- 12-13-8. Architectural Design Review Board.

The Architectural Design Review Board shall be composed of five persons appointed by the County Board of Supervisors. Such appointee shall be a qualified person capable of exercising sound and fair design judgment.

The members shall be:

- (a) A qualified licensed architect;
- (b) A qualified licensed landscape architect or a second qualified licensed architect;
- (c) A member of the Planning Commission Site Plan Review Committee;
- (d) The President of the local board of realtors;
- (e) A responsible member of the business community.

Initially, one member shall be appointed for one year and three members shall be appointed to serve for two years. Subsequent appointments shall be for terms of two (2) years each with the exception of the President of the local board of realtors

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whose term shall be concurrent with his term as President.

This ordinance shall be in full force and effect from the date of its adoption.

2c. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, by amending Article 16-5, Severability.

Mr. Frink moved that the captioned ordinance be approved. The motion was carried by a 4-1 roll call vote with Mr. Taylor voting no.

#### ORDINANCE NO. 31A-23

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING ARTICLE 16-5, SEVERABILITY.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 20, Zoning Ordinance, of the Code of the County of James City be and the same is, hereby, amended and reordained by amending Article 16-5, Severability, to read as follows:

#### CHAPTER 20

#### ZONING ORDINANCE

#### Article 16-5. Construction and Severability.

This ordinance shall be liberally construed so as to effectuate the purposes hereof. If any clause, sentence, paragraph, section or subsection of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid for any reason, including a declaration that it is contrary to the Constitution of the Commonwealth of Virginia or of the United States, or if the application thereof to any government, agency, person, or circumstance is held invalid, such judgment or holding shall be confined in its operation to the clause, sentence, paragraph, section or subsection hereof or the specific application hereof, directly involved in the controversy in which the judgment or holding shall have been rendered or made, and shall not in any way affect the validity of any other clause, sentence, paragraph, section or subsection hereof, or affect the validity of the application thereof to any other government, agency, person or circumstance.

This ordinance shall be in full force and effect from the date of its adoption.

2d. An ordinance to amend and reordain Chapter 20, Zoning Ordinance, of the Code of the County of James City, by amending Article 17, Definition, Subarticle 17-91, Open Space.

Mr. Frink moved that the captioned ordinance be approved. The motion was carried by a 4-1 roll call vote with Mr. Taylor voting no.

#### ORDINANCE NO. 31A-24

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING ORDINANCE, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING ARTICLE 17, DEFINITION, SUBARTICLE 17-91, OPEN SPACE.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 20, Zoning Ordinance, of the Code of the County of James City, be and the same is, hereby, amended and reordained by amending Article 17, Definition, Subarticle 17-91, Open Space, as follows:

#### CHAPTER 20

#### ZONING ORDINANCE

#### Article 17. Definitions.

#### 17-91. OPEN SPACE

Space suitable for recreation, gardens or landscaping. Such space must be free of automobile traffic, parking, and be readily accessible to all those for whom it is required.

In the B-1 and B-2 Districts landscaped areas of parking lots with trees and evergreen ground cover shall be included in the computation of the required percentage of open space.

This ordinance shall be in full force and effect from the day of its adoption.

#### REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

3. LOAN TO SERVICE AUTHORITY

Mr. McCann pointed out to the Board of Supervisors that the James City Service Authority had requested the balance of loan funds due the Authority based on its list of July 18, 1973 which had been earlier approved by the Board. The Authority wished to substitute


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land purchase for some of the items of capital outlay contained on that list. Mr. McCann advised that the Authority wished to acquire land for a service yard off of Ironbound Road and needed the balance of the loan in order to consummate that purchase. Mr. Donaldson asked if the other items on the list could be purchased by the Authority without an additional loan from the Board of Supervisors in the next fiscal year. Mr. McCann indicated that he was not sure but possibly an additional loan would be necessary.

On a motion by Mr. Waltrip the Board unanimously approved the Service Authority's request and authorized the County Administrator to provide the balance of the loan to the Service Authority.

On a motion by Mr. Waltrip and approved by unanimous vote, the Board recessed its meeting to 7:30 P.M., April 30, 1974, to consider the Proposed Budget for FY 75.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTIETH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. CONSIDERATION OF THE PROPOSED BUDGET FOR FISCAL 75

Thomas R. McCann, County Administrator, reviewed the budget agenda with the Board of Supervisors advising them of the contents. Mr. Edwards called on various members of the Board who raised questions and issues relative to the budget. General discussion followed concerning various budgeted amounts. Mr. McCann was requested to respond back to the Board with information relative to:

- a. The cost of constructing partitions at the EOC for the Welfare Department.
- b. Additional information relative to the proposed salary adjustments for County employees.

Mr. Edwards advised the members of the Board that he had been contacted by Mr. Larry Trumbo, Director of the Community Action Program, to determine whether the Board will be willing to contact Congressman Downing in support of a Bill now pending in the House concerning the continuation of funding for Community Action Programs to the year 1977. The Board indicated its consent.

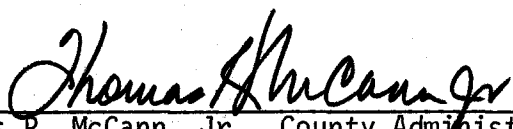
The Board asked the County Administrator to set the date of May 13, 1974, for a public hearing on the proposed budget.

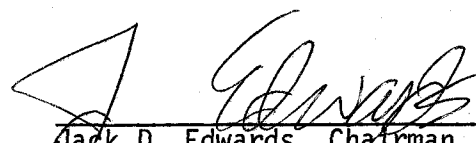
After some discussion of the School Board budget, the Board requested that Mr. Edwards and Mr. McCann meet with Dr. Renz and the Chairman of the County School Board

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to discuss portions of the School Board budget.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED THE MEETING TO MAY 7, 1974, 7:30 P.M., TO CONTINUE DISCUSSIONS CONCERNING THE PROPOSED BUDGET AND OTHER MATTERS OF INTEREST.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SEVENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

2. CONTINUATION OF BUDGET WORKSESSION

The County Administrator provided the Board of Supervisors with information concerning the proposed salary adjustments included in the FY 75 proposed budget and information relative to the cost of construction of partitions in the EOC building to satisfy the space problems of the Social Services Department. In addition, Mr. McCann gave the Board of Supervisors a copy of a letter from Dr. Renz requesting the Board to provide him with some idea as to whether or not the School Board budget is acceptable so that he could complete contracts for next year's personnel. The Board decided to postpone consideration of Dr. Renz' letter until after the public hearing on the proposed budget scheduled for May 13th.

After a brief discussion of the various aspects of the proposed budget, Mr. Edwards asked whether or not the County Administrator's office had considered a bike trail system. The County Administrator indicated that a report had been prepared by a student from William and Mary on this subject with County assistance and that if the Board wished to supply funds in next year's budget to support a bike controls pilot program, this could be done.

Mr. Taylor discussed his concern that the assessment program contain a Board of Assessment to provide a review of the work of the proposed department of Real Estate Assessment would alleviate the necessity for a Board of Assessment and that its function would be substituted by a Board of Equalization.

3. PRELIMINARY CONSIDERATION OF USE TAXATION

Mr. McCann provided the Board of Supervisors with a memorandum from the County Attorney with attachments concerning use taxation of farm, timber, and open space lands. After considerable discussion, the Board indicated that it wished to obtain more information on this subject and Mr. McCann was requested to contact Mr. Fred Forberg, of the State Department of Taxation, and have him meet with the Board to discuss the current law on this subject.



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# REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

## 4. WILLIAMSBURG-JAMES CITY COUNTY JAIL

Mr. McCann reported on progress with regard to the alleviation of overcrowding in the Williamsburg-James City County Jail and indicated that a soon to be released Peninsula Planning District Commission consultant's report on the subject might provide the assistance which Williamsburg and James City County needed. He indicated that he would provide additional information to the Board on this subject when such became available.

## 5. GERONTOLOGY PROGRAM

Mr. McCann reported that a representative of the Peninsula Planning District Commission had contacted him concerning the proposed gerontology program of the Planning District and indicated that the James City County share of approximately \$2500 would be necessary.

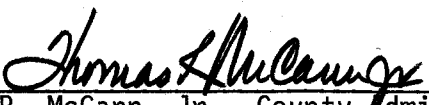
## 6. COLONIAL VIRGINIA TOURS


Mr. McCann advised the Board that Mrs. Louise Johnson had requested the Board to assist in publicizing the availability of bus service which Colonial Virginia Tours is providing in and around Williamsburg. Mr. Donaldson requested that a resolution on this subject be placed on the agenda of the Board for consideration.

## 7. MAJOR THOROUGHFARE PROGRAM

Mr. McCann advised the Board that the staff had completed a review of proposals to carry out the County's major thoroughfare program and indicated that he wished to contract with Barton-Aschman Associates, Inc. to carry out the study. Not wanting to take substantive action on a matter such as this during the worksession, the Board requested Mr. McCann to take this up at its next regular meeting.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA,  
HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTEENTH DAY OF MAY, NINETEEN  
HUNDRED AND SEVENTY-FOUR.

## 1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

## 2. MINUTES

Mr. Waltrip moved the approval of the April 22, 23, 30 and May 7, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

## 3. PUBLIC HEARING

An ordinance to amend Chapter 13, Offenses, Miscellaneous, of the Code

May 13, 1974

of the County of James City, by adding a new section, Section 13-36, entitled "Firearms Control Ordinance" Prohibiting the Discharge of Same in or within 300 ft. of any recorded subdivisions within the County; Exceptions.

The Chairman opened the public hearing.

Mrs. B. von Baeyer - urged the Board to adopt the ordinance--deeply concerned for the welfare of children in Indigo Park Subdivision.

Mrs. W. McKenna - supported the adoption of the ordinance.

There being no further discussion, the chairman closed the public hearing.

Mr. Waltrip spoke in favor of the ordinance. He also urged parents to prohibit children from areas where guns will be permitted.

Mr. Frink moved the approval of the Firearms Control Ordinance as presented. The motion carried by a unanimous roll call vote.

#### ORDINANCE NO. 79

AN ORDINANCE TO AMEND CHAPTER 13, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, BY ADDING A NEW SECTION, SECTION 13-36, ENTITLED, "FIREARMS CONTROL ORDINANCE" PROHIBITING THE DISCHARGE OF SAME IN OR WITHIN 300 FEET OF ANY RECORDED SUBDIVISIONS WITHIN THE COUNTY; EXCEPTIONS.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 13, Offenses-Miscellaneous, of the Code of the County of James City be, and the same is, hereby amended and reordained by adding a new section, Section 13-36, entitled, "Firearms Control Ordinance" to read as follows:

#### CHAPTER 13

#### OFFENSES - MISCELLANEOUS

#### Section 13-36. Firearms Control Ordinance.

1. It shall be unlawful for any person to discharge any firearms or air-operated or gas operated weapons in or within 300 feet of the boundaries of any recorded subdivision located in James City County.

2. For purposes of this Section, recorded subdivision shall mean any subdivision a plat of which has been recorded in the Clerk's Office for the Circuit Court of James City County.

3. The prohibition contained in this Section shall not apply to the following:

- (a) The discharge of guns in a private basement, cellar or like target range.
- (b) The discharge of weapons in defense of one's life or to kill any dangerous or destructive animal.
- (c) The discharge of weapons by any duly authorized peace officer or law enforcement official acting in the performance of his duties.

This ordinance shall be in full force and effect from the date of its adoption.

#### 4. PUBLIC HEARING

An application by Mr. J. D. Cunningham for a Special Permitted Use to construct a two-car garage adjacent to his home - in a B-1 zone.

The chairman opened the public hearing.

There being no discussion the hearing was closed by the chairman.

Mr. Donaldson moved to approve the application for a Special Permitted Use to construct a two-car garage at 142 Blow Flats Road. The motion carried by a unanimous roll call vote.

Mr. Edwards called on Mr. McCann, County Administrator, to summarize the following three ordinances (Agenda Items 5, 6 and 7) pertaining to Administrative Review Fees.

#### 5. PUBLIC HEARING

An ordinance to amend and reordain Chapter 20, Zoning, of the Code of James City County, Article IV, Districts, Division 7, Residential Planned Community, District R-4, by adding a new Section, Section 20-67.1, Administrative Review Fees.

May 13, 1974

The chairman opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

6. PUBLIC HEARING

An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 7, Residential Planned Community, District R-4, by adding a new section, Section 20-69.1, Administrative Review Fee.

The Chairman opened the public hearing. There being no discussion Mr. Edwards closed the public hearing.

7. PUBLIC HEARING

An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, by adding a new section, Section 20-8-1, Administrative Review Fees.

The Chairman opened the public hearing. There being no discussion Mr. Edwards closed the public hearing. The Board considered Item 7 first.

Mr. Donaldson moved the adoption of the ordinance set forth as Item 7 on the agenda. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-25

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY ADDING A NEW SECTION, SECTION 20.8.1, ADMINISTRATIVE REVIEW FEES.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 20, Zoning, Article I, In General, be and the same is, hereby, amended and reordained by adding a new section, Section 20-8.1, Administrative Review Fees, as follows:

CHAPTER 20

ZONING

Article I. In General.

Section 20-8.1. Administrative Review Fees.

Administrative review fees shall be in accordance with the following:

- A. Upon submittal to the Site Plan Review Committee of any residential project, whether permanent or transient in nature, such application shall be accompanied by a fee of \$50.
- B. Upon submittal to the Site Plan Review Committee of any general business building, including but not limited to banks, schools, gas stations, hospitals, etc., such application shall be accompanied by a fee of \$25.
- C. Upon submittal to the Site Plan Review Committee of a shopping complex or a business complex including two or more shops or businesses in a single submittal, the application shall be accompanied by a fee of \$50.
- D. Upon submittal to the Site Plan Review Committee of any addition or amendment to previously approved plans, such application shall be accompanied by a fee of \$10.

This ordinance shall be in full force and effect from the day of its adoption.

5. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 7, Residential Planned Community, District R-4, by adding a new Section, Section 20-67.1, Administrative Review Fees.

Mr. Frink moved the adoption of the ordinance set forth as Item 5 on the agenda. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-26

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE IV, DISTRICTS, DIVISION 7, RESIDENTIAL PLANNED COMMUNITY, DISTRICT R-4, BY ADDING A NEW SECTION, SECTION 20-67.1, ADMINISTRATIVE REVIEW FEES.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 20, Zoning, of

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the Code of the County of James City, Article IV, Districts, Division 7, Residential Planned Community, District R-4, be and the same is, hereby, amended and reordained by adding a new provision, Section 20-67.1, Administrative Review Fees, as follows:

CHAPTER 20

ZONING

Article IV. Districts.

Division 7. Residential Planned Community.

District R-4.

Section 20-67.1 Administrative Review Fees.

Upon submittal to the Site Plan Review Committee of a Master Plan, such application shall be accompanied by a fee of \$75. Subsequent to such submittal, each revision proposed by the applicant shall be accompanied by a fee of \$25.

This ordinance shall be in full force and effect from the day of its adoption.

6. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 7, Residential Planned Community, District R-4, by adding a new section, Section 20-69.1, Administrative Review Fee.

Mr. Donaldson moved the adoption of the ordinance set forth as Item 6 on the agenda. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-27

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE IV, DISTRICTS, DIVISION 7, RESIDENTIAL PLANNED COMMUNITY, DISTRICT R-4, BY ADDING A NEW SECTION, SECTION, 20-69.1, ADMINISTRATIVE REVIEW FEE.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 7, Residential Planned Community, District R-4, be and the same is, hereby, amended and reordained by adding a new section, Section 20-69.1, Administrative Review Fee, as follows:

CHAPTER 20

ZONING

Article IV. Districts.

Division 7. Residential Planned Community.

District R-4.

Section 20-69.1 Administrative Review Fee.

Upon submittal to the Site Plan Review Committee of a site plan implementing any portion of an approved Master Plan, such application shall be accompanied by a fee based on the type of use or uses proposed in accordance with the provisions of Section 20-8.1 herein.

This ordinance shall be in full force and effect from the day of its adoption.

7. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, by adding a new section, Section 20-8.1, Administrative Review Fees.

This ordinance was passed first and noted in Agenda Item 7 above.

8. PUBLIC HEARING ON THE PROPOSED 1974-75 ANNUAL BUDGET

Mr. McCann, County Administrator, presented the Proposed 1974-1975 Annual Budget and 1975-1979 Capital Improvements Program for James City County, in synopsis form giving the total amount of General Fund Expenditures as \$5,926,718.

The Chairman opened the public hearing.

Mr. J. Thomas Treece, Executive Director of the Mental Health-Mental Retardation Services Board, requested the Board to consider allocating an additional \$6,477.00 to his department's appropriation figure.

Mr. Robert Hanny - James City County PTA Council - supported the School Board Budget figure and urged the Board to vote favorably on this matter.

Mr. R. Hazelwood - Requested explanation of "Miscellaneous Expenses". Felt the proposed budget extremely high and requested the Board to consider many of the items.

May 13, 1974

There being no further discussion, the chairman closed the public hearing.

Mr. Edwards informed the Board that Dr. Renz, School Superintendent, was anxious to send out contracts and that if no decision was made tonight a meeting to discuss the budget should be set as soon as possible.

The Board set the date of May 16, 1974, at 4:00 P.M., at the Courthouse, for a worksession on the budget.

9. EXTENSION OF A CONDITIONAL USE PERMIT FOR LAFAYETTE MANOR TOWNHOUSES.

Mr. Frink moved approval of the recommendation of a six month extension of the Conditional Use Permit for Lafayette Manor Townhouses. The motion carried by a unanimous roll call vote.

10. RESOLUTION REQUESTING THAT ROUTE 5 BE DESIGNATED A VIRGINIA BYWAY.

Mr. McCann introduced the resolution. A brief discussion followed.

Mr. Waltrip moved that the resolution designating Route 5 in James City County as a Virginia Byway be adopted. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Route 5, running from Richmond to Williamsburg along the James River, is the first Road in the United States of America, and in fact was an Indian trail before the settlers came to Jamestown; and Route 5 still either closely follows or does follow the "Indian Trail" and later became the first land Route joining the Capitals of Jamestown, Williamsburg and Richmond; and

WHEREAS, Portions of Route 5 in James City County are already protected by the acquisition of scenic easements by the State Highway Department; and

WHEREAS, the Citizens of James City County are deeply aware of our rich historical heritage and have repeatedly indicated a desire to preserve that character; and

WHEREAS, the Virginia Commission of Outdoor Recreation has reported that Route 5 meets the physical criteria used to determine eligibility for designation as a scenic and historic Virginia byway; and

WHEREAS, In order for Route 5 in James City County to be considered for designation as a scenic and historic byway, the Board of Supervisors must so request.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Virginia Department of Highways designate Route 5 in James City County, from the Williamsburg City line to the Charles City County line as a scenic and historic Virginia byway.

11. RESOLUTION ON COLONIAL VIRGINIA TOURS SERVICE

Mr. Donaldson moved approval of the resolution supporting the services of Colonial Virginia Tours. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the need for public transportation in various parts of Williamsburg/James City County is becoming more apparent; and

WHEREAS, there has recently been considerable discussion concerning the establishment of a mass transit system to provide such service; and

WHEREAS, Many Williamsburg/James City County residents may not be aware that Colonial Virginia Tours began a bus route on a regular basis on January 1, 1974, serving Carver Gardens, Penniman Road, James York Plaza, Capital Landing Road, various locations within the City, Eastern State Hospital, Lafayette High School, and Centerville Road, and

WHEREAS, this service is provided between the hours of 6:25 A.M. to 7:10 P.M. every hour-and-a-half with a special afternoon bus at 3:45 P.M. for commuter traffic, and

WHEREAS, up to sixty persons are served daily by this bus route and are dependent upon Colonial Virginia Tours as their only form of transportation, and

WHEREAS, ridership must be increased to approximately 100 people a day in order to insure the continuation of the Colonial Virginia Tours bus route;

May 13, 1974

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that Colonial Virginia Tours be highly commended for its effort to provide mass transit service for residents of James City County, and

BE IT FURTHER RESOLVED that the Board of Supervisors request the local news media to strongly publicize the availability of this service so that as many of its people in the James City County-Williamsburg area will be aware that the service is being provided.

12. RESOLUTION TO THE DEPARTMENT OF HIGHWAYS REQUESTING CERTAIN STREETS IN KRISTIANSAND SUBDIVISION BE ACCEPTED INTO THE STATE SECONDARY HIGHWAY SYSTEM

Mr. Waltrip moved approval of the resolution requesting the Highway Department to accept Nina Lane, Kristiansand Drive, Trolls Path and Rondane Place, in Kristiansand Subdivision, into the State Secondary Highway System. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of Kristiansand Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System, providing these roads meet with the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Kristiansand Subdivision, James City County in the State Secondary Highway System.

Description:

Nina Lane - From the intersection of Route 60 to the intersection of Trolls Path with a variable right of way of 60' to 67.3.

Kristiansand Drive - From the intersection of Route 60 to the intersection of Nina Lane with a 50' right of way.

Trolls Path - From the intersection of Nina Lane to the intersection of Rondane Place with a 50' right of way.

Rondane Place - From the intersection of Nina Lane to a point 370' W.S. of Nina Lane with a 60' right of way.

A Right-Of-Way of variable feet as shown above is guaranteed as evidenced by plat of record, entitled Kristiansand Subdivision, Section I, Deed Book 140, Page 260.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Kristiansand Subdivision and the Resident Engineer of the Department of Highways.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

13. BARTON-ASCHMAN MAJOR THOROUGHFARE PLAN

Mr. McCann informed the Board that the Economic Base Study has been completed and the Water and Sewer Plan is in process, and he now was requesting the Board's authorization to proceed with the Major Thoroughfare Plan with Barton-Aschman Associates. The Board indicated their approval to proceed.

14. BUILDINGS FROM NORGE SCHOOL TO BE REMOVED TO EOC BUILDING FOR SOCIAL SERVICES DEPARTMENT

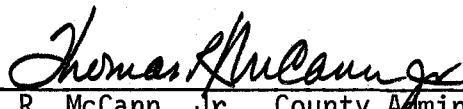
Mr. McCann informed the Board that the Social Services Department needed more space at the EOC building and that the cheapest method of obtaining this space would be by moving modular buildings from Norge School to the EOC building. The Board approved the transfer of these buildings and for the staff to proceed with the necessary arrangements.

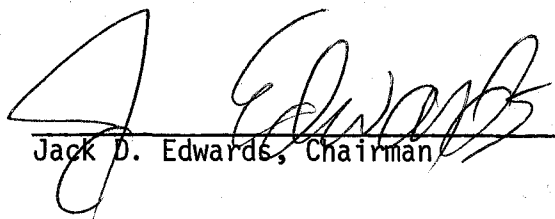
Mr. Frink moved to go into executive session to consider current litigation. Motion carried by unanimous vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED TO RECONVENE THURSDAY, MAY 16, AT 4:00 P.M.



May 16, 1974  
May 13, 1974

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. PROPOSED 1974-1975 ANNUAL BUDGET

The Board and the County Administrator discussed various aspects of the proposed budget for FY 75 and the proposed capital improvements program. Mr. Waltrip indicated that he wished to reinstate the \$6,477 cut in the budget for the Mental Health and Mental Retardation Services Board.

The Board discussed a possible alternative for the funding of the County Services Building (the acceleration of real properties taxes) and agreed to give the item further consideration at a later time.

Mr. Waltrip questioned the necessity for the loan of \$35,000 for the James City Service Authority. Mr. McCann indicated that the Service Authority was requested to submit a budget for this amount, but had not yet responded to the request.

Mr. Donaldson suggested a transfer of \$50,000 out of the school operating budget to be transferred into the capital program for the schools in order to begin funding the school administration building. After discussion, Mr. Donaldson withdrew his suggestion.

Mr. McCann pointed out that the Board should consider such additional items of the budget such as planning funds for a fire station and bike trails. He also pointed out that if the Board wished to have a special election or adopted a semi-annual tax collection program, additional funds would be necessary. He indicated that such funds could come out of the contingent funds.

The Board of Supervisors discussed a date for final adoption of the budget in advance of the next Board meeting so that employment contracts could be issued by the School Board at their special meeting of May 21. On a unanimous roll call vote, the Board of Supervisors set May 20th at 7:30 P.M., as the date for final budget consideration.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED TO RECONVENE ON MAY 20, 1974.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

May 20, 1974

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTIETH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

- Mr. Jack D. Edwards, Chairman, Berkeley District
- Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District
- Mr. John E. Donaldson, Jamestown District
- Mr. Abram Frink, Roberts District
- Mr. Stewart U. Taylor, Stonehouse District
  
- Mr. Thomas R. McCann, Jr., County Administrator
- Mr. John W. Watkins, Assistant to the County Administrator
- Mr. Craig G. Covey, Assistant to the County Administrator
- Mr. Frank M. Morton, III, County Attorney

2. PROPOSED OPERATING BUDGET FOR 1974-75; PROPOSED CAPITAL IMPROVEMENTS BUDGET FOR 1974-75; PROPOSED CAPITAL IMPROVEMENTS PROGRAM FOR 1975-79.

Mr. Waltrip moved that the sum of \$6,477 be added to the Mental Health and Mental Retardation Services Board's budget. The motion carried by a majority roll call vote. Mr. Taylor voted no.

Mr. Frink moved to delete the rent-purchase of modular building in the amount of \$8,760.00 from the Social Services-Administration appropriation. The motion carried by a unanimous roll call vote.

The Board recessed for ten minutes for the resolution to be changed accordingly.

Mr. Donaldson moved that the Board approve the resolution appropriating funds and setting the tax rate for fiscal year beginning July 1, 1974 and ending June 30, 1975. The motion carried by a majority roll call vote. Mr. Taylor voted no.

RESOLUTION

WHEREAS, The Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1974, and ending June 30, 1975, for information and fiscal planning purposes only; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein and to set tax rates on real estate, tangible personal property and machinery and tools to provide certain revenue in support of those appropriations,

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

1. The following amounts are hereby appropriated for the offices and activities in the amounts as shown below:

110	Board of Supervisors	19,275
120	Office of County Administrator	76,456
130	Office of Accounting & Purchasing	26,420
140	Office of County Attorney	28,857
150	Office of Citizen Affairs	33,749
160	Comprehensive Planning Team	50,657
210	Commissioner of the Revenue	47,264
250	Office of Real Estate Assessment	23,330
310	County Treasurer	39,453
410	County Clerk	13,106
510	Circuit Court	8,300
520	General District Court	3,105
530	Commonwealth's Attorney	13,712
610	Sheriff	188,955
680	City-County Jail	12,103
710	Fire	111,675
810	Social Services - Administration	261,374
820	Social Services - Assistances	916,280
880	Social Services - Lunacy Commissions	1,200
910	Health Department	33,086
1010	Office of County Engineer	31,841
1050	Building Inspection	55,650

May 20, 1974

1080	Sanitation	47,314
1090	Public Works - Mosquito Control	10,958
1110	Extension Service	20,795
1210	Animal Shelter	7,036
1310	Office of General Registrar	16,023
1320	Elections	4,501
1410	Buildings and Grounds	72,113
1510	Public Works - Street Lighting	13,000
1610	Public Works - Maintenance	2,200
1710	Public Schools	2,497,209
1810	Civil Defense	13,865
1820	Employee Benefits	81,015
1830	Contributions and Transfers	116,697
1840	Miscellaneous Expenses	95,140
1850	Contingent Account	160,000
1910	Capital Improvements	702,282
2010	Debt Service	779,470

TOTAL	\$6,635,466
LESS: REVENUE SHARING	- 711,031
TOTAL GENERAL FUND EXPENDITURES	\$5,924,435

## JAMES CITY COUNTY GENERAL FUND

Expenditures	5,924,435
Income	5,924,435

## JAMES CITY COUNTY SANITARY DISTRICT #1

Expenditures	35,494
Income	35,494

## JAMES CITY COUNTY SANITARY DISTRICT #2

Expenditures	74,040
Income	74,040

2. That the tax rates be set on the following classes of property for the amounts shown below:

## TAX RATE

Real Estate on each \$100 assessed value .....	\$4.00
Tangible Personal Property on each \$100 assessed value.....	\$4.00
Machinery and Tools on each \$100 assessed value.....	\$4.00

3. The County Administrator be authorized to transfer funds and personnel from time to time as he may deem in the best interest of the County in order to carry out the work of the County as approved by the Board of Supervisors during the coming fiscal year.

## REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

3. AGREEMENT BETWEEN COLONIAL WILLIAMSBURG AND THE COUNTY REGARDING THE GIFT AND TRANSFER OF LAND IN THE TOURIST ENTRY DISTRICT.


The Board reviewed the Agreement and discussed it with Mr. Covey.

Mr. Frink moved that the Chairman and the County Administrator be authorized to sign the agreement with Colonial Williamsburg regarding the land transfer in the Tourist Entry District. The motion carried by a majority roll call vote. Mr. Waltrip abstained.

4. LAND USE TAXATION - MR. FRED FORBERG

Mr. Fred Forberg, Director of the Real Estate Appraisal and Mapping Department, State Department of Taxation, discussed land use taxation with the Board.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED UNTIL  
MAY 24, 1974 AT 3:00 P.M.

  
Thomas R. McCann, Jr., County Administrator

\_\_\_\_\_  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD

May 24, 1974

IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FOURTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
 Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
 Mr. John E. Donaldson, Jamestown District  
 Mr. Abram Frink, Jr., Roberts District  
 Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
 Mr. John W. Watkins, Assistant to the County Administrator  
 Mr. Craig G. Covey, Assistant to the County Administrator  
 Mr. Frank Morton, III, County Attorney (Arrived after attending another meeting.)

2. MINUTES

Mr. Taylor moved the approval of the May 13, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

(a) Resolution requesting the State Highway Department to match revenue sharing funds for road construction program.

Mr. Waltrip moved the approval of the resolution requesting the State Department ot match revenue sharing funds for road construction. Mr. Donaldson asked if this would include bike paths. Mr. Hinmann replied that it would include anything the Board wants to designate on the secondary streets. The motion carried by a unanimous roll call vote.

RESOLUTION

VIRGINIA HIGHWAY COMMISSION

WHEREAS, House Bill 578, passed by the 1974 General Assembly, provides for the State Highway Commission to allocate funds for the improvement, maintenance, or construction of secondary roads in counties under a certain formula, and

WHEREAS, this formula allows the Highway Commission to match the revenue sharing funds appropriated by a county for the improvement, maintenance, or construction of secondary roads within that county, not exceeding ten (10%) percent of the revenue sharing funds received by such county, and

WHEREAS, the Commissioner of Highways, the Honorable Douglas B. Fugate, has requested that the Highway Commission be advised on or prior to June 10, 1974, of the amount of revenue sharing funds each county will provide the Highway Commission during the fiscal year 1974-75 for such improvement, maintenance, or construction, and

WHEREAS, the Board of Supervisors of James City County has initiated a program to construct secondary roads within James City County to be funded with monies received through "The State and Local Fiscal Assistance Act of 1972" (Revenue Sharing).

NOW, THEREFORE, be it resolved by the Board of Supervisors of James City County, Virginia, that the Virginia Highway Commission be hereby advised that for the fiscal year 1974-75 this Board of Supervisors appropriated total revenue sharing funds in the amount of \$640,000 of which \$215,000 is allocated for the construction of secondary roads within James City County, Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the State Highway Commissioner through the local Virginia Department of Highways' resident engineer.

4. RESOLUTION CONCURRING IN COMPULSORY CONNECTION CLAUSE FOR SERVICE PROJECT AREA #1 WATER SYSTEMS ONLY.

Mr. Donaldson moved the approval of the resolution concurring with the Service Authority's mandatory connection policy for water systems in Project Area No. 1. The motion carried by a unanimous roll call vote.

RESOLUTION

JAMES CITY SERVICE AUTHORITY

WHEREAS, The James City Service Authority has constructed and now operates

May 24, 1974

a water system in Service Authority Project Area No. 1; and,

WHEREAS, The Service Authority's operating policy for Project Area No. 1 requires structures used for residential, commercial, or industrial purposes, existing prior to the construction and operation of water systems by the Authority, to connect to and use the water systems provided by the Authority; and,

WHEREAS, The Code of Virginia, Section 15.1-1261, provides for concurrence by the local governing body of mandatory connection policies adopted by the Service Authority of which the governing body is a member; and,

WHEREAS, The James City Service Authority has requested the James City County Board of Supervisors to grant concurrence of their mandatory connection policy for Authority-owned-and-operated water systems in Project Area No. 1.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of James City County, that in order for the James City Service Authority to remain solvent and satisfy its financial obligations for water system construction in Project No. 1, the Board does hereby concur with the Authority's mandatory connection policy with respect to those water systems owned and operated by the Authority in Project Area No. 1.

5. REPORT FROM THE JAMES CITY COUNTY BICENTENNIAL COMMITTEE

Mr. James Bryant reported on the Bicentennial Committee meetings and informed the Board that this committee will be making every effort to bring the entire community into assisting in the Bicentennial. He stated that he will be making reports regularly to the Board on meetings of the Bicentennial Committees.

The Board extended its thanks for keeping them posted as to the action of this committee.

6. FINAL PLANS FOR FIRST PHASE SINGLE FAMILY DEVELOPMENT, CROFFTON PLANNED COMMUNITY, JOHN FLORA ASSOCIATES, APPLICANT.

Mr. Waltrip moved the approval of the final plans for Croffton-Phase I, Single Family with conditions as set forth. The motion carried by a unanimous roll call vote.

1. Requirement of installation of standard County street signs waived. Croffton Enterprises is to submit to the County Administrator for review and approval, the street signage program being developed for the Croffton Planned Community. Such submission should be made within two months after recordation of the final plat for Phase I. If this schedule can not be met, the developer would be required to purchase and install standard County street signs.
2. Waiver of the maximum cul-de-sac length of 400 ft. thereby allowing Leacroft Court to be extended approximately 725 ft. in length.
3. Recordation of Croffton Drive prior to the recordation of Phase I.
4. Developer is required to submit a guaranteed performance bond for road construction in Phase I.
5. All applicable requirements of the Zoning Ordinance including monumentation under the Subdivision Ordinance be met.
6. The County reserves the right to inspect drainage areas for erosion characteristics for a period of one year after 75% of the single family lots are developed. If problems are noted which the developer could and should correct, then he should be required to do so through such techniques approved by the County.
7. Croffton Enterprises shall convey approximately 26 acres of the public use property located in the planned community immediately.

7. REBATE OF WATER AND SEWER CONNECTION CHARGES SANITARY DISTRICT #2, MR. CHARLES BANKS.

Mr. Donaldson moved that the following rebatement of connection fees be made by Sanitary District No. 2 to Charles E. Banks. The motion carried by a unanimous roll call vote.

May 24, 1974

Water Availability Charge	\$280.00
Meter Deposit	10.00
Sewer Connection Charge	150.00
	<u>\$440.00</u>

8. REQUEST FROM THE WILLIAMSBURG-JAMES CITY COUNTY SCHOOL BOARDS FOR A SUPPLEMENTAL APPROPRIATION FOR GASOLINE.

Mr. Donaldson moved to transfer from the Contingent Account (18E) the sum of \$7,141 to the Public School Account (17A) to balance the Williamsburg/James City County Public Schools Transportation budget for additional cost of gasoline. The motion carried by a unanimous roll call vote.

9. CERTIFICATION OF WARRANTS

On a motion by Mr. Edwards and carried by a unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of May, 1974.

General Fund	Checks #185 thru #387 Totalling \$168,236.92
Sanitary District #1	Check #204 Totalling \$1,897.59
Sanitary District #2	Checks #247 thru #255 Totalling \$58,304.28

\* \* \* \* \*

Mr. McCann informed the Board that it had a matter of litigation to discuss and recommended they adjourn to executive session.

Mr. Clarence Douglas, property owner in the B-2 zone, objected. He indicated that he felt that an issue of this type since it involved the use of tax monies should be considered publicly. Mr. McCann informed Mr. Douglas that matters of litigation were a part of the Freedom of Information Act which permits Boards of Supervisors and City Councils to go into Executive Session. As the Board considers matters relevant to the good of the entire County, discussions such as these should be made in private since material discussed can have an effect on the case itself. Mr. McCann advised Mr. Douglas that any decision that the Board would make would be a public one.

Mrs. Irene Douglas spoke commending the Board in protecting every member of the County and that certain people only get involved in their own baliwick.

Mr. Donaldson moved that the Board adjourn into executive session to discuss matters of litigation. The motion carried by a unanimous roll call vote.

\* \* \* \* \*

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, ON THE TWENTY-FOURTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FOUR.

B-2 CASE

Mr. Donaldson commented that following the opinion by Judge Armistead and the case that has resulted in litigation from the B-2 zoning, counsel has advised us that an appeal should be taken in the case. Mr. Donaldson moved that the Board authorize an appeal of the B-2 case. The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

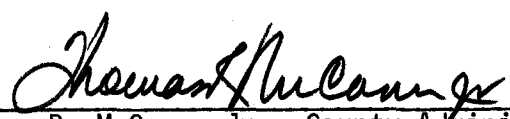
THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED UNTIL ITS WORKSESSION ON

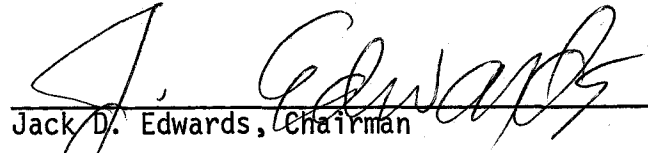


June 4, 1974  
May 24, 1974

JUNE 4, 1974, AT 7:30 P.M., IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA.

NOTE: Copies of the materials referred to herein are available in the Office of the County

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FOURTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FOUR.

PRESENT:

Mr. Jack D. Edwards, Chairman, Berekeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

1. SIX-YEAR FINANCIAL PLAN FOR HIGHWAY CAPITAL IMPROVEMENTS.

Mr. McCann introduced the six-year financial plan for highway capital improvements and indicated that most of the items on the plan were already committed for construction since engineering and design work had already been completed. Messrs. Yeatts and Hinmann of the Highway Department answered detailed questions from the Board concerning the various projects included in the 6-year plan. Mr. Yeatts advised the Board that he would send them copies of the final plan upon completion. The Board suggested no changes or reordering of priorities in the plan.

2. LAND USE ASSESSMENT.

Mr. McCann provided the Board with copies of an ordinance which would establish land use assessment in James City County. The Board discussed at some length reducing the number of uses to be included in the ordinance and advised the County Attorney to prepare the final ordinance for public hearing on June 20th, 1974, at 3:00 P.M. at the Courthouse, Williamsburg.

3. FINANCING ARRANGEMENTS FOR SANITARY DISTRICT #3.

Mr. McCann pointed out that engineering had proceeded in Sanitary District #3 to the point where short term borrowing against the district's bond authorization should be done in order to provide sufficient capital to cover engineering costs and to repay the General Fund for loans which had been made to Sanitary District #3. Mr. McCann indicated that there were two approaches to the short term borrowing:

1. Enter into an agreement with the bank for the total amount to be drawn down in three annual increments based on an interest rate set at the time of the execution of each of the three notes. Interest would be paid annually (or added to the next note).
2. Enter into an agreement with the bank for the total amount in annual increments with a floating interest rate calculated monthly on the amount borrowed. Interest would be paid monthly (or added to the next month).

After general discussion, the Board requested Mr. McCann to draw up an agreement

June 4, 1974

for consideration at the next regular meeting which would include alternative 2.

#### REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

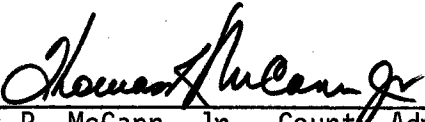
#### 4. SOCIAL SERVICES MERGER

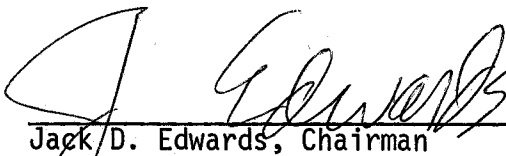
Mr. McCann asked the Board if it wished to have the Welfare merger question placed on the agenda for the next meeting. The Board answered in the affirmative.

Mr. McCann then requested the Board to go into executive session to discuss personnel matters.

On a motion by Mr. Donaldson, and unanimous roll call vote, the Board went into executive session.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED UNTIL THEIR REGULAR MEETING ON JUNE 10, 1974.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FOUR.

#### 1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

#### 2. MINUTES

Mr. Waltrip moved the approval of the May 16, 20 and June 4, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

#### 3. GRANT APPLICATION UNDER SECTION 147 OF THE 1973 FEDERAL-AID HIGHWAY ACT "RURAL HIGHWAY PUBLIC TRANSPORTATION DEMONSTRATION PROGRAM."

Mr. McCann explained the guidelines for applying for this grant. Mr. William Brown, Senior Planner, discussed this grant with the Board explaining the need, existing transit service and the proposed service of transportation and costs.

Mr. Donaldson moved that the staff be authorized to submit a proposal for the Rural Highway Transportation Demonstration Program grant. The motion carried by a majority roll call vote. Mr. Taylor voted no.

#### 4. AGREEMENT FOR SHORT-TERM BORROWING FOR SANITARY DISTRICT #3.

Mr. Donaldson moved the approval of the Resolution on short-term borrowing for Sanitary District #3. The motion carried by a unanimous roll call vote.

June 10, 1974  
June 4, 1974

The motion carried by a unanimous roll call vote.

#### RESOLUTION

#### BOND ANTICIPATION NOTE

#### SANITARY DISTRICT #3

BE IT RESOLVED, BY the Board of Supervisors of James City County, acting in behalf of James City County Sanitary District #3, that the Sanitary District borrow \$2,400,000 from the United Virginia Bank of Williamsburg, Virginia, for a period of 3 years at a rate of interest equal to 52% of the following: (1) the average daily cost of federal funds so determined by the Fifth Federal Reserve Bank, Richmond, Virginia, during the immediately preceding calendar month (during period of amounts outstanding) plus (2) two (2%) percent such amount being in the form of a bond anticipation note in order to facilitate the execution of a sewer project in Sanitary District #3.

#### 5. MERGER OF JAMES CITY COUNTY DEPARTMENT OF SOCIAL SERVICES WITH THE WILLIAMSBURG AND YORK COUNTY DEPARTMENTS OF SOCIAL SERVICES.

Mr. McCann brought the Social Services merger question back to the Board at its request. The County Administrator recommended approval of the concept, recognizing that 12-18 months would be needed to effectuate the merger and that many decisions points during those months would require Board attention.

Mr. Taylor moved that the matter be tabled indefinitely.

Discussion followed.

The motion failed by a majority roll call vote. Messrs. Frink, Donaldson and Edwards voted no.

Mr. Frink moved that we accept the County Administrator's recommendation to approve the concept of a merger of the three Social Services departments. The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

#### 6. APPOINTMENTS TO THE JAMES CITY SERVICE AUTHORITY

With the expiration of Mr. R. M. Hazelwood's and Mr. J. Gardner's terms as members of the Service Authority Board, Mr. McCann recommended that the Board consider appointing two of its own members so as to consolidate utility functions under one policy-making and administrative direction.

Discussion followed.

Mr. Edwards nominated Mr. Frink and Mr. Donaldson to the Service Authority Board. The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

#### REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

#### 7. RESOLUTION TO STATE DEPARTMENT OF HIGHWAYS RE MATCHING OF REVENUE SHARING FUNDS

Mr. Waltrip moved the approval of the resolution, substituting the resolution of May 24, 1974, designating the sum of \$35,100 matching the Revenue Sharing Funds, for construction of Secondary Roads in James City County. The motion carried by a unanimous roll call vote.

#### RESOLUTION

#### VIRGINIA HIGHWAY COMMISSION

WHEREAS, the Board of Supervisors of James City County adopted a resolution to the Virginia Highway Commission, on May 24, 1974, advising the Highway Commission of the James City County Revenue Sharing funds appropriated for fiscal year 1974-75, and of these funds the amount allocated for construction of Secondary Roads within James City County, Virginia; and

June 10, 1974

WHEREAS, the Virginia Highway Commissioner, the Honorable Douglas B. Fugate, has advised by letter of June 5, 1974, that as a result of a recent opinion by the State Attorney General's office, the only Revenue Sharing Funds which can be considered for matching allocation by the Virginia Highway Commission are ten percentum of those Revenue Sharing Funds to be received by James City County in fiscal 1974-75; and

WHEREAS, the federal office of Revenue Sharing has indicated to the Virginia Highway Commission that James City County will receive \$351,283, in Revenue Sharing Funds during the fiscal year 1974-75.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that this substitute resolution is hereby adopted to designate the amount of \$35,100 of James City County Revenue Sharing Funds, to be received during fiscal year 1974-75, for use as provided in Section 33.1-75.1, Code of Virginia, 1950, as amended.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the State Highway Commissioner.

8. LIONS CLUB RAFFLE PERMIT

The Williamsburg Lions Club requested a permit to conduct a raffle effective immediately and terminating June 30, 1975. The motion carried by a unanimous roll call vote.

9. EXCHANGE CLUB OF JAMES-YORK - PERMIT FOR BINGO GAMES

The Exchange Club of James York requested a permit to conduct bingo games during the coming year for charitable purposes.

Mr. Donaldson moved the approval of the permit for the Exchange Club of James York to hold bingo games at the Ramada Inn West on Route 60, effective immediately and ending June 9, 1975. The motion passed by a unanimous roll call vote.

10. EXCHANGE CLUB OF JAMES YORK REQUEST FOR CONTRIBUTION FOR CIRCUS

Mr. McCann informed the Board that a request was received from the Exchange Club of James York for a contribution to the circus that they would be holding, and that he told the Club that the Board was not interested in making contributions to various service clubs since this would establish a precedent in the future. The Board was unanimously in agreement.

11. REQUEST FOR STUDY OF FUTURE ORGANIZATION OF THE COUNTY

Mr. Donaldson requested that the Board bear in mind the expiration of the annexation moratorium on January 1, 1976, and the future organizational arrangements of the County.

Mr. Donaldson moved that the County Administrator suggest an approach to studying the feasibility of City status for the County; other appropriate organizational changes required by legislation; and as an interim measure, perhaps approach the City of Williamsburg of its possible interest in consolidation. The motion carried by a majority roll call vote. Mr. Taylor voted no.

\* \* \* \* \*

The Board recessed for five minutes while Mr. W. Phillips, Architect, set up his presentation.

12. PRESENTATION OF ARCHITECT'S MASTER PLAN CONCEPTS OF COUNTY COMPLEX


Mr. Phillips presented the County Complex Master Plan showing three different concepts that he had considered. The Board agreed to the architect's third alternative and requested the County Administrator give the press information on the County Complex so that citizens of the County would be able to view the plans at the architect's offices and have explanation of same. The Board agreed to consider the issue of proceeding with the Master Plan at its next meeting on the 20th of June.

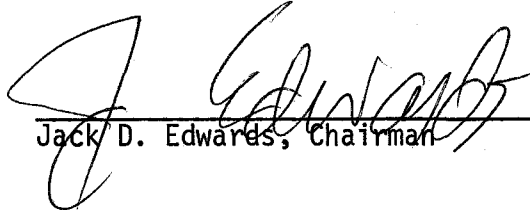
June 20, 1974  
June 10, 1974

13. CHANGE OF BOARD MEETING DATE

Mr. Waltrip moved that the Board would conduct its regular meeting on the 20th of June instead of June 24th. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED UNTIL THE 20th OF JUNE  
AT 3:00 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD  
IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTIETH DAY OF JUNE, NINETEEN HUNDRED AND  
SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Frank M. Morton, III, County Attorney

2. MINUTES

Mr. Waltrip moved the approval of the May 24, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

(a) Date for public hearing on name designation of Route 603.

Mr. Watkins informed the Board of a petition containing 79 signatures of residents of Route 603 requesting the road name to be designated as Old Stage Road. The Board was presented also with a resolution from the Yorktown Board of Supervisors changing the name in their county to Old Stage Road.

The Board agreed with the County Administrator's recommendation to have a public hearing on the matter, and set the date of July 8, 1974, at 7:30 P.M., for the residents of Route 603 to present their views.

Mr. R. Hazelwood indicated his farm was called Old Stage Farm and that people in this area knew Route 603 as Old Stage Road.

A resident of a section of Route 603 known as Mooretown Road, said that people in this area saw no need for a change. The Board requested the gentleman to come to the public hearing to present his views.

4. PUBLIC HEARING

An ordinance to amend and reordain Chapter 18, Taxation, of the Code of the County of James City, Virginia, by adding a new section, Section 18-8, entitled Land Use Assessment. (6/4/74)

The Board discussed with the County Attorney the possibility of changing this ordinance after it was adopted as an Emergency Ordinance.

The Chairman opened the public hearing.

League of Women Voters representative - urged the Board to adopt a land use

June 20, 1974

assessment ordinance which would give tax relief to owners of agricultural, horticultural, forest, and open space land for James City County before June 30th deadline.

Haden Ross-Clunis - Chesapeake Bay Foundation - Presented the Foundation's position of wholehearted support for the adoption of the ordinance.

R. M. Hazelwood - supported the passage of the ordinance.

There being no further discussion, the Chairman closed the public hearing.

Mr. Taylor spoke in favor of the concept of land use assessment; however, he felt it was more red tape and expense -- opposed the fee of \$25.

Mr. Waltrip requested information be made available which clarified types of land included in the ordinance.

Mr. Waltrip moved the approval of the Land Use Assessment ordinance as an Emergency Ordinance. The motion carried by a unanimous roll call vote.

#### ORDINANCE NO. 80

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING A NEW SECTION, SECTION 18-8, ENTITLED LAND USE ASSESSMENT.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 18, Taxation, of the Code of the County of James City, Virginia, be and the same is, hereby, amended and reordained by adding a new section, Section 18-8, entitled Land Use Assessment, as follows:

#### CHAPTER 18

#### TAXATION

#### Section 18-8. Land Use Assessment.

The County of James City declares that the preservation of real estate devoted to agricultural, horticultural, forest and open space uses within its boundaries is in the public interest; and, therefore, such qualifying real estate shall be taxed in accordance with the provisions of Article 1.1 of Chapter 15 of Title 58 of the Code of Va., 1950, as amended, (hereinafter referred to as the Code) and pursuant to the terms of this ordinance.

#### 1. Application by Property Owner of Any Real Estate.

- a) The owner as defined in Section 58-769.8 of the Code, meeting the criteria set forth in Sections 58-769.5 and 58-769.7 (b) of the Code, may on or before November 1, of each year, apply to the Commissioner of the Revenue for the classification, assessment and taxation of such property for the next succeeding tax year on the basis of its use, under the procedures set forth in Section 58-769.9 of the Code. Such application shall be on forms provided by the State Department of Taxation and supplied by the Commissioner of the Revenue and shall include such additional schedules, photographs and drawings as may be required by the Commissioner of Revenue. An Application fee of Twenty-five (25) Dollars shall accompany each application.
- b) A separate application shall be filed for each parcel listed in the land book.

#### 2. Valuation of Real Estate. Upon receipt of any application, the Commissioner of Revenue shall determine whether the subject property meets the criteria for taxation under Section 58-769.9 of the Code. If the Commissioner of Revenue determines that the subject property does meet such criteria, he shall determine the value of such property for its qualifying use, as well as its fair market value, such qualifying use to be determined as follows:

- a) In addition to use of his personal knowledge, judgment and experience as to the value of real estate in agricultural, horticultural, forest or open space use, he shall, in arriving at the value of such land, consider available evidence of agricultural, horticultural, forest and open space capability, and the recommendation of value of such real estate as made by the State Land Evaluation Advisory Committee.
- b) In determining whether the subject property meets the criteria for "agricultural use" or "horticultural use" the Commissioner of the Revenue may request an opinion from the Commissioner of Agriculture and Commerce; in determining whether the subject property meets the criteria for "forest use" he may request an opinion from the Director of the Department of Conservation and Economic Development; and in determining whether the subject property meets the criteria for "open space use" he may request an opinion from the Director of the Commission of Outdoor Recreation. Upon the refusal of the Commissioner of Agriculture and Commerce, the Director of the Department of Conservation and Economic Development or the Director of the Commission of Outdoor Recreation to issue an opinion, or in the event of an unfavorable opinion which does not comport with standards set forth by the respective director, the party aggrieved



June 20, 1974

may seek relief from any court of record wherein the real estate in question is located. If the court finds in his favor, it may issue an order which shall serve in lieu of an opinion for the purposes of this ordinance.

- c) The use and fair market value of any qualifying property shall be placed in the land book before delivery to the treasurer, and the tax for the next succeeding tax year shall be extended from the use value.

3. Change in Use of Real Estate Assessed; Roll-Back Taxes.

- a) There is hereby imposed a roll-back tax, with interest thereon, in such amounts as may be determined under Section 58-769.10 of the Code upon any property as to which the use changes from a qualifying to a non-qualifying use.
- b) The owner of any real estate liable for roll-back taxes shall report to the Commissioner of Revenue on forms to be prescribed, any change in the use of such property to a non-qualifying use and shall pay the roll-back tax then due.

4. Failure to Report Change in Use; Misstatements in Applications.

- a) On failure to report and pay within 60 days following such change in use, such owner shall be liable for an additional penalty equal to twenty-five (25) per centum of the amount of the roll-back tax and interest, which penalty shall be collected as a part of the tax. In addition to such penalty, there is hereby imposed interest of one-half (.5) per centum of the amount of the roll-back tax, interest and penalty, for each month or fraction thereof during which the failure to comply continues.
- b) Any person making a material misstatement of fact in any application filed pursuant hereto shall be liable for all taxes, in such amounts and at such times as if such property had been assessed on the basis of fair market value as applied to other real estate in the taxing jurisdiction, together with interest and penalties thereon, and he shall be further assessed with an additional penalty of one hundred (100) per centum of such unpaid taxes.

5. The provisions of Title 58 of the Code applicable to local levies and real estate assessments and taxation with the necessary changes, including, without limitation, provisions relating to tax liens and the correction of erroneous assessments, and for such purposes the roll-back taxes shall be considered to be deferred real estate taxes.

6. An emergency is hereby declared to exist, and this ordinance shall be in full force and effect from the date of its adoption.

5. APPOINTMENT OF DOG WARDEN

Mr. Waltrip moved the reappointment of D. E. Matheny as Dog Warden for James City County for the term of 1 year effective July 1, 1974.

6. RESOLUTION RE SANITARY DISTRICT #1 LIENS

Mr. Donaldson moved the adoption of the resolution listing delinquent and unpaid sewer accounts in Sanitary District #1 to be entered in Judgment Lien Docket of Clerk's Office of James City County. The motion carried by a unanimous roll call vote.

RESOLUTION

Sanitary District #1 - Liens

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified to the Board of Supervisors of the County of James City, that the following list of sewer accounts in the James City Sanitary District No. 1 are delinquent and unpaid, and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such systems are made and for which the charge was imposed,

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 21-118.4, paragraph E of the Code of Virginia, 1950, as amended, the Board of Supervisors directs that the following delinquent charges for use of the Sanitary Sewer System in James City County Sanitary District N. 1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

7. CERTIFICATION OF WARRANTS

On a motion by Mr. Edwards and carried by a unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the month of June, 1974.

General Fund

Checks #388 thru 604  
Totalling \$814,096.77

Sanitary District #1

Checks #205 and 206  
Totalling \$4,961.46

June 5, 1974

## Sanitary District # 1 James City County

Lien List

A/C #	Name and Address of Property	Description of Property	Amount	Fee	Total
193	J. T. Franklin Jr. 709 Mosby Dr.		\$47.25	1.00	48.25
221	Ananias Johnson & Lura B. Johnson 1408 Merrimac Trail	Lot A. Solomon Orange Subdivision D. B. 93, P. 588, with plat in D. B. 55, P.364	53.75	1.00	54.75
325	Frank H. Hughes & Dora A. Hughes husband & wife 1200 Merrimac Trail	½ Acre located between Rt.168 & C. & O. Railroad D. B. 92, P. 8	46.50	1.00	47.50
344	Ella Mae Cherry & Roosevelt Cherry 1417 Merrimac Trail	Lot C, Solomon Orange Subdivision D. B. 65 , P. 287; Plat recorded in D. B. 55, P. 364	46.50	1.00	47.50
357	Leola Bartlett 1339 Merrimac Trail	Bartlett Estate James City County Will Bk. 12 P.284	62.25	1.00	63.25
373	Donald Irvin Heath & Nancy L. Heath 909 Coleman Dr. husband & wife	Lot 40, Sec. 8 James Terrace D. B. 128, P. 60, M. B. 7, P.108	46.50	1.00	47.50

June 20, 1974

Sanitary District #2

Checks #256 and 257  
Totalling \$1,784.06James City Co. Revenue  
Sharing Trust FundChecks #112 thru 114  
Totalling \$16, 694.06

## REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

8. REQUEST FROM JAMES CITY BRUTON FIRE DEPARTMENT TO CONSTRUCT STEEL BUILDING.

The Board reviewed a request from Mr. Garland Woody, President of the Volunteer Fire Department, for permission to remove an old corrugated steel building and to replace it with a new steel farm building on County property located behind the Fire Department at Toano.

Mr. Taylor moved that the County Attorney draw up a new lease for the remainder of the present term and stipulating ownership of structures at the time the lease runs out; and further authorized the County Administrator and Chairman to sign such agreement. The motion carried by a unanimous roll call vote.

9. FUNDING FOR SENIOR CITIZENS PROGRAM

Planning District 21 has received in excess of \$200,000 to carry out programs for senior citizens throughout the peninsula.

Mr. Frink moved the approval of one of the 6 jurisdictions of Planning District 21 to be the recipient agency for the grant funds until such time as a governing board can be established.

10. COUNTY COMPLEX MASTER PLAN

The Board was advised that the County Complex Master Plan was displayed at the County Administrator's offices and was well received. The County's architect is to begin the final plans of the buildings for the Master Plan.

11. SERVICE AUTHORITY APPOINTMENTS

The effective date of July 1, 1974, for appointments of Supervisors Donaldson and Frink to the Service Authority Board was set by the Board.

12. CONDITIONAL USE PERMIT - W. Schreiber

Mr. Waltrip and Mr. Watkins advised the Board of a request from Mr. William Schreiber that the Board grant Mr. Schreiber a Conditional Use Permit for a sand and gravel operation on Route 603 with the condition that all requirements of the County Planning Commission be adhered to. Mr. Watkins advised the Board that Mr. Morton had been consulted in this regard and advises that the Board has no authority to issue Conditional Use Permits in this fashion. With the concurrence of the Board, Mr. Watkins advised that he would request the Planning Commission Chairman to have the Planning Commission at its meeting of June 25 consider a recommendation to the Board in order that the Board could be in a position to render a decision on Mr. Schreiber's Conditional Use Permit at its reconvened meeting on June 28, 1974. The Board agreed to this recommendation.


13. COMMENTS RE SERVICE AUTHORITY BOARD APPOINTMENTS

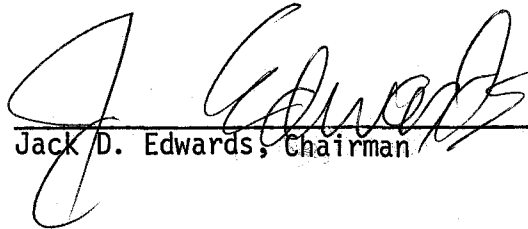
Mr. R. M. Hazelwood questioned the appointments of Supervisors Frink and Donaldson to the Service Authority Board since they were not representatives of Stonehouse and Powhatan Districts. Since these two districts were not represented according to State statute he questioned the legality of said Board.

Mr. Watkins indicated that the County Attorney had investigated the matter and would prepare an answer to the question for the Board's information at the next meeting.

June 18, 1974  
June 20, 1974

The Board adjourned to reconvene on June 28, 1974, at 4:00 P.M.

  
John W. Watkins, Assistant to the County  
Administrator

  
Jack D. Edwards, Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE TIDEWATER BANK BUILDING, THIRD FLOOR, WILLIAMSBURG, VIRGINIA, ON THE EIGHTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator

2. LOAN RESOLUTION BETWEEN JAMES CITY COUNTY SANITARY DISTRICT NO. 2 AND THE FARMER'S HOME ADMINISTRATION

Mr. McCann explained that it was necessary for the Board of Supervisors acting for Sanitary District No. 2 to approve a revised loan resolution between the Sanitary District and Farmer's Home Administration. This step was necessitated as a result of a change of form by Farmer's Home Administration.

Mr. Donaldson moved approval of the resolution which carried by a unanimous roll call vote.

3. ASSOCIATION WATER AND SEWER AGREEMENT BETWEEN JAMES CITY COUNTY SANITARY DISTRICT NO. 2 AND THE FARMER'S HOME ADMINISTRATION.

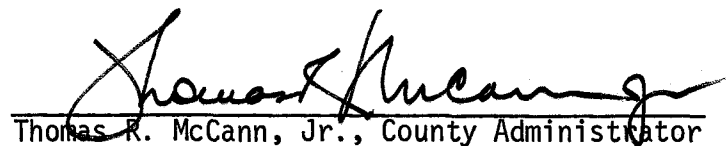
Mr. McCann explained that in order to close the bond issue on Sanitary District No. 2, the water and sewer agreement between the Sanitary District and Farmer's Home Administration was necessary.

On motion by Mr. Donaldson the agreement was approved by a unanimous roll call vote.

4. REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

None.

The Board adjourned until its next regular meeting on June 20, 1974, at 3:00 P.M.

  
Thomas R. McCann, Jr., County Administrator

Jack D. Edwards, Chairman

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-EIGHTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator

June 28, 1974

2. RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,120,000 SEWER BONDS, SERIES OF 197 , OF JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE BORROWING OF MONEY IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS.

At its meeting of June 10, 1974, the Board of Supervisors adopted a resolution re short-term borrowing for Sanitary District 3. Mr. McCann explained that the attorneys in Richmond indicated that they would prefer and recommend that the County borrow the amount needed at a set rate of interest. He requested that the Board reconsider this matter and adopt the resolution presented.

Mr. Donaldson moved the approval of the resolution authorizing the issuance and sale of bonds of James City County Sanitary District 3 and providing for the borrowing of money in anticipation of the issuance and sale of such bonds. The motion carried by a unanimous roll call vote.

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 28th day of June, 1974, at which the following members were present and absent:

PRESENT:

Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. John E. Donaldson, Jamestown District  
Mr. Abram Frink, Jr., Roberts District  
Mr. Stewart U. Taylor, Stonehouse District

ABSENT: Mr. Jack D. Edwards, Chairman, Berkeley District

the following resolution was adopted by a majority of all members of the Board of Supervisors by a roll call vote, the ayes and nays being recorded in the minutes of the meeting as follows:

<u>Member</u>	<u>Vote</u>
Mr. Mayo W. Waltrip	Aye
Mr. John E. Donaldson	Aye
Mr. Abram Frink, Jr.	Aye
Mr. Stewart U. Taylor	Aye

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,120,000 SEWER BONDS, SERIES OF 197 , OF JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3, HERETOFORE AUTHORIZED, AND PROVIDING FOR THE BORROWING OF MONEY IN ANTICIPATION OF THE ISSUANCE AND SALE OF SUCH BONDS

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

1. The contracting of a debt and the issuance of bonds of James City County Sanitary District Number 3 in the maximum amount of \$2,120,000 to provide, together with other available funds, a sewerage system in the District having been authorized at an election held in the District on June 6, 1972, all of such bonds are hereby authorized to be issued and sold pursuant to Chapter 2, Title 21, Code of Virginia of 1950, as amended.
2. The form and details of the bonds shall be determined by the Board of Supervisors by resolution to be adopted prior to their sale. The bonds shall be sold at such time and in such manner as the Board of Supervisors shall hereafter determine; provided, however, that such bonds shall be sold at such times as may be required by law for the payment of the bond anticipation notes hereinafter authorized.
3. The Chairman or Vice Chairman and Clerk are hereby authorized to borrow on behalf of James City Sanitary District Number 3, \$2,120,000 in anticipation of the issuance and sale of such sewer bonds and for the purposes for which such bonds have been authorized from such source or sources as they may determine. Such borrowing shall be evidenced by one or more negotiable notes which shall be dated and executed by the Chairman or Vice Chairman

June 28, 1974

and Clerk, shall bear interest at a rate not to exceed the maximum rate which the bonds are authorized to bear and shall mature at such time and may be renewed from time to time, all as the Chairman or Vice Chairman and Clerk shall determine; provided, however, that such notes and the renewal thereof shall mature and be paid not later than the date permitted by law for the repayment of bond anticipation notes.

4. The full faith and credit of James City County Sanitary District Number 3 are hereby irrevocably pledged to the payment of principal and interest on such notes.

5. The Chairman or Vice Chairman and Clerk and such other officers as may be requested are hereby authorized to execute appropriate certificates setting forth the expected use and investment of the proceeds of the bond anticipation notes issued pursuant hereto in order to show that such expected use and investment will not violate the provisions of §103(d) of the Internal Revenue Code of 1954, as amended, and regulations issued pursuant thereto, applicable to "arbitrage bonds". Such certificates may be in such form as shall be requested by bond counsel for James City County Sanitary District Number 3.

6. All resolutions or parts thereof in conflict herewith are hereby repealed.

7. An emergency existing, this resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the minutes of a regular meeting of the Board of Supervisors held on the 28th day of June, 1974, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my hand and the seal of the Board of Supervisors of James City County, Virginia, this 28th day of June, 1974.

/s/ Thomas R. McCann, Jr.  
Clerk, Board of Supervisors of  
James City County, Virginia

(SEAL)

3. RESOLUTION REQUESTING STATE HIGHWAY DEPARTMENT TO TAKE CERTAIN STREETS IN ST. GEORGE'S HUNDRED SUBDIVISION INTO STATE SECONDARY SYSTEM.

Mr. Frink moved the approval of the captioned resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

4. CONDITIONAL USE PERMIT FOR SAND AND GRAVEL OPERATION - WILLIAM SCHREIBER

Mr. Waltrip moved the approval of the Conditional Use Permit for a sand and gravel operation on Route 603 with the conditions listed. The motion carried by a unanimous roll call vote.

1. The applicant must submit a revised site plan showing the requirements of the Highway Department as well as landscaping, prior to receipt of a building permit. The Site Plan Review Committee has recommended to the applicant that a ten foot perimeter landscaped area be provided around the site for screening purposes.
2. When public water and sewerage are available to the site, the applicant shall abandon the septic tank and well and connect to the public facilities.
3. The top of the batching unit should be covered by some type of filter to control the emission of dust from the unit.
4. The Site Plan Review Committee also recommended to the applicant that no loading or unloading of materials occur on Sunday morning while the church is conducting their regular service.



## RESOLUTION

WHEREAS, the developer of St. George's Hundred (Section I) Subdivision has requested the Board of Supervisors to include certain streets in the State Secondary Highway System, and

WHEREAS, the Board of Supervisors desires these roads to be included in the State Secondary Highway System providing these roads meet the requirements of the Virginia Department of Highways and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways are made within a ninety (90) day period from the day that the Department of Highways makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in St. George's Hundred Subdivision, James City County in the State Secondary Highway System.

### Description:

St. George Blvd. -	From: Rt. 5, Intersection	
	To: Temp. Cul-de-sac	0.19 Mi.
Robertson St. -	From: Intersection of St.	
	George Blvd.	0.09 Mi.
	West of St. George Blvd.	
Sabre Drive -	From: Intersection of St.	
	George Blvd.	
	To: Temp. Cul-de-sac	0.09 Mi.
	West of St. George Blvd.	

Note - Right of Way

R/W - St. George Blvd. - 80'

R/W - Robertson Street - 60'

R/W - Sabre Drive - 60'

A Right of Way of 80'/60' feet is guaranteed as evidenced by plat of record, entitled St. George's Hundred Subdivision, Section I, Plat Book 31, Page 34.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of St. George Corporation Subdivision and the Resident Engineer of the Department of Highways.

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June 1974.

Mayo W. Waltrip, Vice-Chairman  
Board of Supervisors

ATTEST:

Thomas R. McCann, Jr.  
Clerk to the Board

June 28, 1974

5. APPOINTMENT TO JAMES CITY SERVICE AUTHORITY

The Board reviewed Mr. Charles Steen's letter of resignation from the Service Authority and expressed their sincere appreciation for his work on the Service Authority Board. Mr. Taylor nominated Mr. Waltrip to Mr. Steen's unexpired term on the Service Authority Board. Mr. Donaldson closed the nominations.

Mr. Taylor moved that Mr. Waltrip be appointed to the Service Authority Board to fill the unexpired term created by Mr. Steen's resignation. The motion carried by a majority roll call vote. Mr. Waltrip abstained.

6. CERTIFICATION OF WARRANTS

On a motion by Mr. Waltrip and carried by a unanimous roll call vote, the Board of Supervisors of the County of James City, Virginia hereby certifies the following additional warrants for the month of June, 1974.

General Fund	Checks #605 thru #654 Totalling \$62,652.92
Sanitary District #3	Checks #109 and 110 Totalling \$102,342.00

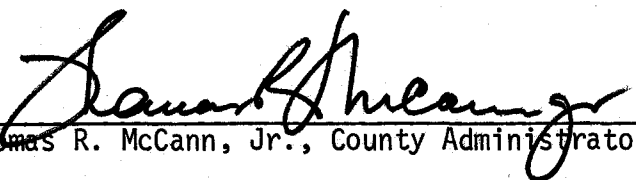
7. VACATION OF PLAT - OLD STAGE MANOR

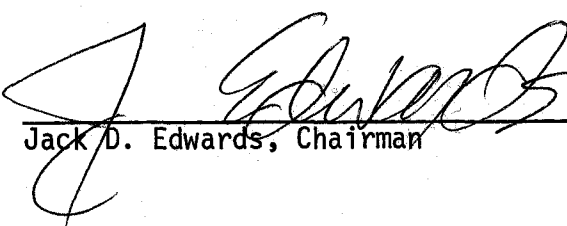
At the request of Mr. Murray Loring and advice of the County Attorney, the Board considered the vacation of lots 1 through 7, Section 2, in Old Stage Manor Subdivision.

Mr. Donaldson moved the approval of the vacation of plat, Section 2, Lots 1 - 7 in Old Stage Manor. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved that the Board adjourn until its Worksession on July 2, 1974, at 7:30 P.M. which is open to the public. The motion carried unanimously.

THE BOARD STANDS ADJOURNED UNTIL JULY 2, 1974 at 7:30 P.M.

  
Thomas R. McCann, Jr., County Administrator

  
Jack D. Edwards, Chairman

The following pages are miscellaneous pages that were found loose in the book.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIRST DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator

2. HIGHWAY MATTERS

- (a) Consideration of petition from residents in the Jamestown Farms and Indigo Park Subdivisions for special attention to traffic signing and speed control.

The Board requested that the Sheriff's Department enforce speed limits in these areas.

- (b) Speed Limit at Lafayette High School. Mr. Hinmann stated that if the school requested a timed flashing speed sign that the Highway Department would assist in the matter. The Board requested the Highway Department to make a study of Long Hill Road to reduce the speed limit.

- (c) Lakewood residents problem on Neck-of-Land Road. Mr. Edwards requested the Highway Department to make a study of curve and intersection.

3. SUBDIVISION ORDINANCE

Mr. McCann introduced the ordinance amending the Subdivision Ordinance pointing out the requirements for curb and gutters that were modified by the staff.

General Discussion followed.

Mr. Edwards moved that the Ordinance amending the Subdivision Ordinance be tabled until a further work session could be held. The date of this work session to be decided at the October 8th meeting. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

4. ORDINANCE AMENDING ZONING ORDINANCE TO PROVIDE FOR THE REGULATION OF EXTERIOR SIGNS

Mr. McCann introduced the ordinance.

General discussion followed. Mr. Taylor spoke against this ordinance.

Mr. Edwards moved that Ordinance No. 31A-18 amending the Zoning Ordinance of James City County be approved. The motion was seconded by Mr. Donaldson and carried by a majority roll call vote. Mr. Taylor voted no.

(ORDINANCE )

Mr. Frink stated that he was still interested in a County information center or a sign park.

5. REQUEST FROM MENTAL HEALTH-MENTAL RETARDATION BOARD FOR FUNDS FOR SARAH BONWELL HUDGINS REGIONAL CENTER

Mr. Donaldson moved that the sum of \$2,620 be appropriated to the Sarah Bonwell Hudgin s Regional Center for the construction of residential facilities. These funds are to be transferred from the Contingent Fund Account (18E) to the Contributions and Transfers Account (18C). The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

6. ADDITIONAL WAIVERS ON SECTIONS A AND B OF THE KINGSMILL DEVELOPMENT

Mr. Donaldson moved that the following waivers be approved with the condition that final lighting and street signing plans should have the approval of the County Administrator. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

1. Waiver of the requirement that the subdivider obtain standard street signs from the County.
2. Waiver of the requirement that building restriction lines be placed on the final subdivision plat.

7. RESOLUTION PROCLAIMING MONTH OF OCTOBER AS UNITED FUND MONTH IN JAMES CITY COUNTY

Mr. Edwards moved the approval of the resolution proclaiming the month of October as United Fund Month. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

(RESOLUTION)

8. AWARD OF CONTRACT FOR COUNTY AERIAL MAPPING PROJECT

Mr. Donaldson moved to award the contract for the County aerial mapping project to Abrams Aerial Survey Corporation of Lansing, Michigan, in the amount of \$147,179.60. This amount to be paid from revenue sharing funds over a two year period. The motion was seconded by Mr. Edwards and carried by a majority roll call vote. Mr. Taylor voted no.

9. AGREEMENT WITH THE CITY OF NEWPORT NEWS FOR CONSTRUCTION OF A WATER LINE FROM BLACK'S CROSSING TO ROUTE 5

Mr. McCann introduced the agreement.

General discussion followed.

The Board decided to postpone action until the meeting of October 22. A more thorough engineer's report was requested by Mr. Edwards.

10. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following

warrants for the month of September, 1973. Carried by a unanimous roll call vote.

General Fund

Checks #7791 through #7938  
Totalling \$281,079.13

Sanitary District #1

Check #194  
Total \$684.28

Sanitary District #2

Checks #196 through #201  
Totalling \$16,038.40

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

11. EMPLOYMENT OF ADDITIONAL SECRETARY AND TRANSFER OF FUNDS

Mr. Donaldson moved the approval of employing a secretary to assist the County attorney and Accounting Supervisor and the transfer of funds from Contingent Account (18E) to the County Administrator Account (1B) in the amount of \$5,617. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

12. RESOLUTION - ACTING COUNTY ADMINISTRATOR

On a motion by Mr. Edwards, seconded by Mr. Taylor, and carried by a unanimous roll call vote, the Board of Supervisors hereby appoints Mr. John W. Watkins Acting County Administrator during the absence of Thomas R. McCann, Jr., from the County from September 22, 1973, to September 29, 1973.

13. SANITARY DISTRICT NO. 3

Mr. Donaldson asked if there was any urgency for the Board to do take action regarding Sanitary District No. 3. Mr. McCann stated that the Board needs to take no further action except for reaffirmation on October 8th to proceed with Sanitary District No. 3.


Mr. Frink questioned whether or not all of White Oaks was against connecting, and if so, if there was a possibility of deleting this section and adding another section.

14.. THE USE OF ROUTE 611 BY SCHOOL BUSES

Mrs. Harris appeared before the Board to report that four school buses were travelling on Route 611 due to the opening of Lafayette High School and that the road was too narrow and hazardous for the buses.

The Board requested the County Administrator to notify the Highway Department to look into this matter.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr.  
County Administrator  
James City County



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. John E. Donaldson, Jamestown District  
Mr. Jack D. Edwards, Berkeley District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator

2. Minutes - August 13, 15, 17, 1973

Mr. Taylor moved that the minutes of August 13, 15, and 17, 1973, be approved as published. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

3. PUBLIC HEARING - VACATION OF PLAT OF PORTION OF THE BIRCHWOOD PARK SUBDIVISION

The Public Hearing was opened by the Chairman.

Mr. A. B. Smith, Attorney, representing Mr. Rothman of Ames-Ennis Inc., presented the request for the vacation of plat of a portion of Birchwood Park Subdivision. Mr. Smith and Mr. Rothman answered questions from the following people who spoke in opposition of the ordinance:

Mr. William Held  
Mr. Richard Coakley  
Mr. Thomas Verzi  
Mr. Lionel Serake  
Mrs. Janet Smith  
Mrs. Mary Lee McGregor  
Mr. Tom LeGrande  
Mrs. Thomas Verzi  
Mrs. Peggy Miller  
Mr. Earl McLean  
Mrs. Linda Leonard

The Public Hearing was closed by the Chairman.

General Discussion followed. Mr. Donaldson stated that the people living in Birchwood area were entitled to know additional information of the proposed plans for the area to be vacated before the Board could support this change.

Mr. Edwards moved that the ordinance to vacate the portion of Birchwood Park Subdivision be tabled. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. Mr. Donaldson requested the County Administrator to make sure that this item gets sufficient publicity when a date for resubmittal to the Board is determined.

4. PUBLIC HEARING - APPLICATION BY HORNSBY INVESTMENT COMPANY FOR REZONING OF CERTAIN PROPERTY AT THE INTERSECTION OF I64 AND RT. 168

Mr. Norman T. Hornsby appeared before the Board to answer any questions regarding his request to rezone property at the intersection of I64 and Rt. 168 from A-1 GENERAL AGRICULTURE to B-1 GENERAL BUSINESS.

The Public Hearing was opened by the Chairman.

- Mr. Hornsby spoke in favor of the rezoning.

General discussion followed.

Mr. Donaldson moved that the request for rezoning be denied. The motion was seconded by Mr. Edwards and carried by a majority vote. Mr. Taylor voted no.

5. WATER SYSTEM FOR OLD STAGE MANOR

Mr. Edwards moved that the request for seven additional connections to water system by Sydnor Hydrodynamics be approved for Old Stage Manor. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote. This approval was conditioned so that the Fire Marshal has had an opportunity to review the plans as to the location of fire hydrants.

6. DATE FOR PUBLIC HEARING OF APPLICATION BY ALLEN'S ORDINARY DEVELOPMENT

Mr. Edwards moved that the date of October 8 be set for a public hearing of the application by Allen's Ordinary Development Company for rezoning of property located at Route 168 at its intersection with I64 from A-1 GENERAL AGRICULTURE to B-1 GENERAL BUSINESS; J. R. Zepkin Agent. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

7. DATE FOR PUBLIC HEARING ON APPLICATION BY SCHNEIDER'S DISPOSAL SERVICE, INC. FOR A SPECIAL PERMITTED USE

Mr. Taylor moved that the date of October 8 be set for a public hearing of the application by Schneider's Disposal Service, Inc., for a Special Permitted Use in order to use property on Rt. 640 in an A-2 zone for local base of operation; J. F. Phillips, Agent. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

8. CHANGE OF DATE FOR NEXT MEETING OF THE BOARD OF SUPERVISORS

Mr. Edwards moved that the date of the next Board meeting be changed from September 24th to September 21st due to the fact Mr. McCann would be out of town on the 24th. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

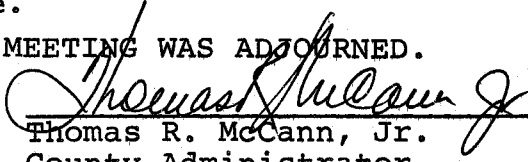
9. REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

ZONING ORDINANCE AMENDMENT - SECTION 12-15  
EXCEPTION FOR EXPANSION OF EXISTING BUILDINGS

Mr. McCann presented the amendment to the Zoning Ordinance.

Mr. Edwards moved that a joint public hearing with the Planning Commission be set for October 8, 1973, and that the material be referred to the Planning Commission. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS THE MEETING WAS ADJOURNED.

  
Thomas R. McCann, Jr.  
County Administrator  
James City County

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTEENTH DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-THREE.

1. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District  
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District  
Mr. Jack D. Edwards, Berkeley District  
Mr. John E. Donaldson, Jamestown District  
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator  
Mr. John W. Watkins, Assistant to the County Administrator  
Mr. Craig G. Covey, Assistant to the County Administrator  
Mr. Frank M. Morton III, County Attorney

Due to the fact that December 17th meeting had to be postponed because of a snowstorm, the Public Hearings scheduled for this meeting are to be re-advertised for the January 14th, 1974, Board meeting (Nos. 2, 3 and 4 of the 12/17/73 Agenda). See Item No. 20.

5. EMERGENCY ORDINANCE TO INCREASE WATER CONNECTION FEES IN SANITARY DISTRICT #2.

In order to adjust the revised Newport News water connection charges effective January 1, 1974, Mr. Frink moved the adoption of the Emergency Ordinance amending Section 5.03, water availability charges of Ordinance 36. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

(Ordinance#36A-3)

6. RESOLUTION FROM THE PLANNING COMMISSION REQUESTING A FLOOD PLAINS STUDY

Mr. Donaldson moved the adoption of the resolution from the Planning Commission requesting the Board to secure a flood plain study from the Soil Conservation Service. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

(Resolution)

7. REPORT OF SUBSTANDARD HOUSING ORDINANCE STUDY COMMITTEE

! Mr. A. White, Chairman of the Substandard Housing Ordinance Study Committee presented a report recommending (1) an appointment of a Housing Board, (2) formulation of a relocation program and (3) the designation of an agency to administer the ordinance.

Mrs. Irene Douglas commented from the floor that there is an immediate need for such a Board. She is concerned with the rental problem and absentee landlords.

General discussion followed.

Mr. Edwards moved that the matter be deferred until the next Board meeting. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

8. RESOLUTION REQUESTING STATE FUNDING FOR GROUP FOSTER HOMES  
(Teen Homes Inc.)

Mr. Donaldson moved the approval of the resolution requesting the State legislation to fund Group Foster Homes. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

(Resolution)

9. SUPPLEMENTAL GRANT APPLICATION FOR REGIONAL PROBATION  
HOUSE

Mr. Taylor moved the approval of a supplemental grant application for a Regional Probation House and the authorization to transfer \$158.23 from the Contingent Fund (18E) to the Contributions and Transfer (18C). The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

10. REVISED MASTER PLAN FOR CROFFTON PLANNED COMMUNITY

Mr. Taylor moved the approval of the revised Master Plan for Croffton Planned Community which sets aside approximately 50 acres of land for public use. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

11. CROFFTON PLANNED COMMUNITY - PHASE I ROADS

Mr. Waltrip moved the approval of Phase I roads, to be constructed in conformance with State Highway Department standards, for Phase I of the Croffton Planned Community. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

12. FINAL PLANS FOR LITTLE TOWN QUARTER (KINGSMILL PLANNED  
COMMUNITY.)

Mr. Donaldson moved the approval of the Final plans for Little Town Quarter subject to the conditions recommended by the County Administrator. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

1. The County reserves the right to inspect the drainage areas for erosion characteristics for a period of 1 year after 75% of the project is developed. If problems are noted which the developer can and should correct, then the developer will be required at his expense to install appropriate paved drainage channels or other appropriate workable stabilization techniques approved by the County.
2. School bus shelters and bus pull off lanes should be provided at the entrances to the development.
3. Monumentation of the area shall be as provided for in Sections 4-29 and 5-30 of the Subdivision Ordinance.

The final plan process will be established in two phases:

1. A submittal will be made to the Board of Supervisors consisting of initial final plans similar to preliminary plats in the Subdivision Ordinance. These plans have been submitted to, reviewed and approved by the Site Plan Review Committee and are the basis of these comments.
2. A submittal should be made to the County Administrator, or his designee, consisting of (1) complete final plans prior to and also for recording; and (2) community associates documentation as provided in Section 7-11-3 of the Zoning Ordinance. The Board should charge the County Administrator with the responsibility of protecting the County's interest through a detailed administration review of both plans and documents. The Board should further instruct the County Administrator not to release a plat of any lot or lots for recording and sale until all applicable standards and requirements are met by the developer. Consideration should include but not be limited to Section 7-2-3 (bonding) 7-3-3 (deed of easements), 7-3-5 (deeds of public land), 7-9 (building locations), 7-10 (water and sewer), and 7-11 (street improvements) of the Zoning Ordinance.
3. Signage of the area will be in accord with overall signage plans previously approved by the County Administrator's office.
4. A lighting plan shall be submitted to and approved by the County Administrator.

#### 13. RESOLUTION RE SANITARY DISTRICT #1 LIENS

Mr. Edwards moved the approval of the resolution to enter delinquent charges for use of sanitary sewer system in Sanitary District #1 in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

(Resolution)

\* \* \* \* \*

Mr. Donaldson moved to go into executive session to discuss personnel matters. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

AT A RECONVENED MEETING:

#### 14. APPOINTMENTS TO THE PLANNING COMMISSION

Mr. Donaldson moved the reappointment of Gerald H. Mephram to a four year term on the Planning Commission. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Mr. Waltrip moved the reappointment of Dr. William Lee to a four year term on the Planning Commission. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

Mr. Frink moved the appointment of Mr. Harry B. Wright to a four year term. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

15. APPOINTMENT TO THE PENINSULA COMPREHENSIVE HEALTH PLANNING COUNCIL.

Mr. Taylor moved the appointment of Mr. John H. Bullock to the Peninsula Planning District Commission for a term of three years effective January 1, 1974. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Donaldson moved that the County Administrator and staff make a study re improving citizen participation on Boards, Committees and Commissions, e.g., length of terms, etc. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

16. APPOINTMENTS OF PLUMBING EXAMINING BOARD AND ELECTRICAL EXAMINING BOARD.

Mr. Waltrip moved the appointments to the Plumbing Examining Board of Mr. Carl Roy, to replace Mr. James R. Parsley who resigned, to expire December 31, 1974, and Mr. Forrest Lee Hazelwood to a four year term, to expire December 31, 1977; and to the Electrical Examining Board, Mr. E. M. Cox, to a four year term expiring December 31, 1977. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

17. RESOLUTION ESTABLISHING A PAY PLAN AND CLASSIFICATION PLAN FOR JAMES CITY COUNTY EMPLOYEES.

Mr. Donaldson moved the adoption of the position classification and pay plan by Yarger and Associates, Inc., and approves the Alternative I with implementation date November 1, 1973, and authorizes the transfer of \$13,031 from the Contingent Fund (18E) to the various departmental accounts to cover the costs of implementation. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

Mr. Donaldson moved the adoption of the following resolution with the addition of the effective date November 1, 1973 and the sum of \$13,031 included in the transfer of funds item 4. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

(Resolution)

18. CERTIFICATION OF WARRANTS

On a motion by Mr. Frink, seconded by Mr. Edwards, the Board of Supervisors of the County of James City, Virginia, hereby certifies the following warrants for the Month of December, 1973.

General Fund	Checks #8329 thru #8397 Totalling \$262,397.96
Sanitary District #1	Check #196 Totalling \$1,743.70
Sanitary District #2	Checks #219 thru 223 Totalling \$6,536.35
Sanitary District #3	Checks #104 thru #105 Totalling \$10,778.00



Williamsburg-James City County  
Courthouse Construction Acct.

Check #226  
Totalling \$46.65

James City County  
Revenue Share Fund

Checks #100 thru #103  
Totalling \$49,764.50

REPORTS AND RECOMMENDATIONS OF COUNTY ADMINISTRATOR

19. BOARD MEETING

Mr. Waltrip moved that the meeting be adjourned to reconvene on Friday, December 21, 1973, at 8:00 A.M. to sign warrants. The motion was seconded by Mr. Donaldson and carried by a unanimous roll call vote.

20. ADVERTISING PUBLIC HEARINGS

Mr. Taylor moved that the Board advertise the three public hearings listed in the agenda for January 14, 1974. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

21. WETLANDS BOARD

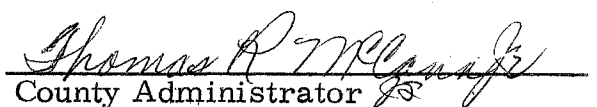
The Board requested the position on the Wetlands Board be advertised.

22. FUNDING PROBABILITIES FOR SANITARY DISTRICT NO. 3

The Board reviewed a letter from Deward M. Martin and Associates, giving additional data regarding financing of Sanitary District #3 sewage works project considering a grant probability.

Mr. Edwards moved the Board authorize the engineering staff to proceed with the engineering on the complete Sanitary District No. 3 project and that they do the necessary paper work for FHA consideration of increasing the County's loan. The motion was seconded by Mr. Taylor and carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD STANDS RECESSED UNTIL DECEMBER 21, 1973.

  
County Administrator

TENTATIVE

COUNTY OF JAMES CITY, VIRGINIA

BOARD OF SUPERVISORS

January 28, 1974

3:00 P. M.

Council Chambers - Courthouse

- 
1. Roll Call
  2. Minutes - January 14, 1974
  3. Highway Matters
    - a. Resolution re 45 mile speed reduction on Route 5.
  4. Consideration of report from the County Administrator on Boards and Commissions and resolution establishing policies.
  5. Consideration of report from the County Administrator concerning the transfer of Juvenile Probation Department to the Commonwealth of Virginia.
  6. Consideration of Ordinance to amend and reordain Chapter 2, Administration of the Code of the County of James City, Virginia, Article 2, Magisterial District and Election Precincts, Section 2 -3, Designation and Population of Districts, Section 2-4, District Boundaries and Section 2-6, Precinct Boundaries. (10-11/26/73; 12-12/17/73; 1/14/74)
  7. Consideration of report from the County Administrator concerning a flood plains study.
  8. Consideration of recommendation from the Electoral Board considering hiring of Assistant Registrar.
  9. Consideration of a date for Public Hearing of amendments to the Subdivision Ordinance.
  10. Consideration of date for Public Hearing of ordinance to vacate portion of plat on Canterbury Hills Subdivision, properties of James J. Connolly.