

Agreement with Soil Conservation Service for Preparation of a Flood Plain Study	2	Appointments - ^{governor's Area Committee on Employment of the Handicapped (Jack McRahena + John Donaldson)}	199
Aging Programs - Resolution approving Peninsula Area Plan for	3	Appointment - Social Services Board - Stuart Spinn	199
Alsea Drive - Resolution re. Dirt Street Improvement Program	3	Appointment - Electrical Examiners Board - ^{James Boon} Tom Ryley	199
Aging Programs on - Peninsula Planning District Plans	8	Appointment - Plumbing Examiners Board ^(Mr. Roy + Mr. Nixon)	200
Allegation Needs Study - Request from PDC for \$247.00 to partially fund -	12	Appointments - ^{Planning Commission:} Mr. McKinis, Bryant, Turner	203
American Legion Ltr to Post 39 - Bingo Permit	12	Adjustments and Appeals, Board of - ^{appointments}	217
Amendment to Statewide Bldg. Code Adoption of BOCA Basic Mechanical Code Plumbing Code, Oil and Gas Family Dwelling Code, National Electrical Code	14	Appointments - Bd. of Adjust. + Appeals ^(Mr. Sawyer + Mulligan)	217
Adoption of BOCA Mechanical Code Plumbing Code 1 and 2 Family Dwelling, Electrical Code	16	Administrator - ^{Resolutions Regarding} County Administration	230
Appointment to Peninsula Agency on Aging	20	Appointments - ^{Mr. Oliver to serve on: Civil Defense, Courthouse Commission, Mosquito Control, Peninsula Plan. Comm., Bicentennial Comm.} Sanitary Dist. #1 Board	233
Appointment to Planning Commission	22	Appointment - ^{Patricia Meriman to} Mental Health + Retardation Bd.	235
Admissions Tax Enabling Legislation	22	Administration - ^{Ordinance to amend code Chapter 2, Districts, Municipal Election}	246
Admissions Tax, Resolution requesting Legislation	22	Amusement Parks - ^{Ordinance to amend code Chapter 9, Licenses}	246
Accommodations Tax for Transients	22	Associated Mortgage Co - ^{Reimbursement of} Penalty Payment	257
Appointment to Planning Commission	23	Amusement Parks - ^(Licenses) Ordinance 16 A-4	260
Appointment to Peninsula Comprehensive Health Planning Council	27	Appointment - ^(Wm. R. Rittinger) Social Services Board	279
Health Planning Council	27	Appointment - ^{Reappointed Mr. Stewart} U. Taylor to Soc. Serv. Authority Bd.	279
Appointment to Wetlands Board	27	Appointment - ^{Ms. Cynthia Lassiter} Drug Abuse Council	283
Appointment of Mr. Donald Engelken to Peninsula Comprehensive Health Planning Council	28	Appointment - ^{Dr. Philip Wilson} Patrick Henry Hosp. Board	283
Appointment of Mr. Gerald Oleg to the Wetlands Board	28	Appointment - ^{Jack Edwards} Regional Library Board	283
Appointment - Boards & Commissions	42	Appointment - ^{William (Buck) Stewart} dog warden	284
Admission Tax Resolution	48	Anheuser-Busch, Inc - ^{Rebate of duplicate} Permit	292
Appointment to Comprehensive Planning Team	50	Appointment - W. R. Bland, Attorney for SD #3	306
Appointment to Courthouse Committee	50	Appointment - action deferred	308
Appointment to Planning Committee	50	Appointment - Planning, Wetlands	309
Appointment to Comprehensive Health Council	50		
Appointment to Mental Health Board	50		
Appointment to Planning Commission	50		
Animals & Fowl - ^{Consideration to amend} ordinance - Chapter 3 Sec. 31	72		
Architectural Design Review Board - ^{appointments}	78		
Appointments to above " "	78		
Appointment - ^{Bicentennial Comm. (Fourth member)}	78		
Appointment - ^{Peninsula Agency on Aging}	78		
Animals and Fowl - ^{Chapter 3} Ordinance # 50A-1	79		
Animals & Fowl - ^{Consentation of date for Public} Hearing to amend Chapter 3	80		
Animals & Fowl - ^{ordinance to amend} Public Hearing Chapter 3 - Art. II	85		
Appointment to Planning Comm - ^{Mr. m.w.} Bryant	110		
Appointment - Dog Warden	111		
Appointment - ^{John Nelson Comm. College} Board - Myrtle Engle	114		
Appointments - ^{Service Authority, Bd.,} Edwards, Taylor, Wallup	114		
Appointment - ^{Peninsula Airport Comm.} Charles L. Guittmeyer	114		
Appointment - ^{Mr. Brady Graham to} Soc. Services Board	120		
Appointments - ^{Reappointment of Mr. McCann to Soc. Services Bd.}	121		
Appointment - ^{Mr. William Stewart,} Dog Warden	134		
Air Conditioning Replacement - EOC Bldg.	140		
Appointment - ^{Thos. Hale to Soc. Serv. Bd.}	150		
Appointment - ^{Steven Turner to Plan. Comm.}	150		
Appointment - ^{Ninth Judicial Dist. Court} Service Unit Advisory Council	150		
Appointment - ^{John Watkins - to} Social Services Board	172		
Anheuser-Busch - ^{application for conditional} use permits for temporary offices	181		

Berkley Town Road: Resolution re. Suit Street Improvement Program	4	Bryant, M.W. - appointed to Planning Comm	204
Buchwood Drive: Resolution re. Suit Street Improvement Program	5	Brookwood Drive - off Rt 199	208
Brick Bat Road - Resolution re.	7	Bicentennial Committee - grant appropriated	215
Bicentennial Commission - Progress Report	8	Bicentennial Committee - appointments: Callins, Matier, Gae, Brooks, Makiewicz	217-218
Bingo Permit - Request by Lions Club	12	Bush Springs Road - Renamed Rt. 649 (Piggett Rd)	223
Bingo Permit Request by American Legion	12	Beatty, Norman - Appt. to E.S.A. Committee	226
Religious Burial Plot 39		Branch, Hammon - Appt. to E.S.A. Committee	226
Bingo Permit - Request for		Brown, Stan - Appt. to E.S.A. Committee	226
Board Meeting Cancellation of	12	Brue, William - Appt. to E.S.A. Committee	226
Building Code Amendments to BOCA Basic Mechanical, Plumbing, Electrical Code	14	Bicentennial Committee - Appt. of Mr Oliver	233
Brick Bat Road - Resolution re. Truck Traffic	15	Bicentennial Committee - Appt. of Mrs R.L. Moody	235
Brick Bat Road signs - Highway Matter	21	Burnett, J.E. - Erroneous Tax Assessment	247
BOCA Basic Mechanical Code, date for Public Hearing on Ordinance to adopt	22	Budget, School Board - Presentation of	249
Building Ordinance to Repeal Chapter 4 of the Code of James City County	26	Berkley - Election District Boundaries	250
Board of Supervisors, staggered terms for	30	Busch Properties - Conditional Use Permit for temporary Mobile Home Trailer	258
Bicentennial Commission Report	33	Budget - 1976-77 - Advice for Public Hearing	261
Board of Supervisors, staggered terms	40	Budget, Capital Improvement - Worksession	262
Board Appointments	33	Budget, Operating - Worksession	263
Board Meeting Cancellation	42	Budget - Public Hearing on Proposed 1976-77	264-5
Blow Hats Road	51	Budget - '76-'77 - Worksession	266
Busch Properties Survey Costs	53	Budget - '76-'77 - Resolution appropriating funds	270-71
Building Regulations Ordinance	58	Budget - '76-'77 Revenue Sharing Appropriation	271
Bicentennial Commission ^{Withdrawal of Mr. Bryant's Appointment}	65	Bingo Games - ^{Approval for James City - Borton Fire Dept + JCC} Rescue Squad to hold, Williamsburg Lions	277
Bicentennial Committee - Responsibilities	72+	Bingo Games - Club	283-4
Bicentennial Committee - Appointments	73	Board of Supervisors - Cancellation 1/23/76 meeting	300
Bicentennial Committee - Appt. of Mr. McCann	74	Board Considerations - EPA Proj C510-583 of	301
Bicentennial Committee - Appt. of fourth member - Mr. Donaldson	78	Board Considerations - Bikeway Proposal	305
Bingo Games - Request for permit to be operated by Fire Dept + Rescue Squad	79	Board of Sup. - Meeting Schedule	309
Bowmer, E.L., Dove Claim	80	Building Permit Fee - Refund Masterbooks	317
Bid - Proposed for Santay Dist. #3	83		
Brick Bat Road - ^{By Dept. ready to schedule Public Hearing}	84		
Busch Gardens - ^{Conditional Use Permit for Temporary Office}	84		
Board Meeting - Change of date	95		
Budget - Consideration of School Board	96		
Budget - Consideration of General Operating and Capital Improvement	97		
Budget - ^{worksession on General Operating and Capital Improvement}	100-102		
Budget - 1975-76 - Appropriating funds	107		
Board - Change of meeting date (June 75)	110		
Bryant, M.W. - Appointment to Planning Comm.	110		
B-2 Case - ^{Date for Executive session set - June 23}	113		
Blayton, Allene - ^{Resolution of Appreciation Bd. of T.N.C.E.}	123		
Birch Circle - ^{Inclusion into State Secondary System}	129		
Bingo - ^{consideration of Resolution to permit Mental Health Day Center to hold Bingo Games}	144-145		
Board of Sup. - Meeting date change	167		
Bryan, Loren - ^{appointed to Electrical Examiners Board}	186		
Bingo Games - ^{Petition from Birchwood Estates Garden Club}	188		
Board of Supervisors - Committee assign- ments	201		
Board of Supervisors - Organizational Meeting	200		
Bicentennial Committee Report	201		
Board of Supervisors - ^{Request by Plan. Comm. for joint Public Hearing Re. zoning - Jan 27, '76}	203		

B

*

Certification of Warrants

8

19

22

33

41

49

61

73

81

95

113

120

139

146

167

185-86

188

216

224

239

257

263 D

278

28

30.

1. Comprehensive Plan; Goals and Objectives statement for	2	Chandler, Cameron - Reimbursement for erroneous Real Est. Assess. (Reand St.)	166
2. Local Govt. Resolution re. Dirt Street Improvement Program	4	City Water Service - Grants to Edith Anderson	185
3. Consolidation of James City Service Authority and the County of James City	6	Dekins, Auzanna - Livestock Claim	196
4. Certification of Warrants	8	Compensation, Wmstburg. Fire Service	197
5. Consideration of Construction of Water Line from Blacks Crossing to Route 5	9	Chairman, Election of Mr. Abram Frank	200
6. County Building Complex - Presentation of Preliminary Schematics by Architect	14	Committee Assignments - Board of Supl	201
7. "Common Glory"; contribution to	18	Conditional Use Permit - Bow-Badische - Land fill	216
8. Certification of Warrants	19	Colonial Terrace - ordinance to vacate a portion of the plat, Coordinator of Emergency Services - Appt. of Mr. Oliver	230
9. Centerville Road - Forest Glenn Speed Limit	21	Civil Defense -	233
10. Certification of Warrants	22	Courthouse Committee - appt. of Mr. Oliver to	233
11. Contractural Review - Resolution requesting amendment to legislation	23	Check Signing Machine - Discussion of use of	234
12. Contiguous Properties, definition of	31	Capitol Outlay Program - Discussion of ordinance to vacate a	235
13. Certification of Warrants	33	Colonial Terrace - portion of the plat - 1, 2, A, B.	246-47
14. Capital Improvements Program Presentation	33	Colonial Terrace - Ordinance # 93 (see above)	252
15. Connection Fee Refund - James B. Lipley	38	County Government Center - Mr. Oliver voiced interest in bid for property by June 12, 1976	257
16. Capital Improvements Program	39	Conditional Use Permit - Busch Properties	258
17. Certification of Warrants	41	Construction Award for Fire Station	258
18. Capital Improvements Program	42	Capital Improvements Budget - works session	262
19. Central Abandon Water Collection District	48	Conditional Use Permit - Mobile Home Park Wisteria Gardens	263-D
20. Certification of Warrants	49	Cypress Point - Roads accepted into Secondary System	267
21. Committee Assignments	50	Chuckadoming Haven - " " "	267
22. Criminal Justice Academy	53	Circuit Court - Supplemental Appropriation	281
23. Conditional Use Permit - Oakwood Homes - John F. Krawiec	53	County Govt Center Site Selection	296
24. County Code - Increase in price	59	Cancellation of Aug 23 BOS meeting	300
25. County Code - Authorization of Second Supplement	64	Certification of Warrants	300
26. Community Action Agency - Request for Match funds for transportation program	64	Certification of Warrants	308
27. Community Development Block Grant To a water system	65		
(Carnivals, Circuses) - Consideration of amendment to Ordinance - Re: Licenses	72		
Cypress Drive - from 2nd Land to River Dr. Includ. in Sec. Road System	75-76		
Condemnation Proceedings - Wm. Hand as atty. for San. Dist. II	81		
Conditional Use Permit - Busch Gardens	84		
Capital Improvements Program - 1976-80	84		
Construction Contracts - Tentative awards Sanitary Dist. #3	104		
Construction Contract - San. Dist. 3 - Vico	104		
Construction Contract - San. Dist. 3 - Dal-Ray	105		
Construction Contract - San. Dist. 3 - Crowder Richard	106		
Construction Contract - San. Dist. 3 - Construction for carwa	107		
Colonial Williamsburg - Consideration of date for Public Hearing for Special Use Permit for Warehouse + Silver Smith Shop on Wacker	112		
Colonial Williamsburg - Approval of special use permit (see above)	122		
Chuckadoming Haven - Consideration of date for Public Hearing - Re: Vacations of Subdiv. Plat - Sect. 2-13-	124		
Cancellation - Aug. 25 Board Meeting	134		
Center for the Handicapped - general discussion	135		
Conditional Use Permit - Wholesaler & Pro- cessing Center - Dilpoin, Inc.	137		
Comprehensive Plan - date for Public Hearing with Bd. of Supl.	146		
Contractural zoning - Proposed regula- tion by Assembly	157		
Comprehensive Plan - Joint Hearing w/Plan. Comm.	160		
Comprehensive Plan - Final Adoption	165		

1. Fording, of Potomac Creek	1
2. Dist. Street Improv. Program, Resolutions re.	3
3. Extra Spine: Resolutions re. Dist	4
4. Date for Public Hearing on proposed	12
5. Date for Joint Meeting with Planning	13
6. Commission re. Economic Base Study	50
6. Committee Assignments	52
7. Depository Resolution - United Ch. Bank	59
Dogs - Ordinance 7A-5 - Chap. 3 Art. II	103
Dist. Street Program - Old Stage Manor	110
Dog Warden - Reappoint Mr. D. Matheny	111
Dow Badische - Resolution granting permit	112
Deer Circle - Secondary System	130
Deputy Dog Warden - Appointment	134
Dance Halls - adopting new chapter 4	159
Drug Action Center - Request for continuing	166
Dunford - Fed - Service Certificate (3 yr)	169
Dance Hall Ordinance - Public Hearing	181-2
Dance Halls - Ordinance # 91	192-93
Depository Resolutions - Mr. Frank + Mr. Taylor's names in	201
Depository Resolutions - U. V. B.	201
Depository Resolutions - Williamsburg	201
Dance Hall Ordinance - Proposed Amend - Chapter 4A - nents	211
Dow Badische - Cond. use Permit - to	216
Davis, Ross - Appointment to Wetlands Board	217
Dance Halls - 4 - by adding 4A	237
Districts, Magistral, Election - ordinance to amend code Chap. 2	246
" " " " " "	248
Districts - Ordinance # 69A-2 - changes in election districts	250-51-52
DJCP - Request for Grant Approval	254
Deputies, Additional - Request for funding	255
Dipton, Walter - Service Certificate	263A
Drug Abuse Council - appt. of Ms. Cynthia Lassiter	283
Dog Warden - Appt. of Wm. Stewart	284
Demonstration Bikeway Proposal - Wmsbg, Inc, and York Co.	299

1.	Electrical Code Adoption of	16
2.	Economic Base Study Presentation of	20
3.	Erroneous Assessment - Adam & Capric Weil	21
4.	Emergency Ordinance: State for Public Hearing on Ordinance to Amend Statewide Bldg Code; Adoption of Boca Basin Mechanical Code	22
5.	Engelken Donald. Appointment to Peninsula Comprehensive Health Planning Council	28
6.	Erroneous Assessment & Transfer of Trade Taxes	38
7.	Electoral Board Central Absentee Vote Dist.	48
8.	Erosion & Sedimentation Control Ordinance to amend the code	63
9.	" " " - Ordinance # 85	67
	Elmwood Lane - Included in State Secondary Bldg.	129
	ECC Bldg - Replacement of Air Conditioning Units	140
	Election Results - Nov. 6, 1975 - (3rd Dist. Senate)	173
	Election Results - Nov. 6, 1975 - (House of Delegates)	174
	Election Results - Nov. 6, 1975 - (Commonwealth Attorney)	175
	Election Results - Nov. 6, 1975 (Sheriff)	176
	Election Results - Nov. 6, 1975 (B. of S. Stoneham Dist)	177
	Election Results - Nov. 6, 1975 (B. of S. Berkeley Dist)	178
	Election Results - Nov. 6, 1975 (B. of S. Roberts Dist)	179
	Employee Grievance Procedure - Amendments	182
	Electrical Examiners Board - Appointments	186
	Erroneous Tax Assessments (Saves) (Informal) (Miscellaneous)	188
	Electrical Examiners Board - James Bowry + Bill Rpley	199
	Electoral Board, Report from	204
	Economic Development Advisory Committee - creation of	213
	Economic Development Advisory Comm. - Public discuss. meeting	217
	Economic Development Advisory Comm. - Recommendations	224
	" " " Objectives	225
	" " " Functions	225
	" " " Policy Making	225
	" " " Program Expansion	226
	" " " Membership, Organization	226
	" " " Budget, Conflict of Interest	226
	Election Districts - Reapportionment	239-40
	Electoral Board - Mr. Charles Steen, Chairman	247
	Election Districts - Ordinance # 69A-2 Changes in District boundaries	250-51-52
	Equal Employment Opportunity Affirmative Action Plan	261
	Economic Development Advis. Committee, Resolutions	281
	Emergency Services On-Site Assistance Report	285
	Economic Advisory Committee Recommendations, Presentation by Stan Brown, Chairman	299

Flood Plain Study Agreement w/ Soie	
1. Conservation Service for preparation of	2
2. Final Plan Approval of sections I, II, III	18
3. Kingsmill Planned Community	
3. Throat Glenn Speed Limit Highway No.	21
4. Fowl Claim - G. W. Gugginberry	53
Fowl Claim - Chauncy Inman	64
Fowl Claim - E. L. Bower	80
Forest Glen - ^{Section I, II, III -} Secondary Highway System	117-118
Federal Impact Aid Funds for Schools - ^{Resolution}	149
Federal Community Development Block Grant - ^{submit application} for	151
Flood Control Program - ^{Resolution for - +} construction of -	153-54
Fowl Claim - Raymond E. Stewart	188
Fire Service - Lumburg, Compensation	197
Trink, Mr. Abram - ^{Elected Chairman of} Board of Supervisors	200
Forestry Division of - Report by Mr. Gugginberry	229
First Colony - ^{date list for Public Hearing} Ri. Lots 160, 161, 162, 163	272
Fowl Claim - Bert Geddy, Jr.	278
Fire Truck - Purchase ^{from} City of Norfolk	279
Finance Director - Appx. of John M. Jones	282

1. Goals & Objective Statement for Comprehensive	2
2. District Court for Fiscal Year	
3. Office Renovations & Furnishings Request from	13
Green Spring Woods, Planning Case	
#2-2-74; Gate for Public Hearing	21
Grant Application - #73-A2483 - Div. of Justice & Crime Prevention	77
Gill, Ralph - Personal Property Tax Refund	84
Grant, Continuation of, - Green Acres Regional Juvenile Probation House	112
Green Acres Juvenile Probation House - Grant	112
Gelpin, Inc. of Virginia - Conditional Use Permit	137
Grievance Procedure (Employee) - Resolution	182
Governor's Area Comm. of Employment of Handicapped	199
Grove Roads - Request for attention to potholes	209
Garland, Chas. - Real Estate Tax Refund	223
Garrett, Dr. Martin Appt. to EDA Committee	226
Grant Funds Application for - San. Dist 3	233
Grove Fire Dept Ordinance 91A-1	238
Grove Fire Station - Agreements	238-39
Grove Fire Station - Presentation of Plans by Wm Phelps A.I.A.	243
Grove Fire Station - Construction Award	258
Gaddy, Bert - Fowl Claim	278
Grove Fire Station - Transfer of Funds	282
Government Center Engineering Services	306
Government Center Architect update	313
Gov't Center - Plan approval	317

1. Highway Matters - Secondary Route 602	7	Highway Matters - Improvement to Old Bridge at Moonstown Rd. Regulated (also lights)	259
2. House Numbering in James City County	13	Highway Matters - acceptance into Secondary System	267
3. Hammer, Sila George, Inc. off Wash. P.C.	20	Streets in: Cypress Point, Chickahominy, Ham, Poplar Hall, Powhatan Springs	268
4. Highway Matters - Secondary Roads Budget. Fix at 74.75	21	Highway Matters - accepted into Secondary Highway System	280
Quartpath Road, Brick Bat Rd., Centerville Rd. Route 658			
5. Highway Matters - Intersection of Monticello Rd. & Monticello - Brick Bat Road, Rt. 658, Completion date of Rt. 199, Plat for property	29	Hospitalization (State/local) for indigents	284
6. Hazelwood, R.M. - Tax Matters	38	Highway Matters	286-91
7. Holidays - 12/24/74 + 12/25/74	42	Highway Matters VHD + T Secondary Road	302
8. Highway Department - County requested	42		
9. Cops Sign System	43		
10. Hazelwood, R.M. - Tax Matters	43		
11. Highway Matters - Blow Hats Road	51		
Highway Secondary Budget - Transfer of funds	61		
Highway Secondary Budget - Transfer of funds	62		
Height Limitation, Waiver in B-2 zone - 1/3 limit	64		
" " " "	66		
Highway Matters - abandoning section of 608 + adding section of 608 to Secondary System	75		
Highway Matters - Salem Highway design - nation for Route 5	84		
Highway Matters - Possibility of Bicycle Trail	84		
Highway Matters - Schedule meeting for Public Hearing - Re: Brick Bat Road	84		
Hazelwood, R.M. - Public Hearing for Rezoning 75 acres on 168 from A1 to R3	87		
Highway Matters - Inclusion in State Secondary System Roads in: Old Stage Manor, Poplar Hall, Krumpholtz, Forest Glen + Windsor Forest	115		
	116-		
	117-		
	118-119		
Licks, James E - Resolution of Appreciation Soc. Serv. Board	123		
Noar, Bobby - Resolution of Appreciation Planning Commission	123		
Highway Matters - Inclusion into State Sec. System: Elmwood Lane; Buck Creek; Janbank Lane	129		
Highway Matters - Completion of Route 199, traffic light at Monticello + Chonmud Busch Traffic	130		
Highway Matters - Business Dist. signs on I-64 Traffic signs on Rt. 5	151		
Hydrology Study - Planning Comm.	155		
Height Limit - Structures above...	167		
Highway Matters - Federal Aid Realignment Speed Study - Hickory Sign - Post Rd	169		
Cost - Flashing signs at Berkeley School			
Highway Matters - Abandonment of Old Highway 60 - thru Busch	180		
Redesignation of Route 5 - Request for Signs (Rt. 5) - Shovel for (repair) Rt. 5 - Check Traffic lights at Monticello			
21 UD - Accounting Resolution for Administration	184		
Height Limit - Ordinance to amend Chap. 20, zoning - Permit certain structures above	186		
Holiday - Dec. 26, 1975 - Granted	189		
Highway Matters - King's Point sign on Rt. 199, signing + marking at Buckwood	190		
Highway Matters - Completion of Rt. 199, both on Rt. 6 + 199	208		
Highway Matters - Changes in Secondary Rt. 6	216		
Heath, Wanda - complaint, Re: Mobile Home Park	216		
House Bill #321, nonconforming uses	226		
Highway Matters - R604 improvements Signs directing traffic to roads from Rt. 6, to merge + light foot	229		
Health Systems Agency Bd - App. of Healy	235		
Healy, Dorothy - see above	235		
Highway Matters - Signs on Rt. 6 + to Poano James E. Baptist Church entrance	242		
Hazelwood, R.M. - Resolution of appreciation	259		

1. Information Center - New Kent / James City	1
County line; Proposal to construct	
Indigo Trace Road: Resolution re.	
2. Dist. Street Improvement Program	5
3. Resolution - Traffic Control	7
4. Inman, Mr. Chaney - Fowl Claim	64
Inspectors - Retention of, Sanitary Dist. #3	156-57
Information Station - I-64 - New Kent County	158
I-64 - Equal signing for Route 60	189
I-64 - Resolution - Request WANT to add "Toane, Nerge, To Rt. 60" to signs	198

1. James City Service Authority and the County of James City; Consolidation of	6
2. Joint Resolution; Consolidation of James City Service Authority and the County of James City	6
3. Joint Public Hearing; Land Development	40
Justice and Crime Prevention - Grant Application	77
Jones, Robert - 5yr. Service Certificate	207
Jamestown District - Election Boundaries	250
Jones, Pedro - ^{Date set for Public Hearing} Re: S.U.P.	273
Jones, Pedro - Public Hearing (see above)	280
Jagges	

Kristiansand, Date for Public Hearing	12
1. on proposed vacation of lots 15-21	
2. Kristiansand Subdivision, Public Hearing re. vacation of plat	15
3. Kristiansand - Resolution re. vacation of portions	16
4. Kingsmill Planned Community Single Plan Approval	18
5. Kingsmill Planned Comm. - Winata Tax Plan	18
6. Kingsmill Master Plan Consideration of updated	29
7. Kingsmill Inn and Recreation Center - Consideration of and Review of Land Use Concept for	29
8. Kingsmill Tax Pavilion Consideration of Final Plans for	29
9. Kirtley, Warren G. - Licensing Case 7-474	
10. Kristiansand - Resolution	51
11. Kristiansand - Section III - certain streets - Secondary Highway	116
Kristiansand - consid. of date for Pub. Hearing	159
Kristiansand - Public Hearing (see above)	163
Kristiansand - Ordinance #90	164
Kingspoint Access Rd. - Resolution re: naming	208
Kingsmill - Southall Quarter - Revision to Final Plan	216
Knight, Richard - Appt. to EDA Committee	270
Kingsmill - Master Plan - Revisions	272
Kingsmill Quarterpath Trace - Final Plan	272

1. Land Use Assessment Ordinance	1
2. Land Use Assessment Ordinance, date for Public Hearing	2
3. Land Development Concept, Report on Public Hearings	8
4. Land Use Assessment Ordinance #80	11
5. Lease of Radio Tower Space to RCC of Pa., Inc.	12
6. Lions Club - Request for Bingo Permit	12
7. Land Development Concept, Resolution for submitting revisions	14
8. Legislative Program for 1975	22
9. Land Use Concept for Kippmiller Inn and Recreation Center - Consideration and Review of	29
10. Land Use Assessment Ordinance - Rejection of Contiguous Properties	31
11. Land Development Concept	38
12. Land Development Concept Joint Public Hearing	40
13. License for Carnivals, Circuses & Animal Shows	42
14. Lines Against Sanitary District #1	46
15. Lines Against Sanitary District #2	46
16. Land Development Concept from Planning Comm. ^{Recommendation}	59
17. Land Development Concept - Consumption of	62
Lee, Albert G. - Special Use Permit (Trailer	66
Licenses - Amend County Code - Re: Specific Businesses - (Carnivals, Circuses, Shows) ^{included in State Sec.}	72
Laurel Lane - on day 2 highway system	77
Licenses - Ordinance #16A-2 - ^{Amend} Re: Specific Businesses - (Carnivals, Circuses)	89
Livestock Claim - Stewart Taylor	95
Lion's Club - Resolution to Operate Bingo Games	132
Land Use Assessment Ordinance #80A-1	148
Lafayette High School - ^{Request for funds} for erosion control	152
Livestock Claim - J. R. Leonard	155
Livestock Claims - ^{Proposed amend.} to State Code Sec. 29-202	157-58
Livestock Claims - J. R. Leonard	170
Livestock Claims - Virginia Massie	196
Livestock Claim - Susanna Oakins	196
Longview Road - Requested Accident Report	209
Lightfoot Trailer Park - ^{Mrs. Heath complained} Re: Mobile Home Park assessment	216
Licenses - Chapter 9, Specific Business ^{Ordinance to amend code, amendments} Parks	246
Law Enforcement Improvement Plan	256
Lightfoot Trailer Park - ^{consideration of} Re: Mobile Home Park assessment ^{use permit}	256
Licenses (Amusement Parks) Ordinance #16A-4 ^{accepted to Secondary}	260
Laurel Lane - Road System	267-8
Lightfoot - Toano Sewerage System - Discussion	273
Lassiter, Cynthia - ^{appt. to Drug} Abuse Council	283
Library, Regional Board - ^{Appt. of} Mr. Jack Edwards	283

Mooretown Rd. Change of Name to Old	
1. Stage Road - Public Hearing re.	2
2. Mechanical Code, Adaption of	16
3. John Mackeck Jr. - Apptmt. to Peninsula Agency on Aging	20
4. Meeting with Joint School Boards	27
	37
5. Motor Vehicle Traffic Ordinance	36A
6. Mini-Park Program	48
Massage Parlors - ^{consideration of date} for Public Hearing to add new Chapter (No. 9.)	77
Massage Parlors - Ordinance # 87	91
Mileage - Board members + Commissions	109
Major Thoroughfare Study Report	120
Major Thoroughfare Plan - ^{Receipt of} from Barton-Ashman Assoc.	125
Mosquito Control Program ^{possibility of} Langley Research ^{supplementing program}	159
Mulligan, J. Cory - ^{Public Hearing} Rezoning Case Z-11-75-163	
Mendenhall, V. Dale - ^{Public Hearing} Rezoning Case Z-6-75-163	
Minkins Trailer Park - Exoneration of Belling	169
Massie, Virginia - Livestock Claims	196
Marahrens, Jack - ^{appointed to Governor's} ^{and committee on employ.} of Handicapped	199
Meeting dates + places - Board of Sup.	201
Minkins, R. H. - Appointed to Plan. Comm.	204
Magisterial Districts - ^{Electoral Board} ^{appt. to continue} same	204
Mounts Bay Rd. - ^{Resolution} Re: naming of street	208
Mental Health Services Board - ^{membership} Re-alignment	215
Mobile Home Park - ^{complaint by Mr. Wanda} Heath - Re: assessments	216
Mulligan, Cory - ^{appointment to Board of} Adjustments and Appeals	217
Minor, Gary - appt. to E.D.A. Committee	226
Mosquito Control Comm. - appt. of Mr. Oliver	233
Merriman, Patricia - ^{appt. to Mental/Health} ^{Mental/Retardation Bd.}	235
Mental Health/Mental Retardation Board - ^{see} above	235
Moody, Mrs. R.L. - appt. to Bicentennial Comm.	235
Mooretown Road - ^{Request for street lights +} ^{Ex-O Bridge improvement} by requesting voters	259
Motor Vehicles + Traffic - Ordinance # 63A-3	266C
Minton, J. L. Associates - ^{Contract proposal} for assistance in	278
Memorandum of Agreement w/ JCSA - Toano Sewer Grants	279
Minton, J.L. Assoc. - Contract	281

McCann, Thomas R., Jr. - Resolution of Appreciation 263 A
McDonald, John E. - Appointment as ^{Finance} Director 282



Mc

New Kent James City County line -	1
1. Proposal to construct Information Center appt. of Stewart Taylor to -	
Ninth Dist. Court Service Unit Advisory Council	150
Norfolk School - award contract for	159
Dennis Courts Special legislation	
now - conforming uses - to a mortgage,	227
Noise Ordinance - Date Set for Public Hearing	234
Noise Ordinance # 56A-1 (See above)	25354

1. Ordinance Land Use Assessment	1	Ordinance - 80A-1 Land use assessment Taxation	148-149
2. Old Stage Road, Name change from Norwotoka Rd. - Public Hearing re.	2	Ordinance - 80A-1 Public Hearing (see above)	162
3. Ordinance Land Use Assessment & date for Public Hearing	2		
4. Ordinance #80 - Land Use Assessment	11	Ordinance #90 - Vacate Easements Kristiansand - Sec. III.	164
5. Ordinance #82 - Vacation of portion of Kristiansand	15	Orange + Selby Dr. - Delay in Purchase of pt. of	182
6. Ordinance #81 - Amend State Wide Bldg. Code Adoption of BOCA Mechanical, Plumbing, One and Two Family Dwelling, Electrical Codes	16	Ordinance #16A-3 - Dance Halls open to Public & non-profit organizations	191
7. Ordinance #81 - Two Family Dwelling Code	16	Ordinance #91 - Dance Halls Article I - In General	192
8. Ordinance #81 - To Repeal Chapter 4 Buildings, Code of County of James City, and to Repeal the Chapter 4 Buildings Regulations by Adopting the Uniform Statewide Bldg. Code with Certain Amendments, Deletions and Additions	17	Ordinance #91 - Dance Halls Article II - Conditions + Restrictions	192
9. Ordinance #81 - To Repeal Chapter 4 Buildings, Code of County of James City	25	Ordinance #36A-5 - amend operating policy of law, but II Resolution, authorizing deposits for	194-195
10. Oley, Gerald, Appointment to Wetlands Board	28	Old Colony Bank -	198
11. Organizational Meeting of Board	43	Organizational Meeting - Jan 5, '76 set,	199
12. Ordinance, Emergency - Service Charges	44	Organizational Meeting - Held on Jan 5, '76	200
13. Ordinance #35A-6 - Sanitary District #1	44	Old Town Road - Request for lower speed limit	209
14. Ordinance, Emergency - Sanitary Dist #2	45	Ordinance #36A-5 - adopted - (see pg 199)	209
15. Questioning Title Claim	53	Ordinance #91A-1 - Dance Halls (Chap 4A)	211
16. Ordinance #35A-6 - Service Charges	55	Oliver, James B - appointment - County Administrator	222
17. Ordinance #36A-4 - Availability Charges	56	O'Connor, Dr. William - Appt. to EDG. Comm.	226
18. Ordinance #36A-4 - Operating Policy	56	Oliver James B. - appt. to following boards: Civil Defense, Courthouse Comm, Mosquito Control, P.D.C., Recreational Comm, Sanitary Dist #1	233
19. Ordinance #83 - Sunday Closing Law	58	(To amend) Public hearing to amend Chap 20 - zoning (R-1, R-2, R-3 + R-5 + TR)	236
20. Ordinance #81A-1 - Building Regulation	58	Ordinance #91A-1 - Creation of County fire	238
21. Ordinance, consideration to amend 5A-4, Erosion + Sediment Control ordinance	63	Oliver James - welcomed by Board	239
22. Ordinance, consideration to amend code - Chapter 9 - Licenses specific businesses, carnivals,	64	Ordinance #92 - Vacation of Plat of Colonial Terrace, Lots 8, 9, 11 - 2nd 2	242-3
23. " " " "	72	Ordinance #31A-35 - to amend Chap 20, zoning	244
24. Ordinance #85 - Erosion + Sedimentation	67	Ordinance #31A-34 - to amend zoning - Districts to conforming	245
25. Ordinance #50A-1 - Animal + Fowl	79	Ordinance #69A-2 - Changing boundaries of election districts	250
26. Operating Budget - '75-'76 - Presentation	84	Ordinance #93 - Vacation of Plat "Colonial Terrace, James City District J.C.C. Lots 1, 2, now entitled "Plat Property of G Square"	252
27. Ordinance #86 - vacating portion of plat of land belonging to Greta Smith	88	Ordinance 56A-1 - Offenses, Misc. - Notices	253
28. Ordinance #16A-2 - amending Chapter 9 article II - Specific Businesses, Carnivals, etc. Re: Licenses	89	Ordinance 16A-4 - Chapter 9 - Licensed Amusement Parks	260
29. Ordinance #87 - Massage Parlors	91	Ordinance 31A-34 - Zoning - non-conforming uses	263B
30. Ordinance 31A-28 - Zoning Chapter 20	95	Ordinance #94 - Vacation of portion of Plat "Poplar Hall Plantation" Lot 73 divided	263B+C
31. "Old Country" - Welcome + Commendation to amend Chap. 3 -	96	Ordinance #66A-3 - Motor Vehicles + Traffic	263C
Ordinance 7A-5 - Animals + Fowl Article II - Dogs	102-3	Ordinance #36A-6 - Operating Policy for Sanitary Dist. #2	274-5
Old Stage Manor - Dirt Street Program	110	Ordinance #95 - vacating portion of plat of lot 160, 161, 162 of 163	275-6
Ordinance #88 - Windsor Forest (Sec. 5) Section I - included	111	Orange Drive - Resolution accepting it into State Secondary Syst.	277
Old Stage Manor - in State Secondary System	115	Ordinance - amend Chapter 20	300
Open Space - Public Hearing - Re: Zoning	119	Ordinance - amend Chapter 20	300
Ordinance - 31A-29 - Thematic Park	121	Ordinance - amend Chapter 18	300
Ordinance - 31A-30 - "Open Space" amending definition of Chap 20 article I, section 20-2	127	Ordinance - amend Chapter 20	303
Ordinance - #89 - subdividing portion of plat of Chickahominy Haven	132	Ordinance - No. 31A-36 - amend Chapter 20	304
Ordinance 31A-31 - Zoning - Site Plan	141	Ordinance - amend Chapter 20	304
Ordinance 31A-32 - Zoning - Site Plan Submittal Contents	142	Ordinance - amend Chapter 18	305
		Ordinance - amend Chapter 20	306
		Ordinance - amend Chapter 20	308
		Ordinance - amend Chapter 20	308

Ordinance to amend Chap. 20 ^{no.} 31A-38	315
Ordinance 31A-37 - Chap. 20	317

1. Powhatan Creek, Emergency dredging of	1	Public Hearing Date Consideration - Closing Law	48
2. Proposal to construct Information Center near Hwy 1st/James City County line	1	Public Hearing Date Consideration - Electrical Code	48
3. Public Hearing - Change of Street Name for Rt. 603/1000th Rd. to Old Stage Rd.	2	Public Hearing Date Consideration - Specific Business	48
4. Public Hearing of Land Use Assessment Ordinance; date for	2	Peninsula Academy of Criminal Justice	53
5. Peninsula Area Plan for Programs on Aging; Resolution approving	3	Public Hearing Date Consideration - Madin Street	53
6. Progress Report - Bicentennial Commission	8	Public Hearing Date Consideration - Site Plan Review	54
7. Peninsula Planning District - Plan for Programs on Aging	8	Public Hearing Date Consideration - Sanitation/Septic Sewer Change	55
8. Public Hearing - Report on - Draft Land Development Concept	8	Public Hearing Ordinance on Licenses	56
9. Public Hearing - Land Use Assessment		Public Hearing - Sunday Closing Law	58
10. Public Employment Program	12	Public Hearing - Building Code	58
11. Peninsula Planning District recommendation concerning Solid Waste Disposal	13	Public Hearing - Creation of Easement on Windsor Forest, Section 4	62
12. Preliminary Schematics of County Building Complex by Architect	14	Powhatan Springs Rd. - Included in Secondary Road Agt.	75
13. Public Hearing - Brick Bat Road	15	Public Hearing - date to amend Chapter 9 - Massage Parlors - consider	77
14. Public Hearing - Location: Kristiansand	15	Peninsula Agency on Aging - Mrs. Rhynes Appointment of	78
15. Plumbing Code Adoption of	16	Public Hearing - Ordinance to Amend Chapter 3 - Animals + Fowl	79
16. Public Hearing, date for - Ordinance to Amend and Reorder Chapter 17 Subdivisions Code of County of SCC Article I in General, Section 17-18 Performance Assurances	19	Public Hearing - consideration on case for Rezoning portion of Rt. 168 - A-1 to R-3	80
17. Presentation of Economic Base Study, Prepared by Hammer, Sila, George	20	Public Hearing - consideration of date to amend Chapter 20 - Zoning	80
18. Public Hearing, date for - Rezoning Case # 2-2-74, Green Spring Woods	21	Public Hearing - consideration of date to amend Chapter 3 - Animals + Fowl	80
19. Public Hearing, date for - Ordinance to Amend and Reorder Chapter 17 Subdivisions Code of County of SCC Article I in General, Section 17-18 Performance Assurances	22	Public Hearing - "Plot showing subdivision of land belonging to Yelda Smith"	81
20. Planning Commission Appointment to Review Code - Emergency Ordinance to Amend and Reorder Chapter 17 Subdivisions Code of County of SCC Article I in General, Section 17-18 Performance Assurances	22	Powhatan Shores - consideration of date for Public Hearing on Rezoning 78 acres from A-1 to R-2	81
21. Public Hearing, Case # 2-2-74, Application by J. H. Anderson - rezoning Green Spring property	24	Public Hearing - (same as above)	81
22. Public Hearing - An Ordinance to Amend and Reorder Chapter 17 Subdivisions Code of County of James City	25	Peninsula Plan. Dist. - Solid Waste Disposal Study	84
23. Public Hearing - An Ordinance to Amend and Reorder Chapter 17 Subdivisions Code of County of James City	27	Public Hearing - Ordinance to Amend Chapter 3 Animals + Fowl	85
24. Performance Assurance - Ordinance 30A-4	27	Public Hearing - Case 2-2-75 - application for Rezoning portion of 168 from A-1 to R-3 (R.M. Haywood)	87
25. Public Hearing Date for: Environmental Impact Assessment for Peninsula District	27	Public Hearing - Ordinance to Amend Chap. 9 - Specific Business, Carnivals, circuses, animal shows	89
26. Peninsula Comprehensive Strategic Planning & Services Appointment to	27	Public Hearing - Zoning	94
27. Resolution re. Public Hearing date for - Special Permitted Use in Agriculture General District A1 Zone Application by J. V. Woodson & Associates on behalf of John Sergio	30	Planning Commission - Considerations of Capital Improvements Budget	96
28. Public Hearing date for - Rezoning Case 2-4-74 Application by Warren P. Kirtley on behalf of Heritage Development Co. for rezoning of property on Corner of Longhorne Rd. & Old Stage Rd. - from R-2 to B-1	30	Public Hearing - Proposed Operating Budget + Appointment of M.W. Bryant	98-100
29. Public Hearing date for - Ordinance to Amend and Reorder Chapter 17 Motor Vehicles Traffic Code of County of James City	30	Public Hearing - Date for, Special Use Permit - Warehouse, Colonial Williamsburg	110
30. Public Hearing, date for - Ordinance to Amend and Reorder Chapter 17 Motor Vehicles Traffic Code of County of James City	31	Public Hearing - Date for - Amending Chapter 20 Zoning - Definitions	112
31. Public Hearing, date for - Ordinance to Amend and Reorder Chapter 17 Motor Vehicles Traffic Code of County of James City	31	Public Hearing - Date for Rezoning portion of Powhatan Shores, Inc.	113
32. Public Hearing, The Lane Douglas requested Board not schedule for day meeting	31	Powhatan Shores - see above	113
33. Public Hearing - Case # 2-4-74 Application by J. V. Woodson on behalf of John Sergio	34	Peninsula Airport Commission - Re-Appointment of Mr. C. Williams	114
34. Public Hearing - Environmental Impact Assessment	35	Poplar Hall Plantation - Section I - Section Streets included in State Secondary System	116
35. Public Hearing - Motor Vehicles + Traffic Code	35	Public Hearing - to amend Chapter 20, Zoning - define Open Space	119
36. Public Hearing - Motor Vehicles + Traffic Code	36	Public Hearing - Consideration of Date Re: Property along 60 E - B-2 to B-1	119
37. Pilot Refuse Collection Program	37	Public Hearing - Zoning - Definitions of Zoning District	121
38. Public Hearing - Land Development Concept	40	Public Hearing - Rezoning Case 2-1-75 - approx 78 acres - Powhatan Shores	122
39. Public Hearing - Blue Law	41	Powhatan Shores Inc. - see above	122
40. Public Hearing - Erosion + Sedimentation Control	41	Public Hearing - Approval of Special Use Permit for C-2 Warehouse	122
41. Public Hearing - Site Plan Review	41	Public Hearing - Consideration of date for creation of Subdiv. Plat. Sect. 2-B - Plaintiff	124
42. Public Hearing - Licenses Chapter 9	41	P.R.D.C. - Contribution to support Regional Solid Waste Disposal Study	125
43. Public Hearing - Special Permitted Use by J. V. Woodson, John G. Sergio	44	Public Hearing - RE: Ordinance to Amend Chapter 20 - Repeal of B-1	126-127
44. Public Hearing Date Consideration - Control	48	Public Hearing - Zoning - Rezoning B-2 to B-1	128
45. Public Hearing Date Consideration - Site Plan Review	48	Pasture Circle - Inclusion in Secondary System	130
		Powhatan Shores, Inc. - Rezoning approx 78 acres from A-2 to R-1 + R-2	131

Public Facilities Plan - Acceptance	136	Public Hearing - ordinance to amend Chap 20 zoning (R-1, R-2, R-3) and add R-5 + R-6 (Multi-family + Agriculture)	236
Public Hearing - Consideration for date - Re: Zoning Sect. 20-16 - Site Plan Review Clearing + Grading -	139	Public Hearing - amend code, Chapter 4, Dance Hall, adding Chap. 4A.	237
Public Hearing - Consideration of date - Re: Zoning Sect. 20-19 - Submittal Contents	139	Public Hearing - On Ordinance 92 - Local Post of Colonial Tenth, Lots 8, 9, 10, 11, H. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11	242-3
Public Facilities Plan - Put on agenda (Sept. 8)	140	Pumper - authorization of purchase of Reserve Pumper from Norfolk	250
Public Hearing - zoning: Site Development Clearing + Grading	141	Public Hearing - ordinance to amend Electoral Districts - Administration	250
Public Hearing - zoning: Ordinance 31A-32	142	Ord. # 69A-2	250
Public Hearing - Consideration of joint P.D. with B. of B. - Re: Comprehensive Plan	146	Lowhatan District - Election Boundaries	250
Public Hearing - Consideration of meeting w/ planning comm. Re: Zoning	146	Peninsula Drug Abuse Council - Mr. Boardman can no longer represent the Board on this Council	257
Public Hearing - Consideration of date Re: Zoning - Subdivisions	147	Public Hearing - zoning - non-conforming uses (vacation of plot etc)	263A+B
Public Hearing - Consideration date: Grant - Joao Water Re: Special Use System	147	Poplar Hall Plantations - Ordinance # 94	263B+C
Public Hearing - " " Permit - Ernest Wallace	147	Public Hearings - Proposed procedures	263D
Public Hearing Consideration: Rezoning for W. Dale Mendenhall A1 to B1 - 2.048 acres	147	Poplar Hall - Residents Petition	263D
Public Hearing Consideration date: Rezoning from 4-1 to B-1 - for J. Cony Mulligan	147	Public Hearing - Proposed Budget for '76-'77	264-5
Public Facilities Plan - Presentation of Re: Submission of application for Fed. Community Block Grant	149	Poplar Hall Plantation - Secondary Road System	267
Public Hearing - Traffic Study	151	Lowhatan Skins Subdiv. - " " "	267-70
Planning Commission - Hydrology Study	155	Proclamations - July 4, 1976 Ringing of Bells	272
Public Hearing - vacation of easement - Kristiansand	159	Planning Dept - Staff Realignment	273
Public Hearing - Joint meeting w/ Plan. Comm. Re: Comprehensive Plan	160	Pettengue, W. M. - appt. to Social Services Board	279
Public Hearing - Zoning - Z-13-75 Subdivisions	161	Patrick Henry Hospital - appt. of board member (deferred)	279
Public Hearing - S.U.P. 3-75 - Ernest Wallace	163	Public Hearing - Re: S.U.P. for Pedro Joao	280
Public Hearing - Rezoning Case # Z-6-75 W. Dale Mendenhall	163	Peninsula Corrections Council - Request Funding	280
Public Hearing - Rezoning case Z-11-75 J. Cony Mulligan	163	Planning Commission - Re: Highway Improvements	282
Public Hearing - Kristiansand Lot 77	163	Patrick Henry Hosp. Board - appt. of Dr. Philip Wilson	283
Public Hearing - Jaycees application to operate haunted house	164	Purchase of 2 Howe commercial pumper units	285
Public Hearing - Consideration of date - Re: Exterior Signs	167	Public Hearing - Postponement of Step I hearing - Euell - Joao - Sewerage Sys.	285
Public Hearing - Consideration of date - Re: Structures above Neys Limit (H. V. Clay for Jol Simpson)	167	Public Hearing - Case S.U.P. 2-76. Application of Wm. G. Prop. to construct & operate a funeral home in Grove	291
Public Hearing - Rezoning request 3.7 acres from M-2 to B-1	181	Public Hearing - Program - Volunteers	291
Public Hearing - Ordinance to amend Chap. 20 zoning Re: Exterior signs	181	Public Hearing - Step I Facilities Plan Re 60 W, Forge, Joao Areas	293-5
Public Hearing - zoning - Re: Height Limit Change	186	Public Hearing - Date for # Z-9-76. Application by Norco Inc	299-300
Public Hearing - Ordinance to amend Chap. 9 - Dances sponsored by Non-Profit Groups	190	Public Hearing - Date for Case # Z-10-76. Joe Jernell	300
Lowhatan Shores - Rezoning - Date for public hearing	196	Public Hearing - rezone 3 lots in Raleigh Sq. Date for Ordinance to amend Ch. 20, Art. I, Sect. 20-12	300
Collected Rivers in County - concern expressed	197	Public Hearing - Date for Ordinance to amend Ch. 20, adding Art. IX, P.U.D. Dist.	300
Plumbing Examiners Board - Appointment (Carl Roy + Chas. Miller)	200	Public Hearing - Date for Ordinance to amend Ch. 18, Taxation, 18-7.2	300
Planning Commission - Request for the B. of B. to hold joint meeting January 27, 1976	203	Public Hearing - Case # 3-9-76 - Norco, Inc.	302
Planning Commission - Appointments: Jenkins, Bryant, Jernell	204	Public Hearing Case # 3-10-76 - Jernell - Rezone	303
Lowhatan Shores Inc - Public Hearing Re: Rezoning	200	Public Hearing Case # 3-8-76 - Rezone	308
Pre-School Project - Supplemental Appropriation	213	Public Hearing Case # 3-11-76 - Rezone	308
Piggott Road - Renaming	217	Public Hearing Case # 3-12-76 - Rezone	308
Public Hearing - B. of B. - Re: Rezoning	219	Planning Comm. - Peninsula Lupine Comm.	313
Public Hearing - Renaming of Rt. 649 to Bush Springs Rd or Baker Rd.	223	Public Hearing - 3-8-76 Carl B. Miller	314
Person, William, Jr. - Appt. to E. D. Committee	226	Public Hearing 3-11-76 Eliz. Vaiden - Rezone	314
Peninsula Corrections Council - appt. of J. K. Zepkin to	228	Public Hearing 3-12-76 Hornsby - Rezone	315
Peninsula Planning Comm. - Appt. of Mr. Oliver	233		

1. Quarterpath Road; Highway Matters 21

1. Route 199 Status Report on Waterline	1	Resolution - commendation and welcome to Anteus-Busch for Old Country	96
2. Resolution: Goals and Objectives Statement for Comprehensive Plan	2	R&VP Program	103
3. Resolution Approving Peninsula Area Plan for Programs on Aging	3	Resolution - Proposed Budget 1975-76	108-109
4. Resolution re. Dist. Street Improvement Program	3	Resolution - Consideration of - FY. '76 Re: Revenue Sharing Funds	109-110
5. Riverside Drive: Resolution re. Dist. St. Imp. Program	5	Revenue Sharing Funds - Consideration of Resolution	109-110
6. Resolution re. Secondary Route 602	7	Resolution - Asso., permit for Bingo & Raffle	112
7. Resolution re. Brick Bat Road	7	Resolution - So. 2 Henry St. - Secondary System	114
8. Resolution: Traffic Control at Monticello Ave.	7	Resolution - Poplar Hall Plantation - Highway System	116
9. Report on Route 199 Waterline	8	Resolution - Kristianand - Secondary	116
10. Report on Public Hearing on The Stage Land Development Concept	8	Resolution - Forest Glen - Sec. I - " "	117
11. Radio Tower Area - Lease to REC of T. Inc.	12	Resolution - Forest Glen - Sec. II - " "	117
12. Request from Proc. for \$299.00 to partially fund Williamsburg Area Gation Needs	12	Resolution - Forest Glen - Sec. III " "	117-118
13. Request from Superior District Court for Funds for Office Renovations & Furnishings	13	Resolution - Windsor Forest - Secondary System	118-119
14. Recommendation of Peninsula Planning District Commission Concerning Solid Waste Disposal	13	Rezoning - approx 78 acres on Rt. 682 from A-2 to R-1-R-2 - Powhatan Shores, Inc.	122
15. Revisions of Land Development Concept	14	Resolutions of Appreciation - Blanton, Hicks, Hoar, Wiley	123
16. Resolution: Brick Bat Road	15	Resolution - Authorizing Wm. Burg. Comm. Hosp.	124
17. Request for Contribution to "The Common Glory"	18	Railroad Crossing at Norge	125 + 131
18. Recommendation from County Administration Concerning County Participation in Regional Solid Waste Disposal System	19	Rezoning - Case 2-5-75 - Powhatan Shores A-2 to R-1 & R-2	131
19. Route 68 - Highway Water	21	Resolution - Williamsburg Lion Club to Operate Bingo	132
20. Rezoning Case # 2-2-74 - Dale for Public Spring Woods	21	Resolution - Anticipation Notes - Sanitary Dist. 3	133-134
21. Resolution Requesting State Legislation to Amend Provisions of Sec. 58-404b (Admission Tax)	22	Resolution - Authorizing Retention of Inspectors for Sanitary Dist. 3 - C 510 52801	135
22. Resolution Requesting State Legislation to Extend Provisions of Sec. 58-404.1 (Transient Occupancy Tax)	23	Resolution - Authorizing Chairman of Board to sign Condemnation Cert. San. Dist. 3	137
23. Resolution Requesting Amendment - Contractual	23	Resolution - Change in Secondary System	143-144
24. Resolution re. Apply to All Counties	27	Resolution - Change in Secondary System	145
25. Transportation Demonstration Program	27	Resolution - Road Bingo Games (1 year)	145
26. Resolution Appropriating Revenue Sharing Funds for FY 75	29	Resolution - Free for Vacation of Plant (50.00)	146
27. Revenue Sharing Appropriation	30	Refund - Cancelled Building Permit	146
28. Rezoning Case # 2-4-75, Section 58. Co. - property on Corby of Longhills Rd. & Oak Grove Rd. from R-2 to B-1	30	Rezoning - from A-1 to B-1 - V. Dale Mendenhall	147
29. Resolution - Trailer Ct. - A. J. H. Corp. - Applicant	31	Rezoning - from A-1 to B-1 - J. Corry Mulligan	147
30. Conditional Use Permit	31	Resolution - Federal Impact Aid Funds for local schools	149
31. Resolution - Grant and Application - EPA	32	Resolution - Application to 24 U.S. for grant for Toano Water Supply	152
32. Resolution - District #3 Sewer System	32	Resolution - approval of Request for funds for erosion control at Lafayette St.	152 + 53
33. Report of Bicentennial Commission	33	Resolution - Flood Control Program with National Flood Insurance Program	153-54
34. Resolution - Adopting #75 Proposed Secondary Road	33	Resolution - approval of Application of Suburban water supply's franchise w/ SCC	155
35. Refuse Collection Program	37	Resolution - Retention of Inspectors for San. Dist. 3	156-57
36. Refund of Taxes City of Newport	38	Resolution - Request Hon. Assembly to grant Counties - Contractual Zoning	157
37. Refund for Sewer Connection Fee Killing	38	Resolution - Williamsburg National Bank as depository for JCC	159
38. Resolution Admission Tax	48	Rezoning - Case 2-6-75 - V. Dale Mendenhall	163
39. Resolution - Water Service Sanitary Dist. #2	48	Rezoning - Public Hearing Case 2-11-75 - J. Corry Mulligan	163
40. Resolution - Kristianand Subdivision	51	Resolution - Final Adaption of Comprehensive Plan for JCC	165
Resolution - United Virginia Bank	52	Resolution - Revenue Sharing	171
Resolution - Authorizing transfer in Highway Secondary Budget	61	Regional Adult Corrections - Board Consideration	181
Resolution - Height Limitation Waiver for American Realty Trust	66	Resolution - Employee Grievance Procedure	182
Resolution - Powhatan Springs Rd included in Sec. Road System	75	Resolution - Sanitary Dist. #1 Liens	183
Resolution - Cypress Drive included in Sec. Road System	75-76	Regional Adult Corrections Facility	181
Resolution - Jareton Swonan included in Sec. Road System	76	Resolution - extension of Toano Water System 24 U.S. Form # 274	185
Resolution - Laurel Lane included in Sec. Road System	77	Route #5 Redesignation	187
Resolution - J.C. Bruton Vol. Fire Dept. + Rescue Squad - granted permit for Bingo Games + Raffles	79-80	Residential Housing for Mentally Retarded Adults	187
Robb, Carol G.L. - Erroneous Tax Assessment	80	Resolution - Permission granted Burchwood Estates Garden Club for Bingo Games	189
Route 5 - Designation of Scenic Hwy.	84	Resolution - Toano Water System (Community Development Act)	197
Rezoning - Case # 2-2-75 - 75 acres between 168 + 164 - from A-1 to R-3 R.M. Haywood	87	Route 199 - By - Mrs. Harrison expressed Pass (pleasure)	198

Resolution - Depository - Old Colony Bank	199	Reimbursement - ^{Erroneous Tax Assessment} Guamto Mae Snow	278
Resolution - ^{Direction to prepare} Mays Waltrip's service	203	Resolution - Completion of Rt. 199	282
Registrar - additional space requested	204	Route 199 - See above	282
Route 677 - Resolution - Changes	208	Regional Solid Waste disposal Study Report	283
Resolution - ^{Changes in Rt. 677 -} portion added to Secondary System	208	Resolution - ^{Bingo - Raffle Permit for} Wmsbg. Lions Club	283-4
Resolution - ^{Sanct. Dist. #2 - Liens} Joint Public Hearing - R-6 proposed	213	Resolution - ^{State/local hospitaliza-} tion for indigents	284
Rezoning - ^{Multi-Family Dist, minimum lot size} appointment of James B.	219-220	Redistricting	285
Resolution - ^{Oliver as County Administrator} Service award presented	222	Rural Transit Project	285
Resolution - ^{To Mays Waltrip}	222	Resolution of Appreciation - ^{Betty S. Winstead}	286
Real Estate Tax Refund - Charles Garland	223	^{Rebate of Duplicate Permit -} Anheuser-Busch, Inc	292
Resolution - York River State Park Access Rd	228	Rpts of Co. Adm. - Proposed Jail	300
Resolution - ^{Depository} Williamsburg Hill Bank -	230	Resolution - EPA Proj. C510-583-01	301
Resolution - ^{Depository} United Virginia Bank -	231	Resolution - Change Vets Day observance	306
Resolution - ^{application of Grant funds for} Sanitary Dist. 3	233	Resolution - update re SD3 Inspectors	307
Rural Transit Grant Report	235	Resolution - Appreciation Ana Friedman	310
Residential Zoning Amendments - Proposed	230	Resolution - ^{Include certain streets into} Secondary System	310
Resolution - Creation of County Fire Station	238	Resolution - ^{Personnel} Secondary System	311
Reapportionment of County's Election Dist.	239-40	Resolution - ^{License renewal authorization} EOC	311
Ramada Inn Camp - application for 5 WP.	247	Resolution - SD#3 Construction Loan	311
Relocation - State Route 631	249	Resolution - Jaycees, Haunted Manor	312
Roberts District - Election Boundaries	251		
Resolution - Support of House Bill 9719 (Payment in lieu of taxes)	254-5		
Resolution - Sanitary Dist. I - Liens	255		
Resolution - Request for funding of additional ^{deputies}	255		
Revocation of Conditional Use permit ^{coinciding of} Sanitary Dist. 3	256		
Reimbursement - to Associated Mortgage Co for ^{penalty payment}	257		
Resolution - Appreciation to R.M. Hazel-wood, Jr.	259		
Route 199 - design determination + grass cutting (Highway Matters)	259-60		
Routes 64 + 30 - ^{employment} Camping signs	260		
Resolution - ^{Equal Opportunity} Affirmity Action Plan	261		
Resolution - Appreciation to Mrs. McCann, Jr.	263a		
Resolution - ^{acceptance of Cypress} Drive into Secondary Road System	267		
Resolution - ^{acceptance of Laurel} Drive into Secondary Road System	267-8		
Resolution - ^{River Dr. +} Drive into " " "	268		
Resolution - ^{acceptance of Riverside Dr.} into Secondary Hgwy. System	268		
Riverside Dr. - See above	269		
Resolution - ^{acceptance of Darleton Binnac} into Secondary Hgwy. System	269		
Resolution - ^{acceptance of Powhatan Hwy.} into Secondary Hgwy. System	269-70		
Resolution - Appropriating funds for '76-'77 ^{Budget}	270-1		
Resolution - Revenue Sharing Appropriation	271		
Revenue Sharing Appropriation - Resolution	271		
Reimbursement - ^{To L.V. Woodson for} B.Z.A. application	272		
Resolution - ^{agreement w/city of NN -} Sanitary Dist. #2	277		
Resolution - ^{approval for J.C. - Bruton fire dep.} J.C. Rescue Squad to hold	277		
Resolution - ^{Bingo games}			
Resolution - ^{acceptance of Orange Dr.} into State Secondary System	277-8		

1. Status Report on Rt. 199 Waterline	1	Sanitary District III - Construction Contract awarded to Norcarva	107
2. Soil Conservation Service, Agreement with for preparation of Flood Plain Study	2	South Henry St. - Resolution - Re-Secondary System	114
3. Resolution; joint - Consolidation of James City	6	Secondary System - So. Henry St. (above)	114
4. Service Authority and County of James City	13	Service Authority - Taylor, Waltrip	114
5. Solid Waste Disposal - Recommendation of Peninsula Planning District	16	State Secondary System - See Highway Matters	115
6. Statewide Building Code, Ordinance to Amend	19	Soil Survey - J.C.C., York Co. & U.P.D. III.	120
7. Sanitary District #2, Vacation of Several Easements	19	Social Services Board - Appt. of Mr. Brady, Graham	120
8. Solid Waste Disposal System, recommendation from the County Administrator concerning	21	Social Services Board - Reappointment of Mr. John McCann	121
9. Secondary Roads, Highway Matters	27	Stonehouse Road - Inclusion in State Secondary System	130
10. Subdivisions, Ordinance to Amend Chapter 17, Sanitary District #3, Date for Public Hearing	27	Sanitary District 3 - Bonds	133-134
11. on Environmental Impact Assessment	28	Sanitary District 3 - Retention of Inspector - Proj. C510-52801	135
12. School Board Meeting with Joint Service Dept. - Application for Special Permitted Use in District A-1 Zone, date for Public Hearing	30	Service Certificates	137
13. Request now for Board of Supervisors	30	Sanitary Dist. 3 - Signing of Condemnation Cert.	137
14. Sanitary District #3 - EPA Grant Application	32	Special Use Permit - Ernest Wallace	147
15. Sanitary District #3, Establishment of Sewer Rates	32	Suburban Water Supply Co. - w/SCC	155
16. Secondary Roads Budget 74-75 Resolution	33	Sanitary Dist. #3 - Retention of Inspectors	156
17. Sanitary District #2, Cancellation - Universal Development	33	Subdivision - Public Hearing - 2-14-75	161
18. School Bd. Meeting - Capital Improvement Program	33	Sewer Agreement with City	166
19. Soil Survey, Status	33	Signs, Exterior - Public Hearing	167
20. South Henry Street Extension	34	Service Certificate - Fred Tunford (3yrs)	169
21. Sewer Connection Fee - James Ripley	38	Social Services Board - Appt. of John Wilkins	172
22. Requested term for Board of Supervisors	40	Service Certificate - Judy Miller	180
23. Sign System Request	42	Signs, Exterior - Public Hearing (Special request)	181
24. School for Handicapped	43	Sanitary Dist. #1 - Liens	182-183
25. Sanitary District #1 - Emergency Ordinance	44	Sanitary Dist. #3 - application for Grant Funds for Sewage Wt. Facility	184
26. Sanitary Dist. #1 Ordinance rules & Regulations	44	Stewart, Raymond - Fowl Claim	188
27. Sanitary Dist. #2 Operating Policy - Emergency Ordinance	45	Signing on Route 1-64	189
28. Sanitary Dist. #1 Lien Consideration of Resolution	46	Sanitary Dist. #3 - Loan	194
29. Sanitary Dist. #2 Lien - " " "	46	Sanitary Dist. #2 - Operating Policy (Emergency Amendment to 36A) article VII	194-195
30. Sanitary Dist. #2 Water Service Resolution	49	Signs, Exterior - Ordinance 31A-33	196
31. Smith Chimney Service, Inc.	49	Social Services Board - Appointments: Stuart D. Spinn	199
32. Sanitary Dist. #1 Loan (Transfer of funds)	53	Sign Ordinance - Board to review present ordinance	204
33. Sanitary Dist. #1 Service Charge Ordinance	55	Service Certificates - Janet Sindle - 3yrs. Robert Jones - 5yrs.	207
34. Sanitary Dist. #2 Operating Policy	56	Sindle, Janet - Service Certificate - 3yrs	207
35. Sunday Closing Ordinance	58	Secondary System - Portion of Rt. 677 added	208
36. Second Supplement, County Code	64	Street signing & naming (off Rt. 199)	208
Special Use Permit - Trailer, Albert Lee	66	Sanitary Dist. #2 - Ordinance #36A-5 (written availability charges)	209
Social Services Dept. - Purchase of cars for Smith, Yorda - Public Hearing to vacate plat belonging to	78	Sanitary Dist. #2 - Resolution - RE: Liens	213
Sanitary Dist. II - atty. for condemnation proceeds	81	Sanitary Dist. #3 - Project C510-52801 Inspectors	214-15
Sanitary Dist. III - Report from White Oaks Assoc.	82	Southall Quarter - Kingsmill Revision of Final Plan	216
Sanitary Dist. III - Bid opening for proposed sewer system	83	Sawyer, Norman - Appointment to Bd. of adjustments & Appeals	217
Solid Waste Disposal Study - Request for funds by P.P.S.C.	84	Shea, James - appt. to E.W.A. Committee	226
Smith, Yorda - Ordinance #86 vacating portion of land & property line between lot 2 and 3	88	Special Privilege, Matters of:	226-27
School Board - Budget, consideration of	96	House Bill 321, Nonconforming uses	" "
Service Certificates	102	School Discussion, Letter, re, amendment to Section 15.1-492, Correction of minutes of 9/22 meeting	" "
Sanitary District III - Tentative award of Construction Contracts	104	Social Services Board - Board of Super. - Board's Representative	228
Sanitary Dist. III - Construction Contract awarded to WECO	104	Service Certificate - Judith Trautman	229
" " " - Dal Ray	105	Sanitary Dist. 3 - application for Grant Funds	233
" " " - Richard L. Crowder	106		

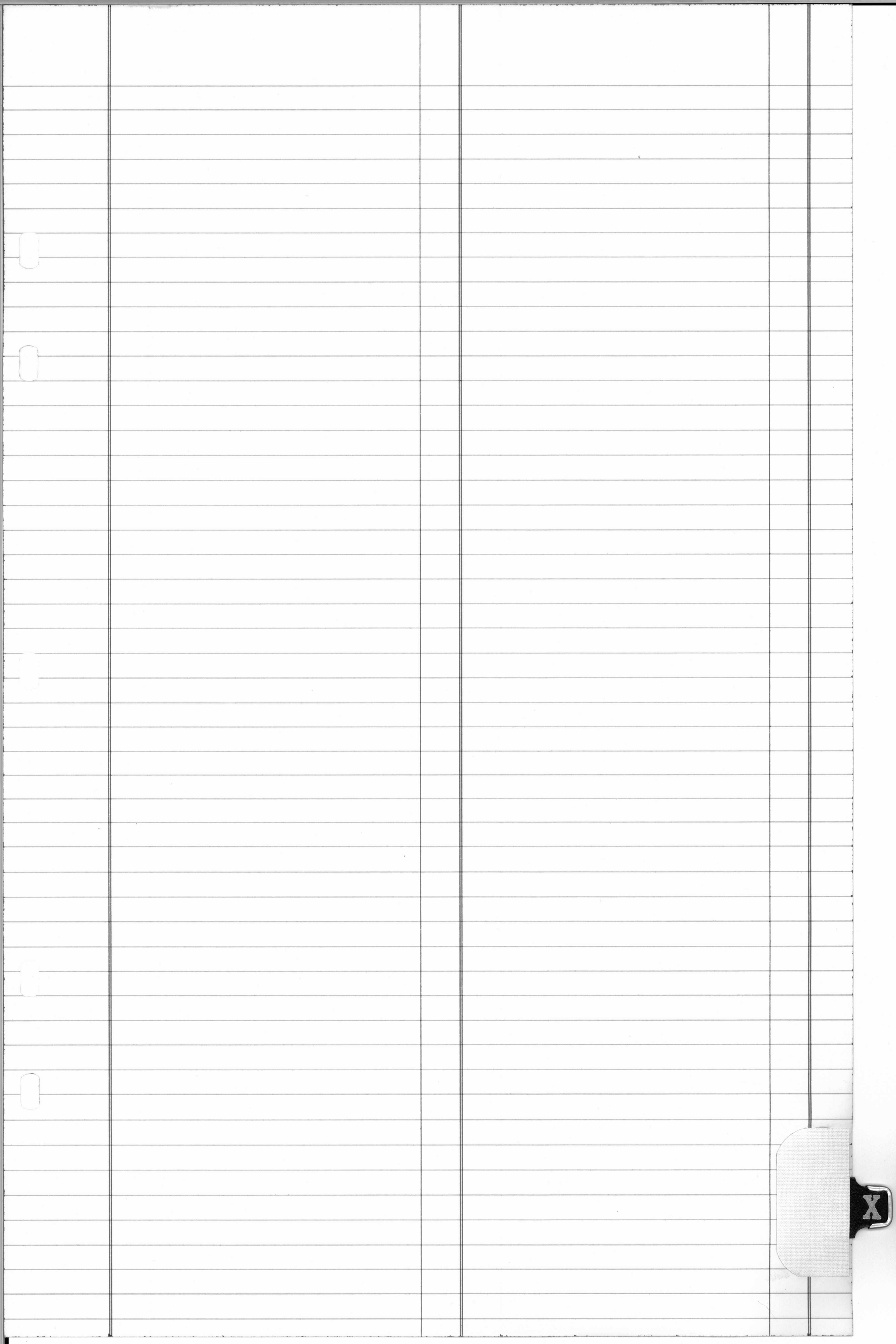
Sanitary Dist #1 Board - Appt. of Mr. Oliver	233
School Board - ^{Request to meet} with Bd. of Supervisors	235
School Board - ^{authorization to purchase} 10 school buses	239
Steen, Chas - Chairman of Electoral Board	247
School Board Budget, Presentation of	249
Stonehouse District - Election boundaries	251
Special Use Permit #1-76 - ^{mobile home at -} Ramada Campsites	254
Sanitary Dist I Liens - Resolution	255
Service Certificate - Walter Sutton	263A
Special Use Permit - ^{Date for Public Hearing} Pedro Jones	273
Sanitary Dist. #2 - Operating Policy	274.5
Sanitary Dist. #2 - ^{Proposed Agreement} w/City of N.N.	277
Snow, Juanita - Reimbursement ^(Excess) (tax assess.)	278
Social Services Board - ^{Appt. of} Keitzengrue	279
Service Authority Board - ^{re Appt. Stewart} U. Taylor	279
Social Services Lease	291
Sign Ordinance Revision - Proposed	292
Step I Facilities Plans Rt. 60 W, Norge and Toano Areas - Public Hearing	293-5
Special Use Permit - Case # SUP-276, applic. of Wmsbg Prop. for funeral home in Grove	299
Special Privilege - ^{Centerville Road} Sewer plan	300
Special Meeting 8/19/76	301
Sanitary Dist #3 - Report of Co. Admin	309
School Subcommittee on Comp. Study	309

1. Taxation: Ordinance to Amend & ReOrdain	11
2. Chapter 18, Code of Ord. Land Use Assessment	23
Transient Occupancy Tax Resolution No.	23
3. Tax on disposable storage Containers	23
4. Tax Matters - L. M. Hazelwood, Jr.	38
5. Tax for Carnival, Circus & Fairs	42
6. Transfer of funds - Bush Properties	53
7. Transfer of funds - Sanitary Dist. #1	53
8. Transfer of funds - Highway Secondary	62
Toano Water System - application for	65
Grants under Title I	65
Jarleton Bivona - Included in Seco-	76
dary Road System	76
Tax Assessment (Erroneous) - Carol A. L. Root	80
Tax Base Rate	81
Taylor, Stewart - Livestock Claim	95
Thomas Nelson (Comm. College Board - Myrtle Engle)	114
Thematic Park or Garden - Definition of	121
See zoning	121
Tanbark Lane - Inclusion in State	129
Secondary System	129
Tennis Court Construction (Norge School)	133
consider. of date for Public	147
Toano Water Dist - Hearing	147
Taxation Ordinance 80A-1 - Land use	148
assessment	148
Toano Water Dist - Submission of application for	151
Federal Comm. Dev. Block Grant	151
Traffic Study - 60 E - Planning	155
Comm. Study	155
Tennis Courts - award of contract	159
at Norge School	159
Taxation - Ord. 80A-1 - Public Hear.	162
Land use Assessment	162
Tennis Courts - Resolution - appropriation	171
of funds	171
from Fed. Share	171
Trust Fund	171
Toano Water System - Resolution	185
Grant Approval	185
Toano Water System - Engineering Contract	188
Improvements	188
Toano Water System - Resolution	197
Community Development	197
Taylor, Stewart - appointment to	201
Vice-Chairman of Bof B	201
Tie-breaker - Appointment of,	203
Turner, Stephen - appointed to Planning Comm	204
Turner, Stephen - appt. to E.D.A. Comm.	226
Trautman, Judith - 5 year Service Certificate	229
Toano Water System - authorization of	232-3
Mr. Oliver as County	232-3
Spokesman for administration	232-3
of funds	232-3
Transit, Rural - Grant Report	235
Tax - Erroneous Assessments	247
Burnett	247
Warrenton	247
Benaville	247
Jarleton Bivona - acceptance into	268
Secondary Hvy. System	268
Toano Sewer Proj. - Memorandum of Agreement	279
Taylor, Stewart N. - appointment to	279
Service Authority Bd.	279
Toano Water System - Bids	285
Toano-Ewell Sewer System - Postpone-	285
ment of Step I Public Hearing	285
Transit, Project, Rural	285
Toano Water System Improvement Contract	299

1. Universal Development Corp. - Easement 33
2. United Virginia Bank Depository Resolution 52
3. U.V.B., Depository Resolutions 201-2
- United Virginia Bank - Depository Res. 231-2

1.	As. Association of Counties, letter re. TrpCo rates	13
2.	Vacation of Several Easements Sanitary Districts	19
3.	Veteran's Day Holiday	27
4.	UPS Extension Agent - New Employee	34
	Vacation of Easement (Windsor Forest) Ordinance 84	62
	UPS - S.M. - Soil Survey between J.C.C. and York Co.	120
	Vacation of Plat - Resolution, setting a fee of \$50.00	145
	Vice-Chairman - Election of Mr. Stewart Taylor	201
	Venable, Lyle B. - Refund for erroneous tax assessment	247
	Vacation of Plat entitled "Colonial Terrace, James City Dist., J.C.C." Lots 1, 2, A, B.	252
	Va Co - Funding Request	281
	Volunteers in Probation Program	291

1. Waterline Status Report on Rt. 199	1
2. Williams Circle: Resolution re. Dist. Street Improvement Program	6
3. Waterline - Construction of Black Crossing to Rt. 5	9
4. Winster Tax Plan II Kingmill; Final Plan approval	18
5. Weil Cdam & April - Erroneous Assessment	21
6. Wetlands Board Appointment to	27
7. Wallace, Mary - Reimbursement of Conditional Fee	31
8. Warrants - Certification of	33
9. Warrants - Certification of	41
10. Warrants - Certification of	48
11. Water Service Resolution	49
12. Windsor Forest Assessment	53
B. Williamsburg Nat. Bank - ^{Resolution} Depository	59
Warrants - Certification of,	61
Windsor Forest - ^{vacation of Easement, Section 4 ordinance 84}	62
White Oaks Asso. - ^{Report - Re: Proposed} Sewer System for San. Dist 3	82
White Oaks Asso. - ^{"continued"}	83
Work session - ^{proposed operating budget} + Capital Improvements budget	100-102
Windsor Forest - ^(Easement) Ordinance #88	111
Windsor Forest - ^{Sec. II, 3A + IV} Secondary Highway System	118-119
Wiel, Stuart - ^{Resolution of Appreciation} James City Service Authority	124
Williamsburg Community Hosp. - ^{Resolution authorizing Bongo Games by Malcolm}	124
Water + Sewer Master Plan (Pernie)	125
Water + Sewer Master Plan, Receipt of	128
Woodland Farms - ^{Inclusion in State} Secondary System	129-130
Water Agreement - Route 199 Associates	138
Williamsburg JCC. Schools - ^{Request for funds for} erosion control Lafayette	152
Williamsburg National Bank - ^{High School} Depository	159
Watkins, John - ^{for JCC funds} Appt. to Soc. Services Bd.	172
Wallace, Ernest - SUP. 3-75	163
Williamsburg National Bank - ^{Depository} Resolutions	201-2
Wetlands Board - Vacancy	203
Wisteria Gardens Asso. - ^{San. Dist #2} Lien	214
Wetlands Board - ^{Appointment of Mr. Rose}	217
Waltrip, Mayo - ^{Service award} presented	222
Williamsburg Natl. Bank - Depository	230
Watkins, John - ^{Appreciation expressed by Board}	239
Warburton, Estate of - ^{Refund for erroneous} Tax assessment	247
Wisteria Gardens Mobile Home Park - ^{Conditional use permit}	263d
Work session, Budget - Time Change	263d
Work session - Budget for '76-77	266
Williamsburg Properties - ^{Pub. Date for Public} Hearing set - S.U.P.	282
Wilson, Philip - ^{appointment to Patrick Henry Board of Trustees}	283
Williamsburg Properties - ^{Public Hearing}	291
Williamsburg Properties - SUP	299
Water Speed Problems - presentation	305
Winster Tax - approval of charge	307



York River State Park - Access Road 227

1	Zoning - Contractual. Legislation re.	23
2	Zoning - Hearing to amend Chapter 20 consideration of date for Public	80
3	Zoning - Ordinance 31A-28 - Chap. 20	95
	Zoning - Hearing - amend Chap. 20 - Definitions consideration of date for Public Hearing	113
	Zoning - to amend Chapter 20 - Definition of "Open Space" consideration of date for Public Hearing	119
	Zoning - Re: Prop. on 60 E - B2 to B1 ordinance to amend Chap 20	119
	Zoning - Definition - Thematic Park or Garden	121
	Zoning - Ordinance # 31A-31 - Site Plan	141
	Zoning - Ordinance # 31A-32 - Site Plan consideration of date for Public Hearing	142
	Zoning - with Planning Commission	146
	Zoning - consideration of date - Subdivisions	147
	Zoning - Resolution requesting gen. assembly to grant counties - contractual zoning	157
	Zoning - Public Hearing to amend code Site Plan, Subdivisions	161
	Case Z-13-75 + Z-14-75	
	Zoning - Public Hearing to amend Chap. 20 - certain structures above height limit	187
	Zoning - Ordinance # 31A-33 - Exterior Chapter 20 - Article VII - Signs	196
	Zoning - Emergency Ordinance deleting Section 20-137	227
	Zepkin, J. R. - Appt. to Peninsula Corrections Council	228
	Zoning, Proposed Residential Amend- ments	230
	Zoning - Ordinance # 31A-35 to amend Chap 20 - Art. IV - Districts - to amend non-conforming	244
	Zoning - Ordinance # 31A-34 - used	245
	Zoning - Date for Public Hearing to amend Chap. 20, non conforming uses	256
	Zoning - Case Z-10-76 - public Hearing	300

AT A WORKSESSION MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SECOND DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-FOUR.

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

1. DISCUSSION OF LAND USE ASSESSMENT ORDINANCE

The Board discussed the categories to be included in the ordinance and finally decided to request the County Attorney when he prepared his final draft to include just the agricultural category. With regard to application fees, the Board requested that the final ordinance contain an application fee of \$10.00 per parcel plus 10¢ per acre and that for the purposes of calculating the application fee contiguous parcels shall be considered one application. The Board also decided that the revised ordinance should require reapplication every year.

2. DISCUSSION OF EMERGENCY DREDGING OF POWHATAN CREEK

Mr. McCann advised the Board concerning a request by the Virginia Institute of Marine Science that Powhatan Creek be dredged on an emergency basis. Mr. McCann advised that under an emergency, the County would be responsible for all future maintenance. Without knowing the costs of such maintenance, it would not be wise for the Board to approve the emergency dredging. Mr. McCann indicated that he had so advised VIMS.

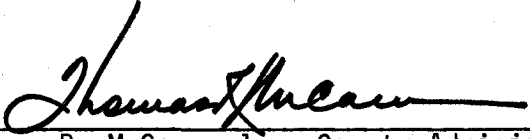
3. DISCUSSION OF PROPOSAL TO CONSTRUCT AND MAINTAIN AN INFORMATION CENTER NEAR THE NEW KENT/JAMES CITY COUNTY LINE

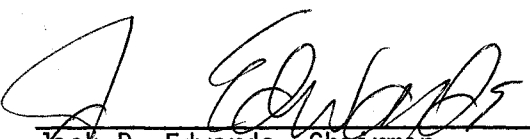
The Board discussed a proposal by the Williamsburg/James City County Chamber of Commerce to construct and maintain an information center near the New Kent/James City County line. The Board indicated its approval of such a concept.

4. STATUS REPORT ON ROUTE 199 WATERLINE

Mr. McCann provided a status report on the Route 199 waterline indicating that most of the hurdles had been overcome and the project could conceivably be finished by the end of the year. Mr. McCann advised that he would return to the Board when final estimated costs had been developed.

THE BOARD ADJOURNED UNTIL ITS NEXT REGULAR MEETING OF JULY 8, 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 EIGHTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-FOUR.

ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District

July 8, 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 Morton, III, County Attorney

2. PUBLIC HEARING - Consideration of Change of Street Name for
 Route 603 (change from Mooretown Road to Old Stage Road).

Mr. McCann presented a petition signed by over 150 residents of Route 603 opposing the request for change of name of Route 603 from Mooretown Road to Old Stage Road. He also stated that there was another road which carried the name of Old Stage Road located in the County.

The Chairman opened the hearing.

Mr. A. Sapienzo - Opposed name change.

Mrs. Lillian Watkins - Opposed name change. Commented on unsafe conditions of bridge on this road.

Eurelia Jones Moody - Short history of Mooretown Road. Opposed name change.

Mrs. A. Sapienzo - Opposed name change - is in favor of improving road.

The Chairman Closed the public hearing.

Mr. Donaldson moved that the petition presented to and approved by the York County Board of Supervisors requesting the change of name from Mooretown Road to Old Stage Road be denied. The motion carried by a unanimous roll call vote.

3. GOALS AND OBJECTIVES STATEMENT FOR COMPREHENSIVE PLAN

Mr. Donaldson moved that the Goals and Objectives Resolution be approved. The motion carried by a majority roll call vote. Mr. Taylor voted no.

RESOLUTION

WHEREAS, James City County is developing a comprehensive land use plan to guide its future development; and

WHEREAS, an essential part of the planning process is the statement of community goals and objectives which can be used in formulating elements of the plan and all subsequent implementation techniques; and

WHEREAS, the Comprehensive Planning Team, with the assistance of the Comprehensive Planning Committee has drafted a body of Community Goals and Objectives which have been reviewed by the Planning Commission in open public hearing and recommended for adoption.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that these Community Goals and Objectives are adopted to guide plan formulation and implementation.

4. DATE FOR PUBLIC HEARING OF LAND USE ASSESSMENT ORDINANCE

The Board of Supervisors set the date of August 12, 1974, at the Courthouse at 7:30 P.M., for a public hearing on the amended Land Use Assessment Ordinance adopted as an Emergency Ordinance on June 20, 1974.

5. AGREEMENT WITH SOIL CONSERVATION SERVICE FOR PREPARATION OF A FLOOD
 PLAIN STUDY FOR JAMES CITY COUNTY

The Board discussed the Flood Plain Study with Mr. Covey.

Mr. Frink moved that the County Administrator's recommendation be approved, authorizing the Plan of Study to be signed by the Chairman and County Administrator and that \$4,300 be transferred from the Contingent Account (1850-999-1) to Consulting Services

July 8, 1974

(1840-999-3). The motion carried by a unanimous roll call vote.

6. RESOLUTION APPROVING THE PENINSULA AREA PLAN FOR PROGRAMS ON AGING

Mr. Waltrip moved the approval of the resolution on the Peninsula Area Plan for Programs on Aging and authorizing the transfer of funds. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Peninsula Planning District has developed a plan of service geared to the senior citizens of the Planning District; and

WHEREAS, said plan will include such activities as homemaker services, a foster grandparents program, a nutrition program, and a transportation program; and

WHEREAS, said programs have been reviewed and approved for implementation commencing July 1st, 1974; and

WHEREAS, said programs total \$219,020 with a local matching requirement of \$48,208 to be shared by the six jurisdictions which make up the Peninsula Planning District; and

WHEREAS, James City County's share of the overall program amounts to \$2,500.33;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Peninsula Planning District Commission's Area Plan for Programs on Aging be approved and that \$2,500.33 be transferred from the Contingent Fund (1850-999-1) to Contributions and Transfers (1830-799-1) as James City County's share of the overall project costs.

7. RESOLUTIONS RE DIRT STREET IMPROVEMENT PROGRAM

Mr. Taylor moved the approval of eight resolutions concerning the dirt street program. The motion carried by a unanimous roll call vote.

RESOLUTIONS

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 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: Alesa Drive
From: State Route 672
To: Intersection of Debra Drive
Distance: 0.15 miles

A right-of-way of 50 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.

RESOLUTION

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 "Berkley 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

July 8, 1974

Department of Highways is hereby requested to construct and include the following road in the State Secondary Highway System by rural addition:

Berkley Town Road
 From: State Route 603
 To: Cul-de-sac
 Distance: 0.19 mile

A right-of-way of 40 feet is guaranteed as evidenced by Deed of Record, recorded in Deed Book 146, Page 695, Date 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.

RESOLUTION

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 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 mile

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.

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 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: 0.09 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.

RESOLUTION

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

July 8, 1974

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: 0.44 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.

RESOLUTION

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 miles

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.

RESOLUTION

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 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: 0.27 mile

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 8, 1974

RESOLUTION

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 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.

8. CONSOLIDATION OF JAMES CITY SERVICE AUTHORITY AND THE COUNTY OF JAMES CITY

Mr. Frink moved the approval of the resolution concerning the consolidation of the James City Service Authority and the County of James City. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Waltrip voted no.

JOINT RESOLUTION

WHEREAS, the Board of Supervisors of James City County and the James City Service Authority Board wish to consolidate water and sewer design, construction, and maintenance, and administrative activities under centralized policy-making and managerial control; and

WHEREAS, the Board of Supervisors has taken the necessary steps to consolidate the Service Authority Board with the Board of Supervisors; and

WHEREAS, the Board of Supervisors and the Service Authority Board have previously agreed to consolidate water and sewer billing activities; and

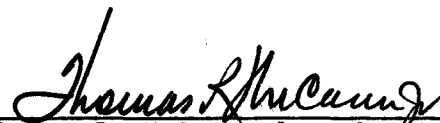
WHEREAS, all Service Authority employees presently receive essentially the same fringe benefits enjoyed by regular County employees; and

WHEREAS, the Service Authority Board wishes to transfer all Service Authority activities to James City County to be managed in a co-ordinated manner under the County Administrator as a part of the County Department of Public Works, or similar such department;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors and the James City Service Authority Board,

- (1) that all Service Authority employees be incorporated into the County administrative organization to function under the general administrative direction of the County Administrator;
- (2) that all Service Authority personnel be included in the James City County Pay Plan and Classification Plan as well as in the County fringe benefit package;
- (3) That no employee of the Service Authority staff will suffer the loss of employment as a result of such incorporation and consolidation; and
- (4) that all such further steps as may be necessary to fully consolidate Service Authority operations with those of James City County be carried out by the Board of Supervisors and the County Administrator, as appropriate.

THE BOARD ADJOURNED UNTIL ITS NEXT REGULAR MEETING OF JULY 22, 1974.


Thomas R. McCann, Jr., County Administrator

Jack D. Edwards, Chairman

July 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 JULY, 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. Frink moved the approval of the June 10, 18, 20 and 28, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

A. Resolution re Secondary Route 602

Mr. Donaldson moved the adoption of the resolution adding certain sections of Route 602 to the State Secondary System and deleting certain other sections. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Secondary Route 602 from York County Line to 0.90 Miles north of the York County line, a distance of 0.90 miles, has been altered, and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizen 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 602, Project 0602-047-117,C501, dated at Richmond, Virginia 1-14-74."

NOW, THEREFORE, BE IT RESOLVED: That the portions of Secondary Route 602, i.e., Sections 3 and 4, shown in red on the sketch titled, "Changes in Secondary System due to Relocation and Construction on Route 602, Project 0602-047-117,C501, dated at Richmond, Virginia 1-14-74, "a total distance of 0.15 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 sections of old location, i.e., Sections 1 and 2, shown in blue on the aforementioned sketch, a total distance of 0.18 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.

B. Resolution re Brick Bat Road

Mr. Waltrip moved the approval of the resolution to hold a public hearing re restricting certain types of through traffic on Brick Bat Road. The motion carried by a unanimous roll call vote.

RESOLUTION

TRAFFIC CONTROL

Ironbound Road at Monticello Avenue

WHEREAS, Monticello Avenue and Ironbound Road are major entrances from James City County into the commercial shopping district of the City of Williamsburg; and

WHEREAS, high traffic volumes are experienced on both of these roads which causes major traffic congestion, during various periods of the day, at their intersection; and

July 22, 1974

WHEREAS, this traffic congestion causes inconvenience, driver impatience, and could result in a serious traffic safety hazard;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the Virginia Department of Highways and Transportation is hereby requested to study this intersection and install traffic control devices necessary to alleviate the currently congested condition.

4. PROGRESS REPORT ON BICENTENNIAL COMMISSION

Mr. J. Randolph Ruffin gave a presentation of the progress of the Bicentennial Commission. He requested a contribution of \$500 to support the operations of the Commission.

Mr. Donaldson moved the approval of a transfer of funds of \$500 from the Contingent Account (1850) to Contributions and Transfers (1830) to further the Bicentennial Commission's Request. The motion carried by a unanimous roll call vote.

5. 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 July, 1974.

General Fund	Checks #655 through #854 Totalling \$264,155.19
Sanitary District #2	Checks #258 through 263 Totalling \$55,517.09
Sanitary District #3	Check #111 Totalling \$53,593.20
Revenue Sharing Trust Fund	Checks #115 and #116 Totalling \$26,931.40

6. REPORT ON ROUTE 199 WATERLINE

Mr. Doug Ensor of Malcolm Pirnie Engineers, Inc., and Mr. W. S. Grant, of the Newport News water department met with the Board to discuss costs and related matters. A lengthy discussion followed.

The Board agreed that a decision as to whether the County should proceed with construction of the Rt. 199 waterline with the new estimated cost of \$848,989.20 needed more time for thought. The Board moved to meet in Worksession on July 25, 1974 at 4:30 P.M., in the Courthouse, Williamsburg, Virginia.

7. PENINSULA PLANNING DISTRICT AREA PLAN FOR PROGRAMS ON AGING

Mr. McCann advised the Board of the establishment of a Board of Directors for the Peninsula Agency on Aging and that this Board would need one representative from James City County. The Board requested Mr. McCann to advertise the vacancy.

8. REPORT ON PUBLIC HEARINGS ON THE DRAFT LAND DEVELOPMENT CONCEPT.

Mr. McCann gave a report on the recently held public hearings concerning the draft Land Development Concept. He sited three general points obtained from the meetings.

1. There was evidence of support for the need for planning at all meetings.
2. People indicated that the draft concept should be altered to provide for

July 25, 1974
July 22, 1974

additional residential, commercial, and industrial activity in the upper end of the County.

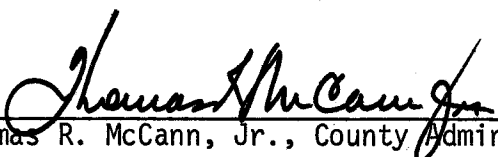
3. There was much interest concerning a more detailed concept with respect to land uses to be included in the gross use areas.

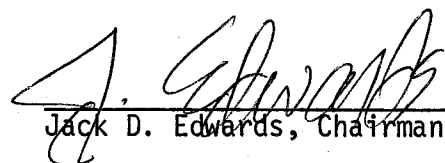
Discussion among the Board members followed.

The Board was in agreement for the Comprehensive Planning Team to develop a revised plan for the upper end of the County which would consider the issues raised at the public hearings. This revision is to be reviewed by the Comprehensive Planning Committee for further comments and suggestions and then returned for review by the public in the Toano/Norge area.

* * * * *

On a motion by Mr. Donaldson, and unanimous vote of the Board, the meeting was adjourned to executive session to consider personnel matters with the expectation of reconvening the meeting to adjourn to worksession on July 25, 1974, at 7:30 P.M. in the Courthouse, Williamsburg, Virginia.


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-FIFTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

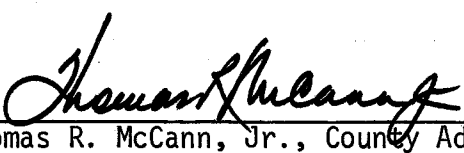
Mr. Jack D. Edwards, Chairman, Berkeley District
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Abram Frink, Jr., Roberts District
Mr. Stewart U. Taylor, Stonehouse District

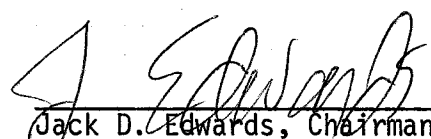
Mr. Thomas R. McCann, Jr., County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

2. CONSIDERATION OF CONSTRUCTION OF WATER LINE FROM BLACK'S CROSSING TO ROUTE 5.

The Board of Supervisors considered a memorandum from Mr. McCann concerning the construction of the water line in question. After the Board had had an opportunity to ask questions of Mr. Doug Ensor, representative of Malcolm Pirnie Engineers, Inc., and Mr. W. Grant representative of the Newport News water department the Board, on a motion by Mr. Waltrip, approved the construction of the water line by a unanimous roll call vote.

There being no further business, the Board adjourned.


Thomas R. McCann, Jr., County Administrator


Jack D. Edwards, Chairman

August 12, 1974

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWELFTH DAY OF AUGUST, 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 July 2, 8 and 25, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. 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 which ordinance will provide partial tax relief for certain qualifying agricultural properties.

The Chairman opened the Public Hearing.

The following people expressed their views:

Mr. R. M. Hazelwood - questioned if a parcel of land was separated by a road, if this would be considered a contiguous piece of land.

Mr. Morton replied in the negative.

Mr. Arthur Hart - Virginia Department of Agriculture and Commerce. Fruit crops are considered horticultural and not agricultural crops. Answered questions from the Board.

Wesley Sheldon - Toano - requested forestry be included as a tax exemption in the ordinance.

Hayden Ross-Clunis - President of Chesapeake Bay Foundation - presented paper in favor of adoption of Land Use Assessment Ordinance.

J. Scruggs - Believes forestry should be included in the ordinance.

Leon Apperson - Believes forestry should be included in the ordinance.

Mrs. Clara Harris - In favor of adoption of the ordinance.

Bill Apperson - Stonehouse - Believes Forestry should be included in ordinance.

Richard M. Wilkinson - Timber raiser - requests forestry be added as tax exemption in the ordinance.

The Chairman closed the public hearing.

Discussion followed.

Mr. Frink moved that the Board of Supervisors adopt the ordinance as advertised.

Mr. Donaldson moved to amend the motion to include horti-

August 12, 1974

cultural category in the ordinance. The motion carried by a majority roll call vote. Mr. Waltrip voted no.

The Board of Supervisors moved to adopt the Land Use Assessment Ordinance as amended by a majority roll call vote. Mr. Donaldson and Mr. Waltrip voted no.

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 re-ordained 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 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 (a) and 58-769.7 (b) (1) 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.

b. Each application shall be accompanied by a fee of ten dollars (\$10.00) per parcel plus ten cents (.10¢) per acre or portion thereof contained in such parcel. For purposes of this paragraph contiguous parcels owned by the same applicant or applicants shall be treated as a single application.

c. 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 of agricultural land 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 agricultural real estate, he shall, in arriving at the value of such land, consider available evidence of agricultural 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" the Commissioner of the Revenue may request an opinion from the Commissioner of Agriculture and Commerce. Upon the refusal of the Commissioner of Agriculture and Commerce to issue an opinion, or in the event of an unfavorable opinion which does not comport with standards set forth by the director, the party aggrieved 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)

August 12, 1974

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.

4. LEASE OF RADIO TOWER SPACE TO RCC OF VIRGINIA, INC.

Mr. Waltrip moved to approve the Lease and Agreement with RCC of Virginia, Inc. to lease space on James City County's 200' radio tower located at the intersection of Route 615 and Rt. 616. The County Administrator and Chairman were authorized to sign the document. The motion carried by a unanimous roll call vote.

5. REQUEST FROM PPDC FOR \$297.00 TO PARTIALLY FUND WILLIAMSBURG AREA AVIATION NEEDS STUDY

Mr. Donaldson moved that the Board participate in the Williamsburg Area Aviation Needs Study and that a transfer of funds in the amount of \$297.00 from Contingent Account (1850) to Contributions and Transfers (1830) be made. He also requested a report be made by the Airport Commission when the study was completed. The motion carried by a unanimous roll call vote.

6. REQUEST FOR BINGO PERMIT BY WILLIAMSBURG LIONS CLUB

Mr. Waltrip moved that the Board issue a bingo permit to the Williamsburg Lions Club effective August 1, 1974 and terminating July 31, 1975. The motion carried by a unanimous roll call vote.

7. REQUEST FOR BINGO PERMIT BY THE AMERICAN LEGION WILLIAMSBURG POST 39.

Mr. Waltrip moved that the Board issue a bingo permit to the American Legion Post 39 effective August 1, 1974 and terminating July 31, 1975. The motion carried by a unanimous roll call vote.

8. CANCELLATION OF REGULAR BOARD MEETING

Mr. Donaldson moved that the second regular meeting for the month of August (August 26, 1974) be cancelled. The motion carried by a unanimous roll call vote.

9. CONSIDERATION OF DATE FOR PUBLIC HEARING ON PROPOSED VACATION OF LOTS 15 THROUGH 21 KRISTIANSAND SUBDIVISION.

The Board set the date of September 9, 1974, to hold a public hearing re vacation of Lots 15 through 21 in Kristiansand Subdivision and requested that it be duly advertised.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

10. PUBLIC EMPLOYMENT PROGRAM (PEP)

August 12, 1974

Mr. Donaldson moved that the County Administrator be authorized to sign applicant agreements pursuant to the PEP requirements. The motion carried by a unanimous roll call vote.

11. REQUEST FROM THE GENERAL DISTRICT COURT FOR FUNDS FOR OFFICE RENOVATIONS AND FURNISHINGS

Mr. Donaldson moved that the request for \$2500 for improvements in the General District Court be approved and that a transfer of funds in the amount of \$2500 be made from the Contingent Account (1850) to Buildings and Grounds (1410-216). The motion carried by a unanimous roll call vote.

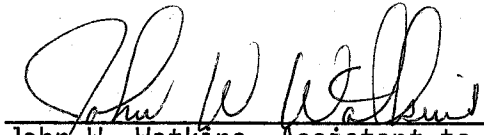
12. LETTER FROM VIRGINIA ASSOCIATION OF COUNTIES FROM GEORGE LONG RE VEPCO RATES

The Board tabled this matter.

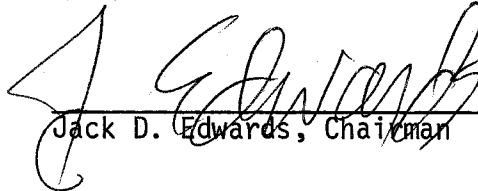
13. DATE FOR JOINT MEETING WITH THE PLANNING COMMISSION RE ECONOMIC BASE STUDY

The Board agreed to a joint meeting with the Planning Commission and Hammer, Siler and George, consultants, on the Economic Base Study on September 10, 1974.

THE MEETING ADJOURNED UNTIL THE BOARD'S WORKSESSION MEETING ON TUESDAY, SEPTEMBER 3, 1974, at 7:30 P.M.



John W. Watkins, Assistant to the County Administrator



Jack D. Edwards, Chairman

AT A WORKSESSION MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRD DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

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. Wayland Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

1. CONSIDERATION OF RECOMMENDATION OF THE PENINSULA PLANNING DISTRICT COMMISSION CONCERNING SOLID WASTE DISPOSAL.

Messrs. McCann and Bass made a presentation to the Board concerning the captioned item and recommended that the County participate without financial commitment in a proposed regional system recognizing that regionalism will ultimately be the proper approach to the serious problem of solid waste disposal. The Board requested that the item be placed on the agenda for September 9, 1974, at 7:30 P.M., for final disposition.

2. HOUSE NUMBERING IN JAMES CITY COUNTY

Mr. McCann presented a report on house numbering and indicated that the County was in a position to assist the Post Office Department when it contemplated

September 3, 1974

dividing rural routes because of increased development.

3. DISCUSSION OF THE PROCEDURE FOR SUBMITTING REVISIONS OF THE LAND DEVELOPMENT CONCEPT

The Board discussed this item and requested the County Administrator to hold a public meeting at the Norge School prior to submitting a recommended land development concept to the Planning Commission and the Board of Supervisors which would again be heard publicly at the Courthouse.

4. CONSIDERATION OF AMENDMENTS TO THE STATEWIDE BUILDING CODE ADOPTION OF BOCA BASIC MECHANICAL CODE, PLUMBING CODE, ONE AND TWO FAMILY DWELLING CODE, NATIONAL ELECTRICAL CODE AND ELECTRICAL CODE FOR ONE AND TWO FAMILY DWELLINGS.

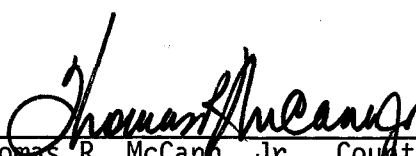
Mr. Morton discussed this item briefly with the Board of Supervisors pointing out that the amendments were required in order to fill in the blanks in the proposed Code.

He pointed out that this item would be presented to the Board as an Emergency Ordinance on September 9 since the Statewide Building Code became effective in James City County September 1st.

5. PRESENTATION OF PRELIMINARY SCHEMATICS OF THE COUNTY BUILDING COMPLEX BY THE ARCHITECT.

Mr. Phillips and his staff presented preliminary schematics of the County Complex to the members of the Board. Mr. McCann advised the Board that he wished to have their final comments concerning the floor plans and architectural style at the last meeting in September. The Chairman requested the Administrator to present to the Board a list of questions they needed to consider at that time.

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 NINTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District - Absent
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. Wayland Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Donaldson moved the approval of the July 22, August 12,

September 9, 1974

and September 3, 1974, minutes as printed with the addition of Mr. Morton's name to the roll call of July 22 and August 12, 1974. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING

Consideration of prohibiting or restricting through traffic on Brick Bat Road (portion of Rt. 613) by any truck or truck and trailer or semi-trailer combination except a pick-up or panel truck.

The Chairman opened the public hearing.

The following spoke in favor of the captioned item:

Mr. John Burton
Mr. Wm. Glass
Mr. Len Russell
Woman

The Chairman closed the public hearing.

Mr. Donaldson moved that the resolution presented be approved with the word "prohibited" inserted. The motion carried by a unanimous roll call vote.

RESOLUTION

PETITION TO VIRGINIA HIGHWAY COMMISSION

THROUGH TRUCK TRAFFIC

BRICK BAT ROAD

WHEREAS, the Board of Supervisors of James City County has held a hearing to consider the opinions and views of the public concerning the proposal made by the Board at its meeting of July 22, 1974, to petition the Virginia Highway Commission to prohibit or restrict the use by through traffic of Brick Bat Road (Route 613) by any truck or truck and trailer or semi-trailer combination, except a pick-up or panel truck, for the reasons stated in a resolution adopted by the Board at that meeting, a copy of which is made a part of this resolution by reference; and

WHEREAS, the results of this hearing, held on September 9, 1974, indicate to this Board that it should petition the Virginia Highway Commission for relief of truck traffic on this road.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the Board does hereby petition the Virginia Highway Commission to prohibit the use by through traffic of Brick Bat Road by any truck or truck and trailer or semi-trailer combination, except a pick-up or panel truck.

4. PUBLIC HEARING

Vacation of Plat, Kristiansand Subdivision, J. Moneymaker, Agent

The Chairman opened the public hearing.

Mr. John Moneymaker explained that the owner of the subdivision desired to make lots 82' wide instead of 75'.

The Chairman closed the public hearing.

Mr. Taylor moved the approval of the ordinance vacating a portion of the plat of Kristiansand Subdivision. The motion carried by a unanimous roll call vote.

ORDINANCE #82

AN ORDINANCE VACATING A PORTION OF THAT CERTAIN PLAT ENTITLED, "KRISTIANSAND, SECTION I, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," MORE PARTICULARLY, LOTS 15 THROUGH 21, RECORDED IN PLAT BOOK 31, PAGE 2.

WHEREAS, application has been made by MENNO INVESTMENT COMPANY, Ltd., OWNERS, to vacate a certain portion of that plat entitled, "Kristiansand, Section I, Powhatan District, James City County, Virginia," and more particularly, Lots 15 through 21; and

September 9, 1974

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.1-482 and 15.1-431, Code of Virginia, 1950, as amended; and

WHEREAS, the said Board of Supervisors did consider such application on the 9th day of September, 1974, pursuant to such notice and were 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:

1. That a certain portion, specifically Lots 15 through 21, of that plat entitled, "Kristiansand, Section I, Powhatan District, James City County, Virginia," be and the same is, hereby, vacated.
2. That a new plat entitled, "Resubdivision of Lots 15 - 21, Section I, Kristiansand Subdivision, Lying in Powhatan District, James City County, Virginia," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the day of its adoption.

5. AN ORDINANCE TO AMEND THE STATEWIDE BUILDING CODE; ADOPTION OF BOCA BASIC MECHANICAL CODE, PLUMBING CODE, ONE AND TWO FAMILY DWELLING CODE, NATIONAL ELECTRICAL CODE AND ELECTRICAL CODE FOR ONE AND TWO FAMILY DWELLINGS.

Mr. Morton discussed this ordinance with the Board

Mr. Donaldson moved the adoption of the above captioned ordinance as an Emergency Ordinance. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE #81

(See Page 17)

ORDINANCE NO. 81

AN ORDINANCE TO REPEAL CHAPTER 4, BUILDINGS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, AND TO REORDAIN THE CHAPTER AS CHAPTER 4, BUILDING REGULATIONS, BY ADOPTING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS THERETO.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 4, Buildings, of the Code of the County of James City be and the same is, hereby, repealed and the same is, hereby, reordained as Chapter 4, Building Regulations, by adopting the Virginia Uniform Statewide Building Code with certain amendments, deletions and additions thereto, as follows:

CHAPTER 4

BUILDING REGULATIONS

Article I. Virginia Uniform Statewide Building Code.¹

Division 1. Generally.

Section 4-1. Purpose of Article.

In order to preserve and secure the health, safety and general welfare of the citizens of the County and to assure the proper construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and their service equipment within the County, the enactment of this article is deemed necessary.

Section 4-2. Conflict of Article With Certain Ordinances.

Ordinances or parts thereof in force at the time this article shall take effect and inconsistent with this article are hereby repealed; provided, however, that Chapter 20, Zoning, of this Code shall in no way be nullified by the provisions of this article except as may be specifically required by the provisions of the Virginia Uniform Statewide Building Code as hereinafter adopted.

Section 4-3. Adoption; Admendments.

There is hereby adopted by reference in the County of James City that certain code known as the Virginia Uniform Statewide Building Code and including the 1974 Accumulative Supplement thereto, and the whole thereof and the same is hereby incorporated herein as fully as if set out in length. The provisions of said Code shall take effect on September 9, 1974, and shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings, and all other functions which pertain to the installation of systems vital to all buildings and structures and their service equipment as defined by said Code, and shall apply to all existing and proposed buildings or structures in the County of James City, provided that certain sections and subsections of said Code are amended as follows:

A. BOCA Basic Building Code/1970

1. Wherever the parenthetical phrase "name of municipality" shall be found, the words "County of James City" shall be substituted therefor.

¹As to establishment and mandatory application of the Virginia Uniform Statewide Building Codes, see Code of Virginia, 1950, as amended, Chapter 36.

2. Wherever the parenthetical phrase "date of adoption of this code" shall be found, the words and numbers "September 1, 1974" shall be substituted therefor.
3. Add the following in Section 201, as amended, after the definition of Municipality, County of James City.

B. BOCA Basic Mechanical Code/1971.

1. Wherever the parenthetical phrase "name of municipality" shall be found, the words "County of James City" shall be substituted therefor.
2. Wherever the parenthetical phrase "date of adoption of this code" shall be found, the words and numbers "September 1, 1974" shall be substituted therefor.
3. The term "administrative authority" defined in Section M-201.0 and wherever else found shall be taken to mean the Building Official.

C. BOCA Basic Plumbing Code/1970.

1. The words and numbers "September 1, 1974" shall be inserted in the space provided in Section P-102.0.
2. The term "administrative authority" defined in Section P-201.0 and wherever else found shall be taken to mean the Building Official.

D. One and Two Family Dwelling Code/1971.

1. Table No. 2-A in Section R-202 is amended by adding the following underlined words and numbers under each of the column headings as follows:

Roof Live Load	lbs. per sq. ft.	<u>20</u>
Roof Snow Load	lbs. per sq. ft.	<u>10</u>
Wind Velocity in	lbs. per sq. ft.	<u>25</u>
Seismic Condition by Zone		<u>1</u>
Subject to damage from:		
	Frost line depth	<u>Yes - 8 inches</u>
Subject to damage from:		
	Termite	<u>Yes</u>
	Decay	<u>Yes</u>

E. National Electrical Code 1971 and Electrical Code for One and Two Family Dwellings.

1. The term "administrative authority" contained in Article 90-7 and wherever else found shall be taken to mean the Building Official.

Section 4-4. When and Where Copies May Be Obtained.

Copies of the Virginia Uniform Statewide Building Code are available to members of the public in the office of the State Board of Housing in accordance with Section 36-104, Code of Virginia, 1950, as amended. Copies of the publications adopted herein shall be offered for sale when available at the Department of Building Inspection during regular business hours.

Division 2. Fire Districts.

Section 4-5. Establishment.

In accordance with the provisions of Section 301.0 of the BOCA Basic Building Code adopted herein, there are hereby established limiting districts designated Fire District No. 1 and Outside Fire Limits within the jurisdictional boundaries of the County.

Section 4-6. Fire District No. 1; Limits.

The limits of Fire District No. 1 are described as all land contained within those areas designated as Business, General, District B-1; Business, Tourist Entry District, B-2; Industrial, Limited, District M-1 and Industrial, General, District M-2, as established in Chapter 20, Zoning, of this code.

Section 4-7. Outside Fire Limits.

All land within the jurisdictional boundaries of the County except that land contained in Fire District No. 1.

Division 3. Administration.

Section 4-8. Permit Fees.

Permit fees are hereby established in accordance with the provisions of Section 118.0, as amended, of the Virginia Uniform Statewide Building Code, as follows:

A. Building Permits.

1. The minimum fee for any building permit shall be \$4.00.
2. For the construction of any building or addition thereto where the floor area is increased, and for the installation or erection of any industrialized building unit, the fee shall be based on the floor area to be constructed as computed from exterior building dimensions at each floor. As to any residential building, any enclosed carport, porch or stoop when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation. The fee shall be at the rate of \$0.04 per square foot of floor area for the first 2,000 square feet, \$0.03 per square foot for additional floor area from 2,001 to 30,000 square feet, and \$0.02 per square foot for all other additional floor area in excess of 30,000 square feet.
3. For the alteration or repair of any building or structure, or for the construction or erection of piers, bulkheads, exterior walls or fences, towers, swimming pools, or other structures or things, the fee shall be at the rate of four-tenths of one percent of the current value of all service, labor and materials.
4. For the demolition or razing of any building or structure having a floor area greater than 250 square feet the fee shall be \$5.00. No fee shall be charged for a permit to raze a building with a floor area of 250 square feet or less.
5. For the erection, placement or removal of a building or structure, in part or in whole from one location to another, or in or out of the city, or to a new location within the same lot or parcel of land, the fee shall be at the rate of three cents (\$0.03) per square foot of gross floor area.

6. For any reinspection the fee shall be \$4.00.

B. Plumbing Permits.

1. The minimum fee for any plumbing permit shall be \$4.00.
2. For the installation of each plumbing fixture the fee shall be \$2.00.
3. For the installation of the water distribution system in each building the fee shall be \$2.00.
4. For the connection of any building drain to a public or private sanitary sewage disposal system the fee shall be \$2.00.

C. Electrical Permits.

1. The minimum fee for any electrical permit shall be \$4.00.
2. For the installation of each electrical service panel in new construction the fee shall be determined from the rated size of the panel in amperes as follows:

30-60 amps	-	\$10.00
100 amps	-	\$15.00
150 amps	-	\$20.00
200 amps	-	\$25.00

Over 200 amps - \$25.00 plus \$5.00 for each additional 50 amperes or fraction thereof.

3. For increasing the size of the electrical service to any building or structure, the fee shall be \$15.00 for service up to and including 200 amperes or \$15.00 plus \$5.00 for each 50 amperes or fraction thereof over 200 amperes.
4. For the addition to any existing electrical installation the fee shall be based on the number of outlets to be installed at the following rates:

1-25 outlets	-	\$ 4.00
26-50 outlets	-	\$ 8.00
51-100 outlets	-	\$12.00
101-200 outlets	-	\$16.00
over 200 outlets	-	\$16.00 plus \$0.05 for each outlet over 200.

5. For the installation of fixed appliances and/or associated electrical connections or outlets the fee shall be \$1.00 for each electric range, range top, oven, water heater, dishwasher, garbage disposal, furnace, clothes dryer, baseboard heating unit, or exhaust fan.

D. Mechanical Permits.

1. The minimum fee for any mechanical permit shall be \$10.00 with the exception that the fee for the installation of additional gas outlets to an existing gas piping system shall be \$4.00 plus \$2.00 for each additional outlet over two.
2. For the installation or replacement of mechanical systems or equipment the fee shall be at the rate of two tenths of one percent of the current value of all service, labor, materials, and equipment.

E. Sign Permits.

1. For the erection, alteration or repair of any sign or outdoor advertising display the fee shall be one dollar (\$1.00) per square foot of surface area. Area shall be computed in accordance with the Zoning Ordinance, Section 12-14-1 (b), Gross Sign Area.

Section 4-9. Refund of Permit Fees; Service Charge.

The Building Official shall authorize the refunding of any permit fee upon application by the person or corporation who paid such fee under the following conditions:

- A. If the work authorized by the permit has not been started and no inspections have been made, the permit fee less a service charge of \$5.00 shall be refunded.
- B. If the work authorized by the permit has been started and inspections have been made, the permit fee less a service and inspection charge of \$10.00 shall be refunded, unless the permit fee is \$10.00 or less in which case no refund shall be made.
- C. No permit fee of a value of \$5.00 or less shall be refunded.

Section 4-10. Exemption From Permit Fee.

Where the owner of any premises is the United States of America, the Commonwealth of Virginia, the County of James City, or instrumentalities thereof, the payment of any permit fee established in Section 4-8 is hereby waived.

ARTICLE II - SUPPLEMENTARY REGULATIONS

Section 4-11. Ordinary Repairs and Minor Construction; Limitations.

- A. The exemption of ordinary repairs from the building permit requirement contained in Section 102 and 113 of the Building Code shall pertain only to the owner of any building or premises and shall not apply to any contractor or sub-contractor engaged by the owner to perform such repairs.
- B. The replacement of more than 25 percent of any roofing or siding on any building shall not be considered as ordinary repairs.

Section 4-12. Minor Construction; Exempt from Building Permit Requirement.

Minor construction, the cost of which is \$200.00 or less, shall be exempt from the permit requirements of Section 113 of the Building Code. Such exemption shall not however have the effect of waiving any working stresses or fire resistive requirements specifically covered in the Building Code or violating accepted engineering practice involving public safety.

Section 4-13. Authority to Connect Building to a Supply of Electricity or Gas.

It shall be unlawful for any public utility company holding a franchise granted by the County to furnish electricity or gas to make or permit to be made any connections with its electric or gas supply lines to any building unless such electrical or gas piping installation in such building has been inspected and a Certificate of Inspection has been issued.

Section 4-14. Disconnection of a Supply of Electricity or Gas; Authority.

- A. In case of fire, natural disaster, or other emergency the Building Official or his authorized representative, or any officer of the Division of Police or Division of Fire shall have the authority to order a public utility company to disconnect its electric or gas supply lines to any building or premises.
- B. If any existing electrical wiring or equipment in or upon any building or premises in the County is found hazardous, defective, or unsafe by any electrical inspector he shall give a written notice to the property owner enumerating the deficiencies and stating the time allowed to correct the electrical system. If upon reinspection at the end of the stated time period the electrical system has not been corrected, the electrical inspector shall order the electrical service to be disconnected under the authority contained in this section. Such order shall not bar any prosecution for failing to comply with a lawful order to correct the electrical system. Should the electrical service be disconnected pursuant to this section, the owner shall have such electrical system inspected prior to the power being reconnected.
- C. If any existing consumer's gas piping or gas burning equipment in or upon any building or premises in the County is found hazardous, defective, or unsafe by any mechanical inspector he shall give a written notice to the property owner enumerating the deficiencies and stating the time allowed to correct the gas system. If upon reinspection at the end of the stated time period the gas system has not been corrected, the mechanical inspector shall order the gas service to be disconnected under the authority contained in this section. Such order shall not bar any prosecution for failing to comply with a lawful order to correct the gas system. Should the gas service be disconnected pursuant to this section, the owner shall have such gas system inspected prior to the gas service being reconnected.

Section 4-15. Public Utility to Disconnect Premises on Order.

It shall be the duty of the public utility company holding a franchise granted by the County to disconnect any building or premises from its electrical or gas supply lines upon an order issued under the provisions of Section 4-14 of this chapter. It shall be the further duty of such company to have a competent employee on duty at all times who shall promptly proceed to disconnect electrical or gas services upon issuance of such order.

Section 4-16. Gas Shut-off Valves; Waiver on Location.

The location of the outside gas shut-off valve required in Section 1129.5 of the BOCA Basic Building Code may be varied by the Director of Public Works due to unusual conditions. Such waiver shall be in written form and shall be given to the public utility supplying gas service and to the Chief of the Division of Fire.

Section 4-17. Signs Overhanging Public Right-of-Way; Liability Insurance Required.

It shall be unlawful for any person to erect or maintain any sign overhanging any sidewalk, street, or other public right-of-way unless he shall file and maintain with the Building Official evidence of public liability insurance covering the existence of such sign. Such insurance shall have liability limits for bodily injury not less than \$100,000 for each person, \$200,000 for each accident, and \$25,000 for property damage and shall indemnify and save harmless the County, as an additionally insured party, from any and all damages, judgments, costs or expense from which the County may incur or suffer by reason of granting a permit in connection with the erection, alteration, maintenance, repair, removal, or existence of such sign. It shall be the duty of the owner of any premises upon which such sign is located to notify the Building Official of any change, expiration, renewal, or claim that shall occur with respect to such insurance.

Section 4-18. Public Utility Company; Electrical Installations Exempted From Code.

In conformance with Section 1500.11, 1505.12, and 1505.13 of the BOCA Basic Building Code, the Special Permission stated in Article 90-2 (c) of the National Electrical Code is hereby granted to the Virginia Electric and Power Company so long as a franchise granted by the County to supply electricity within the County remains in effect.

ARTICLE III - BOARD OF APPEALS

Section 4-19. Establishment.

There is hereby established a Board of Appeals as provided for in Section 127.0 of the BOCA Basic Building Code, the same being part of the Virginia Uniform Statewide Building Code adopted in Article I of this chapter.

Section 4-20. Appointment of Members.

Members appointed to the Building Board of Adjustments and Appeals in office prior to the effective date of this ordinance shall remain in office with the Board of Appeals until his term of office shall expire. Subsequent appointments and reappointments shall be made under the provisions of Section 127.2 of the BOCA Basic Building Code with respect to term of office and qualifications of members, provided however that no member shall be appointed for more than two consecutive five (5) year terms.

Section 4-21. Jurisdiction of the Board.

The jurisdiction of the Board in acting on any appeal shall include the entire scope of the Virginia Uniform Statewide Building Code, as the same may be amended, and as adopted in Article I of this chapter. The Board shall also act on any appeal specifically provided for in such other building regulations as may be established in the Code of James City County.

ARTICLE IV - BOARD OF ELECTRICAL EXAMINERS

Section 4-22. Establishment; Appointment of Members.

There is hereby established a Board of Electrical Examiners which shall consist of five members. Such board shall be composed of one electrical contractor registered by the State Registration Board for Contractors, one Master Electrician, one Journeyman Electrician, one representative from the public, and the Chief Electrical Inspector. Appointed members of the Electrical Board of Appeals, Review, and Examiners in office prior to the effective date of this ordinance shall remain in office with the Board of Electrical Examiners until his term of office shall expire.

Section 4-23. Term of Office.

At such time as the term of office of each member previously appointed to the Electrical Board of Appeals, Review, and Examiners shall expire, initial appointments to the Board of Electrical Examiners shall be made as follows:

- A. One member for a term of one year.
- B. Two members for a term of two years.
- C. One member for a term of three years.

Subsequently, members shall be appointed or reappointed for terms of three years; provided however that no member shall serve more than two three year terms on the Board of Electrical Examiners or more than a total of ten years on the previous Electrical Board of Appeals, Review, and Examiners in combination with any service on the Board of Electrical Examiners, and further provided however that the term of office for the Chief Electrical Inspector shall be concurrent with his appointment to that position.

Section 4-24. Jurisdiction of the Board.

The Board of Electrical Examiners is hereby empowered to examine applicants for certification as electricians in accordance with the regulations set forth in this Article. The Board shall exercise its authority within such limitations as may be now or hereafter established by the State Board of Housing in promulgation of the Virginia Uniform Statewide Building Code.

Section 4-25. Procedure; Duties of the Board.

- A. The Board shall elect a Chairman and a Secretary who shall serve for the term to which they were appointed to the Board. Re-elections shall be held whenever a member elected as Chairman or Secretary shall be reappointed to the Board or whenever a vacancy shall occur.
- B. The Board shall meet not less than once each month to administer examinations and to grant or deny Certificates of Qualification. Three members of the Board shall constitute a quorum to act on any application or examination for certification.
- C. The Chairman shall have the duty to coordinate and consult with the County Attorney on matters of interpretation of regulations promulgated by the State Board of Housing as may pertain to the certification, examination, qualification, licensing, or registration of electricians.

- D. The Secretary shall have the duty to record the proceedings of the Board to include attendance of members at each meeting and action taken on each application for certification. The record shall indicate the numerical score assigned to each examination paper graded by the Board as well as the numerical score required for granting a particular class of certification. The record of proceedings shall be authenticated by the Chairman within five days after any meeting and a copy shall be posted in a public place in the office of the Division of Building Inspection.
- E. The Board shall have the authority to coordinate with like Boards established in other political subdivisions of the State for the purpose of arranging reciprocal agreements on the mutual acceptance of certificates of qualification as electricians as evidence of qualification in lieu of written examination. The records of any such reciprocal agreement shall be maintained on file and a report shall be made to the County Administrator at the time such agreement is reached.

Section 4-26. Administrative Support.

- A. The Building Official shall provide clerical support to the Board within personnel and budgetary limits.
- B. Members of the Board shall be authorized to perform official travel as passengers in any County vehicle assigned to the Division of Building Inspection.

ARTICLE V - BOARD OF PLUMBING EXAMINERS

Section 4-27. Establishment; Appointment of Members.

There is hereby established a Board of Plumbing Examiners which shall consist of five members. Such Board shall be composed of one plumbing contractor registered by the State Registration Board for Contractors, one Master Plumber, one Journeyman Plumber, one representative from the health department, and the Chief Plumbing Inspector. Appointed members of the Plumbing and Gas Board of Appeals, Review, and Examiners in office prior to the effective date of this ordinance shall remain in office with the Board of Plumbing Examiners until his term of office shall expire.

Section 4-28. Term of Office.

At such time as the term of office of each member previously appointed to the Plumbing and Gas Board of Appeals, Review, and Examiners shall expire, initial appointments to the Board of Plumbing Examiners shall be made as follows:

- A. One member for a term of one year.
- B. Two members for a term of two years.
- C. One member for a term of three years.

Subsequently, members shall be appointed or reappointed for terms of three years; provided however that no member shall serve more than two three year terms on the Board of Plumbing Examiners or more than a total of ten years on the previous Plumbing and Gas Board of Appeals, Review, and Examiners in combination with any service on the Board of Plumbing Examiners, and further provided however that the term of office for the Chief Plumbing Inspector shall be concurrent with his appointment to that position.

Section 4-29. Jurisdiction of the Board.

The Board of Plumbing Examiners is hereby empowered to examine applicants for certification as plumbers in accordance with the regulations set forth in this Article. The Board shall exercise its authority within such limitations as may be now or hereafter established by the State Board of Housing in promulgation of the Virginia Uniform Statewide Building Code.

Section 4-30. Procedure; Duties of the Board.

- A. The Board shall elect a Chairman and a Secretary who shall serve for the term to which they were appointed to the Board. Re-elections shall be held whenever a member elected as Chairman or Secretary shall be reappointed to the Board or whenever a vacancy shall occur.
- B. The Board shall meet not less than once each month to administer examinations and to grant or deny Certificates of Qualification. Three members of the Board shall constitute a quorum to act on any application or examination for certification.
- C. The Chairman shall have the duty to coordinate and consult with the County Attorney on matters of interpretation of regulations promulgated by the State Board of Housing as may pertain to the certification, examination, qualification, licensing, or registration of plumbers.
- D. The Secretary shall have the duty to record the proceedings of the Board to include attendance of members at each meeting and action taken on each application for certification. The record shall

indicate the numerical score assigned to each examination paper graded by the Board as well as the numerical score required for granting a particular class of certification. The record of proceedings shall be authenticated by the Chairman within five days after any meeting and a copy shall be posted in a public place in the office of the Division of Building Inspection.

- E. The Board shall have the authority to coordinate with like Boards established in other political subdivisions of the State for the purpose of arranging reciprocal agreements on the mutual acceptance of certificates of qualification as plumbers as evidence of qualification in lieu of written examination. The records of any such reciprocal agreement shall be maintained on file and a report shall be made to the County Administrator at the time such agreement is reached.

Section 4-31. Administrative Support.

- A. The Building Official shall provide clerical support to the Board within personnel and budgetary limits.
- B. Members of the Board shall be authorized to perform official travel as passengers in any County vehicle assigned to the Division of Building Inspection.

ARTICLE VI - REGISTRATION AND QUALIFICATION OF
CONTRACTORS AND TRADESMEN.

Division 1. Registration of Contractors

Section 4-32. Application for Building Permit by Agent; Registration as a Prerequisite.

Any person who shall apply for a building permit as an agent of the owner in fee or lessee of the building or structure concerned shall first register with the Division of Building Inspection as provided in this article; provided however that an architect or engineer registered under the laws of the Commonwealth of Virginia regulating the practice of architecture or engineering when employed in connection with the proposed work shall be exempt from the provisions of this article.

Section 4-33. Initial Registration; Information Required.

It shall be the duty of every contractor, builder, or subcontractor who desires to make contracts for the erection, construction, alteration, addition or repair of buildings, structures, or service equipment located therein on any premises located in the County to maintain a registration with the Division of Building Inspection. Such registration shall be maintained in a current status and shall be recorded on a form provided by the Division of Building inspection. Information required to be recorded shall include:

- A. Name of the contractor including proprietary or corporate identification if any.
- B. Current business address and telephone number.
- C. Jurisdiction in the Commonwealth of Virginia in which a current business license has been issued.
- D. Registration number issued by the State Registration Board for Contractors if any.
- E. Type or class of contract services to be performed.
- F. Names of persons authorized to apply for and obtain permits for the contractor.
- G. Names of persons holding current Certificates of Qualification as a Master Electrician or as a Master Plumber or as a qualified pipelayer to include the jurisdiction in which such person was examined for qualification.
- H. Name and address of bonding company, surety, or public liability insurance company and agent where applicable as a prerequisite to obtaining permits from the County.

Section 4-34. Expiration of registration; Invalidation.

The registration of any contractor shall automatically expire and become invalid on December 31st of any year in which such contractor has not obtained a permit to perform work within the County. The Building Official shall have the power to declare invalid any registration of any contractor at any such time that he shall determine:

- A. That there exists a false statement or misrepresentation as to a material fact in the application upon which such registration was based, or
- B. That a contractor has permitted his business license, State registration as a contractor, bond, or public liability insurance to expire or otherwise become invalid, or
- C. That a contractor has failed to maintain his cash bond in the prescribed amount.

Section 4-35. Annual Renewal of Registration.

It shall be the duty of every contractor who desires to remain registered under the provisions of this article to renew his registration each year during the month of January. Such renewal shall consist of the amending, correcting, or updating of all information contained in his initial application for registration, and certifying to the correctness of the same. The failure of any contractor to accomplish such renewal shall be sufficient reason for the Building Official to deny the issuance of permits to such contractor until such renewal is accomplished.

Section 4-36. Registration Fees.

There are hereby established the following fees to be paid by each applicant for registration or renewal of registration:

- A. For initial registration \$5.00
- B. For each annual renewal of registration \$1.00
- C. For reinstatement of an expired or invalidated registration the fee shall be the same as initial registration.

Section 4-37. Effective Date; Processing Applications In Advance.

The provisions of this division regulating contractor registration shall become effective on January 1, 1975. The Building Official shall however make available to the public such forms as may be required to accomplish such registration for a period of not less than 90 days before the effective date and he shall accept and process such forms upon request prior to the effective date.

Division 2. Electricians.

Section 4-38. Certified Electricians; Defined, Classes.

- A. For the purposes of this chapter the term certified electrician shall be taken to mean a natural person to whom:
 - 1. a current Certificate of Qualification as an electrician has been granted by the Board of Electrical Examiners of the County, or
 - 2. a current certificate of qualification or equivalent has been granted by a political subdivision of the State with which the Board has established a reciprocal agreement on qualification of electricians, provided that such certificate has been endorsed and recorded in the office of the Division of Building Inspection.
- B. For the purpose of this chapter there shall be three classes of Certificates of Qualification for electricians:
 - 1. Master Electricians
 - 2. Journeyman Electricians
 - 3. Maintenance Electricians

Section 4-39. Authority to Perform Electrical Work; General.

Any person who has been granted a Certificate of Qualification as an electrician shall have the right to perform electrical work within the County provided that such person shall comply with all regulations, limitations, or conditions herein established in connection with the granting or renewal of such certificate. It shall be unlawful for any person to perform electrical work within the County unless he shall first have been found qualified by the Board

of Electrical Examiners and shall have been granted a current Certificate of Qualification, unless such person shall be specifically exempted therefrom under the provisions of this division.

Section 4-40. Exemptions; Non-certified Electricians.

Electricians not holding a current Certificate of Qualification granted by the Board of Electrical Examiners may perform electrical work within the scope of their employment under the following circumstances:

- A. When working under the personal supervision of a Master electrician, or
- B. When performing electrical or related work not covered by the National Electrical Code in its current edition, or
- C. When performing electrical work located in or upon any public right-of-way or easement where such work is under the direction, supervision or control of a Master electrician in the employ of the County, or
- D. When performing electrical work under the direction, supervision or control of a public utility or public service corporation for which a Special Permission has been herein granted under the provisions of Article 90-3 of the National Electrical Code as adopted in this chapter.

Section 4-41. Electrical Wiring; Installation by Homeowner.

Nothing in this article shall be construed to prevent the owner of any single family dwelling from performing additions, alterations, or repairs to the electrical wiring in the dwelling in which he resides; provided however, that such owner shall first successfully complete an examination demonstrating his knowledge of and familiarity with the Electrical Code and good wiring practice, and further provided that an electrical permit shall be obtained and such wiring shall be approved by an electrical inspector upon completion. For the purposes of this section, the term wiring shall not include any service entrance conductors. The examination required by this section shall be given without charge and shall be administered weekly by the Chief Electrical Inspector or his representative.

Section 4-42. Certificate of Qualification; Application, Requirements, Examination, Re-examination, Fees.

- A. Every person desiring to obtain a Certificate of Qualification as an electrician shall make written application to the Board of Electrical Examiners on forms to be supplied by the Building Official.
- B. All written examinations shall be based on the National Electrical Code as included in the Virginia Uniform Statewide Building Code and the provisions of this chapter as pertains to electrical work. The examination for Master Electrician shall also examine the applicant's ability to lay out and plan electrical work, his knowledge of physics, mechanics, and mathematics insofar as they apply to electrical design and construction, and his general fitness to supervise and direct the installation of electrical work.
- C. Any applicant for a Certificate of Qualification who shall fail to achieve a passing score on a written examination may after payment of the examination fee be re-examined within the same calendar year. No applicant, however, shall take the written examination more than twice in the same calendar year.

D. Each applicant for a Certificate of Qualification as an electrician shall pay an examination fee at the time he submits his application. Examination fees shall be:

1. Master Electrician \$25.00
2. Journeyman Electrician \$10.00
3. Maintenance Electrician \$10.00

Section 4-43. Certificate of Qualification; Term, Renewal, Lapse, Reinstatement, Fees.

The initial certificate of qualification for any person shall become valid on the day it is issued. Thereafter, every certificate of qualification shall expire and become invalid on the first day of January of any year, but may be renewed for a period of one year within 30 days thereafter upon application for renewal and payment of renewal fees. Applications for renewal may be made not earlier than sixty (60) days prior to the expiration date and shall be accompanied by a certificate renewal fee of ten dollars (\$10.00) for Master Electrician or five dollars (\$5.00) for Journeyman and Maintenance Electricians. Any certificate having become invalid because of a failure to apply for renewal within the time prescribed shall be considered abandoned and the person to whom such certificate was issued shall not be recertified unless he shall first be examined as provided for in this chapter or shall be granted a waiver from such examination by the Board of Electrical Examiners; provided however that reinstatement of a certificate issued under any reciprocity agreements established by the said Board shall be permitted after a lapse of not more than three years upon payment of the fee established for renewal of a certificate.

Section 4-44. Certificate of Qualification; Transfer, Loss, Display.

No Certificate of Qualification as an electrician shall be transferred, loaned, or used for any purpose whatsoever except by the person to whom such certificate has been issued. It shall be the duty of each certified electrician to have his certificate in his possession whenever he shall perform any electrical work in the County and to permit an electrical inspector to examine such certificate upon request. It shall also be the duty of each certified electrician to promptly report the loss of his certificate and to apply for a duplicate.

Section 4-45. Rights of Persons Holding Certificates of Qualification From Other Locations; Reciprocity.

Any certified electrician holding a current certificate of qualification or equivalent from another political subdivision of the state in which the requirements for certification are of a standard satisfactory to the Board of Electrical Examiners, shall not be required to complete a written examination to qualify for the same class of certificate provided for in this division; provided however, that reciprocal privileges be granted to persons holding certificates issued by the Board for this County. Waiver of such written examination shall not be construed as an exemption from the requirement to make application, to pay an examination fee, or to comply with all other provisions of this chapter.

Section 4-46. Certificate of Qualification; Suspension, Revocation.

- A. The Chief Electrical Inspector shall have the power to temporarily suspend the certificate of any electrician found to have installed electrical work in an unsafe or dangerous manner. Such suspension shall continue in force until such electrical work has been corrected and brought into compliance with the National Electrical Code. Any such suspension shall be reported by the Chief Electrical Inspector to the Board of Electrical Examiners.

- B. The Board of Electrical Examiners shall have the power to revoke any Certificate of Qualification granted by such Board when, after a hearing, it shall determine by an affirmative vote of not less than three members that the holder of such certificate is not qualified to supervise or perform electrical work by reason of negligence, or inability to understand and comply with the technical provisions of the National Electrical Code. The Board shall also have the power to revoke any Certificate of Qualification when it shall determine that the application upon which such certificate was based contains any false statement or misrepresentation as to a material fact.

Section 4-47. Employment of Person not Certified Master Electrician to do Electrical Work.

It shall be unlawful for any owner, lessee, agent or any person having any authority or duty in connection with any building or premises knowingly to employ or hire any person, firm, or corporation to perform any electrical work in or upon such building or premises unless such person, firm, or corporation is a State Registered electrical contractor, certified Master Electrician, or certified maintenance electrician or qualifies for an exemption as a non-certified electrician under the provisions of this division.

Section 4-48. Registration of Address by Certified Master Electrician.

Every person holding a current Certificate of Qualification as a Master Electrician shall maintain his current address and the name of his current employer if any, on file with the Chief Electrical Inspector. It shall be the duty of such Master Electrician to report any change of address or employer within five days of such change.

Division 3. Plumbers.

Section 4-49. Certified Plumbers; Defined, Classes; Plumbing, Defined.

- A. For the purposes of this chapter the term certified plumbers shall be taken to mean a natural person to whom:
1. a current Certificate of Qualification as a plumber has been granted by the Board of Plumbing Examiners of the County, or
 2. a current certificate of qualification or equivalent has been granted by a political subdivision of the State with which the Board has established a reciprocal agreement on qualification of plumbers, provided that such certificate has been endorsed and recorded in the office of the Division of Building Inspection.
- B. For the purpose of this chapter there shall be three classes of Certificate of Qualification for plumbers:
1. Master Plumbers
 2. Journeyman Plumbers
 3. Maintenance Plumbers
- C. Under Section P-201.0, Definitions of Plumbing Terms, of the BOCA Basic Plumbing Code, the term "plumbing" shall be amended to read as follows:

The practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities and venting systems and the public or private water supply systems, within any building structure, or conveyance.

This definition covers the extension of such lines described above to their connection with any point of public disposal or other acceptable terminal.

Not included in this definition are installations of gas piping; chilled water piping in connection with refrigeration, process and comfort cooling; hot water piping in connection with building heating; and piping for fire sprinklers and standpipes.

Section 4-50. Authority to Perform Plumbing Work; General.

Any person who has been granted a Certificate of Qualification as a plumber shall have the right to perform plumbing within the County provided that such person shall comply with all regulations, limitations, or conditions herein established in connection with the granting or renewal of such certificate. It shall be unlawful for any person to perform plumbing within the County unless he shall first have been found qualified by the Board of Plumbing Examiners and shall have been granted a current Certificate of Qualification, unless such person shall be specifically exempted therefrom under the provisions of this division.

Section 4-51. Exemptions: Non-Certified Plumbers.

Plumbers not holding a current Certificate of Qualification granted by the Board of Plumbing Examiners may perform plumbing within the scope of their employment under the following circumstances:

- A. When working under the personal supervision of a Master plumber, or
- B. When performing work specifically excluded from the term Plumbing as defined in the BOCA Basic Plumbing Code as currently incorporated in the Virginia Uniform Statewide Building Code, or
- C. When performing plumbing work located in or upon any public right-of-way or easement where such work is under the direction, supervision, or control of a Master Plumber in the employ of the County.

Section 4-52. Plumbing and Gas Piping; Installation by Homeowner.

Nothing in this chapter shall be construed to prevent the owner of any single family dwelling from performing additions, alterations, or repairs to the plumbing system or house gas piping, or to install a plumbing fixture or gas appliance in the dwelling in which he resides; provided however, that such owner shall first successfully complete an examination demonstrating his knowledge of and familiarity with the Plumbing or Mechanical Code as applicable, accepted engineering practice and the hazards involved. It is further provided that such owner shall obtain all required permits and shall make all required tests of the completed work before approval of the work is granted by a plumbing or mechanical inspector. No such plumbing or gas piping installation shall be put into service prior to final approval by such inspector. The examination required by this section shall be given without charge and shall be administered weekly by the Chief Plumbing Inspector or his representative.

Section 4-53. Certificate of Qualification; Application Requirements, Examination, Re-Examination, Fees.

- A. Every person desiring to obtain a Certificate of Qualification as a plumber shall make written application to the Board of Plumbing Examiners on forms to be supplied by the Building Official.

- B. All written examinations shall be based on the BOCA Basic Plumbing Code as incorporated in the Virginia Uniform Statewide Building Code and the provisions of this chapter as pertains to plumbing. The examination for Master Plumber shall also examine the applicant's ability to lay out and plan plumbing construction, his knowledge of physics, hydraulics, and mathematics insofar as they apply to plumbing design and construction, and his general fitness to supervise and direct the installation of plumbing work.
- C. Any applicant for a Certificate of Qualification who shall fail to achieve a passing score on a written examination may after payment of the examination fee be re-examined within the same calendar year. No applicant however shall take the written examination more than twice in the same calendar year.
- D. Each applicant for a Certificate of Qualification as a plumber shall pay an examination fee at the time he submits his application. Examinations fees shall be:
1. Master Plumber \$25.00
 2. Journeyman Plumber \$10.00
 3. Maintenance Plumber \$10.00

Section 4-54. Certificate of Qualification; Term, Renewal, Lapse, Reinstatement, Fees.

The initial certificate of qualification for any person shall become valid on the day it is issued. Thereafter, every certificate of qualification shall expire and become invalid on the first day of January of any year, but may be renewed for a period of one year within 30 days thereafter upon application for renewal and payment of renewal fees. Applications for renewal may be made not earlier than sixty (60) days prior to the expiration date and shall be accompanied by a certificate renewal fee of ten dollars (\$10.00) for Master Plumber or five dollars (\$5.00) for Journeyman and Maintenance Plumbers. Any certificate having become invalid because of a failure to apply for renewal within the time prescribed shall be considered abandoned and the person to whom such certificate was issued shall not be recertified unless he shall first be examined as provided for in this chapter or shall be granted a waiver from such examination by the Board of Plumbing Examiners; provided however that reinstatement of a certificate issued under any reciprocity agreements established by the said Board shall be permitted after a lapse of not more than three years upon payment of the fee established for renewal of a certificate.

Section 4-55. Certificate of Qualification; Transfer, Loss, Display.

No Certificate of Qualification as a plumber shall be transferred, loaned, or used for any purpose whatsoever except by the person to whom such certificate has been issued. It shall be the duty of each certified plumber to have his certificate in his possession whenever he shall perform any plumbing in the County and to permit a plumbing inspector to examine such certificate upon request. It shall also be the duty of each certified plumber to promptly report the loss of this certificate and to apply for a duplicate.

Section 4-56. Rights of Persons Holding Certificates of Qualification From Other Locations; Reciprocity.

Any certified plumber holding a current certificate of qualification or equivalent from another political subdivision of the state in which the requirements for certification are of a standard satisfactory to the Board of Plumbing Examiners, shall not be required to complete a written examination to qualify for the same class of certification provided for in this division; provided however, that reciprocal privileges be granted to persons holding certificates

issued by the Board for this County. Waiver of such written examination shall not be construed as an exemption from the requirement to make application, to pay an examination fee, or to comply with all other provisions of this chapter.

Section 4-57. Certificate of Qualification; Suspension, Revocation.

- A. The Chief Plumbing Inspector shall have the power to temporarily suspend the certificate of any plumber found to have installed plumbing in an unsafe or dangerous manner. Such suspension shall continue in force until such plumbing has been corrected and brought into compliance with the BOCA Basic Plumbing Code. Any such suspension shall be reported by the Chief Plumbing Inspector to the Board of Plumbing Examiners.
- B. The Board of Plumbing Examiners shall have the power to revoke any Certificate of Qualification granted by such Board when, after a hearing, it shall determine by an affirmative vote of not less than three members that the holder of such certificate is not qualified to supervise or perform plumbing by reason of negligency, or inability to understand and comply with the technical provisions of the BOCA Basic Plumbing Code. The Board shall also have the power to revoke any Certificate of Qualification when it shall determine that the application upon which such certificate was based contains any false statement or misrepresentation as to a material fact.

Section 4-58. Employment of Person not Certified Master Plumber to do Plumbing.

It shall be unlawful for any owner, lessee, agent or any person having any authority or duty in connection with any building knowingly to employ or hire any person, firm, or corporation to perform any plumbing in such building unless such person, firm, or corporation is a State Registered plumber contractor, certified Master plumber, or qualifies for an exemption as a non-certified plumber under the provisions of this division.

Section 4-59. Registration of Address by Certified Master Plumber.

Every person holding a current Certificate of Qualification as a Master Plumber shall maintain his current address and the name of his current employer if any, on file with the Chief Plumbing Inspector. It shall be the duty of such Master Plumber to report any change of address or employer within five days of such change.

Division 4. Sewer System Contractors.

Section 4-60. Sewers, Sewer Systems, Septic Tank Systems Defined.

- A. For the purpose of this chapter the term sewer shall include those sewers termed private sewer, sanitary sewer, storm sewer, and building sewer as defined in the BOCA Basic Plumbing Code.
- B. For the purposes of this chapter the term Septic Tank System shall be taken to mean the same as that term is used in the Rules and Regulations Governing the Disposal of Sewage promulgated by the State Department of Health.

Section 4-61. Installation of Sewers and Sewer Systems on Private Property; Contractor Qualification.

- A. Every contractor currently registered by the State Registration Board for Contractors as a Public Utilities Contractor or as a Specialty Contractor in those fields normally including the installation of sewers and sewer systems shall be considered qualified to obtain permits and to install sewers and sewer systems on private property within the County.
- B. Every plumbing contractor currently registered by the Division of Building Inspection in accordance with the provisions of this article shall be considered qualified to obtain permits and to install sewers and sewer systems on private property within the County.
- C. Any building contractor or any other contractor who specializes in the installation of building sewers or storm sewers shall be considered qualified to obtain permits and to install or repair such sewers that serve one or two family dwellings and where the size of such sewers is not greater than four inches; provided however, that such contractor shall cause any such sewer pipe to be laid by a qualified pipelayer or a certified Journeyman Plumber.

Section 4-62. Reserved.

Section 4-63. Septic Tank System Contractor; Registration, Examination.

- A. Every contractor currently registered by the State Registration Board for Contractors and listed as a septic tank system contractor or equivalent shall be considered qualified to obtain permits and to install or repair such systems within the County.
- B. Every plumbing contractor currently registered by the Division of Building Inspection in accordance with the provisions of this article shall be considered qualified to obtain permits and to install septic tank systems within the County.

- C. Any contractor not otherwise qualified under the provisions of this section may apply for a certificate of registration from the Board of Plumbing Examiners. The Board shall have the authority to examine each applicant as to his knowledge of the rules and regulations of the State Board of Health and accepted engineering practices as pertains to septic tank systems. There shall be no examination fee charged, but the registration fee provided for in Section 4-36 shall be paid at the time of initial registration.
- D. Any contractor specializing in the installation of septic tank systems who shall have been registered in the County prior to the effective date of this ordinance shall be exempted from the initial examination and certification requirements of this section.

Division 5. Home Improvement Contractors.

Section 4-64. Board of Appeals; Authority to Determine Qualifications of Home Improvement Contractors.

The Board of Appeals, as established in Article III of this Chapter is hereby authorized to examine applicants for registration as home improvement contractors within the County. Such examination shall be for the purpose of determining the qualifications of such applicants as to his ability and proficiency to conduct the business of home improvement contracting in conformance with the Building Code, the provisions of this chapter, and in accordance with normally accepted business and professional standards common to the building construction industry. For the purpose of this section the business of home improvement shall mean the contracting for and/or providing material and labor for repairs, improvements, and additions to and construction of residential buildings and structures accessory theretowhere any payment of money or other thing of value is required prior to the completing of the work to be performed.

Section 4-65. Qualification a Prerequisite to Registration of Home Improvement Contractors.

Every person who desires to register as a home improvement contractor shall first make application to and be examined by the Board of Appeals as to his qualifications. Every applicant shall furnish evidence of his ability, quality of work, and reputation for carrying out obligations; his financial responsibility; and his reputation for payment of labor and material bills. Such evidence in the form of letters of recommendation; affidavits, or other relevant documents shall accompany each application. Application shall be made at the office of the Division of Building Inspection and shall be accepted upon payment of a filing fee of ten dollars (\$10.00). Nothing in this section however, shall be construed to require a contractor currently registered under Section 54-129, Code of Virginia, also known as the Virginia Contractor Registration Law, to be examined by the Board as a prerequisite to registration under the provisions of Article VI of this chapter.

Section 4-66. Board Examination Procedure; Decisions;

The Board of Appeals shall convene upon call of the Chairman within 15 days after notification by the Building Official that an application for examination has been filed; provided however, that the Board shall not be convened more often than once each month for the sole purpose of conducting such examinations. Every applicant shall appear before the Board to make a presentation in support of his application. The Board, having considered each application and the evidence furnished therewith shall approve or disapprove each application and cause its findings and the reasons therefor to be sent to the applicant and to the Building Official.

Section 4-67. Registration May Be Revoked for Cause; Complaint Procedure; Appeal.

Whenever the Building Official shall receive a written sworn complaint concerning the qualification of any home improvement contractor he shall promptly forward the same with a report of investigation attached thereto to the Board of Appeals. The Board, at its next meeting, or within 30 days after receipt of such complaint, whichever is earlier, shall after a hearing determine whether such contractor, the respondent, meets the qualifications established in Section 4-65. A determination that such contractor is found not qualified shall be reported to the Building Official who shall cancel the registration recorded under the provisions of Article VI of this chapter. The Board, in making such determination shall hear any person who desires to speak for or in the behalf of either the complainant or the respondent. Written notice of the Board's action and the record of its proceedings pertaining thereto shall be furnished to the respondent. The decision of the Board shall be final, subject, however to such remedy as any aggrieved party might have at law or in equity.

Section 4-68. Established Home Improvement Contractors; Waiver of Examination.

Any contractor registered as a home improvement contractor or general contractor in the business of making contracts for home improvements at the time this ordinance becomes effective, shall be considered as having met the qualifications established therein and shall not be required to make application to or be examined by the Board. Nothing in this section however, shall be construed to exempt any home improvement contractor from the provisions of Section 4-67 of this division with respect to revocation of registration for cause.

ARTICLE VII - REGULATIONS APPLICABLE TO SEWERS
AND SEWAGE DISPOSAL GENERALLY.

Division 1. Generally.

Section 4-69. Refusal of Building Permit - when building contemplated cannot be served by sewer in street or septic tank on premises.

In order to preserve the public health, no permit shall be issued by the Building Official for the erection or construction of any building upon any lot fronting on any public or private street or passageway in which it is impossible to construct a gravity sanitary sewer system which will carry off the sewage from such building, or where it is impossible to install an individual sewage disposal system meeting the requirements of the rules and regulations of the State Department of Health governing septic tank systems, unless the owner of such lot can show to the satisfaction of the director of public works that proper sanitary facilities for sewage disposal can and will be provided.

Section 4-70. Drainage of Rain Water into Sanitary Sewer, Prohibited.

It shall be unlawful for any person to connect any roof, downspout, yard or walkway drain or any other drain carrying rain water into any building sewer or other sewer connected with any public sewer designed and constructed as a sanitary sewer only or into any sewer leading into any public sewer designed and constructed as a sanitary sewer only.

Division 2. Sewer Construction; Standards.

Section 4-71. Sewers Located On Private Property.

Sewers or sewer systems located on privately owned premises shall be constructed in accordance with the Virginia Uniform Statewide Building Code; provided however, that whenever such sewers or sewer systems are to be accepted by the County as part of the public sewer system, the construction standards specified by the Department of Public Works shall govern.

Section 4-72. Sewers Located On County Property.

Sewers or sewer systems located on property owned by the County or upon which the County has obtained an easement for the purpose of sewer construction or maintenance shall be constructed according to the standards specified by the Department of Public Works.

Section 4-73. Fixtures Installed Below Street Level.

Wherever plumbing fixtures are installed below the crown of the street in which is the public sewer to which such plumbing fixtures are connected, a backwater valve of a type acceptable under the Plumbing Code shall be installed. In addition, any Certificate of Occupancy issued under the provisions of the Building Code relating to any premises where such plumbing fixtures are installed shall, upon acceptance by the owner of such premises, constitute an acknowledgement that the County, having accepted the installation as in compliance with the Plumbing Code, makes no warranty or assurance in any manner whatsoever that the premises are in any way protected from any damage that may be caused by any flood or high water condition that may exist on public streets, where such condition could render such fixtures inoperable.

ARTICLE VIII - ENFORCEMENT

Division 1. Inspections

Section 4-74. Required Inspections; Building Code, Exceptions.

- A. In addition to the provisions of Section 111.0 of the BOCA Basic Building Code, a building inspector shall upon notification from the permit holder or his agent make the following inspections of buildings and such other inspections as may be necessary, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Building Code or other building regulations:
 - 1. Foundation Inspection: To be made after trenches are excavated and forms erected.
 - 2. Framing Inspection: To be made after the roof, all framing fire-blocking and bracing is in place and all pipes, chimney, and vents are complete.
 - 3. Final Inspection: To be made after the building is completed and ready for occupancy.
- B. No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first verifying that a building inspector has approved the work in place.
- C. No reinforcing steel, structural frame work, plumbing, electrical wiring, gas piping, standpipe or sprinkler system piping, ductwork, or required insulation or fire proofing material shall be covered or concealed in any manner whatsoever without first verifying that such work or materials have been inspected and approved by an inspector employed by the County authorized to perform such inspection, unless such inspection has been waived under the Controlled Materials Procedure established in Section 128.0 of the BOCA Basic Building Code.
- D. Any inspection required under this section may be waived by the Building Official under the following circumstances:
 - 1. Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Homes Safety Regulations, or
 - 2. Where prefabricated construction has been approved under the provisions of Section 1904.0 of the BOCA Basic Building Code, or
 - 3. Where farm buildings not used for residential purposes, or other buildings of a value less than two hundred dollars are being constructed outside of fire limits, or
 - 4. Where construction is exempted from the requirement for a Building Permit under Sections 4-11 and 4-12 of this chapter.

Section 4-75. Required Inspections; Plumbing Code.

- A. The inspections required under the provisions of Article 18 of the BOCA Basic Plumbing Code shall be performed by a plumbing inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the plumbing work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Plumbing Code or other building regulations.

- B. Completion of a final inspection of the plumbing system within a building shall not constitute final approval of such system where sanitary sewer or septic tank system connections have not been inspected and approved, or where the public sanitary sewer serving the premises has not been accepted for service by the Department of Public Works.
- C. Any inspection required under Article 18 of the BOCA Basic Plumbing Code may be waived by the Building Official under the following circumstances:
 - 1. Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, or
 - 2. Where prefabricated construction has been approved under the provisions of Section 1904.0 of the BOCA Basic Building Code, or
 - 3. Where in the judgement of the Chief Plumbing Inspector certain inspections are not necessary because of the scope and type of plumbing to be installed.

Section 4-76. Required Inspections; Electrical Code, Exceptions.

- A. Inspections of electrical work covered by the National Electrical Code required under this section shall be performed by an electrical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the electrical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Electrical Code or other building regulations.
- B. As a minimum the following inspections shall be required:
 - 1. Rough inspection: To be made after all wiring and electrical equipment that is to be covered or concealed has been installed.
 - 2. Final inspection: To be made after all electrical work is complete and ready to be connected to an electricity supply system.
- C. Additional inspections may be required by the Chief Electrical Inspector where in his judgement such inspections are necessary because of the scope or complexity of the electrical work to be installed.
- D. Any rough inspection required under this section may be waived by the Chief Electrical Inspector where in his judgement such inspection is not necessary because of the scope and type of electrical work to be installed.
- E. Inspections shall not be required of electrical work as may be installed without an electrical permit under the exemptions listed in Section 1505.1 of the BOCA Basic Building Code, or such electrical work as may be installed in industrialized building units, mobile homes, travel trailers, or recreational vehicles governed by the Virginia Industrialized Building Unit and Mobile Home Safety Regulations.

Section 4-77. Certificate of Inspection; Electrical Work.

- A. The Certificate of Inspection required by Section 1505.0 of the BOCA Basic Building Code shall be issued by the Chief Electrical Inspector or his authorized representative. One copy of such certificate shall be furnished to the permit holder and one copy shall be furnished to the Virginia Electric and Power Company.
- B. Whenever the Building Official shall grant permission for the temporary use of electric power under the provisions of Section 1504.0 of the BOCA Basic Building Code, the temporary Certificate of Inspection shall be furnished to the owner of the premises concerned and shall contain a specific condition and order that such temporary use shall not permit any occupancy whatsoever of any building or structure covered by such temporary certificate. Notice of the issue of such temporary certificate shall be given to the Virginia Electric and Power Company.

Section 4-78. Required Inspections; Mechanical Code, Exceptions.

- A. The inspections required under the provisions of Section M-115.0 of the BOCA Basic Mechanical Code or any inspections required under Section 1103.0 of the BOCA Basic Building Code shall be performed by a mechanical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the mechanical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Mechanical Code or other building regulations.
- B. A final inspection of any mechanical work to which gas service has been furnished in connection therewith, shall include a verification that an outside shut-off valve has been installed at or near a property line in accordance with Section 1129.5 of the BOCA Basic Building Code.
- C. Additional inspections may be required by a mechanical inspector where in his judgement such inspections are necessary because of the scope or complexity of the mechanical work to be installed.

Section 4-79. Certificate of Inspection; Gas Piping.

A mechanical inspector shall issue a Certificate of Inspection after a final inspection has determined that all gas piping on any premises has been found to be in compliance with the mechanical code or other building regulations. One copy of such certificate shall be furnished to the mechanical permit holder and one copy shall be furnished to the Virginia Electric and Power Company.

Section 4-80. Other Required Inspections.

The Building Official shall prescribe such other inspections as may be necessary to secure compliance with the Virginia Uniform Statewide Building Code, the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, the Zoning Ordinance of the Code of the County of James City, and such other regulations as shall properly fall within the enforcement responsibility of the Division of Building Inspection.

Section 4-81. Duty of Permit Holder to Arrange for Required Inspections.

It shall be the duty of every person to whom a permit has been issued under the several provisions of the Virginia Uniform Statewide Building Code to arrange for each inspection as may be required in this division. Such person may designate an agent in his employ to notify an appropriate inspector that

specific construction work is ready for inspection. Receipt of such notification or request for a specific type of inspection shall be taken to mean that such work to be inspected has been completed to the degree required for such inspection and that reasonable access to the work has been provided to the inspector.

Section 4-82. Additional Inspections; Service Charge.

Whenever the Chief Building Inspector, Chief Electrical Inspector, Chief Plumbing Inspector, or a mechanical inspector shall determine that inspections in addition to those required in this division are necessary owing to the failure of a contractor to properly correct faulty work, or where a contractor has requested an inspection before the work to be inspected has been completed to the degree required, or where the inspector cannot obtain reasonable access to the work to be inspected, he may assess a service charge of four dollars for each additional inspection visit. Such charge shall be chargeable to the holder of the permit covering such work and shall be paid to the County at the Division of Building Inspection prior to final approval of such work.

Division 2. Violations, Penalties.

Section 4-83. Virginia Uniform Statewide Building Code; Prosecution of Violations, Procedures.

The provisions of Section 122.2 of the BOCA Basic Building Code as amended in the 1974 Accumulative Supplement to the Virginia Uniform Statewide Building Code shall govern the prosecution of violations of said code as adopted in Section 4-3 of this chapter; provided however, that the Building Official or any person assigned to the Bureau of Building Inspection who has been appointed as a special police officer shall have the authority to serve a written notice of violation and to order the abatement of such violation. The Building Official or any such special police officer are each hereby granted the authority to issue a summons to the General District Court to any person in the County who shall fail to obey a lawful order contained in such notice of violation.

Section 4-84. Other Building and Zoning Regulations; Prosecution of Violations, Procedure.

The Building Official, Zoning Administrator, Chief Housing Inspector or any person assigned to the Bureau of Building Inspection who has been appointed as a special police officer and has been given the duty to enforce other building regulations set forth in this chapter, and the Zoning Ordinance set forth in the Code of the County of James City shall have the authority to serve a written notice of violation and to order the abatement of such violation. The said Building Official, Zoning Administrator, and special police officers are each hereby granted the authority to issue a summons to the General District Court to any person in the County who shall fail to obey a lawful order contained in such notice of violation.

Section 4-85. Violation Penalties.

- A. For the purpose of this section, the term Basic Code shall be taken to mean the Virginia Uniform Statewide Building Code as described in Part A of the 1974 Accumulative Supplement to the Virginia Uniform Statewide Building Code.
- B. Any person who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of the Basic Code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues shall be deemed a separate offense.

- C. Any person who shall violate a provision of this chapter, or the Zoning Ordinance or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this chapter or the Zoning Ordinance, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues shall be deemed a separate offense.
- D. Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than five hundred dollars (\$500.00).


Section 4-86. Abatement of Violation.

The imposition of the penalties herein prescribed shall not preclude the County Attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct business or use of a building or structure in or about any premises.

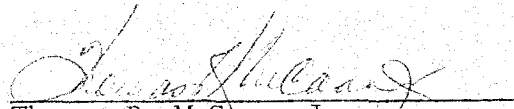
* * * * *

That Chapter 5 - Electricity, Chapter 8 - Gas, Chapter 14 - Plumbing, and Chapter 16, Sections 16-1 through 16-7 of the Code of the County of James City, be and the same are, hereby, repealed in their entirety.

An emergency is hereby declared to exist, and this ordinance shall be in full force and effect from the date of its adoption.


Jack D. Edwards, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


Thomas R. McCann, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 9th day of September, 1974, as an Emergency Ordinance.

September 9, 1974

6. REQUEST FOR A CONTRIBUTION TO "THE COMMON GLORY"

Mr. Rutledge spoke with the Board regarding the request for \$2,500 to help support "The Common Glory" for the coming year.

Mr. Frink moved the approval of the request for \$2,500 to support "The Common Glory" and to transfer fund from the Contingent Account (1850) to Contributions and Transfers (1830). The motion carried by a unanimous roll call vote.

7. FINAL PLAN APPROVAL OF SECTIONS F AND G, KINGSMILL PLANNED COMMUNITY.

Discussion followed.

Mr. Donaldson moved approval of Sections F and G, Kingsmill Planned Community with the waivers and conditions listed. The motion carried by a unanimous roll call vote.

Cul-de-sac lengths which exceed the 400' maximum length contained in the Subdivision Ordinance are permitted. The previously established 20' payment width is also permitted.

Prior to the recordation of the plat for these sections, the following items should be completed:

1. A final site plan submittal must be made to the Office of the County Administrator for review and approval by appropriate Department Heads.
2. A submittal must be made to the Office of the County Administrator consisting of (1) two recordation plat mylars and three prints; (2) community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. No plat should be released or approved for recording until all applicable standards and requirements of the Zoning Ordinance are met.
3. Lighting and signing must be in accordance with the overall lighting and signing programs for the community.
4. Monumentation must be as provided in Sections 4-20 and 4-30 of the Subdivision Ordinance.
5. 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 will be required to correct these problems with techniques approved by the County.

* * * * *

8. FINAL PLAN APPROVAL OF WINSTER FAX PHASE II, KINGSMILL PLANNED COMMUNITY.

Discussion followed.

Mr. Taylor moved approval of Winster Fax Phase II, Buildings 14 through 24, Kingsmill Planned Community, with waivers and conditions as listed. The motion carried by a unanimous roll call vote.

1. The cul-de-sac length of approximately 960' will be permitted only if the developer provides a crossing point for emergency vehicles at the end of the cul-de-sac adjacent to Mounts Bay Road.
2. Street width of 24' graded including 2' of curb and gutter will be permitted in accordance with previously approved streets.

Prior to recordation of the final plat for this project, the following should be submitted:

1. A final site plan submittal must be made to the Office of County Administrator for review and approval by appropriate Department Heads.
2. A submittal must be made to the Office of the County Administrator consisting of (1) two recordation plat mylars and three prints; (2) community association documentation as provided for in Section 7-11-3 of the Zoning Ordinance. No plat will be released or approved for recording until all applicable standards and requirements of the Zoning Ordinance are met.
3. Lighting and signing must be in accordance with the overall lighting and signing programs for the community.
4. Monumentation must be as provided in Sections 4-29 and 4-30 of the Subdivision Ordinance.
5. The County will reserve 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

September 9, 1974

the developer will be required to correct these problems with techniques approved by the County.

9. VACATION OF SEVERAL EASEMENTS SANITARY DISTRICT #2

A memorandum presented to the Board explained that as a result of line alterations and deletions during the Sanitary District #2 construction project that the attorney will be submitting deeds to allow the District to revert conveyance of previously acquired easements, now found to be unnecessary, back to the original grantors. So as not to unnecessarily restrict the development, sale, or other improvements to these properties, the District's Attorney recommended that these deeds be executed as they are made available to the County.

Mr. Taylor moved that the County Administrator and Chairman be authorized to sign the deeds of easements as they are presented to the administrator's office. The motion carried by a unanimous roll call vote.

10. DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE 1, IN GENERAL, SECTION 17-18, PERFORMANCE ASSURANCES.

The Board set the date of October 14, 1974 for a public hearing on the above captioned ordinance, at 7:30 P.M., Courthouse, Williamsburg, Virginia.

11. RECOMMENDATION FROM THE COUNTY ADMINISTRATOR CONCERNING COUNTY PARTICIPATION IN REGIONAL SOLID WASTE DISPOSAL SYSTEM.

Mr. McCann presented a memorandum listing his recommendations concerning a regional refuse disposal system. Discussion followed.

Mr. Donaldson moved to adopt the four points listed in the memorandum as the County's position re regional refuse disposal system to be conveyed to the Peninsula Planning District Commission. The motion carried by a majority roll call vote. Mr. Edwards voted no.

1. That James City County recognize and respect the necessity for regional cooperation with regard to this serious problem.
2. That James City County participate in the acquisition of landfill property at Cheatham Annex without making a guarantee of financial participation at this time (since the Cheatham Annex property may possibly be acquired at no cost).
3. That James City County explore with Williamsburg and York County the joint operation of refuse disposal area #2 and its possible separation from the overall regional system as now proposed.
4. That the County provide no guarantee of funding of the regional system until such time as our participation actually commences.

13. 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 August, 1974.

General Fund	Checks #855 through #1169 Totalling \$602,992.58
Sanitary District #1	Checks #207 & 208 Totalling \$5,830.80
Sanitary District #2	Checks #264 through #267 Totalling \$12,424.69
Sanitary District #3	Checks #112 through #114 Totalling \$16,661.96
Revenue Sharing Trust Fund	Check #117 Totalling \$5,384.00

September 9, 1974

Mr. Frink moved that the Board adjourn to executive session to discuss personnel matters. 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 NINTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

ALL PRESENT AS NOTED ABOVE

12. APPOINTMENT TO PENINSULA AGENCY ON AGING.

Mr. Donaldson moved to appoint Mr. John Macheck, Jr., 106 Stanley Drive, to the Board of Directors of the Peninsula Agency on Aging. The motion carried by a unanimous roll call vote.

THE MEETING WAS ADJOURNED TO RECONVENE SEPTEMBER 10, 1974, WITH THE PLANNING COMMISSION TO DISCUSS THE ECONOMIC BASE STUDY.

AT A JOINT MEETING OF THE BOARD OF SUPERVISORS AND THE PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan District - Absent
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

ALSO PRESENT

Members of the Planning Commission
Members of the Comprehensive Planning Committee

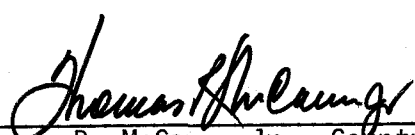
1. PRESENTATION OF ECONOMIC BASE STUDY PREPARED BY HAMMER, SILER, GEORGE, INC. OF WASHINGTON, D. C.

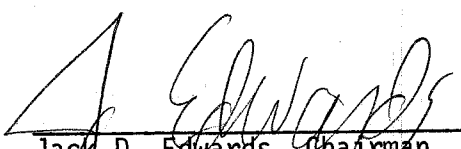
Mr. Robert Sherwood, Vice President, Hammer, Siler, George, Inc., presented the Economic Base Study which had been prepared by his firm to the members of the Board of Supervisors, the Planning Commission and the Comprehensive Planning Committee.

Mr. Sherwood excerpted various portions of the summary of the Economic Base Study and answered questions at the conclusion of his presentation.

On motion by Mr. Donaldson the report was accepted by the Board of Supervisors by a majority vote of the Board. Mr. Taylor voted no.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


Thomas R. McCann, Jr., County Administrator


Jack D. Edwards, Chairman

September 23, 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-THIRD DAY OF SEPTEMBER, 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. Wayland Bass, Director of Public Works
 Mr. Craig G. Covey, Assistant to the County Administrator
 Mr. Frank M. Morton III, County Attorney
 Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Frink moved the approval of the September 9 and 10, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

a. Secondary Roads Budget for Fiscal Year 74-75.

Mr. Rawley Yeatts, Resident Engineer, Virginia Department of Highways and Transportation presented each member of the Board with a copy of the Department's Secondary Roads Budget for Fiscal 74-75 for their review and comments at a later date.

b. Quarterpath Road

Mr. Yeatts discussed with the Board the request from Busch Properties to abandon a portion of Rt. 637 south of 199 by the Highway Department. He indicated he would return to the Board after the Virginia Department of Highways determined if this property would be needed for future construction. If this property is not needed then the Board would need to take necessary steps for abandonment.

c. Brick Bat Road signs

After resolutions are received by the VDH, the department will hold a public hearing.

d. Centerville Road - Forest Glenn speed limit

Virginia Department of Highways reduced speed to 45 mph.

e. Route 658 open?

Will be open in about a month.

f. Mr. Yeatts extended his appreciation for the assistance he received from Mr. Covey and Mr. Watkins.

4. ERRONEOUS ASSESSMENT - ADAM S. AND APRIL K. WEIL

Mr. Donaldson moved that the recommendation of the County Attorney be approved for the payment of an erroneous real estate assessment to Adam S. and April K. Weil, and a transfer of funds in the amount of \$351.60 be made from Contingent Fund (1850) to Miscellaneous Expenses (1840). The motion carried by a unanimous roll call vote.

5. DATE FOR PUBLIC HEARING FOR REZONING CASE #Z-2-74, GREEN SPRING WOODS PLANNED COMMUNITY, REZONING OF 1,492 ACRES FROM A-1 TO R-4.

Mr. Donaldson moved that the above captioned item be advertised for public hearing to be held on October 14, at 7:30 P.M. in the Courthouse, Williamsburg, Va. The motion carried by a unanimous roll call vote.

September 23, 1974

6. DATE FOR PUBLIC HEARING ON ORDINANCE TO AMEND THE STATEWIDE BUILDING CODE; ADOPTION OF BOCA BASIC MECHANICAL CODE, PLUMBING CODE, ONE AND TWO FAMILY DWELLING CODE, NATIONAL ELECTRIC CODE AND ELECTRICAL CODE FOR ONE AND TWO FAMILY DWELLINGS, ADOPTED AS AN EMERGENCY ORDINANCE ON SEPTEMBER 9, 1974.

Mr. Donaldson moved that the above captioned item be advertised for public hearing to be held on October 14, 1974, at 7:30 P.M. in the Courthouse, Williamsburg, Va. The motion carried by a unanimous roll call vote.

7. APPOINTMENT TO PLANNING COMMISSION

Action deferred until after executive session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

8. 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 September, 1974.

General Fund	Checks #1170 thru 1345 Totalling \$140,820.81
Sanitary District #1	Check #209 Totalling \$1,197.22
Sanitary District #2	Checks #268 thru 271 Totalling \$23,300.26
Sanitary District #3	Checks #115 thru 118 Totalling \$16,916.00
James City Co. General Obligation Bonds - Water 1970	Check #126 Totalling \$5,082.74
James City Co. Revenue Sharing Trust Fund	Checks #118 thru #120 Totalling \$547.00

9. LEGISLATIVE PROGRAM FOR 1975

Mr. Edwards moved that resolutions be prepared by the County Administrator on the following legislation and forwarded to the Virginia Association of Counties indicating James City County's position for the 1975 legislative program.

a. Admissions Taxes Enabling Legislation

To enable localities to impose an admission tax on all entertainment activities.

General Discussion.

Motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING STATE LEGISLATION TO EXTEND THE PROVISIONS OF SECTION 58-404.2 (ADMISSIONS TAXES) OF THE CODE OF THE STATE OF VIRGINIA TO ALL COUNTIES.

BE IT RESOLVED, by the Board of Supervisors of James City County that the Virginia Association of Counties include in its legislative program for 1974, a request for a bill which would extend the right to establish an admissions tax to all the Counties of Virginia as it is now extended to Arlington and Fairfax Counties, in Section 58-404.2 of the Virginia State Code.

b. Accommodations Tax for Transients

To enable localities to impose an accommodations tax on hotel and motel rooms.

General Discussion.

Motion carried by a majority roll call vote. Mr. Taylor voted no.

September 23, 1974

RESOLUTION

RESOLUTION REQUESTING STATE LEGISLATION TO EXTEND THE PROVISIONS OF SECTION 58-76.1 (TRANSIENT OCCUPANCY TAX) OF THE CODE OF THE STATE OF VIRGINIA TO ALL COUNTIES.

BE IT RESOLVED, by the Board of Supervisors of James City County that the Virginia Association of Counties include in its legislative program for 1974, a request for a bill which would extend the right to establish an admissions tax to all the Counties of Virginia as it is now extended to Arlington and Fairfax Counties, in Section 58-404.2 of the Virginia State Code.

c. Zoning - Contractural

To amend 15.1-491(a), to permit all Counties to use this contractural zoning as a part of their zoning ordinances.

General Discussion.

Motion carried by a majority roll call vote.

RESOLUTION

RESOLUTION REQUESTING AN AMENDMENT TO 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.

WHEREAS, the 1973 session of the General Assemble enacted Section 15.1-491(1) which permits contractural 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 device as a part of their zoning ordinances.

d. Tax on disposable beverage containers

To request the enactment of State legislation permitting or mandating a tax on disposable beverage containers.

General Discussion.

Motion was denied by a majority roll call vote. Messrs. Waltrip, Frink, Donaldson and Taylor voted no.

Mr. Donaldson moved that the Board adjourn into executive session to consider applications to the Planning Commission and to reconvene to announce the appointment.


AT A RECONVENED MEETING TO THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, ON THE TWENTY-THIRD DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

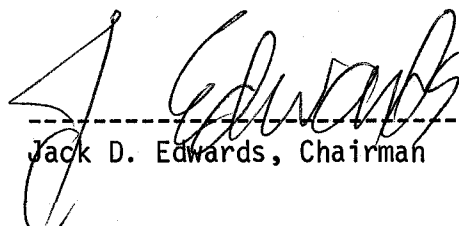
PRESENT: AS NOTED ABOVE.

7. APPOINTMENT TO PLANNING COMMISSION

Mr. Donaldson moved to appoint Mr. Carl Adamo as a member of the Planning Commission, to fill the unexpired term of Mrs. C. Fuqua (1/15/76). The motion carried by a unanimous roll call vote.

THE MEETING WAS RECESSED UNTIL FRIDAY, SEPTEMBER 27, 1974, AT 3:30 P.M., AT THE COURTHOUSE, WILLIAMSBURG, VIRGINIA.


Thomas R. McCann, Jr., County Administrator


Jack D. Edwards, Chairman

October 14, 1974
September 27, 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 TWENTY-SEVENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

1. ROLL CALL

Mr. Jack D. Edwards, Chairman, Berkeley District
Mr. Mayo W. Waltrip, ViceChairman, 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. Donaldson moved that the Board adjourn into executive session.

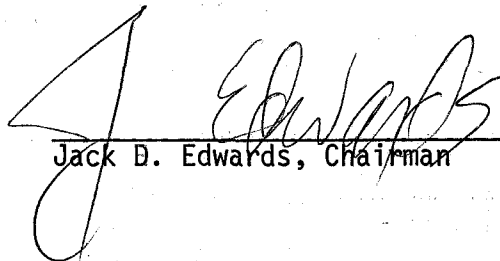
The motion carried by a unanimous roll call vote.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, ON THE TWENTY-SEVENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

PRESENT: Same as above.

Mr. Donaldson moved that the meeting be adjourned until the Board's Worksession on October 1, 1974. The motion carried by a unanimous roll call vote.


Thomas R. McCann, Jr., County Administrator


Jack D. Edwards, Chairman

(Note: Meeting of October 1, 1974 cancelled.)

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 OCTOBER, 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. John W. Watkins, Assistant to the County Administrator
Mr. Wayland Bass, Director of Public Works
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 September 23 and 27, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - Case #Z-2-74. Application by C. H. Anderson, United Virginia Bank of Williamsburg, Trustee of Green Springs Trust, for rezoning of property at the intersection of Rt. 5 and Rt. 614 between Powhatan Creek and Rt. 613 along the north side of Rt. 5 from Agriculture, General District A-1 to Residential Planned Community, District R-4.

The Chairman opened the public hearing.

Mr. C. Harper Anderson representing Green Spings Trust, introduced Mr. John Gist of Oblinger & Smith Corp., a planning consulting firm, who explained the impact statement for the planned development and showed a preliminary master plan of the development.

October 14, 1974

Mr. Bill Kelso, of the Virginia Historical Landmarks Commission, questioned if the developers had taken into account the several archeological sites on the property.

Mr. Gatling replied that it was the developers intent to take into consideration the sites as the program progresses.

The Chairman closed the public hearing.

The Board discussed in great length the impact of this development on Rt. 614 and Rt. 5 and the type of housing to be offered by the developers.

Mr. Waltrip moved that the Board accept the recommendation of the Planning Commission to rezone the property from A-1 to residential planned community R-4 withholding final approval of the master plan until the Planning Commission has given its recommendation to the Board.

Further discussion followed.

Mr. Waltrip withdrew his motion.

The Board was in unanimous agreement to table this rezoning until a recommendation from the Planning Commission is received with regard to the Master Plan for this community, and until the County Administrator and staff has an opportunity to review and make a recommendation to the Board.

4. PUBLIC HEARING - AN ORDINANCE TO REPEAL CHAPTER 4, BUILDINGS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, AND TO REORDAIN THE CHAPTER AS CHAPTER 4, BUILDING REGULATIONS, BY ADOPTING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITH CERTAIN AMENDMENTS DELETIONS AND ADDITIONS THERETO.

The Chairman opened the public hearing.

There being no discussion, the public hearing was closed.

Mr. Donaldson moved the approval of the captioned ordinance. The motion carried by a majority roll call vote. Mr. Taylor voted no.

(ORDINANCE 81)

(See Page 26)

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ORDINANCE NO. 81

AN ORDINANCE TO REPEAL CHAPTER 4, BUILDINGS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, AND TO REORDAIN THE CHAPTER AS CHAPTER 4, BUILDING REGULATIONS, BY ADOPTING THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITH CERTAIN AMENDMENTS, DELETIONS AND ADDITIONS THERETO.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 4, Buildings, of the Code of the County of James City be and the same is, hereby, repealed and the same is, hereby, reordained as Chapter 4, Building Regulations, by adopting the Virginia Uniform Statewide Building Code with certain amendments, deletions and additions thereto, as follows:

CHAPTER 4

BUILDING REGULATIONS

Article I. Virginia Uniform Statewide Building Code.¹

Division 1. Generally.

Section 4-1. Purpose of Article.

In order to preserve and secure the health, safety and general welfare of the citizens of the County and to assure the proper construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings and structures and their service equipment within the County, the enactment of this article is deemed necessary.

Section 4-2. Conflict of Article With Certain Ordinances.

Ordinances or parts thereof in force at the time this article shall take effect and inconsistent with this article are hereby repealed; provided, however, that Chapter 20, Zoning, of this Code shall in no way be nullified by the provisions of this article except as may be specifically required by the provisions of the Virginia Uniform Statewide Building Code as hereinafter adopted.

Section 4-3. Adoption; Admendmentments.

There is hereby adopted by reference in the County of James City that certain code known as the Virginia Uniform Statewide Building Code and including the 1974 Accumulative Supplement thereto, and the whole thereof and the same is hereby incorporated herein as fully as if set out in length. The provisions of said Code shall take effect on September 9, 1974, and shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of all buildings, and all other functions which pertain to the installation of systems vital to all buildings and structures and their service equipment as defined by said Code, and shall apply to all existing and proposed buildings or structures in the County of James City, provided that certain sections and subsections of said Code are amended as follows:

A. BOCA Basic Building Code/1970

1. Wherever the parenthetical phrase "name of municipality" shall be found, the words "County of James City" shall be substituted therefor.

¹As to establishment and mandatory application of the Virginia Uniform Statewide Building Codes, see Code of Virginia, 1950, as amended, Chapter 36.

2. Wherever the parenthetical phrase "date of adoption of this code" shall be found, the words and numbers "September 1, 1974" shall be substituted therefor.
3. Add the following in Section 201, as amended, after the definition of Municipality, County of James City.

B. BOCA Basic Mechanical Code/1971.

1. Wherever the parenthetical phrase "name of municipality" shall be found, the words "County of James City" shall be substituted therefor.
2. Wherever the parenthetical phrase "date of adoption of this code" shall be found, the words and numbers "September 1, 1974" shall be substituted therefor.
3. The term "administrative authority" defined in Section M-201.0 and wherever else found shall be taken to mean the Building Official.

C. BOCA Basic Plumbing Code/1970.

1. The words and numbers "September 1, 1974" shall be inserted in the space provided in Section P-102.0.
2. The term "administrative authority" defined in Section P-201.0 and wherever else found shall be taken to mean the Building Official.

D. One and Two Family Dwelling Code/1971.

1. Table No. 2-A in Section R-202 is amended by adding the following underlined words and numbers under each of the column headings as follows:

Roof Live Load	lbs. per sq. ft.	<u>20</u>
Roof Snow Load	lbs. per sq. ft.	<u>10</u>
Wind Velocity in	lbs. per sq. ft.	<u>25</u>
Seismic Condition by Zone		<u>1</u>
Subject to damage from:		
	Frost line depth	<u>Yes - 8 inches</u>
Subject to damage from:		
	Termite	<u>Yes</u>
	Decay	<u>Yes</u>

E. National Electrical Code 1971 and Electrical Code for One and Two Family Dwellings.

1. The term "administrative authority" contained in Article 90-7 and wherever else found shall be taken to mean the Building Official.

Section 4-4. When and Where Copies May Be Obtained.

Copies of the Virginia Uniform Statewide Building Code are available to members of the public in the office of the State Board of Housing in accordance with Section 36-104, Code of Virginia, 1950, as amended. Copies of the publications adopted herein shall be offered for sale when available at the Department of Building Inspection during regular business hours.

Division 2. Fire Districts.

Section 4-5. Establishment.

In accordance with the provisions of Section 301.0 of the BOCA Basic Building Code adopted herein, there are hereby established limiting districts designated Fire District No. 1 and Outside Fire Limits within the jurisdictional boundaries of the County.

Section 4-6. Fire District No. 1; Limits.

The limits of Fire District No. 1 are described as all land contained within those areas designated as Business, General, District B-1; Business, Tourist Entry District, B-2; Industrial, Limited, District M-1 and Industrial, General, District M-2, as established in Chapter 20, Zoning, of this code.

Section 4-7. Outside Fire Limits.

All land within the jurisdictional boundaries of the County except that land contained in Fire District No. 1.

Division 3. Administration.

Section 4-8. Permit Fees.

Permit fees are hereby established in accordance with the provisions of Section 118.0, as amended, of the Virginia Uniform Statewide Building Code, as follows:

A. Building Permits.

1. The minimum fee for any building permit shall be \$4.00.
2. For the construction of any building or addition thereto where the floor area is increased, and for the installation or erection of any industrialized building unit, the fee shall be based on the floor area to be constructed as computed from exterior building dimensions at each floor. As to any residential building, any enclosed carport, porch or stoop when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation. The fee shall be at the rate of \$0.04 per square foot of floor area for the first 2,000 square feet, \$0.03 per square foot for additional floor area from 2,001 to 30,000 square feet, and \$0.02 per square foot for all other additional floor area in excess of 30,000 square feet.
3. For the alteration or repair of any building or structure, or for the construction or erection of piers, bulkheads, exterior walls or fences, towers, swimming pools, or other structures or things, the fee shall be at the rate of four-tenths of one percent of the current value of all service, labor and materials.
4. For the demolition or razing of any building or structure having a floor area greater than 250 square feet the fee shall be \$5.00. No fee shall be charged for a permit to raze a building with a floor area of 250 square feet or less.
5. For the erection, placement or removal of a building or structure in part or in whole from one location to another, or in or out of the city, or to a new location within the same lot or parcel of land, the fee shall be at the rate of three cents (\$0.03) per square foot of gross floor area.

6. For any reinspection the fee shall be \$4.00.

B. Plumbing Permits.

1. The minimum fee for any plumbing permit shall be \$4.00.
2. For the installation of each plumbing fixture the fee shall be \$2.00.
3. For the installation of the water distribution system in each building the fee shall be \$2.00.
4. For the connection of any building drain to a public or private sanitary sewage disposal system the fee shall be \$2.00.

C. Electrical Permits.

1. The minimum fee for any electrical permit shall be \$4.00.
2. For the installation of each electrical service panel in new construction the fee shall be determined from the rated size of the panel in amperes as follows:

30-60 amps	-	\$10.00
100 amps	-	\$15.00
150 amps	-	\$20.00
200 amps	-	\$25.00

Over 200 amps - \$25.00 plus \$5.00 for each additional 50 amperes or fraction thereof.

3. For increasing the size of the electrical service to any building or structure, the fee shall be \$15.00 for service up to and including 200 amperes or \$15.00 plus \$5.00 for each 50 amperes or fraction thereof over 200 amperes.
4. For the addition to any existing electrical installation the fee shall be based on the number of outlets to be installed at the following rates:

1-25 outlets	-	\$ 4.00
26-50 outlets	-	\$ 8.00
51-100 outlets	-	\$12.00
101-200 outlets	-	\$16.00
over 200 outlets	-	\$16.00 plus \$0.05 for each outlet over 200.

5. For the installation of fixed appliances and/or associated electrical connections or outlets the fee shall be \$1.00 for each electric range, range top, oven, water heater, dishwasher, garbage disposal, furnace, clothes dryer, baseboard heating unit, or exhaust fan.

D. Mechanical Permits.

1. For the installation of mechanical systems or equipment in new construction the fee shall be at the rate of two tenths of one percent of the current value of all service, labor, materials, and equipment; provided however that the minimum fee shall be \$10.00.
2. For the replacement, repair, or alteration of mechanical systems or equipment in existing buildings or structures, the fee shall be at the rate of two tenths of one percent of the value of all service, labor, materials, and equipment; provided however that the minimum fee shall be \$4.00.

E. Sign Permits.

1. For the erection, alteration or repair of any sign or outdoor advertising display the fee shall be one dollar (\$1.00) per square foot of surface area. Area shall be computed in accordance with the Zoning Ordinance, Section 12-14-1 (b), Gross Sign Area.

Section 4-9. Refund of Permit Fees; Service Charge.

The Building Official shall authorize the refunding of any permit fee upon application by the person or corporation who paid such fee under the following conditions:

- A. If the work authorized by the permit has not been started and no inspections have been made, the permit fee less a service charge of \$5.00 shall be refunded.
- B. If the work authorized by the permit has been started and inspections have been made, the permit fee less a service and inspection charge of \$10.00 shall be refunded, unless the permit fee is \$10.00 or less in which case no refund shall be made.
- C. No permit fee of a value of \$5.00 or less shall be refunded.

Section 4-10. Exemption From Permit Fee.

Where the owner of any premises is the United States of America, the Commonwealth of Virginia, the County of James City, or instrumentalities thereof, the payment of any permit fee established in Section 4-8 is hereby waived.

ARTICLE II - SUPPLEMENTARY REGULATIONS

Section 4-11. Ordinary Repairs and Minor Construction; Limitations.

- A. The exemption of ordinary repairs from the building permit requirement contained in Section 102 and 113 of the Building Code shall pertain only to the owner of any building or premises and shall not apply to any contractor or sub-contractor engaged by the owner to perform such repairs.
- B. The replacement of more than 25 percent of any roofing or siding on any building shall not be considered as ordinary repairs.

Section 4-12. Minor Construction; Exempt from Building Permit Requirement.

Minor construction, the cost of which is \$200.00 or less, shall be exempt from the permit requirements of Section 113 of the Building Code. Such exemption shall not however have the effect of waiving any working stresses or fire resistive requirements specifically covered in the Building Code or violating accepted engineering practice involving public safety.

Section 4-13. Authority to Connect Building to a Supply of Electricity or Gas.

It shall be unlawful for any public utility company holding a franchise granted by the County to furnish electricity or gas to make or permit to be made any connections with its electric or gas supply lines to any building unless such electrical or gas piping installation in such building has been inspected and a Certificate of Inspection has been issued.

Section 4-14. Disconnection of a Supply of Electricity or Gas; Authority.

- A. In case of fire, natural disaster, or other emergency the Building Official or his authorized representative, or any officer of the Division of Police or Division of Fire shall have the authority to order a public utility company to disconnect its electric or gas supply lines to any building or premises.
- B. If any existing electrical wiring or equipment in or upon any building or premises in the County is found hazardous, defective, or unsafe by any electrical inspector he shall give a written notice to the property owner enumerating the deficiencies and stating the time allowed to correct the electrical system. If upon reinspection at the end of the stated time period the electrical system has not been corrected, the electrical inspector shall order the electrical service to be disconnected under the authority contained in this section. Such order shall not bar any prosecution for failing to comply with a lawful order to correct the electrical system. Should the electrical service be disconnected pursuant to this section, the owner shall have such electrical system inspected prior to the power being reconnected.
- C. If any existing consumer's gas piping or gas burning equipment in or upon any building or premises in the County is found hazardous, defective, or unsafe by any mechanical inspector he shall give a written notice to the property owner enumerating the deficiencies and stating the time allowed to correct the gas system. If upon reinspection at the end of the stated time period the gas system has not been corrected, the mechanical inspector shall order the gas service to be disconnected under the authority contained in this section. Such order shall not bar any prosecution for failing to comply with a lawful order to correct the gas system. Should the gas service be disconnected pursuant to this section, the owner shall have such gas system inspected prior to the gas service being reconnected.

Section 4-15. Public Utility to Disconnect Premises on Order.

It shall be the duty of the public utility company holding a franchise granted by the County to disconnect any building or premises from its electrical or gas supply lines upon an order issued under the provisions of Section 4-14 of this chapter. It shall be the further duty of such company to have a competent employee on duty at all times who shall promptly proceed to disconnect electrical or gas services upon issuance of such order.

Section 4-16. Gas Shut-off Valves; Waiver on Location.

The location of the outside gas shut-off valve required in Section 1129.5 of the BOCA Basic Building Code may be varied by the Director of Public Works due to unusual conditions. Such waiver shall be in written form and shall be given to the public utility supplying gas service and to the Chief of the Division of Fire.

Section 4-17. Signs Overhanging Public Right-of-Way; Liability Insurance Required.

It shall be unlawful for any person to erect or maintain any sign overhanging any sidewalk, street, or other public right-of-way unless he shall file and maintain with the Building Official evidence of public liability insurance covering the existence of such sign. Such insurance shall have liability limits for bodily injury not less than \$100,000 for each person, \$200,000 for each accident, and \$25,000 for property damage and shall indemnify and save harmless the County, as an additionally insured party, from any and all damages, judgments, costs or expense from which the County may incur or suffer by reason of granting a permit in connection with the erection, alteration, maintenance, repair, removal, or existence of such sign. It shall be the duty of the owner of any premises upon which such sign is located to notify the Building Official of any change, expiration, renewal, or claim that shall occur with respect to such insurance.

Section 4-18. Public Utility Company; Electrical Installations Exempted From Code.

In conformance with Section 1500.11, 1505.12, and 1505.13 of the BOCA Basic Building Code, the Special Permission stated in Article 90-2 (c) of the National Electrical Code is hereby granted to the Virginia Electric and Power Company so long as a franchise granted by the County to supply electricity within the County remains in effect.

ARTICLE III - BOARD OF APPEALS

Section 4-19. Establishment.

There is hereby established a Board of Appeals as provided for in Section 127.0 of the BOCA Basic Building Code, the same being part of the Virginia Uniform Statewide Building Code adopted in Article I of this chapter.

Section 4-20. Appointment of Members.

Members appointed to the Building Board of Adjustments and Appeals in office prior to the effective date of this ordinance shall remain in office with the Board of Appeals until his term of office shall expire. Subsequent appointments and reappointments shall be made under the provisions of Section 127.2 of the BOCA Basic Building Code with respect to term of office and qualifications of members, provided however that no member shall be appointed for more than two consecutive five (5) year terms.

Section 4-21. Jurisdiction of the Board.

The jurisdiction of the Board in acting on any appeal shall include the entire scope of the Virginia Uniform Statewide Building Code, as the same may be amended, and as adopted in Article I of this chapter. The Board shall also act on any appeal specifically provided for in such other building regulations as may be established in the Code of James City County.

ARTICLE IV - BOARD OF ELECTRICAL EXAMINERS

Section 4-22. Establishment; Appointment of Members.

There is hereby established a Board of Electrical Examiners which shall consist of five members. Such board shall be composed of one electrical contractor registered by the State Registration Board for Contractors, one Master Electrician, one Journeyman Electrician, one representative from the public, and the Chief Electrical Inspector. Appointed members of the Electrical Board of Appeals, Review, and Examiners in office prior to the effective date of this ordinance shall remain in office with the Board of Electrical Examiners until his term of office shall expire.

Section 4-23. Term of Office.

At such time as the term of office of each member previously appointed to the Electrical Board of Appeals, Review, and Examiners shall expire, initial appointments to the Board of Electrical Examiners shall be made as follows:

- A. One member for a term of one year.
- B. Two members for a term of two years.
- C. One member for a term of three years.

Subsequently, members shall be appointed or reappointed for terms of three years; provided however that no member shall serve more than two three year terms on the Board of Electrical Examiners or more than a total of ten years on the previous Electrical Board of Appeals, Review, and Examiners in combination with any service on the Board of Electrical Examiners, and further provided however that the term of office for the Chief Electrical Inspector shall be concurrent with his appointment to that position.

Section 4-24. Jurisdiction of the Board.

The Board of Electrical Examiners is hereby empowered to examine applicants for certification as electricians in accordance with the regulations set forth in this Article. The Board shall exercise its authority within such limitations as may be now or hereafter established by the State Board of Housing in promulgation of the Virginia Uniform Statewide Building Code.

Section 4-25. Procedure; Duties of the Board.

- A. The Board shall elect a Chairman and a Secretary who shall serve for the term to which they were appointed to the Board. Re-elections shall be held whenever a member elected as Chairman or Secretary shall be reappointed to the Board or whenever a vacancy shall occur.
- B. The Board shall meet not less than once each month to administer examinations and to grant or deny Certificates of Qualification. Three members of the Board shall constitute a quorum to act on any application or examination for certification.
- C. The Chairman shall have the duty to coordinate and consult with the County Attorney on matters of interpretation of regulations promulgated by the State Board of Housing as may pertain to the certification, examination, qualification, licensing, or registration of electricians.

- D. The Secretary shall have the duty to record the proceedings of the Board to include attendance of members at each meeting and action taken on each application for certification. The record shall indicate the numerical score assigned to each examination paper graded by the Board as well as the numerical score required for granting a particular class of certification. The record of proceedings shall be authenticated by the Chairman within five days after any meeting and a copy shall be posted in a public place in the office of the Division of Building Inspection.
- E. The Board shall have the authority to coordinate with like Boards established in other political subdivisions of the State for the purpose of arranging reciprocal agreements on the mutual acceptance of certificates of qualification as electricians as evidence of qualification in lieu of written examination. The records of any such reciprocal agreement shall be maintained on file and a report shall be made to the County Administrator at the time such agreement is reached.

Section 4-26. Administrative Support.

- A. The Building Official shall provide clerical support to the Board within personnel and budgetary limits.
- B. Members of the Board shall be authorized to perform official travel as passengers in any County vehicle assigned to the Division of Building Inspection.

ARTICLE V - BOARD OF PLUMBING EXAMINERS

Section 4-27. Establishment; Appointment of Members.

There is hereby established a Board of Plumbing Examiners which shall consist of five members. Such Board shall be composed of one plumbing contractor registered by the State Registration Board for Contractors, one Master Plumber, one Journeyman Plumber, one representative from the health department, and the Chief Plumbing Inspector. Appointed members of the Plumbing and Gas Board of Appeals, Review, and Examiners in office prior to the effective date of this ordinance shall remain in office with the Board of Plumbing Examiners until his term of office shall expire.

Section 4-28. Term of Office.

At such time as the term of office of each member previously appointed to the Plumbing and Gas Board of Appeals, Review, and Examiners shall expire, initial appointments to the Board of Plumbing Examiners shall be made as follows:

- A. One member for a term of one year.
- B. Two members for a term of two years.
- C. One member for a term of three years.

Subsequently, members shall be appointed or reappointed for terms of three years; provided however that no member shall serve more than two three year terms on the Board of Plumbing Examiners or more than a total of ten years on the previous Plumbing and Gas Board of Appeals, Review, and Examiners in combination with any service on the Board of Plumbing Examiners, and further provided however that the term of office for the Chief Plumbing Inspector shall be concurrent with his appointment to that position.

Section 4-29. Jurisdiction of the Board.

The Board of Plumbing Examiners is hereby empowered to examine applicants for certification as plumbers in accordance with the regulations set forth in this Article. The Board shall exercise its authority within such limitations as may be now or hereafter established by the State Board of Housing in promulgation of the Virginia Uniform Statewide Building Code.

Section 4-30. Procedure; Duties of the Board.

- A. The Board shall elect a Chairman and a Secretary who shall serve for the term to which they were appointed to the Board. Re-elections shall be held whenever a member elected as Chairman or Secretary shall be reappointed to the Board or whenever a vacancy shall occur.
- B. The Board shall meet not less than once each month to administer examinations and to grant or deny Certificates of Qualification. Three members of the Board shall constitute a quorum to act on any application or examination for certification.
- C. The Chairman shall have the duty to coordinate and consult with the County Attorney on matters of interpretation of regulations promulgated by the State Board of Housing as may pertain to the certification, examination, qualification, licensing, or registration of plumbers.
- D. The Secretary shall have the duty to record the proceedings of the Board to include attendance of members at each meeting and action taken on each application for certification. The record shall

indicate the numerical score assigned to each examination paper graded by the Board as well as the numerical score required for granting a particular class of certification. The record of proceedings shall be authenticated by the Chairman within five days after any meeting and a copy shall be posted in a public place in the office of the Division of Building Inspection.

- E. The Board shall have the authority to coordinate with like Boards established in other political subdivisions of the State for the purpose of arranging reciprocal agreements on the mutual acceptance of certificates of qualification as plumbers as evidence of qualification in lieu of written examination. The records of any such reciprocal agreement shall be maintained on file and a report shall be made to the County Administrator at the time such agreement is reached.

Section 4-31. Administrative Support.

- A. The Building Official shall provide clerical support to the Board within personnel and budgetary limits.
- B. Members of the Board shall be authorized to perform official travel as passengers in any County vehicle assigned to the Division of Building Inspection.

ARTICLE VI - REGISTRATION AND QUALIFICATION OF
CONTRACTORS AND TRADESMEN.

Division 1. Registration of Contractors

Section 4-32. Application for Building Permit by Agent; Registration as a Prerequisite.

Any person who shall apply for a building permit as an agent of the owner in fee or lessee of the building or structure concerned shall first register with the Division of Building Inspection as provided in this article; provided however that an architect or engineer registered under the laws of the Commonwealth of Virginia regulating the practice of architecture or engineering when employed in connection with the proposed work shall be exempt from the provisions of this article.

Section 4-33. Initial Registration; Information Required.

It shall be the duty of every contractor, builder, or subcontractor who desires to make contracts for the erection, construction, alteration, addition or repair of buildings, structures, or service equipment located therein on any premises located in the County to maintain a registration with the Division of Building Inspection. Such registration shall be maintained in a current status and shall be recorded on a form provided by the Division of Building inspection. Information required to be recorded shall include:

- A. Name of the contractor including proprietary or corporate identification if any.
- B. Current business address and telephone number.
- C. Jurisdiction in the Commonwealth of Virginia in which a current business license has been issued.
- D. Registration number issued by the State Registration Board for Contractors if any.
- E. Type or class of contract services to be performed.
- F. Names of persons authorized to apply for and obtain permits for the contractor.
- G. Names of persons holding current Certificates of Qualification as a Master Electrician or as a Master Plumber or as a qualified pipelayer to include the jurisdiction in which such person was examined for qualification.
- H. Name and address of bonding company, surety, or public liability insurance company and agent where applicable as a prerequisite to obtaining permits from the County.

Section 4-34. Expiration of registration; Invalidation.

The registration of any contractor shall automatically expire and become invalid on December 31st of any year in which such contractor has not obtained a permit to perform work within the County. The Building Official shall have the power to declare invalid any registration of any contractor at any such time that he shall determine:

- A. That there exists a false statement or misrepresentation as to a material fact in the application upon which such registration was based, or
- B. That a contractor has permitted his business license, State registration as a contractor, bond, or public liability insurance to expire or otherwise become invalid, or
- C. That a contractor has failed to maintain his cash bond in the prescribed amount.

Section 4-35. Annual Renewal of Registration.

It shall be the duty of every contractor who desires to remain registered under the provisions of this article to renew his registration each year during the month of January. Such renewal shall consist of the amending, correcting, or updating of all information contained in his initial application for registration, and certifying to the correctness of the same. The failure of any contractor to accomplish such renewal shall be sufficient reason for the Building Official to deny the issuance of permits to such contractor until such renewal is accomplished.

Section 4-36. Registration Fees.

There are hereby established the following fees to be paid by each applicant for registration or renewal of registration:

- A. For initial registration \$5.00
- B. For each annual renewal of registration \$1.00
- C. For reinstatement of an expired or invalidated registration the fee shall be the same as initial registration.

Section 4-37. Effective Date; Processing Applications In Advance.

The provisions of this division regulating contractor registration shall become effective on January 1, 1975. The Building Official shall however make available to the public such forms as may be required to accomplish such registration for a period of not less than 90 days before the effective date and he shall accept and process such forms upon request prior to the effective date.

Division 2. Electricians.

Section 4-38. Certified Electricians; Defined, Classes.

- A. For the purposes of this chapter the term certified electrician shall be taken to mean a natural person to whom:
 - 1. a current Certificate of Qualification as an electrician has been granted by the Board of Electrical Examiners of the County, or
 - 2. a current certificate of qualification or equivalent has been granted by a political subdivision of the State with which the Board has established a reciprocal agreement on qualification of electricians, provided that such certificate has been endorsed and recorded in the office of the Division of Building Inspection.
- B. For the purpose of this chapter there shall be three classes of Certificates of Qualification for electricians:
 - 1. Master Electricians
 - 2. Journeyman Electricians
 - 3. Maintenance Electricians

Section 4-39. Authority to Perform Electrical Work; General.

Any person who has been granted a Certificate of Qualification as an electrician shall have the right to perform electrical work within the County provided that such person shall comply with all regulations, limitations, or conditions herein established in connection with the granting or renewal of such certificate. It shall be unlawful for any person to perform electrical work within the County unless he shall first have been found qualified by the Board

of Electrical Examiners and shall have been granted a current Certificate of Qualification, unless such person shall be specifically exempted therefrom under the provisions of this division.

Section 4-40. Exemptions; Non-certified Electricians.

Electricians not holding a current Certificate of Qualification granted by the Board of Electrical Examiners may perform electrical work within the scope of their employment under the following circumstances:

- A. When working under the personal supervision of a Master electrician, or
- B. When performing electrical or related work not covered by the National Electrical Code in its current edition, or
- C. When performing electrical work located in or upon any public right-of-way or easement where such work is under the direction, supervision or control of a Master electrician in the employ of the County, or
- D. When performing electrical work under the direction, supervision or control of a public utility or public service corporation for which a Special Permission has been herein granted under the provisions of Article 90-3 of the National Electrical Code as adopted in this chapter.

Section 4-41. Electrical Wiring; Installation by Homeowner.

Nothing in this article shall be construed to prevent the owner of any single family dwelling from performing additions, alterations, or repairs to the electrical wiring in the dwelling in which he resides; provided however, that such owner shall first successfully complete an examination demonstrating his knowledge of and familiarity with the Electrical Code and good wiring practice, and further provided that an electrical permit shall be obtained and such wiring shall be approved by an electrical inspector upon completion. For the purposes of this section, the term wiring shall not include any service entrance conductors. The examination required by this section shall be given without charge and shall be administered weekly by the Chief Electrical Inspector or his representative.

Section 4-42. Certificate of Qualification; Application, Requirements, Examination, Re-examination, Fees.

- A. Every person desiring to obtain a Certificate of Qualification as an electrician shall make written application to the Board of Electrical Examiners on forms to be supplied by the Building Official.
- B. All written examinations shall be based on the National Electrical Code as included in the Virginia Uniform Statewide Building Code and the provisions of this chapter as pertains to electrical work. The examination for Master Electrician shall also examine the applicant's ability to lay out and plan electrical work, his knowledge of physics, mechanics, and mathematics insofar as they apply to electrical design and construction, and his general fitness to supervise and direct the installation of electrical work.
- C. Any applicant for a Certificate of Qualification who shall fail to achieve a passing score on a written examination may after payment of the examination fee be re-examined within the same calendar year. No applicant, however, shall take the written examination more than twice in the same calendar year.

D. Each applicant for a Certificate of Qualification as an electrician shall pay an examination fee at the time he submits his application. Examination fees shall be:

1. Master Electrician \$25.00
2. Journeyman Electrician \$10.00
3. Maintenance Electrician \$10.00

Section 4-43. Certificate of Qualification; Term, Renewal, Lapse, Reinstatement, Fees.

The initial certificate of qualification for any person shall become valid on the day it is issued. Thereafter, every certificate of qualification shall expire and become invalid on the first day of January of any year, but may be renewed for a period of one year within 30 days thereafter upon application for renewal and payment of renewal fees. Applications for renewal may be made not earlier than sixty (60) days prior to the expiration date and shall be accompanied by a certificate renewal fee of ten dollars (\$10.00) for Master Electrician or five dollars (\$5.00) for Journeyman and Maintenance Electricians. Any certificate having become invalid because of a failure to apply for renewal within the time prescribed shall be considered abandoned and the person to whom such certificate was issued shall not be recertified unless he shall first be examined as provided for in this chapter or shall be granted a waiver from such examination by the Board of Electrical Examiners; provided however that reinstatement of a certificate issued under any reciprocity agreements established by the said Board shall be permitted after a lapse of not more than three years upon payment of the fee established for renewal of a certificate.

Section 4-44. Certificate of Qualification; Transfer, Loss, Display.

No Certificate of Qualification as an electrician shall be transferred, loaned, or used for any purpose whatsoever except by the person to whom such certificate has been issued. It shall be the duty of each certified electrician to have his certificate in his possession whenever he shall perform any electrical work in the County and to permit an electrical inspector to examine such certificate upon request. It shall also be the duty of each certified electrician to promptly report the loss of his certificate and to apply for a duplicate.

Section 4-45. Rights of Persons Holding Certificates of Qualification From Other Locations; Reciprocity.

Any certified electrician holding a current certificate of qualification or equivalent from another political subdivision of the state in which the requirements for certification are of a standard satisfactory to the Board of Electrical Examiners, shall not be required to complete a written examination to qualify for the same class of certificate provided for in this division; provided however, that reciprocal privileges be granted to persons holding certificates issued by the Board for this County. Waiver of such written examination shall not be construed as an exemption from the requirement to make application, to pay an examination fee, or to comply with all other provisions of this chapter.

Section 4-46. Certificate of Qualification; Suspension, Revocation.

- A. The Chief Electrical Inspector shall have the power to temporarily suspend the certificate of any electrician found to have installed electrical work in an unsafe or dangerous manner. Such suspension shall continue in force until such electrical work has been corrected and brought into compliance with the National Electrical Code. Any such suspension shall be reported by the Chief Electrical Inspector to the Board of Electrical Examiners.

- B. The Board of Electrical Examiners shall have the power to revoke any Certificate of Qualification granted by such Board when, after a hearing, it shall determine by an affirmative vote of not less than three members that the holder of such certificate is not qualified to supervise or perform electrical work by reason of negligence, or inability to understand and comply with the technical provisions of the National Electrical Code. The Board shall also have the power to revoke any Certificate of Qualification when it shall determine that the application upon which such certificate was based contains any false statement or misrepresentation as to a material fact.

Section 4-47. Employment of Person not Certified Master Electrician to do Electrical Work.

It shall be unlawful for any owner, lessee, agent or any person having any authority or duty in connection with any building or premises knowingly to employ or hire any person, firm, or corporation to perform any electrical work in or upon such building or premises unless such person, firm, or corporation is a State Registered electrical contractor, certified Master Electrician, or certified maintenance electrician or qualifies for an exemption as a non-certified electrician under the provisions of this division.

Section 4-48. Registration of Address by Certified Master Electrician.

Every person holding a current Certificate of Qualification as a Master Electrician shall maintain his current address and the name of his current employer if any, on file with the Chief Electrical Inspector. It shall be the duty of such Master Electrician to report any change of address or employer within five days of such change.

Division 3. Plumbers.

Section 4-49. Certified Plumbers; Defined, Classes; Plumbing, Defined.

- A. For the purposes of this chapter the term certified plumbers shall be taken to mean a natural person to whom:
1. a current Certificate of Qualification as a plumber has been granted by the Board of Plumbing Examiners of the County, or
 2. a current certificate of qualification or equivalent has been granted by a political subdivision of the State with which the Board has established a reciprocal agreement on qualification of plumbers, provided that such certificate has been endorsed and recorded in the office of the Division of Building Inspection.
- B. For the purpose of this chapter there shall be three classes of Certificate of Qualification for plumbers:
1. Master Plumbers
 2. Journeyman Plumbers
 3. Maintenance Plumbers
- C. Under Section P-201.0, Definitions of Plumbing Terms, of the BOCA Basic Plumbing Code, the term "plumbing" shall be amended to read as follows:

The practice, materials, and fixtures used in the installation, maintenance, extension, and alteration of all piping, fixtures, plumbing appliances, and plumbing appurtenances in connection with any of the following: Sanitary drainage or storm drainage facilities and venting systems and the public or private water supply systems, within any building structure, or conveyance.

This definition covers the extension of such lines described above to their connection with any point of public disposal or other acceptable terminal.

Not included in this definition are installations of gas piping; chilled water piping in connection with refrigeration, process and comfort cooling; hot water piping in connection with building heating; and piping for fire sprinklers and standpipes.

Section 4-50. Authority to Perform Plumbing Work; General.

Any person who has been granted a Certificate of Qualification as a plumber shall have the right to perform plumbing within the County provided that such person shall comply with all regulations, limitations, or conditions herein established in connection with the granting or renewal of such certificate. It shall be unlawful for any person to perform plumbing within the County unless he shall first have been found qualified by the Board of Plumbing Examiners and shall have been granted a current Certificate of Qualification, unless such person shall be specifically exempted therefrom under the provisions of this division.

Section 4-51. Exemptions: Non-Certified Plumbers.

Plumbers not holding a current Certificate of Qualification granted by the Board of Plumbing Examiners may perform plumbing within the scope of their employment under the following circumstances:

- A. When working under the personal supervision of a Master plumber, or
- B. When performing work specifically excluded from the term Plumbing as defined in the BOCA Basic Plumbing Code as currently incorporated in the Virginia Uniform Statewide Building Code, or
- C. When performing plumbing work located in or upon any public right-of-way or easement where such work is under the direction, supervision, or control of a Master Plumber in the employ of the County.

Section 4-52. Plumbing and Gas Piping; Installation by Homeowner.

Nothing in this chapter shall be construed to prevent the owner of any single family dwelling from performing additions, alterations, or repairs to the plumbing system or house gas piping, or to install a plumbing fixture or gas appliance in the dwelling in which he resides; provided however, that such owner shall first successfully complete an examination demonstrating his knowledge of and familiarity with the Plumbing or Mechanical Code as applicable, accepted engineering practice and the hazards involved. It is further provided that such owner shall obtain all required permits and shall make all required tests of the completed work before approval of the work is granted by a plumbing or mechanical inspector. No such plumbing or gas piping installation shall be put into service prior to final approval by such inspector. The examination required by this section shall be given without charge and shall be administered weekly by the Chief Plumbing Inspector or his representative.

Section 4-53. Certificate of Qualification; Application Requirements, Examination, Re-Examination, Fees.

- A. Every person desiring to obtain a Certificate of Qualification as a plumber shall make written application to the Board of Plumbing Examiners on forms to be supplied by the Building Official.

- B. All written examinations shall be based on the BOCA Basic Plumbing Code as incorporated in the Virginia Uniform Statewide Building Code and the provisions of this chapter as pertains to plumbing. The examination for Master Plumber shall also examine the applicant's ability to lay out and plan plumbing construction, his knowledge of physics, hydraulics, and mathematics insofar as they apply to plumbing design and construction, and his general fitness to supervise and direct the installation of plumbing work.
- C. Any applicant for a Certificate of Qualification who shall fail to achieve a passing score on a written examination may after payment of the examination fee be re-examined within the same calendar year. No applicant however shall take the written examination more than twice in the same calendar year.
- D. Each applicant for a Certificate of Qualification as a plumber shall pay an examination fee at the time he submits his application. Examinations fees shall be:
 - 1. Master Plumber \$25.00
 - 2. Journeyman Plumber \$10.00
 - 3. Maintenance Plumber \$10.00

Section 4-54. Certificate of Qualification; Term, Renewal, Lapse, Reinstatement, Fees.

The initial certificate of qualification for any person shall become valid on the day it is issued. Thereafter, every certificate of qualification shall expire and become invalid on the first day of January of any year, but may be renewed for a period of one year within 30 days thereafter upon application for renewal and payment of renewal fees. Applications for renewal may be made not earlier than sixty (60) days prior to the expiration date and shall be accompanied by a certificate renewal fee of ten dollars (\$10.00) for Master Plumber or five dollars (\$5.00) for Journeyman and Maintenance Plumbers. Any certificate having become invalid because of a failure to apply for renewal within the time prescribed shall be considered abandoned and the person to whom such certificate was issued shall not be recertified unless he shall first be examined as provided for in this chapter or shall be granted a waiver from such examination by the Board of Plumbing Examiners; provided however that reinstatement of a certificate issued under any reciprocity agreements established by the said Board shall be permitted after a lapse of not more than three years upon payment of the fee established for renewal of a certificate.

Section 4-55. Certificate of Qualification; Transfer, Loss, Display.

No Certificate of Qualification as a plumber shall be transferred, loaned, or used for any purpose whatsoever except by the person to whom such certificate has been issued. It shall be the duty of each certified plumber to have his certificate in his possession whenever he shall perform any plumbing in the County and to permit a plumbing inspector to examine such certificate upon request. It shall also be the duty of each certified plumber to promptly report the loss of this certificate and to apply for a duplicate.

Section 4-56. Rights of Persons Holding Certificates of Qualification From Other Locations; Reciprocity.

Any certified plumber holding a current certificate of qualification or equivalent from another political subdivision of the state in which the requirements for certification are of a standard satisfactory to the Board of Plumbing Examiners, shall not be required to complete a written examination to qualify for the same class of certification provided for in this division; provided however, that reciprocal privileges be granted to persons holding certificates

issued by the Board for this County. Waiver of such written examination shall not be construed as an exemption from the requirement to make application, to pay an examination fee, or to comply with all other provisions of this chapter.

Section 4-57. Certificate of Qualification; Suspension, Revocation.

- A. The Chief Plumbing Inspector shall have the power to temporarily suspend the certificate of any plumber found to have installed plumbing in an unsafe or dangerous manner. Such suspension shall continue in force until such plumbing has been corrected and brought into compliance with the BOCA Basic Plumbing Code. Any such suspension shall be reported by the Chief Plumbing Inspector to the Board of Plumbing Examiners.
- B. The Board of Plumbing Examiners shall have the power to revoke any Certificate of Qualification granted by such Board when, after a hearing, it shall determine by an affirmative vote of not less than three members that the holder of such certificate is not qualified to supervise or perform plumbing by reason of negligency, or inability to understand and comply with the technical provisions of the BOCA Basic Plumbing Code. The Board shall also have the power to revoke any Certificate of Qualification when it shall determine that the application upon which such certificate was based contains any false statement or misrepresentation as to a material fact.

Section 4-58. Employment of Person not Certified Master Plumber to do Plumbing.

It shall be unlawful for any owner, lessee, agent or any person having any authority or duty in connection with any building knowingly to employ or hire any person, firm, or corporation to perform any plumbing in such building unless such person, firm, or corporation is a State Registered plumber contractor, certified Master plumber, or qualifies for an exemption as a non-certified plumber under the provisions of this division.

Section 4-59. Registration of Address by Certified Master Plumber.

Every person holding a current Certificate of Qualification as a Master Plumber shall maintain his current address and the name of his current employer if any, on file with the Chief Plumbing Inspector. It shall be the duty of such Master Plumber to report any change of address or employer within five days of such change.

Division 4. Sewer System Contractors.

Section 4-60. Sewers, Sewer Systems, Septic Tank Systems Defined.

- A. For the purpose of this chapter the term sewer shall include those sewers termed private sewer, sanitary sewer, storm sewer, and building sewer as defined in the BOCA Basic Plumbing Code.
- B. For the purposes of this chapter the term Septic Tank System shall be taken to mean the same as that term is used in the Rules and Regulations Governing the Disposal of Sewage promulgated by the State Department of Health.

Section 4-61. Installation of Sewers and Sewer Systems on Private Property; Contractor Qualification.

- A. Every contractor currently registered by the State Registration Board for Contractors as a Public Utilities Contractor or as a Specialty Contractor in those fields normally including the installation of sewers and sewer systems shall be considered qualified to obtain permits and to install sewers and sewer systems on private property within the County.
- B. Every plumbing contractor currently registered by the Division of Building Inspection in accordance with the provisions of this article shall be considered qualified to obtain permits and to install sewers and sewer systems on private property within the County.
- C. Any building contractor or any other contractor who specializes in the installation of building sewers or storm sewers shall be considered qualified to obtain permits and to install or repair such sewers that serve one or two family dwellings and where the size of such sewers is not greater than four inches; provided however, that such contractor shall cause any such sewer pipe to be laid by a qualified pipelayer or a certified Journeyman Plumber.

Section 4-62. Reserved.

Section 4-63. Septic Tank System Contractor; Registration, Examination.

- A. Every contractor currently registered by the State Registration Board for Contractors and listed as a septic tank system contractor or equivalent shall be considered qualified to obtain permits and to install or repair such systems within the County.
- B. Every plumbing contractor currently registered by the Division of Building Inspection in accordance with the provisions of this article shall be considered qualified to obtain permits and to install septic tank systems within the County.

- C. Any contractor not otherwise qualified under the provisions of this section may apply for a certificate of registration from the Board of Plumbing Examiners. The Board shall have the authority to examine each applicant as to his knowledge of the rules and regulations of the State Board of Health and accepted engineering practices as pertains to septic tank systems. There shall be no examination fee charged, but the registration fee provided for in Section 4-36 shall be paid at the time of initial registration.
- D. Any contractor specializing in the installation of septic tank systems who shall have been registered in the County prior to the effective date of this ordinance shall be exempted from the initial examination and certification requirements of this section.

Division 5. Home Improvement Contractors.

Section 4-64. Board of Appeals; Authority to Determine Qualifications of Home Improvement Contractors.

The Board of Appeals, as established in Article III of this Chapter is hereby authorized to examine applicants for registration as home improvement contractors within the County. Such examination shall be for the purpose of determining the qualifications of such applicants as to his ability and proficiency to conduct the business of home improvement contracting in conformance with the Building Code, the provisions of this chapter, and in accordance with normally accepted business and professional standards common to the building construction industry. For the purpose of this section the business of home improvement shall mean the contracting for and/or providing material and labor for repairs, improvements, and additions to and construction of residential buildings and structures accessory theretowhere any payment of money or other thing of value is required prior to the completing of the work to be performed.

Section 4-65. Qualification a Prerequisite to Registration of Home Improvement Contractors.

Every person who desires to register as a home improvement contractor shall first make application to and be examined by the Board of Appeals as to his qualifications. Every applicant shall furnish evidence of his ability, quality of work, and reputation for carrying out obligations; his financial responsibility; and his reputation for payment of labor and material bills. Such evidence in the form of letters of recommendation; affidavits, or other relevant documents shall accompany each application. Application shall be made at the office of the Division of Building Inspection and shall be accepted upon payment of a filing fee of ten dollars (\$10.00). Nothing in this section however, shall be construed to require a contractor currently registered under Section 54-129, Code of Virginia, also known as the Virginia Contractor Registration Law, to be examined by the Board as a prerequisite to registration under the provisions of Article VI of this chapter.

Section 4-66. Board Examination Procedure; Decisions;

The Board of Appeals shall convene upon call of the Chairman within 15 days after notification by the Building Official that an application for examination has been filed; provided however, that the Board shall not be convened more often than once each month for the sole purpose of conducting such examinations. Every applicant shall appear before the Board to make a presentation in support of his application. The Board, having considered each application and the evidence furnished therewith shall approve or disapprove each application and cause its findings and the reasons therefor to be sent to the applicant and to the Building Official.

Section 4-67. Registration May Be Revoked for Cause; Complaint Procedure; Appeal.

Whenever the Building Official shall receive a written sworn complaint concerning the qualification of any home improvement contractor he shall promptly forward the same with a report of investigation attached thereto to the Board of Appeals. The Board, at its next meeting, or within 30 days after receipt of such complaint, whichever is earlier, shall after a hearing determine whether such contractor, the respondent, meets the qualifications established in Section 4-65. A determination that such contractor is found not qualified shall be reported to the Building Official who shall cancel the registration recorded under the provisions of Article VI of this chapter. The Board, in making such determination shall hear any person who desires to speak for or in the behalf of either the complainant or the respondent. Written notice of the Board's action and the record of its proceedings pertaining thereto shall be furnished to the respondent. The decision of the Board shall be final, subject, however to such remedy as any aggrieved party might have at law or in equity.

Section 4-68. Established Home Improvement Contractors; Waiver of Examination.

Any contractor registered as a home improvement contractor or general contractor in the business of making contracts for home improvements at the time this ordinance becomes effective, shall be considered as having met the qualifications established therein and shall not be required to make application to or be examined by the Board. Nothing in this section however, shall be construed to exempt any home improvement contractor from the provisions of Section 4-67 of this division with respect to revocation of registration for cause.

ARTICLE VII - REGULATIONS APPLICABLE TO SEWERS
AND SEWAGE DISPOSAL GENERALLY.

Division 1. Generally.

Section 4-69. Refusal of Building Permit - when building contemplated cannot be served by sewer in street or septic tank on premises.

In order to preserve the public health, no permit shall be issued by the Building Official for the erection or construction of any building upon any lot fronting on any public or private street or passageway in which it is impossible to construct a gravity sanitary sewer system which will carry off the sewage from such building, or where it is impossible to install an individual sewage disposal system meeting the requirements of the rules and regulations of the State Department of Health governing septic tank systems, unless the owner of such lot can show to the satisfaction of the director of public works that proper sanitary facilities for sewage disposal can and will be provided.

Section 4-70. Drainage of Rain Water into Sanitary Sewer, Prohibited.

It shall be unlawful for any person to connect any roof, downspout, yard or walkway drain or any other drain carrying rain water into any building sewer or other sewer connected with any public sewer designed and constructed as a sanitary sewer only or into any sewer leading into any public sewer designed and constructed as a sanitary sewer only.

Division 2. Sewer Construction; Standards.

Section 4-71. Sewers Located On Private Property.

Sewers or sewer systems located on privately owned premises shall be constructed in accordance with the Virginia Uniform Statewide Building Code; provided however, that whenever such sewers or sewer systems are to be accepted by the County as part of the public sewer system, the construction standards specified by the Department of Public Works shall govern.

Section 4-72. Sewers Located On County Property.

Sewers or sewer systems located on property owned by the County or upon which the County has obtained an easement for the purpose of sewer construction or maintenance shall be constructed according to the standards specified by the Department of Public Works.

Section 4-73. Fixtures Installed Below Street Level.

Wherever plumbing fixtures are installed below the crown of the street in which is the public sewer to which such plumbing fixtures are connected, a backwater valve of a type acceptable under the Plumbing Code shall be installed. In addition, any Certificate of Occupancy issued under the provisions of the Building Code relating to any premises where such plumbing fixtures are installed shall, upon acceptance by the owner of such premises, constitute an acknowledgement that the County, having accepted the installation as in compliance with the Plumbing Code, makes no warranty or assurance in any manner whatsoever that the premises are in any way protected from any damage that may be caused by any flood or high water condition that may exist on public streets, where such condition could render such fixtures inoperable.

ARTICLE VIII - ENFORCEMENT

Division 1. Inspections

Section 4-74. Required Inspections; Building Code, Exceptions.

- A. In addition to the provisions of Section 111.0 of the BOCA Basic Building Code, a building inspector shall upon notification from the permit holder or his agent make the following inspections of buildings and such other inspections as may be necessary, and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Building Code or other building regulations:
 - 1. Foundation Inspection: To be made after trenches are excavated and forms erected.
 - 2. Framing Inspection: To be made after the roof, all framing fire-blocking and bracing is in place and all pipes, chimney, and vents are complete.
 - 3. Final Inspection: To be made after the building is completed and ready for occupancy.
- B. No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first verifying that a building inspector has approved the work in place.
- C. No reinforcing steel, structural frame work, plumbing, electrical wiring, gas piping, standpipe or sprinkler system piping, ductwork, or required insulation or fire proofing material shall be covered or concealed in any manner whatsoever without first verifying that such work or materials have been inspected and approved by an inspector employed by the County authorized to perform such inspection, unless such inspection has been waived under the Controlled Materials Procedure established in Section 128.0 of the BOCA Basic Building Code.
- D. Any inspection required under this section may be waived by the Building Official under the following circumstances:
 - 1. Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Homes Safety Regulations, or
 - 2. Where prefabricated construction has been approved under the provisions of Section 1904.0 of the BOCA Basic Building Code, or
 - 3. Where farm buildings not used for residential purposes, or other buildings of a value less than two hundred dollars are being constructed outside of fire limits, or
 - 4. Where construction is exempted from the requirement for a Building Permit under Sections 4-11 and 4-12 of this chapter.

Section 4-75. Required Inspections; Plumbing Code.

- A. The inspections required under the provisions of Article 18 of the BOCA Basic Plumbing Code shall be performed by a plumbing inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the plumbing work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Plumbing Code or other building regulations.

- B. Completion of a final inspection of the plumbing system within a building shall not constitute final approval of such system where sanitary sewer or septic tank system connections have not been inspected and approved, or where the public sanitary sewer serving the premises has not been accepted for service by the Department of Public Works.
- C. Any inspection required under Article 18 of the BOCA Basic Plumbing Code may be waived by the Building Official under the following circumstances:
 - 1. Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, or
 - 2. Where prefabricated construction has been approved under the provisions of Section 1904.0 of the BOCA Basic Building Code, or
 - 3. Where in the judgement of the Chief Plumbing Inspector certain inspections are not necessary because of the scope and type of plumbing to be installed.

Section 4-76. Required Inspections; Electrical Code, Exceptions.

- A. Inspections of electrical work covered by the National Electrical Code required under this section shall be performed by an electrical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the electrical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Electrical Code or other building regulations.
- B. As a minimum the following inspections shall be required:
 - 1. Rough inspection: To be made after all wiring and electrical equipment that is to be covered or concealed has been installed.
 - 2. Final inspection: To be made after all electrical work is complete and ready to be connected to an electricity supply system.
- C. Additional inspections may be required by the Chief Electrical Inspector where in his judgement such inspections are necessary because of the scope or complexity of the electrical work to be installed.
- D. Any rough inspection required under this section may be waived by the Chief Electrical Inspector where in his judgement such inspection is not necessary because of the scope and type of electrical work to be installed.
- E. Inspections shall not be required of electrical work as may be installed without an electrical permit under the exemptions listed in Section 1505.1 of the BOCA Basic Building Code, or such electrical work as may be installed in industrialized building units, mobile homes, travel trailers, or recreational vehicles governed by the Virginia Industrialized Building Unit and Mobile Home Safety Regulations.

Section 4-77. Certificate of Inspection; Electrical Work.

- A. The Certificate of Inspection required by Section 1505.0 of the BOCA Basic Building Code shall be issued by the Chief Electrical Inspector or his authorized representative. One copy of such certificate shall be furnished to the permit holder and one copy shall be furnished to the Virginia Electric and Power Company.
- B. Whenever the Building Official shall grant permission for the temporary use of electric power under the provisions of Section 1504.0 of the BOCA Basic Building Code, the temporary Certificate of Inspection shall be furnished to the owner of the premises concerned and shall contain a specific condition and order that such temporary use shall not permit any occupancy whatsoever of any building or structure covered by such temporary certificate. Notice of the issue of such temporary certificate shall be given to the Virginia Electric and Power Company.

Section 4-78. Required Inspections; Mechanical Code, Exceptions.

- A. The inspections required under the provisions of Section M-115.0 of the BOCA Basic Mechanical Code or any inspections required under Section 1103.0 of the BOCA Basic Building Code shall be performed by a mechanical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the mechanical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Mechanical Code or other building regulations.
- B. A final inspection of any mechanical work to which gas service has been furnished in connection therewith, shall include a verification that an outside shut-off valve has been installed at or near a property line in accordance with Section 1129.5 of the BOCA Basic Building Code.
- C. Additional inspections may be required by a mechanical inspector where in his judgement such inspections are necessary because of the scope or complexity of the mechanical work to be installed.

Section 4-79. Certificate of Inspection; Gas Piping.

A mechanical inspector shall issue a Certificate of Inspection after a final inspection has determined that all gas piping on any premises has been found to be in compliance with the mechanical code or other building regulations. One copy of such certificate shall be furnished to the mechanical permit holder and one copy shall be furnished to the Virginia Electric and Power Company.

Section 4-80. Other Required Inspections.

The Building Official shall prescribe such other inspections as may be necessary to secure compliance with the Virginia Uniform Statewide Building Code, the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, the Zoning Ordinance of the Code of the County of James City, and such other regulations as shall properly fall within the enforcement responsibility of the Division of Building Inspection.

Section 4-81. Duty of Permit Holder to Arrange for Required Inspections.

It shall be the duty of every person to whom a permit has been issued under the several provisions of the Virginia Uniform Statewide Building Code to arrange for each inspection as may be required in this division. Such person may designate an agent in his employ to notify an appropriate inspector that

specific construction work is ready for inspection. Receipt of such notification or request for a specific type of inspection shall be taken to mean that such work to be inspected has been completed to the degree required for such inspection and that reasonable access to the work has been provided to the inspector.

Section 4-82. Additional Inspections; Service Charge.

Whenever the Chief Building Inspector, Chief Electrical Inspector, Chief Plumbing Inspector, or a mechanical inspector shall determine that inspections in addition to those required in this division are necessary owing to the failure of a contractor to properly correct faulty work, or where a contractor has requested an inspection before the work to be inspected has been completed to the degree required, or where the inspector cannot obtain reasonable access to the work to be inspected, he may assess a service charge of four dollars for each additional inspection visit. Such charge shall be chargeable to the holder of the permit covering such work and shall be paid to the County at the Division of Building Inspection prior to final approval of such work.

Division 2. Violations, Penalties.

Section 4-83. Virginia Uniform Statewide Building Code; Prosecution of Violations, Procedures.

The provisions of Section 122.2 of the BOCA Basic Building Code as amended in the 1974 Accumulative Supplement to the Virginia Uniform Statewide Building Code shall govern the prosecution of violations of said code as adopted in Section 4-3 of this chapter; provided however, that the Building Official or any person assigned to the Bureau of Building Inspection who has been appointed as a special police officer shall have the authority to serve a written notice of violation and to order the abatement of such violation. The Building Official or any such special police officer are each hereby granted the authority to issue a summons to the General District Court to any person in the County who shall fail to obey a lawful order contained in such notice of violation.

Section 4-84. Other Building and Zoning Regulations; Prosecution of Violations, Procedure.

The Building Official, Zoning Administrator, Chief Housing Inspector or any person assigned to the Bureau of Building Inspection who has been appointed as a special police officer and has been given the duty to enforce other building regulations set forth in this chapter, and the Zoning Ordinance set forth in the Code of the County of James City shall have the authority to serve a written notice of violation and to order the abatement of such violation. The said Building Official, Zoning Administrator, and special police officers are each hereby granted the authority to issue a summons to the General District Court to any person in the County who shall fail to obey a lawful order contained in such notice of violation.

Section 4-85. Violation Penalties.

- A. For the purpose of this section, the term Basic Code shall be taken to mean the Virginia Uniform Statewide Building Code as described in Part A of the 1974 Accumulative Supplement to the Virginia Uniform Statewide Building Code.
- B. Any person who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of the Basic Code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues shall be deemed a separate offense.

- C. Any person who shall violate a provision of this chapter, or the Zoning Ordinance or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Building Official, or of a permit or certificate issued under the provisions of this chapter or the Zoning Ordinance, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues shall be deemed a separate offense.
- D. Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than five hundred dollars (\$500.00).

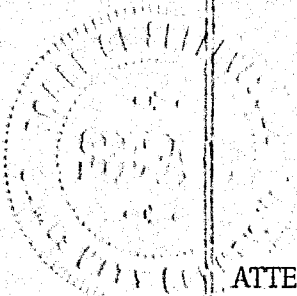
Section 4-86. Abatement of Violation.

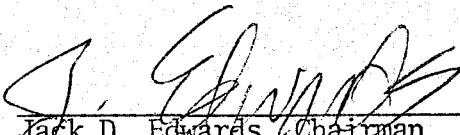
The imposition of the penalties herein prescribed shall not preclude the County Attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises or to stop an illegal act, conduct business or use of a building or structure in or about any premises.

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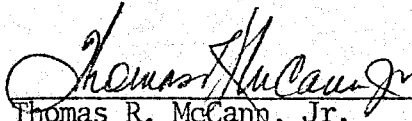
That Chapter 5 - Electricity, Chapter 8 - Gas, Chapter 14 - Plumbing, and Chapter 16, Sections 16-1 through 16-7 of the Code of the County of James City, be and the same are, hereby, repealed in their entirety.

An emergency is hereby declared to exist, and this ordinance shall be in full force and effect from the date of its adoption.




Jack D. Edwards, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


Thomas R. McCann, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 14th day of October, 1974.

October 14, 1974

5. PUBLIC HEARING - AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 17-18, PERFORMANCE ASSURANCES.

Mr. Morton, County Attorney, discussed this ordinance with the Board. He explained that the Agreement and the Bond forms are standard types, recognized in most jurisdictions, and needed here in the County.

The Chairman opened the public hearing.

There being no discussion the public hearing was closed.

Mr. Donaldson moved the adoption of the captioned ordinance. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NO. 30A-4

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 17-18, PERFORMANCE ASSURANCE.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 17, Subdivisions, of the Code of the County of James City, Article I, In General, be and the Same is, hereby, amended and reordained by amending Section 17-18, Performance Assurance, to read as follows:

Section 17-18. Performance Assurance.

In lieu of actual completion of the improvements required by the regulations set forth in this chapter, the owner shall enter into an agreement with the County of James City and shall furnish to the County a certified check, bond with surety satisfactory to the County or a letter of credit in an amount equal to the incompleted required improvements. Such documents shall be provided prior to the approval by the agent of the subdivision plat. The form of agreement and type of bond shall be approved by the County Attorney. The amount of bond and designated length of time of completion of the required improvements shall be fixed by the Director of Public Works or his authorized designee.

This ordinance shall be in full force and effect from the day of its adoption.

6. VETERAN'S DAY HOLIDAY AND CHANGE OF DATE FOR BOARD MEETING

Mr. Frink moved to approve the County Administrator's recommendation setting the date of October 28th, 1974, as Veteran's Day and moving the Board of Supervisor's regular meeting day back from October 28 to Friday, October 25 at 3:00 P.M. The motion carried by a unanimous roll call vote.

7. DATE FOR PUBLIC HEARING ON ENVIRONMENTAL IMPACT ASSESSMENT FOR SANITARY DISTRICT #3.

The Board unanimously agreed to advertise for public hearing on November 25, 1974, the Environmental Impact Assessment for Sanitary District #3.

8. APPOINTMENT TO PENINSULA COMPREHENSIVE HEALTH PLANNING COUNCIL.

Tabled for executive session at end of meeting.

9. APPOINTMENT TO WETLANDS BOARD

Tabled for executive session at end of meeting.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

10. RESOLUTION RE RURAL HIGHWAY PUBLIC TRANSPORTATION DEMONSTRATION PROGRAM.

Mr. Frink moved approval of the resolution to the Federal Highway Administration relating to the captioned project. The motion carried by a unanimous roll call vote.

October 14, 1974

RESOLUTION

WHEREAS, James City County has few transit services which are available to the general public; and

WHEREAS, the inability to travel often presents a hardship to low and moderate income persons, the elderly, the handicapped and the public at large as they attempt to obtain needed public services, employment, commercial services, etc., and

WHEREAS, a rural highway public transportation demonstration program under Section 14 of the Federal-Aid Highway Act of 1973 offers the potential of establishing a workable transit system to better serve County residents and alleviate this need.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that an application to the Federal Highway Administration under this program has our support and should be prepared and forwarded.

11. MEETING WITH JOINT SCHOOL BOARDS

Mr. Watkins, Assistant to the County Administrator, informed the Board of the desire of the School Boards to meet with them and City Council on October 22 at 3:00 P.M. to discuss their upcoming school budget. The Board of Supervisors agreed to meet at that time.

* * * *

Mr. Donaldson moved that the Board adjourn into executive session to consider appointments and such other personnel matters to be brought back to the meeting when it reconvenes.

* * * *

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS ON THE FOURTEENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-FOUR.

PRESENT AS NOTED ABOVE.

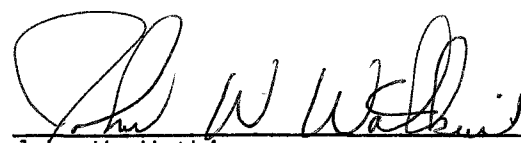
8. APPOINTMENT TO PENINSULA COMPREHENSIVE HEALTH PLANNING COUNCIL

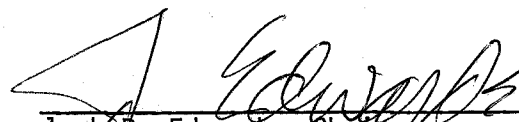
Mr. Donaldson moved the appointment of Mr. Donald H. Engelen to the Peninsula Comprehensive Health Planning Council for the completion of Mr. Bullock's unexpired term ending 12-31-76. The motion carried by a unanimous roll call vote.

9. APPOINTMENT TO WETLANDS BOARD

Mr. Taylor moved the appointment of Mr. Gerald Otey to the Wetlands Board for a term of 5 years. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


John W. Watkins
Assistant to the 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 OCTOBER, 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

October 25, 1974

Mr. Wayland Bass, Director of Public Works
 Mr. Craig G. Covey, Assistant to the County Administrator
 Mr. Frank M. Morton III, County Attorney
 Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Waltrip moved the approval of the October 14, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

Mr. Hinman, Assistant Resident Engineer, VDH, was present to answer any questions the Board might have.

The Board inquired as to the following:

1. Any progress regarding the intersection of Ironbound Road and Monticello? Study being done - a constant operation traffic light has been ordered.

2. Progress re stopping thru trucks on Brick Bat Road. Resolution and information sent to central office and the VDH will have a public hearing---- a 90 day notice is required.

3. When will 658 be opened?
 Final surfacing next Thursday.

4. Completion date of 199 - December '75.
 Completion date Black's Crossing to Rt. 5 - July 1st, '75.

5. Discussed link fence around Pilot Life property. Mr. Hinman assured the Board that the access roads to Rt. 5 would not be fenced in.

4. CONSIDERATION OF AN UPDATED KINGSMILL MASTER PLAN.

Mr. McCann pointed out that this updated master plan for Kingsmill showed the realignment of Mounts Bay Road and Southall Road, the location of the public use property is shown and the road systems in Winster Fax and Whitaker's Mill are clearly delineated.

After a brief discussion, Mr. Donaldson moved the approval of the updated master plan for Kingsmill. The motion carried by a unanimous roll call vote.

5. CONSIDERATION AND REVIEW OF LAND USE CONCEPT FOR KINGSMILL INN AND RECREATION CENTER.

Mr. Dick Knight and Mr. Jim Shea of Busch Properties, Inc., were present to discuss the captioned plans with the Board. Mr. Knight presented the development approach for the conference and recreation center which consists of approximately 75 acres of land. Action will be taken by the Board when final plans are presented.

6. CONSIDERATION OF FINAL PLANS FOR KINGSMILL GOLF PAVILION.

Mr. Knight discussed the plans for the Golf Pavilion with the Board.

Mr. Donaldson moved the approval of the final plans for the Golf Pavilion and parking lot subject to the conditions recommended by the Site Plan Review Committee and Planning Commission. The motion carried by a unanimous roll call vote.

7. RESOLUTION APPROPRIATING REVENUE SHARING FUNDS FOR FY 75.

Mr. McCann informed the Board that upon the recommendation of the State Auditor that revenue sharing funds be specifically delineated, the following resolution was presented for approval.

The Board reviewed the resolution. Mr. Frink moved the approval of the resolution appropriating revenue sharing funds. The motion carried by a unanimous roll call vote.

October 25, 1974

RESOLUTION

REVENUE SHARING APPROPRIATION

WHEREAS, the Board of Supervisors has adopted an appropriations resolution for FY 74-75; and

WHEREAS, revenue sharing funds were included in said resolution but not specifically delineated; and

WHEREAS, it is the recommendation of the State auditor's that such a delineation be made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following amounts are hereby appropriated from the Revenue Sharing Trust Fund for the following purposes as set forth in the FY 75 Annual Operating Budget and Capital Improvements Budget and appropriated in the FY 75 appropriations resolution adopted on May 20, 1974:

150	Office of Citizen Affairs		\$ 33,749.00
1080	Sanitation		15,000.00
1910	Capital Improvements		662,282.00
	00-1	County Services Building	\$100,000
	30-2	Mini-Parks Project	50,000
	40-1	Mappings	97,392
	50-1	Dirt Street Improvements	214,890
	60-1	Water Service Extensions	200,000
Total Revenue Sharing Expenditures			\$711,031.00

Adopted by the Board of Supervisors, James City County, Virginia, this 25th day of October, 1974.

8. DATE FOR PUBLIC HEARING FOR A SPECIAL PERMITTED USE IN THE AGRICULTURE GENERAL DISTRICT A-1 ZONE, APPLICATION BY L. V. WOODSON & ASSOCIATES, INC. ON BEHALF OF JOHN J. SERPICO.

The Board set the date for public hearing on the captioned matter for November 25, 1974, at 3:00 P.M. in the Courthouse, Williamsburg, Va.

9. DATE FOR PUBLIC HEARING OF REZONING CASE #Z-4-74, APPLICATION BY WARREN G. KIRTLEY ON BEHALF OF HERITAGE DEVELOPMENT COMPANY FOR REZONING OF PROPERTY ON THE CORNER OF LONGHILL ROAD AND OLDE TOWNE ROAD, RT. 612 and RT. 568 FROM RESIDENTIAL LIMITED, DISTRICT R-2 TO BUSINESS, GENERAL, B-1.

The Board set the date for public hearing on the captioned matter for November 25, 1974, at 3:00 P.M. in the Courthouse, Williamsburg, Va.

10. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY AMENDING SECTION 11-7, ADOPTION OF STATE LAW.

The Board set the date for public hearing on the captioned matter for November 25, 1974, at 3:00 P.M. in the Courthouse, Williamsburg, Va.

11. DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER INFLUENCE OF ANY DRUG, BY AMENDING SECTION 11-30, SAME--USE OF CHEMICAL TESTS TO DETERMINE ALCOHOL IN THE BLOOD: PROCEDURE, QUALIFICATIONS AND LIABILITY OF PERSON WITHDRAWING BLOOD: COSTS: EVIDENCE: SUSPENSION OF LICENSE FOR REFUSAL TO SUBMIT TO TEST.

The Board set the date for public hearing on the captioned matter for November 25, 1974, at 3:00 P.M. in the Courthouse, Williamsburg, Va.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

12. STAGGERED TERMS FOR BOARD OF SUPERVISORS

Mr. Edwards requested Mr. Morton, County Attorney, to check into

October 25, 1974

the matter of staggered terms for members of the Board of Supervisors and bring back to the Board.

13. DEFINITION OF CONTIGUOUS PROPERTIES

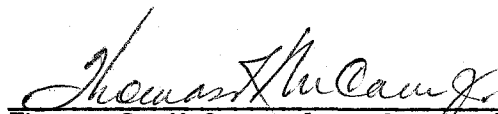
Mr. Morton, County Attorney, explained the meaning of "contiguous properties" for the Board's information, as it pertains to the Land Use Assessment Ordinance.

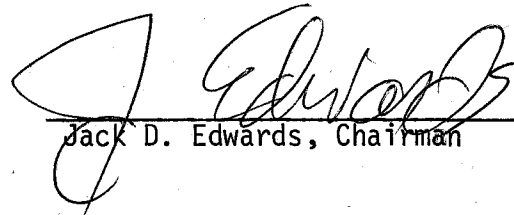
14. PUBLIC HEARINGS

Mrs. Irene Douglas requested that the Board not schedule public hearings for day meetings as it limits public attendance.

Mr. Edwards moved that the Board adjourn into executive session. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED TO EXECUTIVE SESSION.


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 NOVEMBER, 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. Wayland Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Frink moved the approval of the October 25, 1974 minutes as printed. The motion carried by a unanimous roll call vote.

3. CONDITIONAL USE PERMIT FOR RICHARDSON TRAILER COURT ON ROUTE 60W-A. J. & L. CORPORATION, APPLICANT.

Mr. Donaldson moved the approval of a conditional use permit for Richardson Trailer Court with the conditions listed. The motion carried by a unanimous roll call vote.

1. No more than six places will be permitted.
2. The entrance to the trailer court onto Rt. 60 must be brought up to Virginia Department of Highways and Transportation standards within six months.
3. The conditional use permit will expire on November 11, 1976, and may be renewed.

4. REQUEST FOR REIMBURSEMENT OF CONDITIONAL USE PERMIT FEE

Mr. Frink moved to refund to Mrs. Mary D. Wallace the Conditional Use Permit fee of \$20.00. The motion carried by a unanimous roll call vote.

November 11, 1974

5. RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE
AND FILE AN APPLICATION WITH EPA ON BEHALF OF SANITARY
DISTRICT NO. 3.

Mr. Donaldson moved the approval of the captioned resolution as presented. The motion carried by a unanimous roll call vote.

RESOLUTION

RE: APPLICATION FOR GRANT FUNDS FOR
SEWAGE WORKS FACILITIES - SANITARY DISTRICT NO. 3
James City County, Virginia

The members of the JAMES CITY COUNTY BOARD OF SUPERVISORS, in a called meeting, duly assembled at 7:30 P.M. on November 11, 1974, A.D., resolved as follows:

IT IS RESOLVED that the County Administrator, Thomas R. McCann, Jr., is hereby authorized to execute and file an application on behalf of the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 with the State Water Control Board and the U.S. Environmental Protection Agency, for state and federal grant funds to aid in financing Wastewater Treatment Works Construction under provisions of the Federal Water Pollution Control Act (Public Law 92-500) Amendments of 1972, and is authorized to accept the grant offer and to execute any and all documents pertaining to the application and to the grant offer.

RESOLVED and done this 11th day of November 1974 A.D., by the members of the James City County Board of Supervisors, Williamsburg, Virginia.

6. RESOLUTION INDICATING INTENT TO ESTABLISH RATES TO MAINTAIN
SANITARY DISTRICT NO. 3 SEWER SYSTEM.

Mr. Donaldson moved the approval of the resolution indicating intent to establish rates to maintain the Sanitary District No. 3 Sewer System. The motion carried by a unanimous roll call vote.

RESOLUTION

BE IT RESOLVED by the James City County Board of Supervisors that the following statements shall be submitted with and become a part of the Application for Federal Grant for the Sanitary District No. 3 Sewage Works Project, EPA No. C-5015-2801.

1. INDUSTRIAL COST RECOVERY. The applicant will develop and maintain an industrial cost recovery system which shall require all present and future industrial users to pay the portion of the grant amount allowable to the treatment of wastes from such users. The applicant understands and will comply with the restriction of Federal grant payments contained in 40CFR 35.935-13).

2. USER CHARGE SYSTEM. The applicant will develop and maintain a user charge system to assure that each recipient of service will pay its proportionate share of operation and maintenance cost as defined in 40CFR 35.925-11 (including replacement, as defined in 40 CFR 35.905.17).

3. USER CHARGE SCHEDULE. In addition to this Compliance Statement, the applicant will develop and submit the following schedule.

- a. User Charge System to be drafted and submitted to EPA for preliminary review and comment within 60 days after acceptance of the grant offer.
- b. Submission of User Charge System to James City County Board of Supervisors for adoption within 30 days of receipt of EPA's comments on draft.
- c. Adoption of User Charge System by James City County Board of Supervisors within 60 days after submission for adoption.
- d. Submission of adopted User Charge System to EPA for review and approval within 30 days after adoption of system.

The applicant understands that User Charge System is also applicable to the grant payment restriction contained in 40 CFR 35.935-13.

RESOLVED and done this 11th day of November, 1974 A.D. by the members of the James City County Board of Supervisors, Williamsburg, Virginia.

November 11, 1974

7. REPORT OF BICENTENNIAL COMMISSION

Mr. Bill Bryant gave a report on the organizational activities for the bicentennial and the progress made by this Commission. He indicated that James City County and Williamsburg will be asked to consider a paid executive director for the Bicentennial Commission.

8. RESOLUTION ADOPTING PROPOSED BUDGET FOR SECONDARY ROADS FOR FY 75

Mr. Taylor moved the approval of the Virginia Department of Highways and Transportation Secondary Budget for FY 75. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Mr. R. D. Yeatts, Jr., appeared before the Board of Supervisors and requested approval of, and discussed with the members of the Board, the Secondary Road Budget for 1974-1975:

BE IT THEREFORE RESOLVED, THAT, the Board of Supervisors of James City County, Virginia, does hereby approve the Secondary Road Budget of \$526,852.00, as prepared and presented by the State Department of Highways and Transportation for 1974-1975.

9. CONSIDERATION OF MEMORANDUM RE STAGGERED TERMS FOR BOARD MEMBERS

The Board discussed the memorandum presented by Mr. Morton indicating that there are two ways that staggered terms could be enacted; i.e., by resolution or referendum. The Board requested that the staff prepare a resolution for the December 9th meeting and that the public be made aware of this pending item.

10. 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 October, 1974.

General Fund	Checks #1346 thru #1572 Totalling \$715,363.25
	Checks #60 thru #169 Totalling \$26,691.01
	Checks #170 thru #284 Totalling \$27,296.59
Sanitary District #2	Checks #272 thru #275 Totalling \$768.50
Sanitary District #3	Checks #119 thru #125 Totalling \$19,208.80
JCC Revenue Sharing Trust Fund	Checks #121 & 123 Totalling \$21,322.43

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

11. EASEMENT OF UNIVERSAL DEVELOPMENT CORPORATION

Mr. Edwards moved to authorize the Chairman and Clerk to execute a deed previously acquired by Sanitary District 2 now found unnecessary for construction. Reference Drawing #7201-1-1-V. The motion carried by a unanimous roll call vote.

12. MEETING WITH SCHOOL BOARD

The Board agreed to meet on November 18 in Worksession to discuss the Capital Improvements Program. Dr. Renz will be present to discuss school construction needs.

13. STATUS OF SOIL SURVEY FOR THE COUNTY

November 11, 1974

The Board reviewed the status report from Mr. Covey, Assistant to the County Administrator, which indicated that the County's soil survey was at a standstill until either the General Assembly authorizes additional funds and more soil scientists can be hired; or the County elects to contract for a complete survey on its own; or the County is able to persuade VPI or SCS to shift personnel to our County.

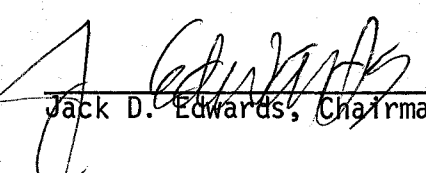
14. VPI EXTENSION AGENT

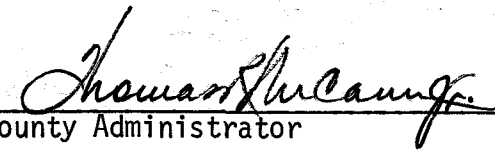
Mr. M. Bryant, VPI Extension Agent, introduced a new employee to the Board - Miss Shirley Monroe, to work with 4H youth and economics. Mr. Bryant also mentioned that there is a possibility of receiving help from a soil scientist located in Henrico regarding the soil survey reported above.

15. EXTENSION OF SOUTH HENRY STREET - JOHN WEBER

Mr. John Weber, a resident of Kingspoint, presented a letter to the Board of Supervisors written by Mr. Carlisle Humelsine, President of Colonial Williamsburg, to Mr. Douglas Fugate, Commissioner of State Department of Highways and Transportation, concerning the extension of South Henry Street into James City County. Mr. Weber questioned Mr. Donaldson concerning the contents of the letter. Mr. Donaldson then explained the sequences of events which surrounded negotiations with the Department of Highways concerning the safety problems with the construction of Rt. 199 in the vicinity of the parkway entrance to Kingspoint.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


Jack D. Edwards, Chairman


County Administrator

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 NOVEMBER, 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. Wayland N. Bass, Director of Public Works
Mr. Craig Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Taylor moved the approval of the November 11, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - REZONING CASE #Z-4-74. APPLICATION BY WARREN G. KIRTLEY ON BEHALF OF HERITAGE DEVELOPMENT COMPANY FOR REZONING OF PROPERTY ON THE CORNER OF LONG-HILL ROAD AND OLDE TOWNE ROAD, ROUTE 612 AND ROUTE 658 FROM RESIDENTIAL LIMITED, DISTRICT R-2 TO BUSINESS, GENERAL B-1.

The Chairman opened the public hearing.

Mr. W. G. Kirtley - Requests the rezoning of approxi-

November 25, 1974

mately 24 acres from R-2 to B-1 for shopping center that would be compatible with the area. Offered to answer any questions from the Board.

Mr. Covey indicated that the Planning Commission was favorably impressed with the proposal and recommended approval of the rezoning request.

There being no further discussion the public hearing was closed.

Mr. Donaldson moved that the request for rezoning property located on corner of Longhill Road and Olde Towne Road from R-2 to B-1 be approved. The motion carried by a unanimous roll call vote.

4. PUBLIC HEARING - SPECIAL PERMITTED USE IN THE AGRICULTURE
GENERAL DISTRICT A-1 ZONE, APPLICATION BY L. V. WOODSON
& ASSOCIATES, ON BEHALF OF JOHN J. SERPICO.

At the request of the applicant's attorney, this public hearing is continued to the first regular meeting in January.

5. PUBLIC HEARING - ENVIRONMENTAL IMPACT ASSESSMENT FOR
SANITARY DISTRICT NO. 3.

The Chairman opened the public hearing.

Mr. Deward Martin of Deward M. Martin & Associates, Inc., presented an Environmental Assessment Report of the proposed Sanitary District No. 3 sewage works project. His report included an environmental inventory; the environmental effects of the sewage works project; adverse impacts that cannot be avoided; alternatives to the proposed action; short term vs. long term productivity; and the irreversible and irretrievable commitment of resources.

Mrs. Clara Harris asked that the environmental assessment plans indicate the correct route number for Carriage Road.

Mr. McCann read the following letter for the record:

STATE AIR POLLUTION CONTROL BOARD
Room 1106, Ninth Street State Office Bldg.

Richmond, Virginia 23219

November 18, 1974

Mr. Thomas R. McCann, Jr.
County Administrator
James City County
1006 Richmond Road
Williamsburg, Virginia

Dear Mr. McCann:

We have reviewed the environmental assessment report on James City County Sanitary District No. 3 and wish to make the following comments:

All construction activities must comply with State Regulations governing Open Burning and Fugitive Dust.

The assessment does not indicate that any type of incinerator is planned as part of this project. If an incinerator were planned, it would be subject to permit review by this Agency.

November 25, 1974

The assessment was very thorough; however, we wish to be sure there is no misunderstanding. I am enclosing a copy of our regulations for your information.

Sincerely,

/s/ John M. Daniel, Jr.
John M. Daniel, Jr., P. E.
Assistant Executive Director- Enforcement

The Chairman closed the public hearing.

Discussion followed.

There were no adverse comments made at the public hearing.

6. PUBLIC HEARING - AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE 1, IN GENERAL, BY AMENDING SECTION 11-7, ADOPTION BY STATE LAW.

The Chairman opened the public hearing.

There being no discussion, the Chairman closed the public hearing.

Mr. Frink moved the approval of the captioned ordinance presented. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 66A-1

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY AMENDING SECTION 11-7, ADOPTION OF STATE LAW.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 11, Motor Vehicles and Traffic, Article I, In General, be and the same is, hereby, amended and reordained by amending Section 11-7, Adoption of State Law, to read as follows:

CHAPTER 11

Motor Vehicles and Traffic

Article I. In General

Section 11-7. Adoption of State Law.

Pursuant to the authority of Section 46.1-188 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.1 of the Code of Virginia, as amended, and in force on October 1, 1974, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the county. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.1 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.1 of the Code of Virginia.

7. PUBLIC HEARING - AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF JAMES CITY, ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER INFLUENCE OF ANY DRUG BY AMENDING SECTION 11-30, SAME --USE OF CHEMICAL TESTS TO DETERMINE ALCOHOL IN THE BLOOD; PROCEDURE, QUALIFICATIONS AND LIABILITY OF PERSON WITHDRAWING BLOOD; COSTS; EVIDENCE SUSPENSION OF LICENSE FOR REFUSAL TO SUBMIT TO TEST.

The Chairman opened the public hearing.

There being no discussion, the Chairman closed the public hearing.

November 25, 1974

Mr. Frink moved the approval of the captioned ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 66A-2

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER INFLUENCE OF ANY DRUG, BY AMENDING SECTION 11-30, SAME — USE OF CHEMICAL TESTS TO DETERMINE ALCOHOL IN BLOOD; PROCEDURE; QUALIFICATIONS AND LIABILITY OF PERSON WITHDRAWING BLOOD; PROCEDURE; QUALIFICATIONS AND LIABILITY OF PERSON WITHDRAWING BLOOD; COSTS; EVIDENCE; SUSPENSION OF LICENSE FOR REFUSAL TO SUBMIT TO TEST.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 11, Motor Vehicles and Traffic, Article II, Driving Automobiles, etc., While Intoxicated or Under Influence of any Drug, be and the same is, hereby, amended and reordained by amending Section 11-30, Same Use of Chemical Test to Determine Alcohol in Blood; Procedure; Qualifications and Liability of Person Withdrawing Blood; Costs; Evidence; Suspension of License for Refusal to Submit to Test, to read as follows:

Chapter 11

Motor Vehicles and Traffic

Article II. Driving Automobiles, Etc.,
While Intoxicated or Under

Influence Of Any Drug.

Section 11-30. Same - Use of chemical test to determine alcohol in blood; procedure; qualifications and liability of person, withdrawing blood; costs; evidence; suspension of license for refusal to submit to test.

- (d) Only a physician, registered professional nurse, graduate laboratory technician or nurse designated by order of the Circuit Court acting upon the recommendation of a licensed physician, using soap and water to cleanse the part of the body from which the blood is taken and using instruments sterilized by the accepted stream sterilizer or some other sterilizer which will not affect the accuracy of the test, or using chemically clean sterile disposable syringes, shall withdraw blood for the purpose of determining the alcoholic content thereof. No civil liability shall attach to any person authorized to withdraw blood as provided herein as a result of the act of withdrawing blood from any person submitting thereto, provided the blood was withdrawn according to recognized medical procedures; and provided further that the foregoing shall not relieve any such person from liability for negligence in the withdrawing of any blood sample.
- (n) If the court shall find the defendant guilty as charged in the warrant, the court shall suspend the defendant's license for a period of ninety days for a first offense and for six months for a second or subsequent offense or refusal within one year of the first or other such refusals; the time shall be computed as follows: the date of the first offense and the date of the second or subsequent offense; provided, that if the defendant shall plead guilty to a violation of Section 11-28, the court may dismiss the warrant.

8. PILOT CONTAINERIZED REFUSE COLLECTION PROGRAM.

1. Locations:

Mr. Donaldson moved the approval of the sites listed in Mr. Watkins' memorandum. The motion carried by a unanimous roll call vote.

- 1. Croacker - corner of Route 606 and 607 (Ford's Corner) property of Carlye Ford.
- 2. Grove - Site 1. - Grove playground located on Grove Heights Avenue.
Site 2. - Corner of Route 60 and Log Cabin Beach Road - property of W. L. Jefferson.
Site 3. - Little Zion Church located on Route 60 between Howard Drive and Jackson Street.
- 3. Belen Heights/Carriage Road - corner of Ironbound Road and Carriage Road - property of Virginia Department of Highways.
- 4. Chickahominy Church - Chickahominy Playground.

2. Resolution:

Mr. Frink moved the approval of the resolution authorizing the County Administrator to execute agreements for use of sites. The motion carried by a unanimous roll call vote.

November 25, 1974

RESOLUTION

WHEREAS, the Board of Supervisors of James City County has initiated a pilot program for refuse collection via the container method; and

WHEREAS, it is proposed that the containers utilized for this program will be placed on private property and will necessitate agreements between the County and the several property owners allowing the use of their property for such purposes as set forth in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the attached agreement be approved for the above stated purpose, and

BE IT FURTHER RESOLVED, that the County Administrator is authorized to execute these agreements on behalf of James City County as are necessary for the purposes of the pilot refuse collection program.

9. REFUND OF TAXES DUE TO ERRONEOUS ASSESSMENT AND TRANSFER OF FUNDS - CITY OF NEWPORT NEWS

Mr. Donaldson moved the approval to refund to the City of Newport News the amount of \$5,439.20 for overpayment of taxes due to an error in assessment, and the authorization to transfer this amount from the Contingent Account (1850) to Miscellaneous Expenses (1840). The motion carried by a unanimous roll call vote.

10. REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR
REFUND SEWER CONNECTION FEE - JAMES B. RIPLEY

Mr. McCann recommended the approval of a request from James Ripley to refund \$150 for a sewer connection purchased for a house located on Lot 3007A in Roberts District, due to the fact that the house is to be demolished before the sanitary sewer is completed.

Mr. Frink moved the approval of the refund of \$150 to Mr. James B. Ripley for the unused sewer connection. The motion carried by a unanimous roll call vote.

11. LAND DEVELOPMENT CONCEPT

Mr. Taylor questioned the fact that there was to be a presentation of the County's Land Development Concept by a Comprehensive Planning Team representative to the Planning Commission, and that there was no announcement of the public hearing.

Mr. McCann explained that this was the first opportunity for the staff to take the issue to the Planning Commission and that this was not a public hearing. Mr. McCann pointed out that the Planning Commission would have to schedule a public hearing on its own if it chose to do so, but that the staff could not order a public hearing for them.

Mr. Donaldson stated that he had discussed this matter with Mr. Mephram, Chairman of the Planning Commission, and that the Planning Commission will receive the item, but would suggest that a public hearing be held sometime in January.

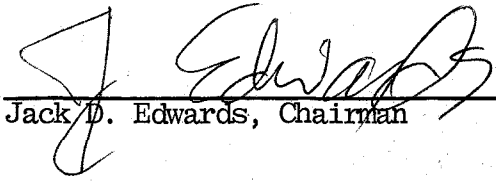
Mr. Donaldson stated that he would support this recommendation.

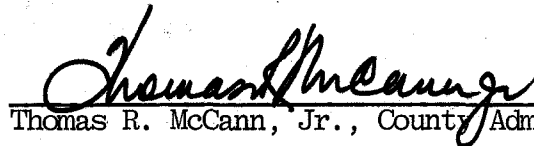
12. TAX MATTERS - R. M. HAZELWOOD, JR.

At the end of the meeting, Mr. R. M. Hazelwood, Jr., a resident of Stonehouse District, indicated that he had read that the County expected to have a surplus at the end of this fiscal year and suggested that County taxes be reduced rather than spending the surplus. In addition, he suggested that the County not incur any new debt in the future. He based his remarks on materials presented to the Board of Supervisors by the County Administrator at its last worksession.

November 25, 1974

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


 Jack D. Edwards, Chairman


 Thomas R. McCann, Jr., County Administrator

AT A WORKSESSION 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-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
 BOARD MEMBERS

Also Present:

Mr. Thomas R. McCann, County Administrator
 Dr. Henry Renz, Superintendent of Schools
 Mrs. Frances White, School Board member
 Mrs. Alleyne Blayton, School Board member

On a motion by Mr. Donaldson the Board voted to go into executive session to discuss a matter of land transfer.

Upon a motion by Mr. Donaldson, and unanimously approved, the Board of Supervisors went back into open session to discuss the County's capital improvement program.

2. CAPITAL IMPROVEMENTS PROGRAM

Mr. McCann summarized the materials which had been provided the Board concerning the County's capital needs including the construction needs of the school system. He further discussed the costs of the capital improvements program and the County's debt service requirements.

Mr. Edwards provided the members of the Board with a memorandum which suggested that given the state of the economy it would probably be difficult to obtain approval of a building program in a referendum and he therefore suggested that the County operate on a pay-as-you-go basis for the immediate future limiting capital outlay during the next year to those items which could be funded out of current revenues. He suggested that a school building for the preschool handicapped and a fire station in the Roberts District and finally that a School Administration Building be the priority items for consideration.

At the conclusion of discussion, the Board approved of Mr. Edwards' suggestion with the facility for the handicapped and the fire station listed as top priorities. Mr. Edwards indicated that the School Administration Building would also be included as a priority in his suggestion. Mr. Donaldson indicated that that was understood, but that the handicapped facility and the fire station should be the first two items to be constructed.

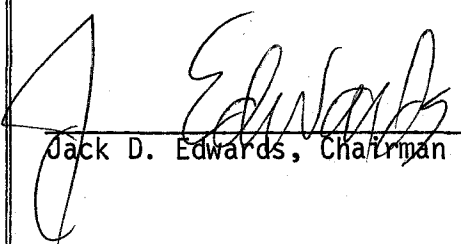
It was decided that the Board would proceed along these lines and make a final decision at the next regular Board meeting.


December 3, 1974

3. JOINT PUBLIC HEARING WITH PLANNING COMMISSION RE LAND DEVELOPMENT CONCEPT.

It was suggested by Mr. Edwards that a joint public hearing be held with the James City County Planning Commission concerning the proposed land development concept. Mr. Donaldson felt that a joint hearing would certainly be satisfactory since the item had already been heard publicly at seven meetings. Mr. Taylor indicated that he felt that the item should be heard as much as possible and indicated that he would not be supportive of a joint public hearing, but would rather have a separate hearing for the Board of Supervisors.

Mr. Frink indicated his desire for a joint hearing. It was the conclusion of the Board that this matter would be considered at the next meeting of the Board at which time the Planning Commission would be asked to have a joint public hearing with the Board of Supervisors on this matter.


Jack D. Edwards, Chairman


County Administrator

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 DECEMBER, 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. Wayland N. Bass, Director of Public Works
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 November 25, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

3. CONSIDERATION OF A RESOLUTION ESTABLISHING STAGGERED TERMS FOR MEMBERS OF THE BOARD OF SUPERVISORS.

Mr. Donaldson spoke in favor of the resolution.

Mr. Taylor opposed the adoption of the resolution stating that he felt that there is more interest in a general election when all the members are elected at one time; and that there would be apathy among citizens if only two were elected at a election. He also felt that if all the supervisors were replaced there still would be continuity because the County had a County Administrator and staff.

Mr. Moneymaker stated that he felt there would be more interest if all the Supervisors ran for office at one time.

Mr. Hazelwood was not in favor of the resolution. He also felt that the County had a County Administrator, staff, County Attorney and various other people to carry on during the transition.

Mr. Edwards felt there was one disadvantage - no one could say

December 9, 1974

anything in an election except for every four years.

Mr. Donaldson moved the approval of the resolution establishing staggered terms for members of the Board of Supervisors. The motion was denied by the following roll call vote.

Mr. Waltrip	-	No
Mr. Frink	-	No
Mr. Donaldson	-	Yes
Mr. Taylor	-	No
Mr. Edwards	-	Yes

4. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO ABOLISH BLUE LAW

The Board scheduled a public hearing on the captioned matter for January 13, 1975, at the Courthouse, Williamsburg, Virginia.

5. a. DATE FOR PUBLIC HEARING ON PROPOSED EROSION AND SEDIMENTATION CONTROL ORDINANCE

Mr. Taylor objected to the setting of a date for public hearing on the captioned ordinance.

Mr. Morton explained that the County has the option of providing this control, however, if the County does not, the State will, and the State would then be the enforcement agency.

Mr. Donaldson moved to set a public hearing date of January 13, 1975, on the Erosion and Sedimentation Control Ordinance, to be held in the Courthouse, Williamsburg, Virginia. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Waltrip voted no.

5. b. DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, BY DELETING CERTAIN ARTICLES, ARTICLE 12, GENERAL PROVISIONS, 12-12, SITE PLAN REVIEW, (n) SITE DEVELOPMENT, CLEARING AND GRADING AND ARTICLE 12-12-1, PROCEDURE 2., PRELIMINARY SITE PLAN, b., SUBMITTAL CONTENTS, SITE LAYOUT, 11,; AND BY AMENDING ARTICLE 12-12-1,3., FINAL SITE PLAN, b., SUBMITTAL CONTENTS, (3).

Mr. Donaldson moved to set a public hearing date of January 13, 1975, on the above captioned ordinance. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Waltrip voted no.

6. DATE FOR PUBLIC HEARING ON ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (C) TRAINED ANIMAL SHOWS AND SUBSECTION (D) BOND.

After discussion, the Board was in agreement to table the captioned matter for further study to be brought back at the January meeting.

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 November, 1974.

General Fund Checks #1573 thru #1717
Totaling \$590,112.03

Checks #285 thru #524
Totaling \$55,621.42

Sanitary District #1

Checks #210 & #211
Totaling \$3,918.80

Sanitary District #2

Checks #276 thru #285
Totaling \$67,770.48

Sanitary District #3

Checks #126 thru #132
Totaling \$23,685.34

December 9, 1974

Revenue Sharing Fund	Checks #124 thru #129 Totalling \$371,727.25
General Obligation Bonds Water 1970	Check #127 Totalling \$37,666.11
Subdivision Escrow Acct.	Check #107 Totalling \$1,725.00

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

8. CAPITAL IMPROVEMENTS PROGRAM

Mr. McCann presented memorandum on the Capital Improvements Program, listing three recommendations tentatively agreed to by the Board at previous worksessions as follows:

- a. Bond financing will not be used to meet short-term Capital needs because of (1) the difficult economic situation which is gripping the United States and, in turn, its citizens at every governmental level; and (2) a desire to keep our debt service at a fairly even level for the period 1975 through 1978.
- b. The construction of a fire station in the Roberts District and a facility for the PreSchool Handicapped are designated as highest priorities and every attempt will be made to construct these out of revenues received during the present fiscal year and the following two fiscal years.
- c. The Board wishes for the County Administrator to recommend architects to begin design work on the fire station and the facility for the handicapped. The Board will then authorize the necessary funds to cover design costs.

Mr. Edwards moved that Item b designate the items in order of priority: (1) the facility for the preschool handicapped; (2) the fire station in Roberts District; and (3) the school administration building; indicating that every attempt will be made to construct these out of revenues received during the present year and the following two fiscal years.

After discussion Mr. Edwards withdrew his motion.

Mr. Frink moved to approve the three items as the Board's general policy. The motion carried by a unanimous roll call vote.

9. BOARD APPOINTMENTS DUE

Mr. McCann presented the Board with a list of appointments needed on County Boards and Commissions. The Board requested that these be brought to the public's attention for appointment in January.

10. CANCELLATION OF BOARD MEETING

Mr. Taylor moved to cancel the Board Meeting scheduled for December 23, 1974. The motion carried by a unanimous roll call vote.

11. CLOSING OF OFFICES - DECEMBER 24, 1974

There was no objection from the Board to closing the offices on Tuesday, December 24, 1974.

12. SIGNING ON I-64

Mr. McCann indicated to the Board that he felt that it would be a good idea to contact the Highway Department by letter requesting them to put a logo sign system into effect on I-64 to benefit County businesses in the same manner as businesses are benefited on I-95 where the logo sign system was instituted as an experiment. The Board indicated their approval.

13. LICENSE TAX FOR CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS

Mrs. Irene Douglas spoke in favor of a \$500 license tax fee as a good intent to keep one night stands out of the County. She felt it inconceivable for Anheuser-Busch to pay \$50 a day.

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December 9, 1974

14. IN RE: SCHOOL FOR HANDICAPPED

Mrs. Neiman, Chairman of Board for Handicapped Children, expressed her appreciation for the Capital Outlay for the preschool handicapped school.

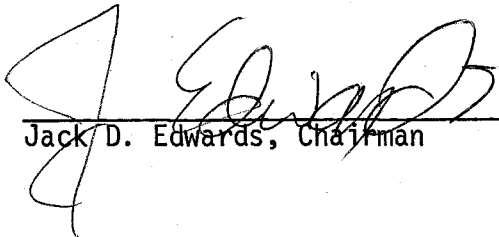
15. HIGHWAY MATTER - MR. SAM HAZELWOOD

Mr. Hazelwood mentioned that in typing in I-64 to Route 168 that a stop sign was needed at the intersection of Rt. 602 to protect motorists who normally have been turning at that intersection in the direction of I-64 and proceeding without stopping. Mr. McCann indicated that the matter would be checked into by the staff.


Mr. McCann recommended that the Board go into executive session to discuss a personnel matter and a matter regarding location of industry.

Mr. Donaldson moved to adjourn into executive session. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED.



Jack D. Edwards, Chairman



County Administrator

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-FIVE.

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. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. ORGANIZATIONAL MEETING OF THE BOARDElection of Chairman

Mr. Edwards moved the nomination of Mr. John E. Donaldson, Jamestown District, as Chairman of the Board. The motion was seconded by Mr. Waltrip 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 unanimous roll call vote.

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., at the Courthouse, be continued. The motion was seconded by Mr. Waltrip and carried by a unanimous roll call vote.

Committee Assignments

Deferred until end of meeting.

3. MINUTES

Mr. Frink moved the approval of the December 3 and 9, 1974, minutes as printed. The motion carried by a unanimous roll call vote.

January 13, 1975

4. PUBLIC HEARING - SPECIAL PERMITTED USE IN AGRICULTURE GENERAL DISTRICT A-1 ZONE, APPLICATION BY L. V. WOODSON & ASSOCIATES ON BEHALF OF JOHN J. SERPICO. (Continued from 11/25/74 meeting)

Withdrawn by applicant.

5. CONSIDERATION OF EMERGENCY ORDINANCE - AN ORDINANCE TO AMEND AND REORDAIN THE RULES AND REGULATIONS OF JAMES CITY COUNTY SANITARY DISTRICT #1, BY AMENDING SECTION IV, SERVICE CHARGES.

The Board reviewed a memorandum from the County Administrator which indicated that the rate increase for Sanitary District #1 would be \$20 during the first quarter of 1975 and then would increase to \$25 per quarter thereafter. Mr. McCann also indicated that the York County Board had already approved the rate increase for the first quarter and would soon adopt a rate adjustment for \$25 for the second quarter.

Mr. Frink moved the adoption of the captioned ordinance as an Emergency Ordinance. The motion carried by a unanimous roll call vote.

Mr. Edwards moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30 P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 35A-6

AN ORDINANCE TO AMEND AND REORDAIN THE RULES AND REGULATIONS OF JAMES CITY COUNTY SANITARY DISTRICT NUMBER I, BY AMENDING SECTION IV, SERVICE CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the Rules and Regulations of Sanitary District Number I be and the same are, hereby, amended and reordained by amending Section IV, Service Charges, to read as follows:

RULES AND REGULATIONS

SANITARY DISTRICT # I

Section IV - Service Charges

Schedule for individual dwellings, apartments, duplexes, trailers and tourist homes.

Service charges for sewer service under this article shall be billed to and paid by the owner of any of the following structures and service charges for sewer service under this article shall be paid by the owner of any of the following structures or places in the district as follows, commencing on the day that the sewer permit is obtained. For the first quarter of the year 1975, January, February and March, rates shall be as follows:

Individual Dwellings	\$20.00 per quarter
Apartments	20.00 per quarter
Duplexes	40.00 per quarter
Single Trailer	20.00 per quarter
Trailer in Mobile Home Park	20.00 per quarter
Tourist Homes	30.66 per quarter

Others:

The quarterly service charges for all other establishments not listed above shall be charged on a contract basis as approved by the Board. In no case, however, shall the quarterly service charge be less than that stated herein.

For the second quarter of 1975, commencing April 1, 1975 and thereafter the rates shall be as follows:

Individual Dwellings	25.00 per quarter
Apartments	25.00 per quarter
Duplexes	50.00 per quarter
Single Trailer	25.00 per quarter
Trailer in Mobile Home Park	25.00 per quarter
Tourist Homes	38.32 per quarter

An emergency is hereby declared to exist, and this ordinance shall be in full force and effect from the date of its adoption.

January 13, 1975

6. CONSIDERATION OF EMERGENCY ORDINANCE - AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY FOR JAMES CITY COUNTY SANITARY DISTRICT #2, BY AMENDING SECTION 5.03 WATER AVAILABILITY CHARGES.

The County Administrator recommended that the Board adopt the captioned ordinance as an Emergency Ordinance due to the fact that Newport News has increased water service connection charges.

Mr. Waltrip moved the adoption of the captioned ordinance as an Emergency Ordinance and to advertise the public hearing date of February 10, 1975, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia, for public opinion on the matter. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 36A-4

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, 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"	\$ 300.00
	3/4"	420.00
1	"	480.00
1	1/2"	700.00
2	"	880.00
3	"	400.00 + cost
4	"	600.00 + cost
5	"	800.00 + cost
6	"	1,000.00 + cost
8	"	1,200.00 + 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 \$300.00 for the first unit and \$300.00 for the additional unit.

Multi-Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$480.00 for the first dwelling unit and \$280.00 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 \$480.00 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	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03(a) plus a charge of \$90.00 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 \$520.00 for each separate store or rental space within the complex.

Subdivision Developments (where water distribution mains have been installed at the

January 13, 1975

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 \$190.00 for 5/8" meter and \$270.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$520.00 base charge, plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$520.00 base charge plus \$75.00 per delivery hose.

Schools - The availability charge shall be \$700.00, plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$700.00, 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.

7. CONSIDERATION OF RESOLUTION REGARDING LIENS AGAINST SANITARY DISTRICT #1.

Mr. Edwards moved the approval of the resolution listing delinquent charges for use of Sanitary District I sewer system to be entered in the judgment lien docket of the Clerk's Office of James City County. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

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:

8. CONSIDERATION OF RESOLUTIONS REGARDING LIENS AGAINST SANITARY DISTRICT #2.

Mr. Edwards moved the approval of the resolutions listing delinquent charges for use of Sanitary District II water and/or sewer system to be entered in the judgment lien docket of the Clerk's Office of James City County. The motion carried by a unanimous roll call vote.

RESOLUTION(S)

WHEREAS, the County Administrator 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. 2 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. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Mr. Robert E. Jenkins	Account No. 5022-19
2614 Pocahontas Trail	
Williamsburg, Virginia 23185	\$4.39

January 13, 1975

RESOLUTION

WHEREAS, The County Administrator has certified to the Board of Supervisors of the County of James City, that the following list of water accounts in the James City Sanitary District No. 2 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 Water System in James City County Sanitary District No. 2 be entered in the Judgement Lien Docket of the Clerk's Office of James City County, Virginia:

Final Notice		Final Notice		Final Notice	
James City County Treasurer		James City County Treasurer		James City County Treasurer	
P. O. Box JC Williamsburg, Va. 23185		P. O. Box JC Williamsburg, Va. 23185		P. O. Box JC Williamsburg, Va. 23185	
DATE 12/2/74		DATE 12/2/74		DATE 12/2/74	
OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE. WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.	ACCOUNT NO.	OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE. WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.	ACCOUNT NO.	OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE. WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.	ACCOUNT NO.
Minkins Trailer Park	1021-51	Mr. Boatwright	1021-58	Mr. Howard Wallace	1021-66
c/o Melvin L. Minkins, Sr.	\$ 801.72	3013 A Pocahontas Trail	\$ 12.18	2388 Pocahontas Trail	\$ 25.54
2566 Pochatas Trail		Williamsburg, Va. 23185		Williamsburg, Va. 23185	
Williamsburg, Va. 23185					
A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.	TOT. 801.72	A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.	TOT. 12.18	A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.	TOT. 25.54

PLEASE DETACH AND MAIL WITH PAYMENT TO JAMES CITY COUNTY TREASURER P. O. BOX JC WILLIAMSBURG, VA. 23185

7.50 paid 12-18-74 Bal. 4.68

PLEASE DETACH AND MAIL WITH PAYMENT TO JAMES CITY COUNTY TREASURER P. O. BOX JC WILLIAMSBURG, VA. 23185

Final Notice
James City County Treasurer
P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

Mr. Roy Battle
2697 Pocahontas Trail
Williamsburg, Virginia 23185

ACCOUNT NO.

1021-03

\$ 11.55

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-03

\$ 11.55

TOT. 11.55

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

Final Notice
James City County Treasurer
P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

Mr. Richard Leo
2606 B Pocahontas Trail
Williamsburg, Va. 23185

ACCOUNT NO.

1021-16

\$ 17.33

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-16

\$ 17.33

TOT. \$17.33

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

Final Notice
James City County Treasurer
P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

Mr. Melvin L. Minkins, Sr.
2566 Pocahontas Trail
Williamsburg, Va. 23185

ACCOUNT NO.

1021-50

\$ 59.72

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-50

\$ 59.72

TOT. \$59.72

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

Final Notice

James City County Treasurer

P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

ACCOUNT NO.

1021-86

\$ 8.25

Mrs. Rosezelia Roberts

2517 Pocahontas Trail

Williamsburg, Va. 23185

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUN'
TREASURER
P. O. BOX JC
WILLIAMSBURG, V.
23185

ACCOUNT NO.

1021-86

\$ 8.25

TOT \$8.25

Final Notice

James City County Treasurer

P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

ACCOUNT NO.

1021-87

\$ 25.54

Mrs. Beatrice Willis

2472 Pocahontas Trail

Williamsburg, Va. 23185

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-87

\$ 25.54

TOT 25.54

Final Notice

James City County Treasurer

P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

ACCOUNT NO.

1021-152

\$ 25.60

Mr. James Boyd

122 Jackson Street

Williamsburg, Va. 23185

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-152

\$ 25.60

TOT \$25.60

Final Notice

James City County Treasurer

P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

ACCOUNT NO.

1021-356 162

\$ 8.25

Mrs. Nettie T. Halcomb

150 Howard Drive

Williamsburg, Va. 23185

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-162

\$ 8.25

TOT 8.25

Final Notice

James City County Treasurer

P. O. Box JC
Williamsburg, Va. 23185

DATE 12/2/74

OUR RECORDS INDICATE THAT YOUR ACCOUNT IS PAST DUE.
WE MUST ASK THAT PAYMENT BE RECEIVED IN OUR OFFICE
WITHIN FIVE DAYS TO AVOID SUSPENSION OF SERVICE.

ACCOUNT NO.

1021-217

\$ 3.41

Mr. William R. Wallace

2557 Pocahontas Trail

Williamsburg, Va. 23185

A FEE OF \$3.00 WILL BE CHARGED IF SERVICES ARE DISCONTINUED AND RESTORED.

PLEASE DETACH
AND MAIL WITH
PAYMENT TO
JAMES CITY COUNTY
TREASURER
P. O. BOX JC
WILLIAMSBURG, VA.
23185

ACCOUNT NO.

1021-217

\$ 3.41

TOT \$3.41

January 13, 1975

9. PRESENTATION OF MINI-PARKS PROGRAM

A progress report was presented on the mini-parks program with preliminary site designs by Mr. William Brown, Senior Planner.

10. CONSIDERATION OF A RECOMMENDATION FROM THE ELECTORAL BOARD CONCERNING A CENTRAL ABSENTEE VOTER ELECTION DISTRICT.

Mr. Taylor moved to accept the recommendation of the Electoral Board and in so doing decline to establish an absentee voter district. The motion carried by a unanimous roll call vote.

11. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY ADDING A NEW CHAPTER, CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE; REQUIRING A PERMIT BE OBTAINED PRIOR TO ANY PERSON, FIRM OR CORPORATION COMMENCING ANY DEFINED LAND DISTURBING ACTIVITY; SETTING FORTH THE PROCEDURE FOR OBTAINING A PERMIT AND AFFECTING AN EROSION AND SEDIMENTATION CONTROL PLAN; AND PROVIDING PENALTIES FOR FAILURE TO COMPLY THEREWITH.

Mr. Frink moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

12. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, BY DELETING CERTAIN ARTICLES, ARTICLE 12, GENERAL PROVISIONS, 12-12, SITE PLAN REVIEW, (n) SITE DEVELOPMENT, CLEARING AND GRADING; AND ARTICLE 12-12-1, PROCEDURE 2., PRELIMINARY SITE PLAN, b., SUBMITTAL CONTENTS, SITE LAYOUT, 11,; AND BY AMENDING ARTICLE 12-12-1,3., FINAL SITE PLAN, b., SUBMITTAL CONTENTS, (3).

Mr. Frink moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30 P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

13. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON A ORDINANCE TO DECLARE THAT THE PROVISIONS OF SECTION 18.1-363.1 OF THE CODE OF VA., 1950, AS AMENDED (COMMONLY KNOWN AS THE SUNDAY CLOSING LAW) SHALL HAVE NO FORCE OR EFFECT WITHIN THE COUNTY OF JAMES CITY.

Mr. Frink moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30 P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

14. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 5, ELECTRICITY, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING SECTION 5-2, ELECTRICAL CODE--ADOPTED: PURPOSE: WHERE OBTAINABLE: SHORT TITLE.

Mr. Edwards moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30PM, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

15. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (c), TRAINED ANIMAL SHOWS AND SUBSECTION (d) BOND.

Mr. Edwards moved that the date of February 10, 1975, be advertised for a public hearing on the captioned ordinance, to be held in the Courthouse at 7:30 P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

16. RESOLUTION REGARDING ADMISSIONS TAX

Mr. Waltrip moved the approval of the resolution regarding an Admissions Tax on entertainment facilities. Discussion followed. The motion carried by a majority roll call vote. Mr. Edwards voted no.

January 13, 1975

RESOLUTION

WHEREAS, consideration has heretofore been given to seeking enabling legislation to authorize the imposition of an admissions tax on entertainment facilities, and

WHEREAS, imposition of such an admissions tax should be carefully considered in the light of the operating experience of the industry or industries affected, and the effect of such a tax on local entertainment facilities on competition by facilities at other locations in the State;

NOW, THEREFORE, BE IT RESOLVED, that further pursuit of enabling legislation of such a tax be deferred to enable evaluation of the effect of such a tax on industries involved and to permit coordination with other Counties and Cities in the State in which are located major entertainment facilities which may compete with local entertainment facilities.

17. CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson 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 December, 1974.

General Fund	Checks #1718 thru #1802 Checks #525 thru #763 Totalling \$186,199.82
Sanitary District #1	Check #212 Totalling \$1,595.47
Sanitary District #2	Checks #286 thru #293 Totalling \$42,236.34
Sanitary District #3	Checks 133 thru #136 Totalling \$14,330.04
Revenue Sharing Trust Fund	Check #130 Totalling \$8.00

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

18. WATER SERVICE RESOLUTION - SANITARY DISTRICT #2

Mr. Waltrip moved to approve the resolution to provide water service to buildings located in Service Authority Project Area #4. The motion carried by a unanimous roll call vote.

WATER SERVICE

RESOLUTION

WHEREAS, the James City Service Authority has requested James City Sanitary District #2 to provide water service to the Busch Gardens' Administration and Maintenance Buildings both located in Service Authority Project Area #4 adjacent to Sanitary District #2; and

WHEREAS, the James City Service Authority has further resolved to relinquish any and all availability and amortization charges applicable to these buildings to the Sanitary District for the service provided.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, acting in behalf of James City Sanitary District #2, that it does hereby grant the request of the James City Service Authority to provide water service to buildings located in James City Service Authority Project Area #4 as described above and under the terms as set forth in the Authority's resolution of request.

19. SMITH'S LIMOUSINE SERVICE, INC.

The Board was in agreement for the County Administrator to represent the County on behalf of Smith's Limousine Service, Inc., at the State Corporation Commission's meeting regarding an application for Certificate of Public Convenience and Necessity.

Mr. Edwards moved to go into executive session to discuss personnel matters.

January 13, 1975

THE BOARD ADJOURNED.

AT A RECONVENED MEETING OF THE BOARD. THOSE PRESENT AS NOTED ABOVE.

3c. COMMITTEE ASSIGNMENTS

The Board's representation on the various committees remains the same except for Mr. Donaldson replacing Mr. Edwards on the Comprehensive Planning Committee and joining Mr. Waltrip on the Courthouse Committee; Mr. Edwards replaces Mr. Donaldson on the Planning Commission.

16. APPOINTMENTS TO BOARDS:

a. Comprehensive Health Planning Council

Mr. Waltrip moved to appoint Mrs. Sharon Kiefer to the above committee for a term of three years. The motion carried by a unanimous vote.

b. Mental Health - Mental Retardation Services Board

Mr. Edwards moved to appoint Mrs. E. Radcliffe and Mrs. E. Davidson to the above Board for a term of three years. The motion carried by a unanimous vote.

c.

Mr. Waltrip moved to appoint Mr. Charles Nixon to the above Board for a term of one year. The motion carried by a unanimous vote.

d.

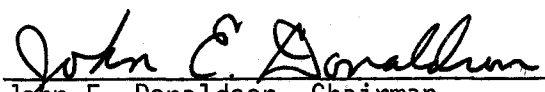
Mr. Donaldson moved to appoint Mr. James B. Bowry, to the above Board for a term of one year. The motion carried by a unanimous vote.

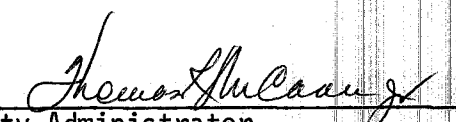
Mr. Donaldson moved to appoint Mr. William E. Ripley, Jr., to fill the unexpired term of Mr. John H. Gardner, Jr. The motion carried by a unanimous vote.

e. Planning Commission

Mr. Taylor moved to reappoint Mr. A. G. Bradshaw and Mr. Walter J. Scruggs to the above Commission for a term of four years.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


John E. Donaldson, Chairman


County Administrator

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Frink moved the approval of the January 13, 1975, minutes as printed. The motion carried by a unanimous roll call vote.

January 27, 1975

3. HIGHWAY MATTERS

- a. Mr. Frink moved the approval of the resolution requesting the Department of Highways and Transportation to include Blow Flats Road in the State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

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 "Blow Flats 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 and Transportation is hereby requested to construct and include the following road in the State Secondary Highway System by rural addition:

Blow Flats Road

From: State Route 60
To: Cul-de-sac
Distance: 0.45 mile

A right-of-way of 50 feet is guaranteed as evidenced by Deeds of Record, recorded in Deed Book 157, Page 390, Dated 11-6-74 and Deed Book 158, Page 154, Dated 11-27-74, 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 and Transportation.

- b. Mr. Waltrip moved the approval of the resolution requesting the State Highway and Transportation to include Blow Flats Road in the State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of Kristiansand Subdivision, Section II, 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation 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, Section II, James City Magisterial District, James City County, in the State Secondary Highway System.

Description:

Nina Lane - From: 0.34 Mi. Southwest of Route 60
To: 0.07 Mi. to intersection of Viking Road RW - 60'

Viking Road - From: Intersection of Nina Lane (Rt. 1610)
0.41 Mi. Southwest of Route 60
To: 0.13 Mi. South of Intersection of Rondane Place
(Rt. 1613) RW - 50'

Rondane Place - From: 0.07 Mi. Southwest to Nina Lane (Rt. 1610)
To: 0.06 Mi. Southwest to intersection of Viking Road
RW - 60'

A Right of Way of 50' to 60' variable feet is guaranteed as evidenced by plat of record, entitled Kristiansand Subdivision, Section II, Plat Book 31, Page 3.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Kristiansand Subdivision, Section II, and the Resident Engineer of the Department of Highways.

- c. Mr. Hinman informed the Board that a third crossing of Hampton Roads is to be designated as Route I-664 and requested, if the Board was in agreement, that Secondary Route 664 in the County be renumbered. Mr. Donaldson requested the staff prepare with Mr. Hinman a resolution for submittal at the next Board meeting.
- d. The Board discussed the following with Mr. Hinman:
- Blacks Crossing - There will be no signal as there will be no crossing of of the railroad.

January 27, 1975

Route 607 - Number of people request that road be put on priority listing for an interchange.

Route 601 & 605 near New Kent line - ditches need to be redug.

Brick Bat Road - Highway Department needs more detailed transcript of public hearing.

4. CONSIDERATION OF DEPOSITORY RESOLUTION - UNITED VIRGINIA BANK OF WILLIAMSBURG.

Mr. Edwards moved the approval of the depository resolution authorizing the Chairman to sign checks, notes or orders. The motion 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, James City County Revenue Sharing Fund, 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:

John E. Donaldson	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

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 note, 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.

January 27, 1975

This resolution shall be effective on and after January 27, 1975.

5. CONSIDERATION OF THE ESTABLISHMENT OF A PENINSULA ACADEMY OF CRIMINAL JUSTICE.

The Board reviewed a memorandum from the County Administrator which included a draft charter and set of operating procedures for the establishment of a Peninsula Academy of Criminal Justice. This Academy would serve all of the Peninsula Jurisdictions and use the facilities of Thomas Nelson Community College.

Mr. Edwards moved that the recommendation to establish a Peninsula Academy of Criminal Justice be accepted. The motion carried by a majority roll call vote. Mr. Waltrip abstained.

6. DATE FOR PUBLIC HEARING OF AN ORDINANCE TO VACATE EASEMENT ON A PLAT ENTITLED "WINDSOR FOREST, SECTION 4, JAMES CITY COUNTY, VIRGINIA"

The Board set the date of February 24, 1975, for advertisement of a public hearing on the above captioned ordinance; to be held at 3:00 P.M., in the Courthouse, Williamsburg, Virginia.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

7. CONDITIONAL USE PERMIT - Oakwood Homes, John J. Dusewicz, applicant

A Conditional Use Permit was requested by applicant due to the fact that the property was to change ownership. Mr. Waltrip moved to approve the Conditional Use Permit for the term of one year for the three existing trailers shown on the plan. The motion carried by a unanimous roll call vote.

8. FOWL CLAIM - G. W. QUESINBERRY

The Board reviewed the Dog Warden's report for a claim by G. W. Quesinberry for a pig killed by dogs. Mr. Taylor moved the approval of the \$30 damage claim for the pig and that the necessary funds be paid. The motion carried by a unanimous roll call vote.

9. TRANSFER OF FUNDS FOR SURVEY COSTS OF DEDICATED LAND TO COUNTY BUSCH PROPERTIES.

Mr. McCann informed the Board that he had received a letter from the Manager of Special Projects, Busch Properties, regarding sharing the cost of surveying the land to be dedicated to the County at Kingsmill. Discussion followed.

Mr. Frink moved to authorize the appropriation of up to \$1500 to fund one-half the cost of the survey of 60 acres to be dedicated by Busch interests to the County, and the transfer of funds from the Contingent Account to Buildings and Grounds. The motion carried by a unanimous roll call vote.

10. LOAN TO SANITARY DISTRICT #1 - TRANSFER OF FUNDS

Mr. Edwards moved the approval of the resolution pertaining to a loan to Sanitary District #1. The motion carried by unanimous roll call vote.

RESOLUTION

LOAN TO SANITARY DISTRICT #1

WHEREAS, revenues of James City County Sanitary District #1 are insufficient to satisfy bonded debt payment due payable by the District on February 1, 1975; and

WHEREAS, revenues are expected to be received by the District on or before May 1, 1975, in amounts sufficient to repay any loan made by the District to satisfy its debt payment;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a loan in the amount of \$8,500.00, to James City County Sanitary District #1 is approved and that this amount be transferred from the Contingent Account (1850-999-1) to the James City County Sanitary District #1 Account.

* * * *

Mr. Edwards moved to adjourn into executive session to consider

January 27, 1975

a property transfer question.

THE BOARD RECONVENED IN PUBLIC SESSION AND THEREBY ADJOURNED.

John E. Donaldson
John E. Donaldson, Chairman

Louise McCann
County Administrator

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 FEBRUARY, NINETEEN
HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Frank M. Morton III, County Attorney

Mr. Donaldson presented Mr. Edwards with a gavel and
engraved plaque in appreciation of his service as Chairman of the Board of Supervisors
during the year 1974.

2. MINUTES

Mr. Frink moved the approval of the January 27, 1975,
minutes as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - An ordinance to amend and reordain the
Code of the County of James City by adding a new chapter,
Chapter 5A, entitled Erosion and Sedimentation Control
Ordinance; requiring a permit be obtained prior to any
person, firm or corporation commencing any defined land
disturbing activity; setting forth the procedure for
obtaining a permit and affecting an erosion and sedi-
mentation control plan; and providing penalties for
failure to comply therewith.

Mr. Covey read Mr. McCann's memorandum which explained
the captioned ordinance and listed changes as follows:

1. Reduce the period for acting on a planned submittal contained in 5A-7 of
the ordinance from forty-five (45) days to twenty-eight (28) working days. This would
also change Para. B.3,4,5, and Para. C.1(b) in the "procedures" section of the manual.

2. The proposed ordinance in Section 5A-5 should be amended to read "to withhold
all future permits for the project in violation to the violator....". As originally written,
the ordinance would require the closing down of all projects engaged in by a contractor
even if only one particular project evidenced an enforcement problem....This suggested change
would also effect Para. E.5, of the "procedures" portion of the manual.

3. That Section 5A-9 concerning a planned review and inspection fee be eliminated
from the proposed ordinance until the County has some experience with review and inspection
aspects of this law and can determine the actual costs of staff time involved.

4. That the second sentence of Para. F, be deleted. The County Administrator's
intent is to utilize the Director of Public Works and his staff to review, inspect and
enforce the Erosion and Sedimentation Control Ordinance. If at some future time additional
personnel or equipment appears to be justified, the Administrator will return to the Board
for its advice.

The Chairman requested that the record note letters were
received in support of the ordinance from the following:

Service - United States Department of Agriculture, Soil Conservation
Lester L. Seglin, District Conservationist

President League of Women Voters, Williamsburg Area - Sharon E. Kiefer,

Va. J. Gordon Yager, District Conservationist, Charlottesville,

Albert L. White, III

The Chairman opened the public hearing.

Mr. Robert Berresford, Colonial Soil and Water Conservation District encouraged the Board and local jurisdictions to adopt the captioned ordinance. The Colonial Soil and Water Conservation District thoroughly endorses the ordinance presented.

Mr. Hazelwood - Felt that there was not much difference between 45 days and 28 working days -- appeared to him that it was a long time for a man to make application. He wanted to know what effect this ordinance would have on farmers in clearing agricultural land. Mr. Bass indicated that State law does cover the clearing of this land. Mr. Hazelwood was opposed to enacting this ordinance.

There being no further discussion the Chairman closed the public hearing.

The Board discussed at length the deletion of agricultural land, the elimination of fees and amendments to the captioned ordinance. Mr. Edwards moved that the ordinance be tabled until the next meeting. He also requested Mr. Morton to check on the legality of deleting amendments to the ordinance.

Mr. Hazelwood requested information pertaining to ground reforestation, tilling and burning with regard to the ordinance.

Mr. Edwards' motion carried by a unanimous roll call vote.

4. PUBLIC HEARING - An ordinance to amend and reordain Chapter 20,

Zoning of the Code of the County of James City, by deleting certain articles, Article 12, General Provisions, 12-12, Site Plan Review, (n) Site Development, Clearing and Grading; and Article 12-12-1, Procedure, 2., Preliminary Site Plan, b., Submittal Contents, Site Layout, 11.; and by amending Article 12-12-1, 3., Final Site Plan, b., Submittal Contents, (3).

Mr. Edwards moved to refer the captioned ordinance to the Planning Commission. The motion carried by a unanimous roll call vote.

5. PUBLIC HEARING - An ordinance to amend and reordain the rules

and regulations of James City County Sanitary District Number 1, by amending Section IV, Service Charge.

Mr. Covey indicated that the Board had adopted this ordinance as an emergency ordinance on January 13, 1975, and that it was brought back to be considered as a regular ordinance within the 60 days required by law.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the ordinance as advertised.

The motion carried by a unanimous roll call vote.

ORDINANCE NO. 35A-6

AN ORDINANCE TO AMEND AND REORDAIN THE RULES AND REGULATIONS OF JAMES CITY COUNTY SANITARY DISTRICT NUMBER I, BY AMENDING SECTION IV, SERVICE CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the Rules and Regulations of Sanitary District Number I be and the same are, hereby, amended and reordained by amending Section IV, Service Charges, to read as follows:

RULES AND REGULATIONS

SANITARY DISTRICT # I

Section IV - Service Charges

Schedule for individual dwellings, apartments, duplexes, trailers and tourist homes.

Service charges for sewer service under this article shall be billed to and paid by the owner of any of the following structures and service charges for sewer service under this article shall be paid by the owner of any of the following structures or places in the district as follows, commencing on the day that the sewer permit is obtained. For the first quarter of the year 1975, January, February and March, rates shall be as follows:

February 10, 1975

Individual Dwellings\$20.00 per quarter
 Apartments 20.00 per quarter
 Duplexes 40.00 per quarter
 Single Trailer 20.00 per quarter
 Trailer in Mobile Home Park 20.00 per quarter
 Tourist Homes 30.66 per quarter

Others:

The quarterly service charges for all other establishments not listed above shall be charged on a contract basis as approved by the Board. In no case, however, shall the quarterly service charge be less than that stated herein.

For the second quarter of 1975, commencing April 1, 1975 and thereafter the rates shall be as follows:

Individual Dwellings\$25.00 per quarter
 Apartments 25.00 per quarter
 Duplexes 50.00 per quarter
 Single Trailer 25.00 per quarter
 Trailer in Mobile Home Park 25.00 per quarter
 Tourist Homes38.32 per quarter

An emergency is hereby declared to exist, and this ordinance shall be in full force and effect from the date of its adoption.

6.

PUBLIC HEARING - An ordinance to amend and reordain the operating Policy of James City County Sanitary District Number 2, by amending Section 5.03 Water Availability Charges.

Mr. Covey indicated that the Board had adopted this ordinance as an emergency ordinance on January 13, 1974, and that it was brought back to be considered as a regular ordinance within the 60 days required by law.

The Chairman opened the public hearing. There being no discussion, the hearing was closed.

Mr. Frink moved to adopt the ordinance as advertised. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 36A-4

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, be and the same is, hereby, amended and reordained by amending Section 5.03, Water Availability Charge, 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"	\$ 300.00
3/4"	420.00
1"	480.00
1 1/2"	700.00
2"	880.00
3"	400.00 + cost
4"	600.00 + cost
5"	800.00 + cost
6"	1,000.00 + cost
8"	1,200.00 + cost

February 10, 1975

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 \$300.00 for the first unit and \$300.00 for the additional unit.

Multi-Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$480.00 for the first dwelling unit and \$280.00 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 \$480.00 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	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03(a) plus a charge of \$90.00 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 \$520.00 for each separate store or rental space with 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 \$190.00 for 5/8" meter and \$270.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$520.00 base charge, plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$520.00 base charge plus \$75.00 per delivery hose.

Schools - The availability charge shall be \$700.00, plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$700.00, 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.

7.

PUBLIC HEARING - An ordinance to amend and reordain Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, Section 9-47, Carnivals, Circuses and Trained Animal Shows, by amending Subsection (c), Trained Animal Shows and Subsection (d), Bond.

The Chairman opened the public hearing.

Mr. W. J. Scruggs - questioned what constitutes a "trained animal show."

Wanted to know if this would include horse and dog shows held in the County.

There being no further discussion, the Chairman closed the hearing.

The Board discussed at length the exemption of non-profit activities, fees, and exhibition of trained horses and dogs.

Mr. Frink moved to defer consideration of this matter until the next

Board meeting.

February 10, 1975

Mr. Donaldson requested that each member of the Board communicate with the County Attorney his individual feelings concerning this ordinance.

The motion carried by a unanimous roll call vote.

8. PUBLIC HEARING - An ordinance to declare that the provisions of Section 18.1-363.1 of the Code of Virginia, 1950, as amended (commonly known as the Sunday Closing Law) shall have no force or effect within the County of James City.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the hearing.

Mr. Waltrip moved the adoption of this ordinance as advertised.

The motion carried by a majority roll call vote. Mr. Taylor abstained.

ORDINANCE NO. 83

AN ORDINANCE TO DECLARE THAT THE PROVISIONS OF SECTION 18.1-363.1 OF THE CODE OF VIRGINIA, 1950, AS AMENDED (COMMONLY KNOWN AS THE SUNDAY CLOSING LAW) SHALL HAVE NO FORCE OR EFFECT WITHIN THE COUNTY OF JAMES CITY.

WHEREAS, on November 5, 1974, a referendum was conducted in the County of James City to Section 15.1-29.5 of the Code of Virginia, 1950, as amended, on the question, "Shall the provisions of Section 18.1-363.1 of the Code of Virginia (commonly known as the Sunday Closing Law) be effective in the County of James City?"; and

WHEREAS, the ballots of the referendum have been counted, returns made and canvassed as in other elections, and the results certified as required by law to the Circuit Court of the County of James City and the Court thereupon having entered an Order proclaiming the results of the election; and

WHEREAS, a duly certified copy of such Order has been transmitted to this body, the governing body of the County of James City, proclaiming that a majority of those voting in such election voted that the provisions of Section 18.1-363.1 of the Code of Virginia (Commonly known as the Sunday Closing Law) shall not be effective in the County of James City;

NOW, THEREFORE; the County of James City Hereby Ordains:

1. The sense of its citizens being that the provisions of Section 18.1-363.1 are not necessary in the County of James City, the provisions of Section 18.1-363.1 shall hereafter have no force or effect within the County of James City.

2. This ordinance shall be in full force and effect from the date of its adoption.

9. PUBLIC HEARING - An ordinance to amend and reordain Chapter 4, Building regulations, Article I, Virginia Uniform Statewide Building Code, Division I, Generally, of the Code of the County of City by amending Section 4-3, Adoption; Amendments, Article E.

Mr. Morton indicated that these changes become law statewide on March 1st of this year and suggested that the Board simply adopt this ordinance with an effective date of March 1, 1975.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 81A-1

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 4, BUILDING REGULATIONS, ARTICLE I, VIRGINIA UNIFORM STATEWIDE BUILDING CODE, DIVISION I, GENERALLY, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING SECTION 4-3, ADOPTION; AMENDMENTS, ARTICLE E.

BE IT ORDAINED, by the Board of Supervisors of the County of James City that Chapter 4, Building Regulations, Article I, Virginia Uniform Statewide Building Code, Division I, Generally, of the Code of the County of James City be and the same is, hereby, amended and reordained by amending Section 4-3, Adoption; Amendments, Article E, to read as follows:

February 10, 1975

CHAPTER 4

Building Regulations

ARTICLE I. Virginia Uniform Statewide Building Code.

Division I. Generally.

Section 4-3. Adoption; Amendments.

E. National Electrical Code 1975 and Electrical Code for one and two family dwellings.

1. The term "authority having jurisdiction" contained in Article 90-4 and wherever else found shall be taken to mean the Building Official.

This ordinance shall be in full force and effect from March 1, 1975.

10. CONSIDERATION OF A RECOMMENDATION FROM THE PLANNING COMMISSION CONCERNING THE LAND DEVELOPMENT CONCEPT.

Mr. Covey presented the Land Development Concept as approved by the Planning Commission on January 28, 1975, and introduced Mr. William Brown of the Comprehensive Planning Team to present the details.

After reviewing the maps presented by Mr. Brown, the Board expressed its desire of informing the public by publicizing the Land Development Concept map.

Mr. Waltrip moved that the staff prepare an appropriate presentation for newspaper publication utilizing Map 3, or in the alternative prepare a brochure utilizing the map for the people upon request. The motion carried by a unanimous roll call vote.

11. CONSIDERATION OF AN INCREASE IN PRICE OF THE JAMES CITY COUNTY CODE.

Mr. Edwards moved the approval of the recommendation to set the price of the County Code at \$55 and authorized the transfer of \$2,047.23 from the Contingent Account 1850-999-1 to the Board of Supervisors Account 110-302 to cover the cost of the first supplement to the Code. The motion carried by a unanimous roll call vote.

12. CONSIDERATION OF A DEPOSITORY RESOLUTION - WILLIAMSBURG NATIONAL BANK.

Mr. Frink moved the approval of the resolution authorizing the Chairman to sign checks, drafts, notes or orders with the Williamsburg National Bank. The motion carried by a unanimous roll call vote.

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 with drawn 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:

February 10, 1975

John E. Donaldson	Chairman
	OR
Mayo W. Waltrip	Vice-Chairman
T. R. McCann, Jr.	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

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.

13. RESOLUTION FROM THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION REQUESTING THE RENAMING OF ROUTE 664.

Mr. Waltrip moved the adoption of the resolution requesting the State Highway Department to renumber Wickre Street (Route 664). The motion carried by a unanimous roll call vote.

RESOLUTION
WICKRE STREET

WHEREAS, the Williamsburg Resident Engineer of the Virginia Department of Highways and Transportation has advised the Board of Supervisors of James City County that:

1. A proposed third crossing of Hampton Roads is to be designated by number as Interstate 664; and
2. Wickre Street in James City County is presently designated by number as Secondary 664; and

WHEREAS, the Resident Engineer has requested the Board of Supervisors to agree to the Virginia Department of Highways and Transportation's redesignation of Route 664 (Wickre Street) to avoid any conflict with an interstate route designation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that in consideration of the potential conflict as stated by the Virginia Department of Highways and Transportation, the Board does hereby approve of the redesignation of Wickre St. by a number to be selected by the Highway Department.

February 24, 1975
February 10, 1975

14. CONSIDERATION OF A RESOLUTION AUTHORIZING THE TRANSFER OF \$6,000
IN THE HIGHWAY SECONDARY BUDGET.

Mr. Taylor indicated that he would like to have an opportunity to contact the party involved with the right-of-way on Route 1003. Mr. Taylor moved to defer consideration of this resolution until the Board's next meeting. The motion carried by a unanimous roll call vote.

15. CONSIDERATION OF A DATE FOR PUBLIC HEARING OF A SPECIAL USE PERMIT
TO LOCATE A TRAILER IN THE A-2 ZONE LOCATED ON ROUTE 640.
Albert G. Lee, Applicant


Mr. Waltrip moved to set the date of March 10th for public hearing of the special use permit request from Mr. Albert Lee. The motion carried by a unanimous roll call vote.

16. CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson 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 January, 1975.

General Fund	Checks #1803 thru #1910 Totalling \$173,505.43
	Checks #765 thru #988 Totalling \$54,657.27
Sanitary District #1	Checks #213 & #214 Totalling \$13,411.68
Sanitary District #2	Checks #294 thru #301 Totalling \$7,121.20
Sanitary District #3	Checks #137 thru #139 Totalling \$14,411.85
Revenue Sharing Trust Fund	Checks #131 thru #133 Totalling \$35,271.24

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


John E. Donaldson, Chairman


Craig G. Covey
Assistant to the County Administrator

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-FOURTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

February 24, 1975

2. MINUTES

Mr. Edwards moved the approval of the February 10, 1975, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

- a. Consideration of a resolution authorizing the transfer of \$6,000 in the Highway Secondary Budget.

Mr. Taylor indicated that the owner living on Route 1003 was not interested in giving an additional 10' easement that the State required.

Mr. Frink moved the approval of the resolution transferring \$6,000 for improvements to Route 1003 to a budget account for improvements to Route 611. The motion carried by a unanimous roll call vote.

- b. Other - The Board discussed road matters with the Resident Engineer. Mr. Yeatts indicated that the transcript of the public hearing held for Brick Bat Road had been received and forwarded to the appropriate office and that the Board should be notified shortly regarding the Highway Department's public hearing.

Letter received from residents in Kristiansand and Norvalia regarding traffic flow at the pottery. Mr. Yeatts indicated that this was being worked on.

Item 7 was brought forward:

7. CONSIDERATION OF LAND DEVELOPMENT CONCEPT.

Mr. Donaldson presented the Land Development Concept as a guide for future planning and not as a legal document.

Mr. Taylor moved that the Board schedule this matter for referendum. The motion was seconded by Mr. Waltrip.

Mr. Morton indicated that to permit such a referendum, it would require special enabling legislation from the General Assembly which would not meet again until next year.

Mr. Donaldson allowed a roll call vote on the motion, although he felt the motion might be out of order. The motion was denied by a majority roll call vote. Mr. Frink, Mr. Edwards and Mr. Donaldson voted no.

When asked, Mr. Morton assured Mr. Edwards that the concept could be amended at a later time, if necessary, during the preparation of the County's comprehensive plan.

Mr. Edwards moved the approval of the Land Development Concept as recommended by the Planning Commission. Discussion followed. The motion carried by a majority roll call vote. Mr. Waltrip abstained, Mr. Taylor vote no.

4. PUBLIC HEARING - CONSIDERATION OF VACATION OF EASEMENT ON PLAT ENTITLED "WINDSOR FOREST, SECTION 4, JAMES CITY COUNTY, VIRGINIA."

The Chairman opened the public hearing.

Berkeley Student - spoke in favor of the vacation.

There being no further discussion, the Chairman closed the public hearing.

February 24, 1975

Mr. Edwards moved the adoption of the ordinance vacating an easement on plat entitled "Windsor Forest, Section 4, James City County, Virginia ." The motion carried by a unanimous roll call vote.

ORDINANCE NO. 84

AN ORDINANCE VACATING A CERTAIN TEN FOOT (10') EASEMENT ON A PLAT ENTITLED, "WINDSOR FOREST, SECTION 4, JAMES CITY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT TEN FOOT (10') EASEMENT EXTENDING FIVE FEET (5') ON EITHER SIDE OF THE COMMON PROPERTY LINE DIVIDING LOTS ONE (1) AND TWO (2) AND ALSO EXTENDING FIVE FEET (5') INTO LOT FOUR (4) ALONG ITS EASTERLY PROPERTY LINE.

WHEREAS, application has been made by Heritage Development Company, Owners, to vacate a certain ten foot (10') easement shown on that plat entitled, "Windsor Forest, Section 4, James City County, Virginia, and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the said Board of Supervisors did consider such application on the 24th day of February, 1975, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience to the property owners shown on the aforementioned plat and that such vacation is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That a certain ten foot (10') easement extending five feet (5') on either side of the common property line dividing Lots 1 and 2 and also extending five feet (5') into Lot 4 along its easterly property line as shown on a plat entitled, "Windsor Forest, Section 4, James City County, Virginia", which said plat is recorded in the Clerk's Office of the Circuit Court of Williamsburg and James City County in Plat Book 31, page 30, be and the same is, hereby, vacated.

This ordinance shall be in full force and effect from the date of its adoption.

5. CONSIDERATION OF AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY ADDING A NEW CHAPTER, CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE; REQUIRING A PERMIT BE OBTAINED PRIOR TO ANY PERSON, FIRM OR CORPORATION COMMENCING ANY DEFINED LAND DISTURBING ACTIVITY; SETTING FORTH THE PROCEDURE FOR OBTAINING A PERMIT AND AFFECTING AN EROSION AND SEDIMENTATION CONTROL PLAN; AND PROVIDING PENALTIES FOR FAILURE TO COMPLY THEREWITH.

Mr. M. W. Bryant presented a letter from the James City County Board of Agriculture suggesting changes to Section 5A-4, Non-Controlled Activities, of the James City County Erosion and Sedimentation Control Ordinance.

Mr. AlWhite, formally with the District Soil and Water Conservation recommended approval of the ordinance with the changes listed by Mr. Bryant.

Mr. Edwards moved to defer the matter back to counsel to draft appropriate language that exempts from the scope of the ordinance agricultural, horticultural and forestry activities, to be presented for action at the next Board meeting. The motion carried by a unanimous roll call vote.

Mr. Sam Hazelwood indicated that he did not feel that the County should keep spending money to enact this ordinance-- let the State take over.

Mr. McCann asked if the Board would permit a clean copy of the ordinance with the changes brought about at the last meeting. After a brief discussion, the Board concurred with the changes listed in Mr. McCann's memorandum, except that the Board reduced the period for acting on a planned submittal contained in 5A-7 of the ordinance from forty-five (45) days to thirty (30) days (elapsed time).

February 24, 1975

6

CONSIDERATION OF AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II. SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (c), TRAINED ANIMAL SHOWS AND SUBSECTION (d), BOND.

It was the concurrence of the Board to defer this item for additional study. Mr. Donaldson requested the Board members to discuss this ordinance with the County Attorney,

7.

Noted Above.

8.

CONSIDERATION OF AUTHORIZATION FOR SECOND SUPPLEMENT OF THE COUNTY CODE.

Mr. Edwards moved the approval of the recommendation authorizing the codification of those ordinances of a general and permanent nature adopted subsequent to October 8, 1973, and on or before February 24, 1975. Funds for this second supplement will be next year's budget to cover the estimated cost. The motion carried by a unanimous roll call vote.

9.

CONSIDERATION OF FOWL CLAIM - CHANCY S. INMAN

Mr. Taylor moved the approval of Mr. Chancy Inman's claim for eleven chickens killed by dogs in the amount of \$30. The motion carried by a unanimous roll call vote.

10.

CONSIDERATION OF WAIVER OF HEIGHT LIMITATION FOR PROPOSED BUILDING IN B-2 ZONE - AMERICAN REALTY TRUST, APPLICANT- A. B. SMITH, AGENT.

The Board discussed with Mr. Smith the request for a 100 ft. height limitation waiver for a ten story motel on Route 60. Although the Board received an assurance that it was the intent of the applicant to develop the land and that they were not using it for speculation purposes, Mr. Smith said there are certain economic conditions that could force them to sell.

Mr. Edwards moved that the Board defer action on the matter until the next regular meeting. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Waltrip voted no.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

11.

CONSIDERATION OF REQUEST FOR APPROPRIATION OF LOCAL MATCHING FUNDS FOR THE COMMUNITY ACTION AGENCY.

The Community Action Agency requested funds for the cost of replacing two vehicles now used by the Agency in connection with their transportation program. Discussion followed.

Mr. Frink moved the approval of providing the County's local hard match requirement in the amount of \$10,000 and the necessary transfer from the Contingent Fund to Contributions and Transfers, and to reserve for reappropriation the \$33,749 which had previously been set aside to support this program out of revenue sharing monies. The motion carried by a majority roll call vote. Mr. Taylor voted no.

March 10, 1975
February 24, 1975

12.

APPLICATION FOR DISCRETIONARY GRANTS UNDER TITLE I, COMMUNITY DEVELOPMENT BLOCK GRANT OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, PUBLIC LAW 93-383, FOR TOANO WATER SYSTEM.

Mr. McCann recommended that James City County apply for \$95,000 for the Toano Water System in its Preapplication to secure Discretionary Grants. A brief discussion followed.

Mr. Taylor moved to authorize and direct the County Administrator to prepare a Community Development Act Program application for funds to improve the Toano Water System. The motion carried by a unanimous roll call vote.

13.

VPI EXTENSION SERVICE

Mr. M. W. Bryant presented Mrs. Julia Floyd who will be replacing Mrs. Virginia Davis in his department. The Board extended its welcome.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

* * * * *

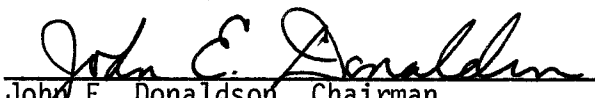
AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA ON THE TWENTY-FORTH DAY OF FEBRUARY, 1975.

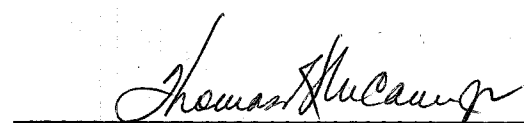
All members of the Board and the County Administrator were present.

BICENTENNIAL COMMISSION

Mr. Donaldson moved that the Board withdraw the appointment of Mr. Bill Bryant as one of its three representatives on the Williamsburg-James City County Bicentennial Commission. The motion carried by a unanimous vote of the Board.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr. County Administrator

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 MARCH, NINETEEN HUNDRED AND SEVENTY-FIVE.

1.

ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

March 10, 1975

2. MINUTES

Mr. Frink moved the approval of the February 24, 1975, minutes as printed. The motion carried by a unanimous roll call vote.

3. CONSIDERATION OF WAIVER OF HEIGHT LIMITATION FOR PROPOSED BUILDING IN B-2 ZONE - AMERICAN REALTY TRUST, APPLICANT, A. B. SMITH, AGENT.

The Board reviewed the resolution on the height limitation waiver for American Realty Trust granting ~~48~~ 40-foot height limitation waiver. Mr. Waltrip moved the adoption of the resolution as presented. The motion carried by a unanimous roll call vote.

RESOLUTIONHEIGHT LIMITATION WAIVER FOR
AMERICAN REALTY TRUST

WHEREAS, American Realty Trust by letter from their Agent, Mr. A. B. Smith, Jr., dated February 17, 1975, has requested the Board of Supervisors of James City County to grant a 40-foot height limitation waiver under provisions of Section 20-86.8 of the County Zoning Ordinance; and

WHEREAS, the request is supported by the Site Plan Review Committee of the Planning Commission and the Architectural Design Review Board; and

WHEREAS, the request is based upon a conditionally approved preliminary site plan, identified as Case No. SP-53-73, and an approved contemporary design as set forth in the minutes of the meeting of the Architectural Design Review Board held on February 5, 1975; and

WHEREAS, the specified criteria in Section 20-86.8 of the Zoning Ordinance requiring certain review considerations for public health, safety and general welfare safeguards have been satisfied;

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

- (1) the Board does hereby grant to American Realty Trust a 40-foot height limitation waiver to permit the construction of a building to a height of 100-feet subject to building and site construction in accordance with applicable regulations and codes;
- (2) the height limitation waiver is granted with the specific understanding that the setback from Route 60-E as shown on the conditionally approved site plan will not vary more than ten per cent (10%); if such variance exceeds ten percent (10%) the height limitation waiver granted herein shall be null and void.

4. PUBLIC HEARING - APPLICATION BY MR. ALBERT G. LEE FOR A SPECIAL USE PERMIT FOR THE PLACEMENT AND OCCUPANCY OF A TRAILER IN A-2 ZONE LOCATED ON ROUTE 640.

The Chairman opened the Public Hearing. There being no discussion, the Chairman closed the hearing.

Mr. Waltrip moved the approval of the special use permit for Mr. Albert Lee authorizing the use of a trailer on his property in an A-2 zone.

During the discussion that followed, the Board questioned if approval of this special use permit would set a Board policy. Mr. Morton indicated that it would not set any firm policy; that each case must come before the Board and be granted on its own merits.

Mr. Waltrip's motion carried by a unanimous roll call vote.

March 10, 1975

5.

CONSIDERATION OF AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY ADDING A NEW CHAPTER, CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE; REQUIRING A PERMIT BE OBTAINED PRIOR TO ANY PERSON, FIRM OR CORPORATION COMMENCING ANY DEFINED LAND DISTURBING ACTIVITY SETTING FORTH THE PROCEDURE FOR OBTAINING A PERMIT AND AFFECTING AN EROSION AND SEDIMENTATION CONTROL PLAN; AND PROVIDING PENALTIES FOR FAILURE TO COMPLY THEREWITH. (12-9-74, 1-13-75, 2-10-75, 2-24-75)

Mr. Morton indicated the changes incorporated in the captioned ordinance as requested by the Board.

Mr. Edwards moved the Erosion and Sedimentation Control Ordinance with the procedural rules attached be adopted. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NO. 85

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY ADDING A NEW CHAPTER, CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE; REQUIRING A PERMIT BE OBTAINED PRIOR TO ANY PERSON, FIRM OR CORPORATION COMMENCING ANY DEFINED LAND DISTURBING ACTIVITY; SETTING FORTH THE PROCEDURE FOR OBTAINING A PERMIT AND AFFECTING AN EROSION AND SEDIMENTATION CONTROL PLAN; AND PROVIDING PENALTIES FOR FAILURE TO COMPLY THEREWITH.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County that the Code of the County of James City be and the same is, hereby, amended and reordained by adding a new Chapter, Chapter 5A, entitled, "Erosion and Sedimentation Control Ordinance; Requiring a Permit Be Obtained Prior to Any Person, Firm or Corporation Commencing Any Defined Land Disturbing Activity; Setting Forth the Procedure for Obtaining a Permit and Affecting an Erosion and Sedimentation Control Plan; and Providing Penalties for Failure to Comply Therewith.

CHAPTER 5A

EROSION AND SEDIMENTATION CONTROL ORDINANCE

Section 5A-1. Purpose.

In order to insure the proper development of the County of James City and in order to promote and insure the health, safety, morals and general welfare of the inhabitants of said County, and pursuant to the authority granted in Section 21-89.1, et. seq., of the Code of Virginia, 1950, as amended, the Board of Supervisors of James City County deems it necessary to adopt this ordinance providing, during and following construction, for the control of erosion and sedimentation, and for the establishment of procedures for the administration and enforcement of such controls.

Section 5A-2. Application.

Except as provided for in Section 4 of this ordinance, no person may engage in any land disturbing activity until such person has submitted an erosion and sediment control plan for such land disturbing activity for review and approval by the Administrator or his designee.

It is the intent of this ordinance to be an adjunct to both the County's Subdivision and Zoning Ordinances wherein such apply to the development and subdivision of land within the County of James City or wherein such apply to development on previously subdivided land within the County of James City.

Section 5A-3. Definitions.

For the purpose of this ordinance, certain terms and words used herein shall be interpreted as follows:

- (a) "Administrator" shall mean the official designated by Governing Body to serve as its agent to administer this ordinance.
- (b) "Clearing" shall mean any activity which removed the vegetative ground cover including but not limited to the removal of root mat and/or topsoil.
- (c) "District or Soil and Water Conservation District" shall mean a governmental subdivision of the State organized in accordance with the provisions of the Soil Conservation Districts Law Title 21, Chapter 1, Code of Virginia, 1950, as amended.
- (d) "Erosion and Sedimentation Control Plan" or "Plan" shall mean a document containing material for the conservation of soil and water resources of a unit or a group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The Plan shall contain all major conservation decisions to assure that the entire unit or units of land will be so treated to achieve the conservation objectives.

March 10, 1975

- (e) "Excavating" shall mean any digging, scooping or other methods of removing earth materials.
- (f) "Filling" shall mean any depositing or stockpiling of earth materials.
- (g) "Governing Body" shall mean the Board of Supervisors of James City County.
- (h) "Grading" shall mean any excavating or filling of earth materials or any combination thereof, including the land in its excavated or filled condition.
- (i) "Land Disturbing Activity" shall mean any land change which may result in soil erosion from water and/or wind and the movement of sediments into waters or into lands, including, but not limited to, clearing, grading, excavating, transporting and filling of land.
- (j) "Land Disturbing Permit" shall mean a permit issued by the County of James City for Clearing, filling, excavating, grading or transporting, or any combination thereof.
- (k) "Person" shall mean any individuals, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission board, public or private institution, utility, cooperative, or any other legal entity.
- (l) "Plan Approving Authority" shall mean the Department of Public Works.
- (m) "Transporting" shall mean any moving of earth materials from one place to another, other than such movement incidental to grading when such movement results in destroying the vegetative ground cover, either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

Section 5A-4.

Non-Controlled Activities.

apply to the following:

In no instance shall the provisions of this Ordinance be construed to

- (a) such minor land disturbing activities as home gardens and individual home landscaping, repairs and maintenance work;
- (b) Individual service connections and construction or installation of public utility lines;
- (c) septic tank lines or drainage fields unless included in an overall plan for land disturbing activity relating to construction of the building to be served by the septic tank system;
- (d) surface or deep mining;
- (e) construction, repair, or rebuilding of the tracks, right-of-way bridges, communication facilities and other related structures and facilities of a railroad company;
- (f) preparation for single-family residences separately built, unless in conjunction with multiple construction in subdivision development;
- (g) disturbed land areas for commercial or noncommercial uses of less than ten thousand square feet in size;
- (h) installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- (i) emergency work to protect life, limb or property, and emergency repairs; provided that if the land disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirement of the local plan approving authority;
- (j) agricultural, horticultural or forestry activities or such activities as are essentially related thereto when such operations are carried on as a part of a program of continuing such agricultural, horticultural or forestry operations or represent a conversion from one such activity to another specified in this paragraph.

- (k) engineering operations recommended or approved by the soil and water conservation districts on privately owned, occupied or operated agricultural, horticultural or forest lands such as the construction of terraces, terrace outlets, check dams, desilting basins, flood water retarding structures, channel improvements, flodways, dikes, ponds, ditches, and the like; the utilization of strip cropping, lister furrowing, contour cultivating, contour furrowing; land drainage; land irrigation; seeding and planting of waste, sloping, abandoned, or eroded lands to water-conserving and erosion-preventing plants, trees and grasses; forestation and reforestation, rotation of crops, soil stabilization with trees, grasses, legumes, and other thick growing, soil holding crops; retardation of runoff by increasing absorption of rainfall; and retirement from cultivation of steep, highly erosive areas and areas now badly gullied or otherwise eroded;
- (l) shore erosion control projects on tidal waters recommended by the soil and water conservation districts in which the projects are located or approved by the Marine Resources Commission;

Section 5A-5. Procedures for Plan Submission and Review, Inspection and Enforcement.

These procedures are set forth in a separate document which is attached hereto and made a part hereof entitled, "Procedures For Plan Submission and Review, Inspection and Enforcement," adopted from the Virginia Erosion and Sedimentation Control Handbook, Section IV, April, 1974.

Section 5A-6. Erosion and Sedimentation Control Plan.

An erosion and sedimentation control plan is required under this ordinance. The erosion and sedimentation control plan shall detail those methods and techniques to be utilized in the control or erosion and sedimentation.

As a minimum, the erosion and sedimentation control plan shall follow the format detailed in Part II of the Virginia Erosion and Sediment Control Handbook, pages II-3 through II-13 inclusive, dated April, 1974, and as may be amended from time to time, which is adopted by reference as fully as it set forth herein in its entirety, as part of this ordinance.

Approved standards and specifications for control techniques to be utilized in preparing this plan are set forth in Part III of the Virginia Erosion and Sediment Control Handbook, dated April, 1974, and as may be amended from time to time, which is adopted by reference, as fully as if set forth herein in its entirety as part of this ordinance.

Section 5A-7. Approval.

Any erosion and sedimentation plan submitted under the provisions of this ordinance will be acted on in thirty (30) calendar days from receipt by either approving or disapproving in writing and giving specific reasons for disapproval. If no formal action has been taken by the plan approving authority in thirty (30) calendar days after receipt of plan, the plan shall be deemed approved.

Section 5A-8. Certification: Bonding of Performance.

All control measures required by the provisions of this ordinance shall be undertaken at the expense of the owner or his agent; and pending such actual provision thereof, the owner or his agent shall execute and file with the Administrator, prior to issuance of the Land Disturbing Permit an escrow fund or letter of credit, in an amount determined by the administrator, equal to the approximate total cost of providing erosion and sedimentation control improvements, which documents shall be approved by the County Attorney, guaranteeing that the required control measures will be properly and satisfactorily undertaken.

Within 60 days of the completion of the land disturbing activity, such bond, cash escrow, letter of credit or other legal arrangement, or the unexpended or unobligated portion thereof, shall be refunded to the owner or his agent or terminated, as the case may be.

Section 5A-9. Issuance of Land Disturbing Permit; Term of Permit.

Except as provided in Section 4 of this Ordinance, no person shall engage in any land disturbing activity as defined in Section 3 of this Ordinance within the County of James City until he has acquired a land disturbing permit.

Issuance of land disturbing permit is conditioned on an approval erosion and sediment control plan which or certification of such shall be presented at the time of application for such a permit and in addition, the requirements of Section 8 of this Ordinance concerning a performance bond, cash escrow, or a letter of credit or such other legal arrangement as is acceptable under the provisions of Section 8, must be complied with.

Any approved erosion and sedimentation control plan shall become null and void one hundred and eighty days after the date of approval and no further work subject to this chapter shall be allowed unless and until an additional or updated erosion and sedimentation control plan has been submitted and approved in accordance with the provisions of this chapter or unless all requirements of the approved control plan have been completed in less than one hundred and eighty days in accord with said plan and verified by the on-site inspection by the Director of Public Works or his designee.

March 10, 1975

Section 5A-10. Amendment.

An approved erosion and sedimentation plan may be amended by the Plan Approving Authority if on-site inspection indicates that the approved control measures are not effective in controlling erosion and sedimentation or, because of changed circumstances, the approved plan cannot be carried out; provided, however, that where the amendments are not the result of acts or omissions of the person responsible for carrying out the plan, these said amendments must be agreed to by such person.

Section 5A-11. Penalties, injunctions, and Other Legal Actions.

A violation of this ordinance shall be deemed a misdemeanor and upon conviction shall be subject to a fine not exceeding one thousand dollars or thirty days imprisonment or both for each violation.

Section 5A-12. Liability.

Compliance with the provisions of this article shall be prima facie evidence in any legal or equitable proceeding for damages caused by erosion siltation or sedimentation that all requirements of law have been met and the complaining party must show negligence in order to recover any damages.

Section 5A-13. Severability.

Should any provision of this ordinance be held to be unconstitutional or invalid, such declaration shall not affect or impair the remainder of this ordinance.

This ordinance shall be in effect thirty (30) days from the date of its passage.

PROCEDURES FOR PLAN SUBMISSION AND REVIEW

INSPECTION AND ENFORCEMENT

Adapted from the

Virginia Erosion and Sediment Control Handbook

April, 1974

A. Plan Submission

Two copies of the erosion and sediment control plan shall be submitted to the Administrator. The Public Works Department will review one copy and submit the second copy to the Virginia Soil and Water Conservation District for review and recommendation. Additional copies of the approved plan will be required for department files and to facilitate inspection of on-site work. The following information shall be contained in the letter of transmittal:

1. The name, address and phone number of the applicant
2. The name, address and phone number of the landowner of record
3. The name, address and phone number of the person responsible for carrying out the plan
4. The name, address and phone number of the person preparing the plan

B. Plan Approving Authority - Department of Public Works

1. The preparation and submission of an erosion and sediment control plan to the Department of Public Works, P. O. Box EK, Williamsburg, Virginia 23185, 229-0010, shall be the responsibility of the owner, lessee, or duly authorized agent of either the owner or lessee.
2. In determining the adequacy of the plan, the Department of Public Works, shall be guided by the requirements and recommendations contained in the Virginia Erosion and Sediment Control Handbook, Section III, dated March, 1974, and all subsequent revisions. The erosion and sediment control plan shall contain a timetable which schedules all elements contained in the plan.
3. The plan shall be approved, within thirty (30) calendar days from receipt thereof, if such plan meets the requirements of the local control program, and if, the person responsible for carrying out the plan certifies that he will properly perform the control measures included in the plan.
4. If the plan is disapproved, within thirty (30) calendar days from receipt thereof, the Department of Public Works shall specify in writing such modifications, terms, and conditions as will permit approval of the plan and communicate these requirements to the applicant.

March 10, 1975

5. If no action is taken by the Department of Public Works within thirty (30) calendar days of receipt of the plan, the plan shall be deemed approved. Certification of this fact shall be provided by the Department of Public Works to the person or agency issuing grading, building, or other permits for activities involving land disturbing activities so that such permits may be issued.
6. A plan for which land disturbing activities involve lands under the jurisdiction of this local control program and one or more other local control programs may, at the option of the applicant, be submitted to the Virginia Soil and Water Conservation Commission for review and approval rather than submission to each jurisdiction concerned.
7. An approved plan may be changed:
 - (a) Where inspection has revealed the inadequacy of the plan to accomplish the erosion and sediment control objectives of the plan, the appropriate modifications to correct the deficiencies of the plan are agreed to by the plan approving authority which approved the plan and the person responsible for carrying out the plan; or
 - (b) Where the person responsible for carrying out the approved plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of the local control program, are agreed to by the Department of Public Works, and the person responsible for carrying out the plan.

C. Issuance of Building or Other Permits

unless:

1. The Building Official shall not issue building or any other permits
 - (a) The applicant therefore submits with his application the approved erosion and sediment control plan, or;
 - (b) Certification of such approved plan from the Department of Public Works or certification that a plan was submitted and no action was taken within thirty (30) days, or;
 - (c) Certification from the Virginia Soil and Water Conservation Commission when applicable, that the plan has been approved.
2. When the permit issuing authority does not have in hand a certification that the person responsible for carrying out the plan has certified that he will properly perform the control measures included in the plan or notification from the plan approving authority, or the Commission, when applicable, that such certification has been obtained, the permit issuing authority shall obtain the certification of performance prior to the issuance of the permit.

D. Education - Information and Technical Training Programs

1. The Department of Public Works will cooperate with state and federal agencies in planning and conducting local technical training seminars as assistance from these agencies is available.
2. Personnel in the Public Works Department will participate in the seminars referred to in paragraph 2. They will also receive in-service training from qualified personnel.
3. Copies of the ordinance with all related documents can be purchased from the Department of Public Works.

E. On-Site Inspection and Ordinance Enforcement-Department of Public Works

1. Responsible for developing and implementing a systematic program for on-site inspection to ensure that the erosion and sediment control measures on approved erosion control plans are actually provided.
2. Responsible for developing and implementing a file system by land disturbing projects. The file should contain a record of each inspection, date of inspection, date land disturbing activities commenced and comments concerning compliance or noncompliance.
3. In cases of noncompliance, the report shall contain statements of the conservation measures needed for compliance and a recommended time in which such measures should be commenced and/or completed. Such reports shall be communicated immediately to the Department of Public Works.
4. Upon determination that a violation exists the Department of Public Works shall prepare a Notice to Comply which shall contain a detailed description of the conservation measures necessary for compliance. When no action is taken within (48 hours) of delivery of the Notice to Comply, the Department of Public Works shall prepare a letter of

March 10, 1975

intent to utilize the performance bond, cash escrow or other legal arrangement to apply the conservation measures to correct the deficiency. This letter of intent will be approved as to form by the County Attorney and sent by registered mail to the person responsible for carrying out the plan. If no action is taken within the time specified in the letter, the Department of Public Works shall proceed to undertake the corrective conservation measures.

5. The Department of Public Works shall notify all permit issuing authorities when a Notice to Comply has been issued to withhold all future permits for the project in violation to the violator until the violation is corrected; and upon failure to comply within the time specified in the Notice to Comply, the permit for the project in violation may be revoked.
6. The Department of Public Works shall be responsible for handling complaints concerning absent or ineffective erosion control measures.

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6. CONSIDERATION OF AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESS AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (C), TRAINED ANIMAL SHOWS AND SUBSECTION (D), BOND. (12-9-74, 1-13-75, 2-10-75, 2-24-75)

Due to the fact that the captioned ordinance is substantially revised from that originally brought before the Board, Mr. Morton recommended an additional public hearing with readvertisement of same.

Mr. Frink moved that the captioned ordinance be advertised for a public hearing on May 12, 1975, at 7:30p.m. in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

At this time, the following ordinances were recommended by the County Attorney for Board action.

- 6a. AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 3-1, WILD ANIMALS NOT TO BE BROUGHT INTO OR KEPT WITHIN THE COUNTY.

Mr. Edwards moved that the captioned ordinance be advertised for public hearing on April 14, 1975, at 7:30 p.m. in the Courthouse, Williamsburg, Va. The motion carried by a unanimous roll call vote.

- 6b. AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS.

Mr. Frink moved that the captioned ordinance be referred to the Planning Commission for a recommendation back to the Board. The motion carried by a unanimous roll call vote.

7. CONSIDERATION OF RESOLUTION CONCERNING THE WILLIAMSBURG-JAMES CITY COUNTY BICENTENNIAL COMMITTEE.

A resolution was presented which the Williamsburg City Council adopted contingent upon approval of the Board which clarifies the responsibilities of the Bicentennial Committee and reaffirms certain appointments thereto.

Mr. Frink moved the approval of the resolution and the appropriation of \$3,000 to the Bicentennial Committee to be transferred from the Contingent Account to Contributions and Transfers. The motion carried by a unanimous roll call vote.

March 10, 1975

THE WILLIAMSBURG-JAMES CITY COUNTY

BICENTENNIAL COMMITTEE

RESOLVED, that the following purposes are hereby established for the Williamsburg-James City County Bicentennial Committee which was originally authorized and appointed by the City Council of the City of Williamsburg and the Board of Supervisors of James City County, Virginia, in 1973: "to serve as a coordinating agency and as an analytical and advisory body; to inventory activities and prevent conflicts; to assemble basic data on the impact of the Bicentennial in the area and what its activities will be; to assume responsibility for maintaining data and evaluating proposed events and activities; to provide liason with other Bicentennial programs on the Peninsula, with the Highway Department and to stimulate governing bodies to provide necessary legal controls for standards; and, to promote a Bicentennial in which the citizens of the City of Williamsburg and County of James City may participate and take pride."

FURTHER RESOLVED, that the membership of the Committee shall be composed as follows:

1. Four (4) members appointed by City Council of the City of Williamsburg as follows: J. R. Ruffin, Mrs. William Low, Thomas G. McCaskey and Frank Force.

2. Three (3) members appointed by the Board of Supervisors of James City County; Sam Powell, Mrs. Robert N. Lent, and one additional member to be appointed by the Board.

3. The following members which are hereby appointed by joint resolution of the City Council and Board of Supervisors: Representatives from:

Colonial Williamsburg Foundation: Duncan Cocke

College of William and Mary: Ross L. Weeks

National Park Service: James Sullivan

Chamber of Commerce: Val J. Wasson

Kings Mill, Anheuser Busch, Inc.: James B. Shea, Jr.

Eastern State Hospital: Dr. Kurt Schmidt

Virginia Independence Bicentennial Commission: Parke Rouse

Local Media: John Gravely, Wilford Kale, Will Molineux, Donald Bentley

Williamsburg-James City County Public Schools: Clifford Howlette

The Committee members here appointed shall serve until the United States Bicentennial Celebration is complete or until sooner removed by separate or joint resolution of the Williamsburg City Council and James City County Board of Supervisors depending upon whether their appointment was by separate or joint resolution. Any vacancy occurring in the City or County membership of the Committee shall be filled by a resolution of appointment by the governing body affected and any vacancy occurring as to any Committee position appointed herein by joint resolution shall be filled by joint resolution by the aforesaid Council and Board of Supervisors.

The Committee is authorized to adopt such by-laws and rules of operation as its member shall adopt by majority vote and is further authorized to designate from its membership and Executive Committee to carry out the daily functions of the full Committee between its regular meeting. The full Committee shall designate the Chairman of the Executive Committee. The full Committee is further authorized to designate such sub-committees as it feels are necessary to fulfill its purposes. Members of sub-committees need not be members of the full committee but may be chosen from the Williamsburg-James City County community at-large. The full committee shall appoint the chairman of each sub-committee and the chairman and all sub-committee members shall serve at the pleasure of the full committee.

FURTHER RESOLVED, that the sum of \$3,000.00 is hereby appropriated to the Bicentennial Committee to be used in the discretion of the Bicentennial Committee to hire such secretarial assistance and to cover such other costs as it shall incur in carrying out its purposes.

Mr. Taylor moved that the Board of Supervisors request the City of Williamsburg to concur in the County's appointing a fourth member to represent the County on the Bicentennial Committee. The motion carried by a unanimous roll call vote.

8. CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson 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 February 1975.

March 24, 1975
March 10, 1975

General Fund	Checks #1911 thru #2022 Totalling \$1,023,530.50
	Checks #989 thru #1229 Totalling \$56,854.32
Sanitary District #1	Checks #215 thru #218 Totalling \$3,451.02
Sanitary District #2	Checks #302 thru #318 Totalling \$20,237.39
Sanitary District #3	Checks #140 thru #143 Totalling \$14,848.65
Revenue Sharing Trust Fund	Checks #134 thru #137 Totalling \$1,038.55
JCC GO Water Bond	Check #129 Totalling \$7,756.97

THE BOARD WENT INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

* * * * *


AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS ON THE TENTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-FIVE.

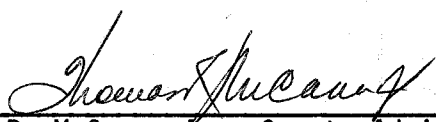
PRESENT: The Board and the County Administrator.

APPOINTMENT TO BICENTENNIAL COMMITTEE

Mr. Donaldson moved the appointment of Mr. McCann, County Administrator, to the vacancy created by the resignation of Mr. Bryant on the Bicentennial Committee. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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-FOURTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Moxton III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

March 24, 1975

2. MINUTES

Mr. Frink moved the approval of the March 10, 1975, minutes as printed. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

- a. Mr. Taylor moved the approval of the resolution abandoning a section of Route 608 and adding a new section of Route 608 to the Secondary System.

RESOLUTION

WHEREAS, Secondary route 608 from 0.80 miles west of Route 606 to 1.16 miles west of Route 606, a distance of 0.36 miles, has been altered and a new road has been constructed and approved by the State Highway Commissioner, which new road serves the same citizen 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 64, Project 0064-047-101, C502, dated at Richmond, Virginia 1-29-75."

NOW, THEREFORE, BE IT RESOLVED; that the portion of Secondary Route 608, i.e., section 2, shown in brown on the sketch titled "Changes in Secondary System due to Relocation and Construction on Route 64, Project 0064-047-101, C502, dated at Richmond, Virginia 1-29-75," a total distance of 1.52 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., Section 1, shown in green on the aforementioned sketch, a total distance of 0.36 miles, be, and the same hereby is, abandoned as a public road, pursuant to Section 33.1-55 of the Code of Virginia of 1950, as amended.

- b. Mr. Edwards moved the approval of the resolutions requesting the Virginia Department of Highways and Transportation to include the following five dirt streets which will be included in the County's Dirt Street Improvement Program into the Secondary System.

RESOLUTION

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 Powhatan Springs 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 Powhatan Springs Subdivision James City County Magisterial District, James City County in the State Secondary Highway System.

Description:	Powhatan Springs Road
From:	State Route 640
To:	Cul-de-sac
Distance:	0.15 miles

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Powhatan Springs Subdivision, Plan Book 19, Page 50, dated 5-10-62.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 alternations, 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;

March 24, 1975

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description:	Cypress Drive
From:	Holly Land
To:	River Drive
Distance:	0.13 miles

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 7 & 8, dated 8-4-58.

BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE RESIDENT ENGINEER OF THE DEPARTMENT OF HIGHWAYS.

RESOLUTION

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 Poplar Hall Plantation 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 Poplar Hall Plantation Subdivision James City County in the State Secondary Highway System.

Description:	Tarleton Bivouac
From:	U. S. Route 60
To:	U. S. Route 60
Distance:	0.50 miles

A right of way of 50 feet is guaranteed as evidenced by plat of record, entitled Poplar Hall Plantation Subdivision, Plat Book 17, Page 1, dated 6-14-58.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 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 James City County Magisterial District, James City County in the State Secondary Highway System.

MARCH 24, 1975

RESOLUTION

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description:	Laurel Lane
From:	Cypress Drive
To:	River Drive
Distance:	0.15 miles

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 8, dated 8-4-58.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

c. Board inquired as to the status of Route 5 near 199.

Mr. Hinman informed the Board that the road is to be completed by the end of June. The contractor was unable to work because of the amount of rain this spring.

4.)

5.) Deferred to discuss in executive session.

6.)

7.

CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE COUNTY OF JAMES CITY, BY ADDING A NEW CHAPTER, CHAPTER 9-113.1, MASSAGE PARLORS; DEFINITIONS; REQUIRING A PERMIT; CERTAIN HEALTH REQUIREMENTS FOR OPERATORS AND TECHNICIANS; PROHIBITING CERTAIN MESSAGES; PROVIDING PENALTIES FOR VIOLATION.

The Board discussed the captioned ordinance with the County Attorney.

Mr. Frink moved to advertise the captioned ordinance for public hearing on May 12, 1975. The motion carried by a majority roll call vote. Mr. Edwards voted no.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

8.

DIVISION OF JUSTICE AND CRIME PREVENTION - ACTION GRANT APPLICATION #73-A2483.

Mr. Art Matthews discussed Continuation Grant #73-A2483 with the Board indicating the need for a full time volunteer coordinator for the Juvenile Delinquent Treatment Program and the County's hard-match share of \$253.92.

Mr. Donaldson moved the approval of the submission of the Grant Application to the Division of Justice and Crime Prevention. The motion carried by a unanimous roll call vote.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION.

March 24, 1975

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF JAMES CITY, VIRGINIA, ON THE TWENTY-FOURTH OF MARCH, NINETEEN HUNDRED AND
SEVENTY-FIVE.

BOARD AND COUNTY ADMINISTRATOR PRESENT AS NOTED ABOVE.

4. CONSIDERATION OF APPOINTMENTS TO ARCHITECTURAL DESIGN
REVIEW BOARD.

Mr. Edwards moved the approval of the staff's recommend-
ation to reappoint Mr. W. H. Phillips, Mr. Robert Rist, and Mr. Albert White III, and to appoint
Mr. Frederick L. Belden to replace Mr. Houghland who has moved out of the County, for a term of
two years. The motion carried unanimously.

5. CONSIDERATION OF APPOINTMENT OF FOURTH MEMBER TO THE
BICENTENNIAL COMMITTEE.

The Board appointed Mr. Donaldson to the Bicentennial
Committee unanimously.

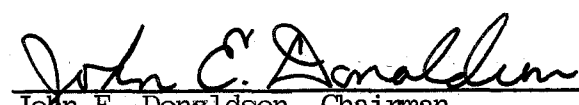
6. CONSIDERATION OF APPOINTMENT TO PENINSULA AGENCY ON
AGING.

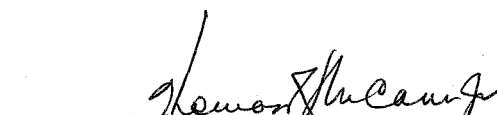
Mr. Edwards moved the appointment of Mrs. Laura Holmes
Rhyne to replace Mr. John Machek who resigned from this Board. The motion carried unanimously.

9. PURCHASE OF CARS FOR SOCIAL SERVICES DEPARTMENT.

Mr. Donaldson moved that the Social Services Department
be allowed to purchase four cars; funds for these cars would be taken from the Contin gent Fund
if delivered before July 1, 1975. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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 APRIL, NINETEEN HUNDRED AND
SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Robert District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

April 14, 1975

2. MINUTES

Mr. Edwards moved the approval of the minutes of March 24, 1975, as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 3-1, WILD ANIMALS NOT TO BE BROUGHT INTO OR KEPT WITHIN THE COUNTY: EXCEPTION.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

The Board discussed the captioned ordinance with Mr. Morton.

Mr. Edwards moved the adoption of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 50A-1

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 3-1, WILD ANIMALS NOT TO BE BROUGHT INTO OR KEPT WITHIN THE COUNTY.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 3, Animals and Fowl, of the Code of the County of James City, Article I, In General, be and the same is, hereby, amended and reordained by amending Section 3-1, Wild Animals Not to be Brought Into or Kept Within the County, to read as follows:

CHAPTER 3

ANIMALS AND FOWL

Article I. In General.

Section 3-1. Wild animals not to be brought into or kept within the County; exception.

It shall be unlawful for any person to bring or keep any wild animal (classed as ferae naturae) within the County; provided however, that such animals shall be permitted to be brought into and kept within the County for purposes of exhibit or as a part of a permanent animal show when the wild animals are located within a thematic park situate in the County.

* * * * *

4. CONSIDERATION OF REQUEST FOR PERMIT TO OPERATE BINGO GAMES AND RAFFLES BY JAMES CITY-BRUTON VOLUNTEER FIRE DEPARTMENT AND JAMES CITY RESCUE SQUAD.

Mr. Waltrip moved the approval of the request by the James City-Bruton Volunteer Fire Department and the James City Rescue Squad, Toano, for a permit to operate bingo games and raffles within the County. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the James City-Bruton Volunteer Fire Department and the James City Rescue Squad, Toano, appeared in person before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Fire Department and Rescue Squad have met the requirements of Section 18.1-340 (b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

April 14, 1975

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the James City-Bruton Volunteer Fire Department and James City Rescue Squad are hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

+ + + + +

5. CONSIDERATION OF ERRONEOUS TAX ASSESSMENT - CAROL ANN LAWSON ROBB.

Mr. Frink moved the approval of the reimbursement of erroneous tax assessment in the amount of \$75.41 to Mrs. Carol Ann Lawson Robb; such amount to be transferred from the Contingent Account to Claims Against the County. The motion carried by a unanimous roll call vote.

6. CONSIDERATION OF FOWL CLAIM - E. L. BOWMER

Mr. Taylor moved the approval of the claim against the County for the loss of 14 chickens killed by dogs in the amount of \$35.00, verified by the Dog Warden; such amount to be transferred from the Contingent Account to Claims Against the County. The motion carried by a unanimous roll call vote.

7. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON CASE NO. Z-2-75 FOR REZONING OF APPROXIMATELY 7.5 ACRES BETWEEN ROUTE 168 AND I-64 ON THE EAST SIDE OF ROUTE 168 FROM A-1 to R-3; APPLICATION BY HOWARD CLAYTON ON BEHALF OF R. M. HAZELWOOD.

Mr. Waltrip moved that the date of May 12, 1975, be advertised for public hearing on the captioned matter, to be held in the Courthouse, Williamsburg Virginia. The motion carried by a unanimous roll call vote.

8. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY DELETING CERTAIN ARTICLES, ARTICLE 12, GENERAL PROVISIONS, 12-12, SITE PLAN REVIEW (n) SITE DEVELOPMENT, CLEARING AND GRADING; AND ARTICLE 12-12-1, PROCEDURE, 2, PRELIMINARY SITE, b., SUBMITTAL CONTENTS, SITE LAYOUT, 11.; AND BY AMENDING ARTICLE 12-12-1, 3., FINAL SITE PLAN, b., SUBMITTAL CONTENTS, (3).

Mr. Taylor moved that the date of May 12, 1975, be advertised for public hearing on the captioned ordinance to be held in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

9. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 3, ANIMALS AND FOWL, OF THE COUNTY OF JAMES CITY, ARTICLE II, DOGS, BY ADDING A NEW SECTION, SECTION 3-8-1, RUNNING AT LARGE PROHIBITED WITHIN RECORDED SUBDIVISIONS.

The Board discussed the captioned ordinance with Mr. Morton, County Attorney. During the discussion, Mrs. Irene Douglas strongly urged the Board to consider setting the ordinance for public hearing.

Mr. Frink moved that the date of May 12, 1975, be advertised for public hearing on the captioned draft ordinance to be held in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

April 14, 1975

10.

CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED "PLAT SHOWING SUBDIVISION OF LAND BELONGING TO YERDA SMITH, SITUATED IN JAMES CITY COUNTY, VIRGINIA" SURVEYED MARCH 1, 1956, MORE PARTICULARLY DESCRIBED AS THAT CERTAIN PROPERTY LINE DIVIDING LOTS 2 & 3 AS SHOWN ON SAID PLAT.

Mr. Edwards moved that the date of May 12, 1975, be advertised for public hearing on the captioned ordinance to be held in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

11.

CONSIDERATION OF A DATE FOR PUBLIC HEARING ON REZONING CASE #Z-1-75, APPLICATION BY HENRY S. BRANSCOME ON BEHALF OF POWHATAN SHORES, INC., FOR REZONING OF APPROXIMATELY 78 ACRES ON ROUTE 682 FROM AGRICULTURAL LIMITED, DISTRICT A-1, TO RESIDENTIAL, LIMITED, DISTRICT R-2.

The Board took note that this item has been withdrawn by the applicant.

12.

CONSIDERATION OF DECLARATION AUTHORIZING FILING OF CONDEMNATION SUITE - SANITARY DISTRICT #2.

Mr. Donaldson moved the adoption of a Declaration authorizing Stone, Bland and Wood, Attorneys at Law, to be the agent and attorney for Sanitary District #2 for handling condemnation proceedings. The motion carried by a unanimous roll call vote.

JAMES CITY COUNTY SANITARY DISTRICT NUMBER TWO

DECLARATION

The James City County Board of Supervisors acting on behalf of James City County Sanitary District Number Two having heretofore employed Stone, Bland and Wood, Attorneys at law, to perform legal services for the District hereby authorized William R. Bland, Attorney, to act as the agent and attorney for the James City County Sanitary District Number Two for the purpose of instituting condemnation proceedings and to file condemnation proceedings in the name and on behalf of the DISTRICT.

* * * * *

13.

CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson 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 March, 1975.

General Fund	Checks #2023 thru #2145 and Checks #1220 thru #1454 Totalling \$375,329.42
Sanitary District #1	Check #219 Totalling \$1,058.67
Sanitary District #2	Checks #319 thru #327 Totalling \$1,677.09
Sanitary District #3	Checks #144 thru #146 Totalling \$14,155.50
Revenue Sharing Trust Fund	Checks #138 thru #142 Totalling \$1,277.20

April 28, 1975
April 14, 1975

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

14. TAX BASE RATE

Mrs. Irene Douglas inquired if the Board would be announcing a reduction in the tax rate because of the recent reassessment of land in the County. Mr. McCann indicated that there would be a substantial reduction in the real property rate; however, this figure would be given to the Board at the end of the month when the County's proposed budget was presented.

The Board adjourned into executive session to discuss personnel matters.

John E. Donaldson
John E. Donaldson, Chairman

Thomas R. McCann, Jr.
Thomas R. McCann, Jr., County Administrator

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 APRIL, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the Administrator
Mr. Frank M. Morton III, County Attorney
Mr. John W. Watkins, Assistant to the Administrator

2. MINUTES

Mr. Frink moved the approval of the minutes of April 13, 1975, as printed. The motion carried by a unanimous roll call vote.

3. CONSIDERATION OF A REPORT FROM THE WHITE OAKS ASSOCIATION CONCERNING THE PROPOSED SEWER SYSTEM FOR SANITARY DISTRICT #3.

John Reagan, 10 Coventry Road - referred to petitions of October 12, 1973, and February 25, 1975, signed by 23 of the 25 householders residing in White Oaks be excluded from the sewer plan for Sanitary District #3.

Roland Babb, Lot #13 Foxcroft Road - Opposed to being included in the Sanitary District #3 project.

Frazier Hoover - Acknowledged that there were sewerage problems in White Oaks.

Mrs. McCormack - Birchwood Subdivision - Claimed most subdivisions eventually have sewerage problems and that it was wise to be included in the project.

THE MEETING WAS ADJOURNED TO CHANGE THE LOCATION OF THE MEETING TO THE CIRCUIT COURT ROOM.

April 28, 1975

THE MEETING WAS RECONVENED BY THE CHAIRMAN. THOSE PRESENT AS NOTED ABOVE.

As a courtesy to the number of contractors present for bid opening, the Board commenced with Item #5.

5. BID OPENING FOR PROPOSED SEWER SYSTEM IN SANITARY DISTRICT # 3.

Mr. Deward M. Martin, Consulting Engineer for Sanitary District #3, read the bids as opened by the County Administrator. A summary of the low bidders is as follows:

<u>SECTION NUMBER</u>	<u>NAME OF LOW BIDDER</u>	<u>BASE BID AMOUNT</u>
I	Vico Construction Co.	\$1,086.883.88
II	Dal Ray Contractors	630,105.79
III	Crowder Construction Co.	368,504.39
IV	Vico Construction Co.	333,250.26
V	Crowder Construction Co.	368,464.14
VI	Norcarva Constructors, Inc.	788,201.00
VII	Norcarva Constructors, Inc.	352,250.00
VIII	Norcarva Constructors, Inc.	198,000.00
	TOTAL BASE BID AMOUNT	\$4,125,659.46

A representative of the Farmer's Home Administration asked if anyone was aware of an error in his bids and no one responded.

* * * *

THE BOARD RECESSED THE MEETING FOR FIVE MINUTES

* * * *

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS THOSE PRESENT AS NOTED ABOVE.

3. WHITE OAKS ASSOCIATION (Con'T)

Mr. Sands spoke in opposition to including White Oaks in the Sanitary District #3 project. He spoke on conservation and saving the trees that serve as a screen.

Mr. Henry Coleman - In favor of the project, but in opposition to tax money being spent when people in subdivision are against being included in the system.

Discussion followed.

Mr. Donaldson moved that the County Administrator include this item on the agenda of the meeting that the Board receives the recommendation for the awarding of the Sanitary District #3 contract. The motion carried by a unanimous roll call vote.

April 28, 1975

4. HIGHWAY MATTERS

a. Presentation by Virginia Department of Highways and Transportation concerning the Scenic Highway designation for Route 5.

Mr. R. L. Hundley, Environmental Quality Engineer, outlined the existing and proposed scenic highway-byway program and the scenic strips program to be followed by the County. Discussion followed. No action requested.

Mrs. Hotchkiss inquired if there was any possibility of having a bicycle trail. Mr. Hundley replied that there were no provisions at the present time; that the Highway Commission has no authority to build bike trails. Suggested the public make request directly to the Highway Department.

b. Mr. Hinman reported that all administrative procedures have been completed the Highway Department can now schedule and advertise a public hearing for Brick Bat Road.

6. CONSIDERATION OF A REQUEST FROM PENINSULA PLANNING DISTRICT COMMISSION FOR \$5,652.50 TO CONDUCT A SOLID WASTE DISPOSAL STUDY AND TRANSFER OF FUNDS.

Mr. McCann discussed his previous memorandum and a PPDC report regarding the establishment of a regional Solid Waste Disposal Authority.

Mrs. Hotchkiss inquired if any recycling was being considered in this study and was told that it was.

Mr. Waltrip moved to approve the recommendation and transfer of funds in the amount of \$5,652.50.

Discussion followed.

Mr. Waltrip withdrew his motion.

Mr. Frink moved to table the manner for a worksession meeting. The motion carried by a unanimous roll call vote.

7. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR BUSCH GARDENS' TEMPORARY OFFICES IN ACCORDANCE WITH CHAPTER 20, SECTION 23, OF THE JAMES CITY COUNTY CODE.

Mr. Frink moved the approval of a conditional use permit for seven mobile business offices to be located in the vicinity of the green house near the operations building at Busch Gardens for a period of six months. The motion carried by a unanimous roll call vote.

8. CONSIDERATION OF PERSONAL PROPERTY TAX REFUND IN THE AMOUNT OF \$32.55 TO MR. RALPH E. GILL FOR OVERPAYMENT OF 1974 TAX.

Mr. Edwards moved the approval of the reimbursement of personal property taxes in the amount of \$32.55 to Mr. Ralph Edward Gill III. The motion carried by a unanimous roll call vote.

9. PRESENTATION OF 1975-76 OPERATING BUDGET AND 1976-80 CAPITAL IMPROVEMENTS PROGRAM.

Mr. McCann presented the Board with their printed copies of the 1975-76 Operating Budget and 1976-80 Capital Improvements Budget.

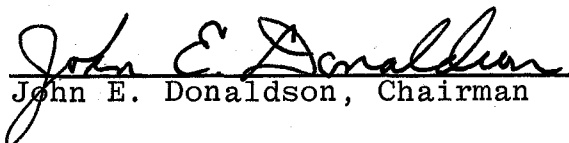
The Board set worksessions for May 6 and May 20, 1975, at the Courthouse, Williamsburg, Virginia; at 7:30 P.M.

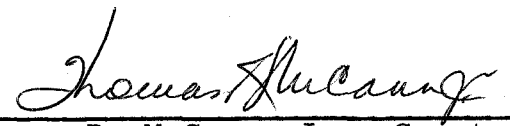
The Board requested that the Budget be advertised for public hearing on May 19, 1975, at 7:30P.M., at the Courthouse, Williamsburg, Va.

Mr. McCann expressed his special thanks to Mrs. Betty Winstead for her work on the budget.

The Board agreed to treat the Budget as a public document to be made available to the public on a first-come first-served basis.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWELFTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Waltrip moved the approval of the minutes of April 28, 1975, as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - An ordinance to amend Chapter 3, Animals and Fowl, of the County of James City, Article II, Dogs, by adding a new section, Section 3-8-1, Running at Large Prohibited Within Recorded Subdivisions. (9-4/14/75)

The Chairman opened the public hearing.

Mrs. Oliver Ramsey, President, SPCA - In favor of restricting the running at large of dogs. Cited costs to SPCA to take care of stray animals. Dogs and people would be protected if dogs are kept on a leash.

Jane Tyler - Resident of Colony - Presently zoned R-1--neighbors on the border of her property zoned A-2. requests that the County enact ordinance

Cecil Hall - Roberts District - Should have dog ordinance. People dropping dogs in this area. Neighbors dogs go in his yard, flowers destroyed, etc. Animals should be restricted in James City County to the property of the owner. Ordinance should be passed tonight.

Jennings Dorman - Jamestown District - In favor of dog ordinance. Cannot ride bike in his area. One of the

May 12, 1975

people who is chief offender is in law enforcement. We should have regulation. There is no enforcement of the regulations we have now and would like to see some strict enforcement.

Mrs. Frank McNeely - Indigo Park - Took public opinion in her subdivision. Twenty-eight families were in favor of a year round leash law, instead of a two to three dollar fine, it should be around \$50.

Jay Richards - Indigo Park - Believes that the leash law is no good if dogs are vicious. If dog is licensed there should be some sort of consideration before impounding, - notify the owner and let the owner pay the fine.

Peggy Young - Skipwith Farms - Has small dog--they were attacked by a St. Bernard. In favor of a leash law--husband has to exercise dog now.

Henry Lindsay - Kingwood - he is one of two adults bitten over in the Colony. Got good cooperation from Dog Warden. Is in favor of dog ordinance.

Peter O'Neal - Indigo Park - His own dog perfect gentlemen, but cannot guarantee what a dog will do. Dogs are a potential danger--shouldn't be allowed to run loose.

Mrs. Irene Douglas - In favor of dog ordinance and has been for seven years. Sewers going through before we get the black plague. Dogs are a health hazard, licensed or unlicensed, shots or no shots, we are playing a game of brinkmanship in the built-up areas of James City County.

Lilly Burton - Brick Bat Road - Lives in a large community and talked with 9 Out of 17 families and all would like a year-round leash law. Dogs being shot in her area, knows who is doing it, but has no proof.

Ron Williams - Kingspoint - Believe we need a year-round leash law, but law is worthless unless we have someone to enforce it. If Board enacts this law which is badly needed, he strongly urges that it be enforced.

Brad Coursen - Kingspoint - There are as many dogs as people in Kingspoint. Dogs create a problem when people on bikes or in cars move through the streets--dogs will run out and greet you-- they want to attack wheels and to keep from running into a dog, owners swerve to avoid them. This is a serious matter and he believes an accident will occur if this continues. The problem that exists is not only for dogs, but also for cats. In addition, the Board should consider a cat ordinance effective from April 15 thru July 15.

Benson Dexter - Rationale for having a 90-day leash law is for wild animal conservation. If a dog attacks someone on my property, am I at liberty to shoot this dog?

Mr. Morton did not answer the question, because of the many variables.

There being no further comments, the Chairman closed the public hearing.

Discussion followed.

Mr. Edwards moved that the County Administrator be requested to study the administration problem and make a recommendation as to what needs to be done to more effectively enforce the law. The motion carried by a unanimous roll call vote.

Mr. Edwards moved that the Board defer action on the captioned ordinance and place the matter on the agenda for the next regularly scheduled meeting. The motion carried by a unanimous roll call vote.

May 12, 1975

4.

PUBLIC HEARING - Case Number Z-2-75. Application by Howard Clayton on behalf of R. M. Hazelwood for rezoning of approximately 75 acres between Route 168 and I-64 on the eastside of Route 168 from Agricultural General, District A-1 to Residential Limited, District R-3. (7-4/14/75)

The Chairman opened the public hearing.

Howard Clayton - Pointed out that his request did not relate to density, but rather was an effort to obtain a zone which would permit the reduction in lot width to 75ft. This would minimize the cost of streets and utilities such that a lower priced house could be constructed.

R. M. Hazelwood - Mr. Hazelwood pointed out that the Planning Commission recommended that the Board approve this request for rezoning. The rezoning would allow approximately two units to the acre. He indicated that he was not in favor of the suggested cluster zoning which had been presented by the County Administrator in his recommendation because he doubted that such an innovated approach would be marketable under current economic conditions. He pointed out to the Board that his land would support septic tanks, had good accessibility to roads, and suitable topography.

There being no further public comment, the Chairman closed the public hearing.

The County Administrator pointed out that while the Land Development Concept did not envision the kind of density requested under this rezoning request, he believed that the need for a smaller lot width was necessary in order to produce lower priced houses. He indicated that the suggestion for cluster zone would serve to accomplish this end, but that a rezoning from A-1 to R-3 carried with it certain risks, since the R-3 one contained other uses which could not be compatible with the area and could not be appropriately served by public services. Mr. McCann indicated, however, that the need for more low and moderate priced housing in James City County supports the idea that amendments to the Zoning Ordinance should be made so as to reduce off-site costs as much as possible. He pointed out that the County staff welcomed the opportunity to work with the applicant to design an amendment to the Zoning Ordinance which would service this need, but further emphasized that a change from A-1 to R-3 would not be wise without contractual zoning which would eliminate other uses in this zone.

After additional discussion, Mr. Taylor moved to approve the captioned rezoning request from A-1 to R-3. Discussion followed between Board and Staff. Mr. William Brown indicated that certainly by two weeks or less he could meet with Mr. Clayton to see if some type of ordinance permitting cluster type development in R-1 could be worked out. He felt there were no overwhelming problems with Mr. Clayton's plan, that it was the precedent of permitting a rezoning to R-3 that was of concern.

Mr. Donaldson expressed the hope that the Board could focus on implementation with a view toward the Zoning Ordinance, Subdivision Ordinance and additional zones to be created within the Zoning Ordinance. He felt that the Board was in agreement that it needed more flexibility and the opportunity to consider planned use development.

May 12, 1975

Mr. Taylor's motion to approve the rezoning request failed by a majority roll call vote. Mr. Frink, Mr. Edwards and Mr. Donaldson voted no.

Mr. Donaldson expressed the staff proceed to develop suggested changes in the Zoning Ordinance that would accommodate low income developemnt.

Mr. Hazelwood indicated that he felt the Board's withholding of the rezoning was unreasonable and that he would see what to do about it.

5. PUBLIC HEARING - An ordinance vacating a portion of that certain plat entitled "Plat Showing Subdivision of Land Belonging to Yerda Smith, situated in James City County, Virginia" surveyed March, 1956, more particularly described as that certain property line dividing Lots 2 and 3 as shown on said plat. (10-4/14/75)

The Chairman opened the public hearing. There being no public comment, the public hearing was closed.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 86

AN ORDINANCE VACATING A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT SHOWING SUBDIVISION OF LAND BELONGING TO YERDA SMITH, SITUATED IN JAMES CITY COUNTY, VA." SURVEYED MARCH, 1956, MORE PARTICULARLY DESCRIBED AS THAT CERTAIN PROPERTY LINE DIVIDING LOTS 2 AND 3 AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Curtis L. Lassiter, Owner of Lots 2 and 3 on that certain plat entitled, "Plat Showing Subdivision of Land Belonging to Yerda Smith, Situated in James City County, Virginia," surveyed March, 1956, to vacate that certain line dividing Lots 2 and 3 with the entire parcel to be then designated as Lot 2; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.1-482 and 15.1-431 Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 12th day of May, 1975, pursuant to such notice and were of the opinion that such vacation would 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:

1. That a certain portion, specifically the property line dividing Lots 2 and 3 of that plat entitled "Plat Showing Subdivision of Land Belonging to Yerda Smith, Situated in James City County, Virginia," surveyed March, 1956, and recorded in Deed Book 60, page 146, be and the same is, hereby, vacated.
2. That a new plat entitled, "Plat of the Property of Curtis L. Lassiter Showing Vacation of Property Line between 2 and 3, Entire Parcel to be Designated Lot 2," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

* * * * *

May 12, 1975

6.

PUBLIC HEARING - An ordinance to amend and reordain Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Business and Activities, Section 9-47, Carnivals, Circuses and Trained Animal Shows, by amending Subsection (C), Trained Animal Shows and Subsection (D), Bond, and adding a new Section, Section 9-47.1, Same - Sponsored by Non-Profit Organizations. (6-3/10/75)

The Chairman opened the public hearing.

David Ware - Mr. Ware indicated that he felt the previous ordinance's adoption stupid. He requested the Board think very carefully before adopting ordinances.

There being no further public comment, the Chairman closed the public hearing. Mr. Frink moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 16A-2

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESSES AND ACTIVITIES, SECTION 9-47, CARNIVALS, CIRCUSES AND TRAINED ANIMAL SHOWS, BY AMENDING SUBSECTION (C), TRAINED ANIMAL SHOWS AND SUBSECTION (D), BOND, AND ADDING A NEW SECTION, SECTION 9-47.1, SAME - SPONSORED BY NONPROFIT ORGANIZATIONS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, Section 9-47, Carnivals, Circuses and Trained Animal Shows, be and the same is, hereby, amended and reordained by amending Subsection (c), Trained Animal Shows, and Subsection (d), Bond, and adding a new section, Section 9-47.1, Same - Sponsored by Nonprofit Organizations, to read as follows:

CHAPTER

Licenses

Article II. Specific Businesses and Activities.

Section 9-47.

Carnivals, circuses and trained animal shows.

- (a) Carnivals. Every person who exhibits performances in a carnival as defined in section 58-277 of the Code of Virginia, in this County, shall pay a license tax of one thousand dollars for each week or part thereof that such carnival exhibits in the County.
- (b) Circuses. Every person who exhibits performances of a circus or circuses and menagerie or wild west show in this County, shall pay a license tax of one hundred dollars per day that such circus exhibits in the county.
- (c) ~~Trained-animal-shows:--Every-person-who-shall-exhibit-performances of-trained-animal-shows-in-this-county-shall-pay-a-license-tax-of-fifty-dollars-per-day-that-such-trained-animal-show-shall exhibit-in-the-County:~~
Trained Animal Shows - Local. Every person, firm or corporation that is in the business of exhibiting performances of trained animal shows in this county and that has a permanent place of business within the County shall pay a license tax of two hundred dollars per year that such trained animal shows shall exhibit in the County.
- (d) Same - Nonlocal. Every person, firm or corporation that is in the business of exhibiting performances of trained animal shows without a permanent place of business within the County shall pay a license tax of fifty dollars per day that such trained animal show shall exhibit in the County.
- (d) ~~Bond:--Each-person-who-exhibits-performances-as-described-in this-section-shall,-before-beginning-operation-in-this-County, post-a-surety-bond-in-the-amount-of-one-thousand-dollars,-which bond-shall-assure-faithful-compliance-by-the-licensee-with-all of-the-laws-of-the-County-pertaining-to-revenue-and-regulations:~~
- (e) Bond. Each person firm or corporation that exhibits performances as described in this section without maintaining a permanent place of business within the County shall, before beginning operation in this County, post a surety bond in the amount of one thousand dollars, which bond shall assure faithful compliance by the licensee with all of the laws of the County pertaining to revenue and regulations.

May 12, 1975

Section 9-47.1.

Same - Sponsored by nonprofit organizations.

No license tax shall be assessed or charged for any activity set forth in Section 9-47 provided such activity is sponsored, supervised and controlled by a nonprofit organization, and provided further that such organization shall first obtain a license for the privilege of doing business in the County.

No license shall be issued under this section until the County Administrator has first made or caused to be made an investigation of the organization involved and the nature of the sponsorship, supervision and control of the show or amusement and the County Administrator is satisfied that:

- (1) The organization is in fact a bona fide nonprofit organization not authorized to distribute its income to its members by charter, constitution or bylaws.
- (2) The show is under the direct sponsorship, supervision and control of the nonprofit organization.
- (3) If any person, firm or corporation connected with, pertaining to or is any manner involved with the activity involved herein receives compensation of any nature for services rendered, such compensation must be paid directly by the nonprofit organization or an affiliate organization of which it is a member.

No arrangement exists for sharing the profits, net income or gross receipts from such show with any person, firm or corporation; provided however, such profits may be shared with either or both of the following:

- (a) an affiliated organization of which the nonprofit organization is a member,
- (b) A property owner providing property upon which such show will be conducted,

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

7.

PUBLIC HEARING - An ordinance to amend Chapter 9 of the Code of the County of James City, by adding a new chapter, Chapter 9-113.1, Massage Parlors; Definitions; Requiring a Permit; Certain Health Requirements for Operators and Technicians, Prohibiting Certain Massages; Providing Penalties for Violation. (7-3/24/75)

The Chairman opened the public hearing. There being no public comment, the Chairman closed the hearing.

Mr. Edwards indicated that Section 9-113.1-11 as written in the draft ordinance relating to records of treatment; giving false name when seeking massage, having to keep names and giving to police, was a clear invasion to the right of privacy.

Mr. Waltrip moved the approval of the captioned ordinance.

Mr. Edwards moved to delete from the proposed draft ordinance Section 9-113,1-2 and to renumber the remaining paragraphs. The motion carried by a unanimous roll call vote.

Mr. Donaldson called for a roll vote on the motion to approve the captioned ordinance with the deletion. The motion carried by a unanimous roll call vote.

May 12, 1975

ORDINANCE NUMBER 87

AN ORDINANCE TO AMEND CHAPTER 9 OF THE CODE OF THE COUNTY OF JAMES CITY, ADDING A NEW CHAPTER, CHAPTER 9-113.1, MASSAGE PARLORS, DEFINITIONS; REQUIRING A PERMIT; CERTAIN HEALTH REQUIREMENTS FOR OPERATORS AND TECHNICIANS; PROHIBITING CERTAIN MESSAGES; PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 9 of the Code of the County of James City, be and the same is, hereby, amended by adding a new chapter, Chapter 9-113.1, Massage Parlors, Definitions; Requiring a Permit; Certain Health Requirements for Operators and Technicians; Prohibiting Certain Messages; Providing Penalties for Violation, to read as follows:

CHAPTER 9-113.1

MASSAGE PARLORS

Section 9-113.1-1. Definitions.

For the purposes of this chapter, the following words and terms shall have the meaning respectively ascribed to them by this section:

Massage. A method of treating the external parts of the body for remedial or hygienic purposes, consisting of rubbing, stroking, kneading or tapping with the hand or any instrument.

Massage parlor. Any place conducting a business where any person engages in, conducts or carries on, or permits to be engaged in, conducted or carried on, any business of giving Turkish, Swedish, vapor, sweat, electric, salt, magnetic or any other kind or character of massage, baths, alcohol rub, fomentation, manipulation of the body or other similar procedure.

Massage technician. Any person, male or female, including but not limited to, a massage parlor operator, who administers to another person, for any form of consideration, a massage, alcohol rub, bath, manipulation of the body or any similar procedure.

Director. The director of the Colonial Health District, Williamsburg-James City County-York County, Virginia, or his designee.

Section 9-113.1-2. Permit - Required.

It shall be unlawful for any person to engage in, conduct or carry on, or to permit to be engaged in, conducted or carried on, in or upon any premises within the County, the business of a massage parlor, or to render or permit to be rendered massage services at a location removed from a massage establishment within the County without a permit issued pursuant to the provisions of this chapter, or, a permit having been issued, while such permit shall have been suspended or revoked.

Section 9-113.1-3. Same - Exemptions from requirement.

The requirements of Section 9-113.1-2 shall not apply to a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the Commonwealth of Virginia, or to a licensed nurse acting under the direct prescription and direction of any such physician, surgeon, chiropractor or osteopath. The requirements of Section 9-113.1-2 shall not apply to barber shops or beauty parlors in which massage is given to the scalp, the face, the neck or the shoulders only.

Section 9-113.1-4. Same - Application.

Any person desiring a permit to operate a massage parlor or establishment shall make application to the director who shall refer all such applications to the County Administrator for investigation. An application to obtain a permit to operate a massage establishment shall be accompanied by a receipt showing payment to the County Treasurer of the sum of fifty dollars, such sum to cover the costs of investigations by the County Administrator, the Health Department and other departments. Massage establishments in business at the effective date of this section shall have thirty days within which to make application for such permit and, if such applicant shall have been in the bona fide business of operating a massage establishment for a period of sixty days prior to the effective date of this chapter, he shall be entitled to make application without of the investigative fee.

Any such application shall contain:

- (a) The full name, age and present address of the applicant.
- (b) The applicant's two previous addresses immediately prior to the present address.
- (c) Applicant's height, weight, color of eyes and hair, and sex.
- (d) A portrait photograph of the applicant giving a clear view of the applicant's face.
- (e) Business, occupation or employment of the applicant for the five years immediately preceding the date of the application.

May 12, 1975

- (f) Previous experience of the applicant as a massage parlor operator or as a massage technician.
- (g) All criminal convictions, other than traffic offenses, and place of conviction of the applicant and all massage technicians to be employed.
- (h) A list of all contagious or communicable diseases had by the applicant within the past three years, and name of person, with address, giving treatment.
- (i) The location of such massage parlor; and if such premises are not fully constructed, plans for any construction to take place.
- (j) A list, including name, age, height, weight, sex and experience of any presently employed, or to be employed, massage technicians, with a medical history of any contagious or communicable diseases presently had and being treated, or cured within the previous three years.

Section 9-113.1-5.

Same - Referral of application to certain administrative officers.

The director shall refer such application to the administrative officers of the County charged with the enforcement of the Building, Plumbing, Electric and Fire Prevention Codes. Such application shall also be referred to the Sheriff's Office and the County Administrator's Office.

Section 9-113.1-6.

Same - Issuance.

Within fourteen days of the application, the director shall issue, or reissue in case the permit has been revoked, the permit if he shall find:

- (a) The premises to be used or constructed to meet the Building, Plumbing, Electric and Fire Prevention Codes of the County as reported by the administrative officers of the County, and
- (b) Further medical examination or treatment of the applicant and employed massage technicians are not needed, and
- (c) The facilities comply with the other requirements of this chapter, and
- (d) The experience and knowledge of the permittee and employed massage technicians are such that the operation of the proposed massage parlor will not be detrimental to the health and safety of the patrons, and
- (e) The information in the application be truthful.

Section 9-113.1-7.

Display of permit and list of employed technicians.

Every person to whom a permit shall have been granted shall display such permit in a conspicuous place so that the same may be readily seen by anyone entering the premises where the massage is given. Such permittee shall also display in a conspicuous place a list of all massage technicians employed in the massage parlor.

Section 9-113.1-8.

Required facilities; maintenance of facilities.

Each massage parlor shall have and maintain same in a clean, sanitary and workable condition:

- (a) Equipment for disinfecting and sterilizing nondisposable instruments and materials used in performing acts of massage.
- (b) Hot and cold water and soap shall be provided at all times.
- (c) Closed cabinets shall be provided for the use of storage of clean linen.
- (d) Adequate bathing, dressing, locker and toilet facilities shall be provided for patrons. A minimum of one tub or shower, one dressing room containing a separate locker for each patron to be served, which locker shall be capable of being locked, as well as a minimum of one toilet and one washbasin, shall be provided by every massage establishment; provided, however, that if male and female patrons are to be served simultaneously at the establishment, separate bathing, a separate massage room, or rooms; separate dressing and separate toilet facilities shall be provided for male and for female patrons.

May 12, 1975

- (e) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and any other physical facilities for the establishment shall be in good repair and maintained in a clean and sanitary condition. Heat, steam or vapor rooms or cabinets shall be cleaned each day the parlor is in operation. Bathtubs shall be thoroughly cleaned after each use.
- (f) Clean and sanitary towels and linens shall be provided for each patron of the parlor or each patron receiving massage services. No common use of towels or linens shall be permitted.
- (g) Either the massage parlor quarters or the floor of the building on which the quarters are located shall be equipped with a service sink for custodial services.
- (h) All massage tables, bathtubs, shower stalls and steam or bath areas shall have nonporous surfaces which may be readily disinfected.

Section 9-113.1-9.

Hours of operation.

No massage parlor shall remain open for business nor shall any massage be administered to any patron of any such business between the hours of 10:00 p.m. and 6:00 a.m. the following morning.

Section 9-113.1-10.

Health requirements for operators and technicians; service patrons with skin infections.

- (a) No massage parlor operator or massage technician shall be permitted to give massage or come in contact with a patron of any massage parlor unless such operator or massage technician shall be free of any contagious or communicable disease. The director or his designee, may, for cause, require that an operator or massage technician not be allowed to give massage unless and until any such person provide him with a certificate from a licensed medical doctor that such person has been examined within the previous ten days and found to be free of all contagious or communicable disease.
- (b) No massage technician shall knowingly serve any patron infected with any fungus or other skin infection; nor shall service be performed on any patron exhibiting skin inflammation or eruptions; provided, however, that a duly licensed physician may certify that any such patron may be safely served prescribing the conditions thereof.

Section 9-113.1-11.

Massage of certain portions of body by person of opposite sex prohibited; exposure of certain portions of body prohibited.

- (a) It shall be unlawful for any massage technician or any other person in a massage parlor to place his or her hand or hands upon, to touch with any part of his or her body, to fondle in any manner, or massage, the sexual or genital parts, or any portion thereof, of any other person.
- (b) It shall be unlawful for any massage technician or any other person employed in a massage parlor to expose his or her sexual or genital parts, or any portion thereof, to any other person.
- (c) It shall be unlawful for any female massage technician or any other person employed in a massage parlor, to fail to conceal with a fully opaque covering the sexual or genital parts of his or her body while in the presence of any patron of said massage parlor.
- (d) It shall be unlawful for any female massage technician ~~to~~ any other female person employed in a massage parlor to fail to conceal with a fully opaque covering the nude breast or breasts of said female massage technician or other female person while in the presence of any patron of such massage parlor.
- (e) It shall be unlawful for any person owning, operating, or managing a massage parlor, knowingly to cause, allow or permit in or about such massage parlor, any agent employee or other person under his control or supervision to perform such acts prohibited in subsections (a), (b), (c), (d) or (e) of this section.

Section 9-113.1-12.

Where massage permitted.

Each massage parlor shall have one area designated for massage; or in the event massage be administered to both sexes during the same times, such massage parlor shall have two separate massage areas - one being for male patrons and one being for female patrons. All massages shall be administered in said massage area or areas as the case may be, and no massages shall be administered in private rooms or behind closed doors. The massage area or areas as the case may be, shall be open to inspection by the director, or his designee, and other law enforcement officers of the County during business hours.

Section 9-113.1-13.

Responsibilities of permittee.

No person granted a massage parlor permit pursuant to this chapter shall operate under any name or at any location not specified in his permit. The permittee shall be responsible for maintaining the premises in accordance with the requirement of this chapter and for the conduct of any agents and employees in complying with the requirements of this chapter. No permittee shall permit in his or her premises activity or behavior prohibited by the laws of the United States, Commonwealth of Virginia or this County relating to gambling, prostitution, sodomy, adultery, fornication, lewd and lascivious cohabitation or other laws relating to obscenity or moral turpitude.

Section 9-113.1-14.

Revocation and suspension of permits generally.

The director may revoke or suspend for a term, as hereinafter provided, any permit issued to this chapter upon the violation of any of the rules, requirement or restrictions of this chapter. No permit, however, shall be revoked until after a hearing shall have been held by the director to determine just cause for such revocation. At such hearing the permittee shall be given the opportunity to present evidence and argument against revocation or suspension. Notice of such hearing shall be given the permittee by mailing at least five days prior to such hearing a written statement setting forth the ground of complaint, addressed to the permittee at the address on his permit. The decision of the director shall be final. After such hearing the director may suspend such permit for a term not to exceed sixty days, may revoke the permit, or may dismiss the complaint.

Section 9-113.1-15.

Permit nontransferable; grounds for revocation of permit.

The sale or transfer of the interest of the permittee in a massage parlor shall render null and void any permit issued pursuant to this chapter. The enlargement or alteration of the structure at which the massage parlor is operated shall be deemed to revoke such permit, ipso facto, unless prior approval shall have been obtained from the director. The hiring and use of massage technicians not listed with the director shall be deemed to revoke such permit, ipso facto, unless the information required by Section 9-113.1-4 shall have been first filed with the director.

Section 9-113.1-16.

Penalty.

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, in addition to the provisions of Section 9-113.1-15, be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$1,000.00 or by confinement in jail for a period not exceeding six months, either or both.

This ordinance shall be in full force and effect from the date of its adoption.

* * * * *

8.

PUBLIC HEARING - An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, by deleting certain articles, Article II, Site Plan, Section 20-16, Certain Plans Subject to Review by Planning Commission, Subsection (N) Site Development, Clearing and Grading; and Section 20-19, Same-Submittal Contents, Subsection (B) Site Layout, (II) Location and Type of Sedimentation and Erosion Control Devices to be Used During and After Construction; and Section 20-21.3, Same - Submittal Contents, Subsection (C) Detailed Grading, Drainage and Sedimentation and Erosion Control Plan Including Profiles of Streets and Roads and Storm Sewer Lines. (8-4/14/75)

The Chairman opened the public hearing. There being no public comment, the hearing was closed.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

May 12, 1975

ORDINANCE NO. 31A-28

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, BY DELETING CERTAIN ARTICLES, ARTICLE II, SITE PLAN, SECTION 20-16, CERTAIN PLANS SUBJECT TO REVIEW BY PLANNING COMMISSION, SUBSECTION (n) SITE DEVELOPMENT, CLEARING AND GRADING; AND SECTION 20-19, SAME - SUBMITTAL CONTENTS, SUBSECTION (b) SITE LAYOUT, (11) LOCATION AND TYPE OF SEDIMENTATION AND EROSION CONTROL DEVICES TO BE USED DURING AND AFTER CONSTRUCTION; AND SECTION 20-21.3, SAME - SUBMITTAL CONTENTS, SUBSECTION (c) DETAILED GRADING, DRAINAGE AND SEDIMENTATION AND EROSION CONTROL PLAN INCLUDING PROFILES OF STREETS AND ROADS AND STORM SEWER LINES.

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, be and the same is, hereby, amended and reordained by deleting certain articles, Article II, Site Plan, Section 20-16, Certain plans subject to review by the Planning Commission, Subsection (n) Site development, clearing and grading; and Section 20-19, Same - Submittal contents, Subsection (b) Site layout, (11) Location and type of sedimentation and erosion control devices to be used during and after construction; and Section 20-21.3, Same Submittal contents, Subsection (c) Detailed grading, drainage and sedimentation and erosion control plan including profiles of streets and roads and storm sewer lines.

CHAPTER 20

ZONING

Article II. Site Plan

20-16. Certain plans subject to review by planning commission.

(n) This subsection is hereby deleted.

20-19. Same - Submittal contents.

(b) Site layout.

(11) This subsection is hereby deleted.

20-21.3. Same - Submittal contents.

(c) This subsection is hereby deleted.

This ordinance shall be in effect thirty (30) days from the date of its adoption.

* * * * *

9. CONSIDERATION OF A CHANGE OF DATE FOR BOARD MEETING
SCHEDULED FOR MAY 26, 1975.

Mr. Frink moved that the second regularly scheduled meeting of the Board be held on Tuesday, May 27, 1975, at 3:00 P.M., due to the Memorial Day Holiday. The motion carried by a unanimous roll call vote.

10. CONSIDERATION OF LIVESTOCK CLAIM - Stewart Taylor

Mr. Waltrip moved to approve the claim of \$240 for the damage to livestock submitted by Mr. Taylor, and the transfer of funds from the Contingent Account in this amount. The motion carried by a majority roll call vote. Mr. Taylor abstained.

11. CERTIFICATION OF WARRANTS

General Fund

Checks #2146 thru #2249
and
Checks #1455 thru #1692
Totalling \$200,312.89

Sanitary District #1

Checks #220 & #221
Totalling \$1,859.83

Sanitary District #2

Checks #328 thru #332
Totalling \$548.73

Sanitary District #3

Checks #147 thru #150
Totalling \$3,153.19

Revenue Sharing Trust Fund

Checks #143 thru #147
Totalling \$4,434.87

May 12, 1975

School Construction Bond Issue
of March 1, 1972

Checks #124
Totalling \$11,720.50

General Obligation Bonds -
Water 1970

Check #130
Totalling \$855.43

Mr. Donaldson moved the approval of the above warrants for the month of April, 1975. The motion carried by a unanimous roll call vote.

12. CONSIDERATION OF APPOINTMENTS TO PLANNING COMMISSION

The Board deferred action on this item for executive session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

13. RESOLUTION OF COMMENDATION AND WELCOME PRESENTED TO THE MANAGEMENT AND STAFF OF ANHEUSER-BUSCH, INCORPORATED, IN RECOGNITION OF THE OPENING OF "THE OLD COUNTRY" IN JAMES CITY COUNTY, VIRGINIA.

RESOLUTION

RESOLUTION OF COMMENDATION AND WELCOME PRESENTED TO THE MANAGEMENT AND STAFF OF ANHEUSER-BUSCH, INCORPORATED, IN RECOGNITION OF THE OPENING OF "THE OLD COUNTRY" IN JAMES CITY COUNTY, VIRGINIA

WHEREAS, two years ago Anheuser-Busch, Inc., began the construction of a three hundred acre thematic park in James City County which has been named THE OLD COUNTRY; and

WHEREAS, on May 10, 1975, THE OLD COUNTRY opened its doors to the public for the first time and was received with enthusiasm and excitement by all in attendance; and

WHEREAS, THE OLD COUNTRY represents a large investment in James City County providing employment opportunities and a market for goods and services which results in a substantial contribution to the tax base of our community; and

WHEREAS, during the course of construction, employees of Anheuser-Busch, Incorporated --its representatives, engineers, architects, and management personnel--have been most cooperative in their dealings with the County and have exhibited great respect for the governmental interest in insuring high quality development and in protecting the splendid natural environment surrounding THE OLD COUNTRY; and

WHEREAS, the Board of Supervisors of James City County recognizes THE OLD COUNTRY as a valued addition to the community;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that Anheuser-Busch, Inc., be and hereby is commended for its imaginatively conceived and superbly executed family entertainment complex;

That the Board hereby congratulates Anheuser-Busch, Inc., on a successful opening weekend which has generated considerable praise and enthusiasm in the news media and by those in attendance;

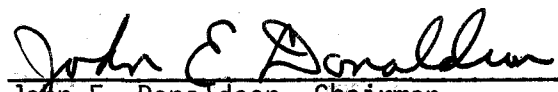
BE IT FURTHER RESOLVED, that the Board hereby offers a sincere welcome to THE OLD COUNTRY, to its management and staff, and to all who may pass through its gates; and


BE IT FINALLY RESOLVED, that the Board of Supervisors hereby unanimously extends its congratulations to Anheuser-Busch, Inc. for a job well-done and conveys its best wishes for a successful future to the management and staff of THE OLD COUNTRY.

* * *

Mr. McCann read the resolution to be presented at the opening of "The Old Country". Mr. Donaldson moved the approval of the captioned resolution. The motion carried by a unanimous roll call vote.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

May 6, 1975

AT A WORKSESSION MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-FIVE.

I. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
 Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
 Mr. Abram Frink, Jr., Roberts District
 Mr. Jack 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

I. CONSIDERATION OF SCHOOL BOARD BUDGET

a. Presentation by Mr. John Ryland, President, Williamsburg-James City Education Association.

Mr. Ryland made a lengthy presentation to the members of the Board of Supervisors discussing such items as ability to pay the current salary schedule for school teachers, comparisons of that salary schedule with salary schedules of other Peninsula jurisdictions and similar matters. At the conclusion of Mr. Ryland's presentation, the Board of Supervisors asked several questions concerning the data which was presented to them.

The chairman asked if there were comments from members of the audience. Mr. Dave Ware, Jr., pointed out that he believed that more funds should be cut from the Williamsburg-James City School Board request. He indicated that he did not like merit pay provisions and pointed out that people should be glad to work here and should not request additional funds for salaries. He indicated that he felt such items as \$10,000 to clean carpets at Lafayette High School was an area where budget cuts could be made without necessarily touching the salary aspect.

Mrs. Lillian Watkins informed the Board that when she was a school teacher in 1920, teachers were being paid \$50 a month which was then cut to \$35 a month during the depression. She indicated that she made more money as a seamstress than she did teaching and that teachers should be happy with what they are getting now.

She indicated that she felt the School System was pampering the children and giving them handouts. She indicated the students themselves should clean such things as carpets.

At the conclusion of these remarks, the Board of Supervisors discussed the School Board portion of the proposed budget and questioned Mr. Ryland concerning his presentation. The Board did not take final action.

II. CONSIDERATION OF GENERAL OPERATING BUDGET AND CAPITAL IMPROVEMENT BUDGET.

Mr. Donaldson asked each Board member to indicate its questions concerning the proposed operating budget. Mr. Frink pointed out that he hoped that funds would be available to provide dirt street improvements in the James Terrace area. Mr. Edwards asked for additional information on dirt streets. He further requested information concerning the actual size of the Welfare Board budget increase and pointed out a discrepancy between what appeared to be the local cost when comparing revenues and expenditures and the amount shown in the budget comments.

Mr. Taylor indicated that he could not appreciate the quality of personnel proposed in the Welfare Department and spoke of his concern in the increase in Welfare costs in James City County. He requested the salary schedule for all County employees and further pointed out that he felt there were certain areas in the budget which were unnecessary such as the Planning Department.


Mr. Waltrip requested information concerning the establishment of a policy which would permit members of boards and commissions to receive mileage reimbursement

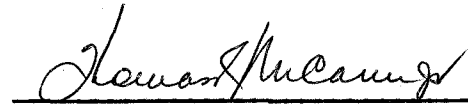
May 6, 1975

for the cost of attending meetings of their organizations. Mr. McCann pointed out that such a study had been done and that this would be provided to the Board at the next worksession.

At the conclusion of the worksession, the Board decided to hold the public hearing on the proposed budget in the auditorium of Lafayette High School.

THERE BEING NO FURTHER DISCUSSION, THE MEETING ADJOURNED BY A UNANIMOUS ROLL CALL VOTE.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE AUDITORIUM OF LAFAYETTE HIGH SCHOOL, WILLIAMSBURG, VIRGINIA, ON THE NINETEENTH DAY OF MAY NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Pownatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack 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
Mrs. Betty W. Winstead, Budget Analyst

2. PUBLIC HEARING ON THE PROPOSED OPERATING BUDGET AND CAPITAL IMPROVEMENTS BUDGET FOR FY 75-76.

The Chairman of the Board, Mr. John Donaldson, made some introductory remarks and instructed the public to present their name before speaking on the proposed budget. At the conclusion of the introductory remarks, Mr. Donaldson called on the first speaker.

1. Helen Holmes, President, Williamsburg-James City County Education Association for 1975-76, requested that the \$85,000 proposed reduction be added into the budget. She spoke at length concerning the role of a school teacher, the amount of overtime hours spent which were not compensated, the difficulty in living on the fairly modest salary which school teachers were paid, and the inability of a teacher to progress educationally if they could not attend course work because of holding down second jobs.
2. Ray Lawson - Mr. Lawson pointed out that money was being wasted in the County and that while everyone wanted pay increases the teachers should realize that cuts needed to come in the school budget as well as the general budget and that they should bear their proportionate share of these cuts.
3. Collier Linn - Mr. Linn reviewed various pages in the budget document and asked questions concerning the level of expenditures proposed thereon. He pointed out that he believed that there were areas in the County budget which could be cut without making an \$85,000 reduction in the school teacher's salaries and still not increase taxes.

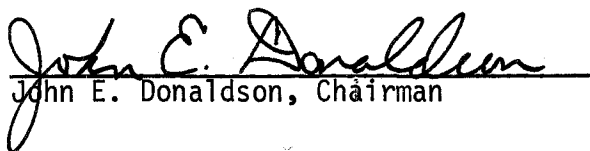
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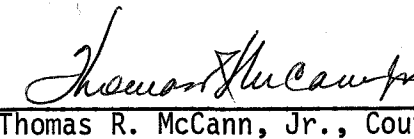
4. R. M. Hazelwood, Jr. - Mr. Hazelwood indicated that he believed the County's proposed budget was too high. He discussed the proposed pay raise for County employees. He pointed out that County employees worked a 35 hour work week and thought that this should be increased to 40 hours a week. Mr. Hazelwood further suggested that the three educators who sat on the Board of Supervisors not vote on the school portion of the budget. He labeled this a conflict of interest. He concluded his remarks by suggesting that the Board put County employees on a 40-hour work week.
5. Robert Hobson, teacher at Lafayette High School, spoke for the teacher pay increase.
6. Don Iannuzzi - Mr. Iannuzzi spoke in favor of the teacher's salary increase. He pointed out that he believed all County employees were entitled to good salaries and that teachers deserved a decent living wage.
7. Ezekiel Lee - Mr. Lee pointed out that he had lived in the County since 1909 and a lot of changes have come about, but that we sometimes overlook ideas that might be effective in helping to get people off of welfare. He spoke in favor of establishing a public landing on the James so that individuals could make their living as fishermen.
8. Mrs. Frances White, Chairman of the County School Board spoke in favor of restoring the \$85,000 cut to the School Board. She emphasized that the James City County Board of Supervisors had long supported the school system and hoped that that would continue. She pointed out that there have already been cuts in the school budget and that no further cuts be made.
9. Charles Garland, President of PTA Council, spoke in support of the school board budget and submitted a written statement to the Board of Supervisors.
10. Dave Ware Jr., President of the Committee for County Better Government, presented a written statement to the Board of Supervisors covering essentially the following points which he said would have the affect of cutting taxes to \$1.37 per hundred: He suggested cutting four staff members from the County Administrator's office, cutting two people from the office of Accounting and Purchasing, eliminating the County Attorney's position, eliminating the office of Planning and Development entirely, cutting \$300,000 from the Welfare budget, cutting two inspectors from the office of Building Inspections, and decrease the School Board budget by \$400,000 and renegotiate the contract with the City to obtain a more favorable sharing formula. He pointed out that he believed that the amount of \$45,000 contained in the Buildings and Grounds budget was entirely too high and suggested that County employees clean public buildings. He further suggested that all salary adjustments be cut from the proposed budget along with funds budgeted for claims against the County, attorney fees, and consulting fees.
11. John Ryland, Chairman of the Salary Committee of the Williamsburg-James City County Teacher's Association, spoke in favor of restoring the \$85,000 cut in the proposed budget for schools. He summarized various points which he had made before the Board of Supervisors during previous work-sessions and indicated that he felt the public could not complain about taxes in James City County which has extremely low effective rate of taxation.
12. Joe Watson - Mr. Watson spoke about the inability of County Taxpayers to afford the taxes which are necessary to support County government. He indicated that he sympathized with school teachers, but he felt that no one had extra money at this point and school teachers are no different from anyone else. He spoke in opposition to the Welfare program indicating that there were excesses and that regulations sometimes prevented social workers from obtaining fair information about their clients.
13. Ned Cary, Sr. - Mr. Cary spoke in favor of the teacher's salary increase and suggested that if there were other areas that could possibly be cut in the proposed budget, that they should be cut first.
14. Irving Stuart - Mr. Stuart pointed out that the County needed to come back to reality and draw the line some place. While not advocating salary increases he did point out that all salaries should be reviewed before making decisions.
15. Robert Welsh - Mr. Welsh spoke of the fact that the provision of \$85,000 back in the budget to provide school teacher's salary increases would only amount to \$3 or \$4 a year in his tax bill. He pointed out that he was willing to pay it.
16. Clara Harris - Mrs. Harris pointed out that she was not particularly against teachers salaries, but suggested that some tax payers ought to take care of their illegitimate children then they wouldn't have to be put on welfare. She said that quality education does not come from more pay. She spoke in favor of a new athletic field so that local school teams would not have to go to Newport News to play their ball games.

May 20, 1975
May 19, 1975

17. J. C. Richardson - Mr. Richardson spoke in favor of holding the line on the budget. He said that government spending must stop and that the high cost of welfare did not make any sense. He pointed out that the people on welfare can work and should do so. He complained about the fair market appraisal of his property and the fact that this did not produce income.
18. Nancy James - Ms. James spoke in favor of the School Board increase.
19. Tom Mahone - Mr. Mahone pointed out that he could not pay what his taxes are going to be next year and suggests a 20% across-the-board cut in the budget.
20. Joan Goodwin - Mrs. Goodwin asked the Board of Supervisors not to cut the \$85,000 from the School Board budget. She said people in this vicinity did not know what high taxes were and that the budget was affordable.
21. John Hedgebeth - Mr. Hedgebeth suggested that the County hire an efficiency expert to get rid of freeloaders on the County payroll.
22. John Ryland - Mr. Ryland spoke again and re-emphasized earlier points.
23. Mr. Cowles - Mr. Cowles suggested that the County go on a twelve month school year to use facilities year round.
24. Mr. Ray Lawson - Mr. Lawson pointed out that it was important for the County to live within its means and that cuts should be made in other areas as well as the proposed School Board budget.
25. Mr. E. Lee spoke again in favor of establishing public landings on the James.
26. Mr. Robert Hobson indicated his concern if cuts were made in any area of education.
27. Mr. Hedgebeth pointed out that he goes along with the educational system, but has to live on \$500 a month as a retired person. He felt that the County should be careful in approaching the next year's budget.

Mr. Donaldson then asked if there were any other individuals who wished to speak. There being none, the public hearing was closed. Mr. Donaldson reminded the Board of the worksession to be held on the 20th of May, to come to some final conclusions concerning the budget. On a unanimous roll call vote, the Board adjourned until its meeting on May 20, 1975.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

AT A WORKSESSION 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-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack 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
Mrs. Betty W. Winstead, Budget Analyst

Mr. Donaldson called the meeting to order, and pointed out that since this was a worksession, comments from the public would not be accepted.

Mr. Donaldson called on Mr. McCann to respond to some of the points that were raised at the Public Hearing held on May 19, 1975.

Mr. McCann clarified certain points raised during the Public Hearing concerning the general across-the-board salary adjustment, the salary increases

May 20, 1975

which were shown in the Accounting and Purchasing Division, the increase in fringe benefit costs, the rise in the cost of communications (which includes postage and telephone), and the amount of money that had been appropriated for Claims Against the County.

At the conclusion of Mr. McCann's statement, Mr. Donaldson discussed the cost of County leasing and pointed out that if the County had its own buildings it would not be subject to the higher cost that leasing requires because of the necessity to pay taxes and carry heavier interest costs experienced by the private businessman.

At the conclusion of Mr. Donaldson's comments, he asked the various members of the Board to raise the questions or points that they wished to concerning the proposed budget.

Mr. Waltrip questioned the effect of cutting the Welfare budget. Mr. McCann pointed out that certain regulations were required of the local department and sufficient staff was necessary to carry out these requirements. He indicated that while some cuts might be made without adverse State reaction, he believed that there were risks involved and the County could lose the 80-20 funding for administration if it wasn't cautious about the manner in which it handled this matter.

Mr. Edwards asked the County Administrator's opinion about changing from a 35 to 40-hour work week. This issue had been raised at the public hearing the night before. Mr. McCann pointed out that the County's pay plan and classification plan was based on a 35 hour week and he believed that requiring employees to work the additional five hours each week would result in the necessity for increasing salaries. He pointed out that the County had been on a 35-hour work week for a number of years and employees were accustomed to that. Adding five additional hours to the normal work week might carry with it the obligation for increasing monthly salaries.

Mr. Edwards also indicated his concern over a public landing on the James River and requested the County Administrator to return to the Board with a report concerning alternate sites and costs for such a landing. He also pointed out that he understood that the Williamsburg Day Care Center might be able to obtain federal funding to improve and expand its program with perhaps a very small local match. He asked the County Administrator to check into this and report back to the Board.

Mr. Waltrip pointed out that he wanted a policy concerning the payment of mileage for members of Board appointed Boards and commissions and the Board of Zoning Appeals. He moved that the County adopt a policy along these lines. The motion carried 4 to 1 with Mr. Edwards voting no. The staff was asked to make a report to the Board on the manner by which the policy would be handled.

The various members of the Board then presented their point of view with regard to the level of funding for the School Board for the next year. The Chairman, Mr. Donaldson permitted Mr. John Ryland, Chairman of the Salary Committee of the Williamsburg-James City County Teacher's Association, to present brief remarks concerning the teacher's salary question. Mr. Ryland presented information concerning fringe benefits which compared those benefits provided to general County employees with those provided to school teachers.

At the conclusion of his remarks, the Board further discussed the school budget and decided not to make a decision concerning the level of funding for next year until it had an opportunity to review the entire budget and adopt the appropriations resolution.

During the meeting, Mr. McCann provided information to the Board of Supervisors which it had requested at the previous worksession. Such information consisted of memoranda concerning the payment of mileage to members of board and commissions, the

May 27, 1975
May 20, 1975

amount of the personal property assessment for the next year in James City County, the annual salary grades and steps of County employees which had been earlier requested by Mr. Taylor, and a lengthy memorandum prepared by Mr. Watkins, Assistant to the County Administrator, concerning the dirt street program.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED BY A UNANIMOUS ROLL CALL VOTE.

John E. Donaldson
John E. Donaldson, Chairman

Thomas R. McCann, Jr.
Thomas R. McCann, Jr., County Administrator

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 MAY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mr. Edwards moved the approval of the minutes of May 12, 1975, as printed. The motion carried by a unanimous roll call vote.

3. PRESENTATION OF SERVICE CERTIFICATES

Mr. Donaldson presented certificates of award to 32 employees for their service to the County which ranged from 3 years to 23 years.

4. HIGHWAY MATTERS

No business came before the Board.

5. CONSIDERATION OF AN ORDINANCE TO AMEND CHAPTER 3, ANIMALS AND FOWL, OF THE COUNTY OF JAMES CITY, ARTICLE II, DOGS, BY ADDING A NEW SECTION, SECTION 3-8-1, RUNNING AT LARGE PROHIBITED WITHIN RECORDED SUBDIVISIONS. (9-4/14/75, 3-5/14/75)

Mr. Donaldson inquired if anyone wished to speak on the ordinance.

Mr. W. Scruggs - Apologized for not being at the public hearing but he could not attend due to illness. He strongly urged the Board to consider the sportmen and owners who raise dogs for field trials while reviewing the proposed ordinance.

Mr. Jack Sheldon - Indicated he felt that if the ordinance was passed it would cut out a lot of revenue.

3
5.27.75

SERVICE AWARD PRESENTATIONS

BUILDINGS AND GROUNDS

Percell Druitt - 3 yrs.
Floyd Jefferson - 8 yrs.
W. Price Franklin - 10 yrs.

BUILDING INSPECTION

Myers B. (Mickey) Hitchens - 3 yrs. ✓

CIRCUIT COURT CLERK'S OFFICE

Leatrice M. Foley - 8 yrs

COMMISSIONER OF THE REVENUE'S OFFICE

Parish Wm Mann - 3 yrs. ✓
Edna H. Miller - 5 yrs.
Edna J. Caldwell - 21 yrs.

COMMONWEALTH ATTORNEY'S OFFICE

William L. Person, Jr. - 10 yrs.

COUNTY ADMINISTRATOR'S OFFICE

Craig G. Covey - 3 yrs. ✓
Elizabeth L. Johnson - 3 yrs. ✓
John W. Watkins - 5 yrs. ✓

DOG WARDEN

Douglas E. Matheny - 10 yrs. ✓

FIRE DEPARTMENT

Warren E. Smith - 6 yrs. ✓
John R. (Richard) Garrett - 8 yrs. ✓
John P. Martin - 10 yrs. ✓
Garland L. Woody - 10 yrs. ✓

OFFICE OF ACCOUNTING AND PURCHASING

Betty W. Winstead - 7 yrs. ✓
Arlene M. Bowmer - 10 yrs. ✓

REGISTRAR

Judith E. Trautman - 4 yrs. ✓

SHERIFF'S DEPARTMENT

Maebelle M. Driggs - 3 yrs. ✓
Thomas E. Fisher - 3 yrs. ✓
Earl M. Heisler - 3 yrs. ✓
Robert E. Jones - 4 yrs. ✓
Frank V. Elliott - 6 yrs. ✓
James H. Driggs - 6 yrs. ✓
Walter B. Dutton - 14 yrs. ✓
Archie M. Brenegan - 23 yrs. ✓

TREASURER'S OFFICE

Dorene B. Ankrom - 3 yrs. ✓
✓ Rances B. Whitaker - 9 yrs. ✓
Betty S. Angle - 12 yrs. ✓
Eunice P. Stewart - 14 yrs. ✓

May 27, 1975

Mrs. Irene Douglas - Indicated that there was a need for a dog leash law in built up residential areas.

Discussion followed.

Mr. Edwards moved to amend the ordinance by deletion of the B-1 and B-2 zones in the first paragraph under Section 3-8.1. After a brief discussion the motion passed by a majority roll call vote. Mr. Donaldson voted no.

Mr. Waltrip moved to amend the fourth paragraph under Section 3-8.1 by inserting the words "or during field trials or training periods when accompanied by its owner or custodian", at the end of the paragraph. After discussion, the motion carried by a unanimous roll call vote.

Mr. Donaldson moved that the ordinance be adopted as amended. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NUMBER 7A-5

AN ORDINANCE TO AMEND CHAPTER 3, ANIMALS AND FOWL, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, DOGS, BY ADDING A NEW SECTION, SECTION 3-8.1, RUNNING AT LARGE PROHIBITED WITHIN CERTAIN SUBDIVISIONS; PENALTY FOR VIOLATION.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 3, Animals and Fowl, of the Code of the County of James City, Article II, Dogs, be and the same is hereby, amended by adding a new section, Section 3-8.1, Running At Large Prohibited Within Certain Subdivisions; Penalty for Violation.

CHAPTER 3

ANIMALS AND FOWL

Article II. Dogs.

Section 3-8.1. Running at large prohibited within certain subdivisions; penalty for violation.

It shall be unlawful for the owner or custodian of any dog, whether licensed or unlicensed, to allow such dog to run at large at any time within a subdivision located in districts zoned R-1, R-2, R-3, or R-4. Such dog shall be on a leash or under the immediate control of the owner or custodian.

The provision of Section 3-8(b) & (c) pertaining to confinement and disposition shall be likewise applicable to this section.

Any person who violates this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100 or by confinement in jail for not more than ten (10) days, or by both such fine and imprisonment.

For purposes of this section "at large" shall be taken to mean off the premises of the owner and not under the control of the owner, his agent or the custodian of the dog, either by a leash, cord or chain; provided, however, that a dog shall not be considered at large if during the hunting season it is on a bona fide hunt in the company of a licensed hunter or during field trials or training periods when accompanied by its owner or custodian.

This ordinance shall be in full force and effect from the date of its adoption.

* * * * *

6. PRESENTATION OF RSVP PROGRAM

Mr. Robert Dutro explained the RSVP Program which the Kiwanis is supporting this year and requested the Board to commit \$1,000 for next year's program which would be matched by the City of Williamsburg by \$1,000 and by federal funding.

Discussion followed. Mr. Edwards moved that the Board endorse the RSVP Program and recommended that this item be included for consideration in the Fiscal 76-77 budget. The motion carried by a majority roll call vote. Mr. Taylor voted no.

May 27, 1975

7.

CONSIDERATION OF TENTATIVE AWARD OF CONSTRUCTION CONTRACTS
FOR SANITARY DISTRICT #3

The Board discussed the award of contracts, the submission of an application for modification to the grant to request an increase of \$52,770 in federal grant funds and \$3,510 in State grant funds, and the inclusion of White Oaks in this construction project.

Mr. Donaldson moved to retain within the areas to be serviced each subdivision shown on the plans advertised for construction associated with Sanitary District No. 3. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to award contracts to contractors indicated on Page 6 of memorandum totalling \$3,905,707.35, subject to the approval of the EPA, FHMA and the State Water Control Board.

Mr. Deward M. Martin presented the Board with resolutions awarding contracts for Sections I thru VIII for the above amount. The Board recessed to read the resolutions. The Chairman reconvened the meeting. Mr. Donaldson moved that the Board of Supervisors adopt the resolutions covering Section I thru VIII and authorize the execution of the contracts called for subject to the concurrence of the County Attorney. Mr. Edwards seconded the motion and it carried by a unanimous roll call vote.

Mr. Donaldson moved that the County Administrator's recommendation to submit an application for modification to the grant to request an increase of \$52,770 in federal grant funds and \$3,518 in State grant funds to cover the increase in bids over estimated budget be approved. The motion carried by a unanimous roll call vote.

At Mr. Deward Martin's request, Mr. Donaldson moved the figure \$52,770 be changed to \$52,730. The motion carried by a unanimous roll call vote.

* * * * *

RESOLUTION

WHEREAS, the JAMES CITY COUNTY BOARD OF SUPERVISORS requested bids for SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT and the notice for bids was properly advertised in THE DAILY PRESS, Newport News, Virginia on March 17 and on April 7, 1975 and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS met in a duly assembled regular session on April 28, 1975, at 3:15 P.M., at which time the bids for the SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT were publicly opened and read aloud, and,

WHEREAS, the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 has applied for a Federal Grant for Sewage Treatment Works under 33 U.S.C. 466 et. seq. and for a Federal Loan from the Farmer's Home Administration, and the plans and specifications have been prepared in accordance with the requirements of applicable state and Federal regulations, and,

WHEREAS, the Consulting Engineers, DEWARD M. MARTIN & ASSOCIATES, INC. of Toano, Virginia, have tabulated, corrected and analyzed the bids received on April 28, 1975, and submitted a letter to the JAMES CITY COUNTY BOARD OF SUPERVISORS setting forth the Engineer's recommendations for award, and,

WHEREAS, the Consulting Engineers determined that the lowest and best bid for Section I and IV - Sanitary Sewers, Force Mains and Air Lines was the Bid submitted by VICO Construction Corp. whose address is P. O. Box 6186, Deep Creek Station Chesapeake, Virginia 23323, and

WHEREAS, the Consulting Engineers carefully investigated the qualifications of VICO CONSTRUCTION CORP. and found the firm to be reputable and reliable, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS concur in the Engineer's recommendation for award, and,

May 27, 1975

NOW, THEREFORE BE IT RESOLVED, that the JAMES CITY COUNTY BOARD OF SUPERVISORS does hereby award the Contract for Section I and IV of the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT to VICO CONSTRUCTION CORP. on the basis of the proposed Contract prices for the Alternate bid No. 2 for Section I in the amount of \$972,722.39 and for the Alternate bid No. 1 for Section IV in the amount of \$274,060.09.

BE IT FURTHER RESOLVED that John E. Donaldson, Chairman of the JAMES CITY COUNTY BOARD OF SUPERVISORS, be and is hereby empowered to execute a Construction Contract between the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 and VICO CONSTRUCTION CORP. on the basis of this award, subject to final approval of the award by the STATE WATER CONTROL BOARD, ENVIRONMENTAL PROTECTION AGENCY, and the FARMER'S HOME ADMINISTRATION.

THIS RESOLUTION offered by John E. Donaldson and seconded by Jack Edwards both members of the JAMES CITY COUNTY BOARD OF SUPERVISORS and passed unanimously in a duly assembled regular session of the BOARD on this 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY _____
/s/ John E. Donaldson, Chairman

ATTEST:

I hereby certify that the foregoing Resolution was adopted by the members of the James City County Board of Supervisors in a Regular Session beginning at 3:00 P.M. on the 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY _____
/s/ Thomas R. McCann, County Administrator
James City County, Virginia

* * * * *

RESOLUTION

WHEREAS, the JAMES CITY COUNTY BOARD OF SUPERVISORS requested bids for SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT and the notice for bids was properly advertised in THE DAILY PRESS, Newport News, Virginia on March 17 and on April 7, 1975, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS met in a duly assembled regular session on April 28, 1975, at 3:15 P.M., at which time the bids for the SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT were publicly opened and read aloud, and,

WHEREAS, the JAMES CITY COUNTY SANITARY DISTRICT NO 3 has applied for a Federal Grant for Sewage Treatment Works under 33 U.S.C. 466 et. seq and for a Federal loan from the Farmer's Home Administration, and the plans and specifications have been prepared in accordance with the requirements of applicable state and Federal regulations, and,

WHEREAS, the Consulting Engineers, DEWARD M. MARTIN & ASSOCIATES, INC. of Toano, Virginia have tabulated, corrected and analyzed the bids received on April 28, 1975, and submitted a letter to the JAMES CITY COUNTY BOARD OF SUPERVISORS setting forth the Engineer's recommendations for award and,

WHEREAS, the Consulting Engineers determined that the lowest and best bid for Section II - Sanitary Sewers, Force Mains, and Air Lines was the Bid submitted by DAL RAY CONTRACTORS, INC. whose address is P. O. Box 655, Williamsburg, Virginia 23185, and,

WHEREAS, the Consulting Engineers carefully investigated the qualifications of DAL RAY CONTRACTORS, INC. and found the firm to be reputable and reliable, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS concur in the Engineer's recommendation for award, and,

NOW THEREFORE BE IT RESOLVED, that the JAMES CITY COUNTY BOARD OF SUPERVISORS does hereby award the Contract for Section II of the JAMES CITY COUNTY SANITARY DISTRICT NO 3 SEWAGE WORKS PROJECT to DAL RAY CONTRACTORS, INC. on the basis of the proposed Contract price for the Alternate bid No. 2 in the amount of \$555,196.22, and

BE IT FURTHER RESOLVED that John E. Donaldson, Chairman of the JAMES CITY COUNTY BOARD OF SUPERVISORS, be and is hereby empowered to execute a Construction Contract between the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 and DAL RAY CONTRACTORS, INC., on the basis of this award, subject to final approval of the award by the STATE WATER CONTROL BOARD THE ENVIRONMENTAL PROTECTION AGENCY, and the FARMER'S HOME ADMINISTRATION.

THIS RESOLUTION offered by John E. Donaldson and seconded by Jack Edwards, both members of the JAMES CITY COUNTY BOARD OF SUPERVISORS and passed unanimously in a duly assembled regular session of the BOARD on this 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY _____
/s/ John E. Donaldson, Chairman

May 27, 1975

ATTEST:

I hereby certify that the foregoing Resolution was adopted by the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS in a Regular Session beginning at 3:00 P.M. on the 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY

Thomas R. McCann, Administrator
James City County, Virginia

* * * * *

RESOLUTION

WHEREAS, the JAMES CITY COUNTY BOARD OF SUPERVISORS requested bids for SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT and the notice for bids was properly advertised in THE DAILY PRESS, Newport News, Virginia, on March 17 and on April 7, 1975, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS met in a duly assembled regular session on April 28, 1975, at 3:15 P.M. at which time the bids for the SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT were publicly opened and read aloud, and,

WHEREAS, the JAMES CITY COUNTY SANITARY DISTRICT NO 3 has applied for a Federal Grant for Sewage Treatment Works under 33 U.S.C. 466 et. seq. and for a Federal Loan from the Farmer's Home Administration, and the plans and specifications have been prepared in accordance with the requirements of applicable state and Federal regulations, and,

WHEREAS, the Consulting Engineers, DEWARD M. MARTIN & ASSOCIATES, INC., of Toano, Virginia, have tabulated, corrected and analyzed the bids received on April 28, 1975, and submitted a letter to the JAMES CITY COUNTY BOARD OF SUPERVISORS setting forth the Engineer's recommendations for award, and,

WHEREAS, the Consulting Engineers determined that the lowest and best bid for Sections III and V - Sanitary Sewers, Force Mains, and Air Lines was the Bid submitted by RICHARD L. CROWDER CONSTRUCTION, INC. whose address is 20706 Bass Street, Ettrick, Virginia 23803, and

WHEREAS, the Consulting Engineers carefully investigated the qualifications of RICHARD L. CROWDER CONSTRUCTION, INC. and found the firm to be reputable and reliable, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS concur in the Engineer's recommendation for award, and,

NOW THEREFORE BE IT RESOLVED, that the JAMES CITY COUNTY BOARD OF SUPERVISORS does hereby award the Contract for Sections III and V OF THE JAMES CITY COUNTY SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT to RICHARD L. CROWDER CONSTRUCTION, INC. on the basis of the proposed Contract prices for the Alternate bid No. 2 in the amounts of \$368,504.39 for Section III and \$356,474.26 for Section V.

BE IT FURTHER RESOLVED that John E. Donaldson, CHAIRMAN, of the JAMES CITY COUNTY BOARD OF SUPERVISORS, be and is hereby empowered to execute a Construction Contract between the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 and RICHARD L. CROWDER CONSTRUCTION, INC. on the basis of this award, subject to final approval of the award by the STATE WATER CONTROL BOARD, THE ENVIRONMENTAL PROTECTION AGENCY, and the FARMER'S HOME ADMINISTRATION.

THIS RESOLUTION offered by John E. Donaldson and seconded by Jack Edwards both members of the JAMES CITY COUNTY BOARD OF SUPERVISORS and passed unanimously in a duly assembled regular session of the BOARD on this 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY

/s/ John E. Donaldson, Chairman

ATTEST

I hereby certify that the foregoing Resolution was adopted by the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS in a Regular Session beginning at 3:00 P.M. on the 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY

/s/ Thomas R. McCann, Administrator
James City County, Virginia

May 27, 1975

RESOLUTION

WHEREAS, the JAMES CITY COUNTY BOARD OF SUPERVISORS requested bids for SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT and the notice for bids was properly advertised in THE DAILY PRESS, Newport News, Virginia on March 17 and on April 7, 1975, and,

WHEREAS, the members of the James City County Board of Supervisors met in a duly assembled regular session on April 28, 1975, at 3:15 P.M., at which time the bids for the SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT were publicly opened and read aloud, and,

WHEREAS, the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 has applied for a Federal grant for Sewage Treatment Works under 33 U.S.C. 466 et. seq. and for a Federal loan from the Farmer's Home Administration, and the plans and specifications have been prepared in accordance with the requirements of applicable state and Federal regulations, and,

WHEREAS, the Consulting Engineers, DEWARD M. MARTIN & ASSOCIATES, INC. of Toano, Virginia have tabulated, corrected and analyzed the bids received on April 28, 1975, and submitted a letter to the JAMES CITY COUNTY BOARD OF SUPERVISORS setting forth the Engineer's recommendations for award, and,

WHEREAS, the Consulting Engineers, determined that the lowest and best bid for Sections VI and VII - Sewage Lift Stations was the Bid submitted by Norcarva Constructors, Inc. whose address is P. O. Box 698, Clarksville, Virginia 23927, and,

WHEREAS, the Consulting Engineers carefully investigated the qualifications of Norcarva Constructors, Inc. and found the firm to be reputable and reliable, and,

WHEREAS, the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS concur in the Engineer's recommendation for award, and,

NOW THEREFORE BE IT RESOLVED, that the JAMES CITY COUNTY BOARD OF SUPERVISORS does hereby award the Contract for Sections VI and VII of the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 SEWAGE WORKS PROJECT to Norcarva Constructors, Inc. on the basis of the proposed Contract prices for the combination bid in the amounts of \$938,650.00 for Section VI and \$440,000.00 for Section VII.

BE IT FURTHER RESOLVED that John E. Donaldson, CHAIRMAN of the JAMES CITY COUNTY BOARD OF SUPERVISORS, be and is hereby empowered to execute a Construction Contract between the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 and Norcarva Constructors, Inc. on the basis of this award, subject to final approval of the award by the STATE WATER CONTROL BOARD, ENVIRONMENTAL PROTECTION AGENCY, and the FARMER'S HOME ADMINISTRATION.

This RESOLUTION offered by John E. Donaldson and seconded by Jack Edwards, both members of the JAMES CITY COUNTY BOARD OF SUPERVISORS and passed unanimously in a duly assembled regular session of the BOARD on this 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY
/s/John E. Donaldson, Chairman

ATTEST:

I hereby certify that the foregoing Resolution was adopted by the members of the JAMES CITY COUNTY BOARD OF SUPERVISORS in a Regular Session beginning at 3:00 P.M. on the 27th day of May, 1975.

JAMES CITY COUNTY BOARD OF SUPERVISORS

BY
Thomas R. McCann, Administrator
James City County, Virginia

8. CONSIDERATION OF RESOLUTION APPROPRIATING FUNDS FOR 1975-76 BUDGET

Mr. Donaldson moved the adopting of the resolution as it relates to Item I which applies to the general operating budget. Discussion followed.

Mr. Taylor moved to reduce item 00810, Social Services - Administration by \$75,000. Discussion followed. The motion failed by a majority roll call vote. Mr. Frink, Mr. Edwards and Mr. Donaldson voted no.

Mr. Edwards moved to increase item 01710 Public Schools by \$20,000 making the figure \$3,082,797. The motion carried by a majority roll call vote. Mr. Donaldson and Mr. Taylor voted no.

May 27, 1975

Mr. Edwards moved to decrease item 01830 Contributions and Transfers, by \$1,000 to be taken from Peninsula Industrial Committee contribution. The motion carried by a majority roll call vote. Mr. Donaldson voted no.

Mr. Edwards moved to decrease item 01850 Contingent Account, by \$6,000 to be taken from salary and fringe benefits. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to decrease item 01850 Contingent Account, by \$13,00. The motion carried by a majority roll call vote. Mr. Taylor voted no.

Mr. Donaldson's motion to approve Item 1, as amended, carried by a majority roll call vote. Mr. Taylor voted no.

Mr. Donaldson moved that Item 2 of the Resolution be adopted setting the tax rates as shown. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved that Item 3 of the Resolution be adopted as shown. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1975, and ending June 30, 1976, 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:

00110	Board of Supervisors	18,400
00120	Office of County Administrator	84,596
00130	Office of Accounting & Purchasing	39,136
00135	Purchasing Stores	3,000
00140	Office of County Attorney	34,063
00160	Comprehensive Planning Team	46,721
00210	Commissioner of the Revenue	54,031
00250	Office of Real Estate Assessments	49,882
00310	County Treasurer	47,901
00410	Circuit Court	12,944
00510	Circuit Court	9,244
00520	General District Court	4,095
00530	Commonwealth's Attorney	17,870
00610	Sheriff	216,208
00680	City-County Jail	15,448
00710	Fire	124,099
00810	Social Services - Administration	362,414
00820	Social Services - Assistancess	1,010,122
00880	Social Services - Lunacy Commissions	1,200
00910	Health Department	38,840
01010	Public Works - Administration	30,973
01020	Public Works - Water and Sewer Operations	87,571
01050	Building Inspection	58,258
01080	Refuse Disposal	74,717
01090	Mosquito Control	10,955
01110	Extension & Continuing Education	25,741
01210	Animal Shelter	11,075
01310	Office of General Registrar	17,907
01320	Elections	5,485
01410	Buildings and Grounds	74,132
01510	Public Works - Street Lighting	10,648
01610	Public Works - Maintenance	2,200
01710	Public Schools	3,082,797
01810	Civil Defense	12,835
01820	Employee Benefits	108,243
01830	Contributions and Transfers	151,774
01840	Other Expenditures	44,854
01850	Contingent Account	126,000
01910	Capital Improvements	1,084,267
02010	Debt Service	758,458
TOTAL		7,969,104

May 27, 1975

LESS: AMOUNT RECEIVED FROM JAMES CITY SERVICE AUTHORITY	- 97,464
LESS: INTERDEPARTMENTAL TRANSFERS	- 3,000
LESS: REVENUE SHARING	- 915,707

TOTAL GENERAL FUND EXPENDITURES	6,952,933
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JAMES CITY COUNTY GENERAL FUND

Expenditures	6,952,933
Income	6,952,933

JAMES CITY COUNTY SANITARY DISTRICT #1

Expenditures	37,158
Income	37,158

JAMES CITY COUNTY SANITARY DISTRICT #2

Expenditures	122,000
Income	122,000

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	\$2.80
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.

RESOLVED, this 27th day of May, 1975.

/s/ John E. Donaldson, Chairman
Board of Supervisors

ATTEST

/s/ Thomas R. McCann, Jr.,
Clerk

* * * * *

8a. MILEAGE FOR MEMBERS OF BOARDS AND COMMISSIONS

Mr. Donaldson moved that the Board adopt a policy of mileage of reimbursement for members of boards and commissions appointed by the Board of Supervisors, and the Board of Zoning Appeals, to become effective July 1, 1975. The motion carried by a unanimous roll call vote.

9. CONSIDERATION OF RESOLUTION ON REVENUE SHARING FUNDS

Mr. Edwards moved the approval of the resolution indicating the amounts appropriated from the Revenue Sharing Trust Fund for purposes set forth in FY 76 Annual Operating Budget and Capital Improvements Budget. The motion carried by a unanimous roll call vote.

May 27, 1975

RESOLUTION
REVENUE SHARING APPROPRIATION

WHEREAS, the Board of Supervisors has adopted an appropriations resolution for FY 75-76, and

WHEREAS, revenue sharing funds were included in said resolution but not specifically delineated, and

WHEREAS, it is the recommendation of the State Auditor's that such a delineation be made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following amounts are hereby appropriated from the Revenue Sharing Trust Fund for the following purposes as set forth in the FY 76 Annual Operating Budget and Capital Improvements Budget and appropriated in the FY 76 appropriations resolution adopted on

1910 Capital Improvements	\$741,600
20-1 Fire Station No. 1	166,600
50-1 Improvements to Dirt Streets	100,000
60-1 Water Service Extensions	475,000
Total Revenue Sharing Expenditures	\$741,600

Adopted by the Board of Supervisors, James City County, Virginia, this
27th day of May, 1975.

* * * * *

10.

CONSIDERATION OF A DATE FOR A PUBLIC HEARING ON AN ORDINANCE VACATING A CERTAIN TEN FOOT (10') EASEMENT ON A PLAT ENTITLED, WINDSOR FOREST, SECTION 5, JAMES CITY COUNTY, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS THAT TEN FOOT (10') EASEMENT EXTENDING FIVE FEET (5') INTO LOTS 13, 14, 15 AND 18.

Mr. Donaldson moved the date for public hearing on the captioned ordinance be advertised for June 16, 1975, at 7:30 P.M., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

11.

CHANGE OF BOARD MEETING DATES FOR THE MONTH OF JUNE 1975.

Mr. Donaldson moved that the regular meeting dates for June be scheduled for June 16 at 7:30 P.M. and June 30 at 3:00 P.M. The motion carried by a unanimous roll call vote.

12.

DIRT STREET PROGRAM - OLD STAGE MANOR

Mr. Waltrip moved that the Board approve the amount of \$12,720 for necessary improvements to the streets in Old Stage Manor for inclusion in the State secondary system. The motion carried by a unanimous roll call vote.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY.

THOSE PRESENT AS NOTED ABOVE.

13.

APPOINTMENT TO PLANNING COMMISSION

Mr. Waltrip moved that Mr. M. W. Bryant be appointed to the Planning Commission to fill the unexpired term of Mr. Bobby Hoar, such term to end January 15, 1976. The motion carried by a unanimous roll call vote.

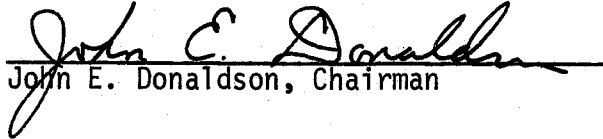
June 16, 1975
May 27, 1975

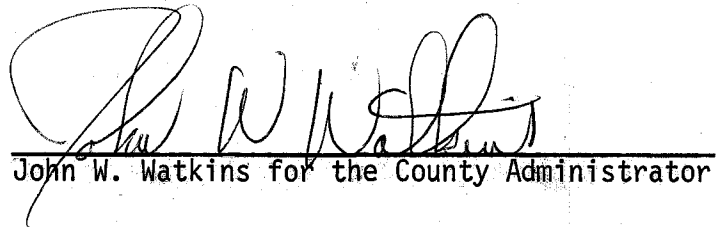
14.

APPOINTMENT - DOG WARDEN

Mr. Taylor moved to reappoint Mr. D. E. Matheny, Dog Warden to serve until August 31, 1975. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


John E. Donaldson, Chairman


John W. Watkins for the County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FIVE.

1.

ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
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 minutes of May 6, 19, 20 and 27, 1975, as printed. The motion carried by a unanimous roll call vote.

3.

PUBLIC HEARING - An ordinance to vacate a certain ten foot (10') easement extending five feet (5') into Lots 13, 14, 15, & 18, as shown on a plat entitled, "Windsor Forest, Section 5, James City County, Virginia."

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 88

AN ORDINANCE VACATING A CERTAIN TEN FOOT (10') EASEMENT ON A PLAT ENTITLED "WINDSOR FOREST, SECTION 5, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT TEN FOOT (10') EASEMENT EXTENDING FIVE FEET (5') INTO LOTS 13, 14, 15 and 18.

WHEREAS, application has been made by Heritage Development Company, Owners, to vacate a certain ten foot (10') easement shown on that plat entitled, "Windsor Forest, Section 5, James City County, Virginia", and

WHEREAS, Notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the said Board of Supervisors did consider such application on the 16th day of June, 1975, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience to the property owners shown on the aforementioned plat and that such vacation is in the interest of the public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That a certain ten foot (10') easement extending five feet (5') on either side of the common property line dividing Lots 1 and 2 and

June 16, 1975

also extending five feet into Lots 13, 14, 15 and 18 as shown on a plat entitled, "Windsor Forest, Section 5, James City County, Va." which said plat is recorded in the Clerk's Office of the Circuit Court of Williamsburg and James City County in Plat Book 32, page 19, be and the same is, hereby, vacated.

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

4. CONSIDERATION OF A RESOLUTION GRANTING A PERMIT FOR DOW BADISCHE EMPLOYEE RECREATION ASSOCIATION TO HOLD BINGO GAMES.

Mr. Frink moved the approval of the resolution granting a permit to Dow Badische Employee Recreation Association to conduct bingo games and raffles within the County. The motion carried by a majority roll call vote. Mr. Waltrip abstained.

R E S O L U T I O N

WHEREAS, Dow Badische Employee Recreation Association, Williamsburg appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Dow Badische Employee Recreation Association has met the requirements of Section 18.1-340 (b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the afore-said activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Dow Badische Employee Recreation Association is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

Adopted by the Board of Supervisors of James City County, Virginia, this 16th day of June, 1975.

* * * * *

5. CONSIDERATION OF CONTINUATION OF GRANT APPLICATION FOR GREEN ACRES REGIONAL JUVENILE PROBATION HOUSE FOR BOYS AND TRANSFER OF FUNDS.

Mr. Edwards moved the approval of the continuation grant for Green Acres Regional Juvenile Probation House for Boys and the transfer of \$1,468.50 from the Contingent Fund to Contributions and Transfers to cover the County's share of the costs of this operation. The motion carried by a unanimous roll call vote.

6. CONSIDERATION OF A DATE FOR PUBLIC HEARING OF A SPECIAL USE PERMIT, CASE NO. SUP-2-75, APPLICATION OF ARTHUR E. HALD, JR., AIA, OF J. ROBERT CARLTON & ASSOCIATES, INC., ON BEHALF OF THE COLONIAL WILLIAMSBURG FOUNDATION FOR A WAREHOUSE, OFFICES AND SILVERSMITH SHOP LOCATED IN THE AGRICULTURAL, LIMITED, DISTRICT A-2 ZONE IN THE VICINITY OF 5TH AVENUE AND WICKRE STREET.

Mr. Taylor moved that the date for public hearing on the captioned Special Use Permit be set and advertised for July 14, 1975, at 7:30 P.M., in the Council Chambers, Courthouse, Williamsburg, Virginia.

Mrs. Marjorie Rowe, speaking on behalf of her husband who is Chairman of the Citizens Committee, indicated that she felt that a portion of this property is located in the controversial B-2 zone and did not see how the Board could set a public hearing on the item.

June 16, 1975

When questioned by the Board, Mr. Morton indicated that the property was wholly in the A-2 zone, that the date for public hearing could be set and if there is a question regarding whether all the property is in the A-2 zone the Board could certainly decide at the public hearing.

Mr. Taylor's motion carried by a unanimous roll call vote.

7. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS. (6B-3/19/75)

Mr. Edwards moved that the date for public hearing on the captioned ordinance be set and advertised for July 14, 1975, at 7:30 P.M., in the Council Chambers Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

8. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON REZONING CASE #Z-5-75, APPLICATION OF HENRY S. BRANSCOME ON BEHALF OF POWHATAN SHORES, INC., FOR REZONING OF APPROXIMATELY 78 ACRES ON ROUTE 682 FROM AGRICULTURAL, LIMITED, DISTRICT A-2 TO RESIDENTIAL, LIMITED, DISTRICT R-1 AND R-2.

Mr. Taylor moved that the date for public hearing on the captioned rezoning case be set and advertised for July 14, 1975, at 7:30 P.M., in the Council Chambers, Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

9. CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson and a unanimous roll call vote, the Board of Supervisors hereby approves the following warrants for the month of May, 1975.

General Fund	Checks #2250 thru #2364 and Checks #1693 thru #1925 Totalling \$596,802.84
Sanitary District #1	Checks #222 Totalling \$1,639.54
Sanitary District #2	Checks #333 thru #341 Totalling \$8,409.27
Sanitary District #3	Checks #151 thru #154 Totalling \$15,733.06
Revenue Sharing Trust Fund	Check #148 Totalling \$704.00

10. CONSIDERATION OF APPOINTMENTS

The Board deferred action until executive session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

11. RE: B-2 CASE

Mr. Donaldson taking cognizance of the decision on the B-2 case asked the County Administrator, County Attorney and the Planning staff to meet and present the Board with an analysis and recommendations of future action at a meeting to be held next week at the County office building in executive session.

Mr. Donaldson moved that the Board establish June 23, 1975, at 7:30 P.M., an executive session to consider legal matters with regard to our capabilities in the light of the supreme court decision on the B-2 Zone. The motion carried by a unanimous roll call vote.

June 16, 1975

12.

CONSIDERATION OF A RESOLUTION CONCURRING IN THE ADDITION
OF SOUTH HENRY STREET INTO SECONDARY SYSTEM.

Mr. Donaldson introduced the resolution to the Board and moved the adoption of the resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Council of the City of Williamsburg did, by resolution on June 12, 1975, noting that the extension of South Henry Street to Route 199 is of major importance to the City due to the fact that greater access is needed to and from the downtown portion of Williamsburg, formally request the State Department of Highways and Transportation to add South Henry Street and its extension to Route 199 to the Federal Aid Secondary System, and

WHEREAS, Vernon M. Geddy, Mayor of the City of Williamsburg, has asked this Board to concur in its request for the aforesaid addition of South Henry Street to the Federal Aid Secondary System, and

WHEREAS, this Board is informed by the State Urban Engineer that the addition of South Henry Street to the Federal Aid Secondary System will not diminish funds allocated or to be allocated for State Secondary roads in James City County, and

WHEREAS, this Board appreciates that improved traffic flow in the City of Williamsburg will be of benefit to the people of the surrounding areas,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County concurs in the resolution of the Council of the City of Williamsburg requesting the aforesaid addition of South Henry Street and its extension to the Federal Aid Secondary System.

* * * *

THE BOARD ADJOURNED THE MEETING INTO EXECUTIVE SESSION TO CONSIDER PERSONNEL MATTERS.

* * * *

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, THOSE PRESENT AS NOTED ABOVE.

10.

CONSIDERATION OF APPOINTMENTS:

THOMAS NELSON COMMUNITY COLLEGE

Mr. Frink moved the appointment of Ms. Myrtle C. Engs

to the Thomas Nelson Community College Board for a four year term. The motion carried by a unanimous roll call vote.

SERVICE AUTHORITY

Effective July 1, 1975, the Board appointed Mr. Edwards

to fill the vacancy created by the expiration of Mr. Wills' term; Mr. Taylor to fill the vacancy created by the resignation of Mr. Watkins; and reappointed Mr. Waltrip whose term expires July 1.

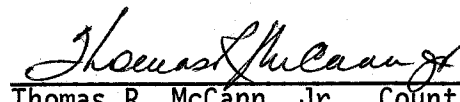
PENINSULA AIRPORT COMMISSION

Mr. Donaldson moved the reappointment of Charles L.

Quittmeyer to the Peninsula Airport Commission for a four year term. The motion carried by a unanimous roll call vote.

ON A UNANIMOUS VOTE, THE BOARD ADJOURNED THE MEETING UNTIL EXECUTIVE SESSION ON JUNE 23, 1975.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

June 30, 1975

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTIETH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County Administrator

2. MINUTES

Mrs. Marjorie Rowe requested the minutes to read on Page 2, paragraph 2, "Mrs. Marjorie Rowe, speaking on behalf of her husband who is Chairman of Citizens Committee....."

Mr. Frink moved the approval of the minutes of June 16, 1975, as printed with the correction noted above. The motion carried by a unanimous roll call vote.

3. HIGHWAY MATTERS

- a. Consideration of Resolutions to include streets in the following subdivisions into the State Secondary System.

- | | |
|--|--------------------------------------|
| 1. Old Stage Manor, Section 1 | 2. Poplar Hall Plantation, Section I |
| 3. Kristiansand Subdivision, Section III | 4. Forest Glen, Section I, II & III |
| 5. Windsor Forest, Sections II, 3-A & IV | |

WHEREAS, the developer of Old Stage Manor, Section 1, 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 Old Stage Manor James City County in the State Secondary Highways System.

Description:

Allyson Drive - From: Intersection of Route 603	0.12 Mi.
to: 0.12 Mi. NW to intersection	
of Pemberton Lane	50' R/W
Pemberton Lane - From: Intersection of Route 603	0.10 Mi.
to: 0.10 Mi. SW to intersection	
of Allylston Drive	50' R/W

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Old Stage Manor, Section 1, Subdivision, Plat Book 22, Page 55.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Old Stage Manor, Section 1, and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th day of June, 1975.

June 30, 1975

R E S O L U T I O N

WHEREAS, the developer of Poplar Hall Plantation, Section I, 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 Poplar Hall Plantation, Section I, James City County in the State Secondary Highway System.

Description:

Indian Circle - From: Intersection of Route 1301 0.33 Mi.
to: 0.33 Mi. East to Route 1302 R/W 50'

Massacre Hill Road - From: Intersection of Route 1302 0.19 Mi.
to: 0.19 Mi. NW to intersection
of Route 1302 R/W 50'

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Poplar Hall Plantation Subdivision, Section I, Plat Book 17, Page 2.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Poplar Hall Plantation, Section I, and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 20th day of June, 1975.

R E S O L U T I O N

WHEREAS, the developer of Kristiansand Subdivision, Section III 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 Section III James City County in the State Secondary Highway System.

Description:

Nina Lane - From : 0.41 Mi. SW of Route 60 0.05 Mi.
(Rt. 1610) To : 0.05 Mi. to intersection Telemark Drive
60' R/W

Telemark Drive- From: Intersection of Nina Lane (Rt. 1610) 0.12 Mi.
0.46 Mi. SW of Route 60
To: 0.12 Mi. South of intersection of
Rondane Place (Rt. 1613) 50' R/W

Rondane Place - From: 0.13 Mi. SW of Nina Lane (Rt. 1610) 0.04 Mi.
To: 0.04 Mi. SW to intersection Telemark Dr.
60' R/W
variable

A right of way of 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Kristiansand Subdivision, ~~XXXXXXX~~, Section III, Plat Book 32, Page 63.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Kristiansand and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this thirtieth day of June, 1975.

June 30, 1975

R E S O L U T I O N

WHEREAS, the developer of Forest Glen, Section I 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 with 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 Forest Glen, Section I, James City County in the State Secondary Highway System.

Description:

Colby Way - From: Intersection of Route 614 0.04 Mi.
To : 0.04 Mi. East R/W 50'

Forest Glen Drive - From: Intersection of Route 614 0.04 Mi.
To : 0.04 Mi. East R/W 50'

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Forest Glen, Section I Subdivision, Plat 25, Page 42.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Forest Glen, Section I, Subdivision and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th day of June, 1975.

R E S O L U T I O N

WHEREAS, the developer of Forest Glen, Section II 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 Forest Glen, Section II, James City County in the State Secondary Highway System.

Description:

Forest Glen Drive - From: 0.04 Mi. East of Route 614 0.15 Mi.
To: 0.15 Mi. East 60' R/W

Williamson Drive - From: Intersection of Forest Glen Drive
0.14 east of Route 614 0.18 Mi.
To: 0.18 Mi. South to end of
cul-de-sac 50' R/W
variable

A right of way of 50 - 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Forest Glen, Section II Subdivision, 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 and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th day of June 1975.

R E S O L U T I O N

WHEREAS, the developer of Forest Glen Section III 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;

June 30, 1975

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 Forest Glen, Section III, James City County in the State Secondary Highway System.

Description:

Colby Road - From: 0.04 Mi East to intersection of Rt. 614 0.32 Mi.
To: 0.32 Mi. East to end of Cul-de-sac 50' R/W

Forest Court - From: Intersection of Colby Road 0.09 Mi. East
of Route 614 0.08 Mi.
To: 0.08 Mi. North to end of Cul-de-sac

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Forest Glen, Section III, Subdivision, Plat Book 29, Page 12,

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Forest Glen Section III, and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th day of June, 1975.

R E S O L U T I O N

WHEREAS, the developer of Windsor Forest Section II, 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 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 Windsor Forest Section II, James City County in the State Secondary Highway System.

Description:

Buford Road - From: Intersection of Route 612 0.29 Mi.
To: 0.29 Mi. Southwest of Route 612
60' R/W

Hastings Lane - - From: Intersection of Buford Road 0.12 Mi.
0.24 Mi. Southwest of Route 612
to: 0.12 Mi. North to Intersection
of Sheffield Road. 60' R/W

A right of way of sixty feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section II, Plat Book 29, Page 33.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th Day of June, 1975.

R E S O L U T I O N

WHEREAS, the developer of Windsor Forest, Section 3-A 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 Windsor Forest, Section 3-A James City County in the State Secondary Highway System.

Description:

Buford Road - From: 0.29 Mil SW of Route 612 0.17 Mi.
To: 0.46 Mil SW of Route 612
R/W 60'

A right of way of 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section 3-A, Plat Book 30, Page 55.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest, Section 3-A and the Resident Engineer of the Department of Highways and Transportation.

June 30, 1975

R E S O L U T I O N

WHEREAS, the developer of Windsor Forest Section IV 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 Windsor Forest Section IV James City County in the State Secondary Highway System.

Description:

Buford Road - From:	0.46 Mi. SW of Route 612	0.22 Mi.
To:	0.22 Mi. SW to a temporary cul-de-sac	
	60' R/W	
Bransford Court - From:	Intersection of Buford Road	0.05 Mi.
	0.53 Mi. SW of Route 612	
To:	0.05 Mi. NW to end of cul-de-sac	
	50' R/W	

A right of way of 50 - 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section IV, Plat Book 31, Page 30.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 30th day of June, 1975.

* * * * *

Mr. Waltrip moved the approval of the resolutions for the five subdivisions above for inclusion in the State Secondary System. The motion carried by a unanimous roll call vote.

Before commencing with Items 4 and 5, Mr. Donaldson requested that the Board ratify the signing of the Application for Rezoning of Route 60E from B-2 to B-1 by the Chairman on behalf of the Board of Supervisors; Applicant. Mr. Frink so moved, and the motion carried by a unanimous roll call vote.

4. CONSIDERATION OF A DATE FOR A PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS, BY AMENDING THE DEFINITION "OPEN SPACE"; BY AMENDING ARTICLE II, SITE PLAN, SECTION 20-21 SAME-NOTIFICATION OF FINDINGS; PROCESSING; BY REPEALING ARTICLE IV, DISTRICTS, DIVISION 8a, BUSINESS TOURIST ENTRY DISTRICT B-2; AND BY REPEALING ARTICLE VII, ARCHITECTURAL DESIGN REVIEW.

Mr. Waltrip moved to invite the Planning Commission to join with the Board on July 22, 1975, for a public hearing on the captioned matter, at 7:30 P.M., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

5. CONSIDERATION OF A DATE FOR A PUBLIC HEARING CONCERNING THE ZONING OF PROPERTIES ALONG ROUTE 60 EAST PREVIOUSLY ZONED BUSINESS TOURIST ENTRY, DISTRICT B-2. THE ZONING CLASSIFICATION PROPOSED IS BUSINESS, GENERAL, DISTRICT B-1. APPLICANT, BOARD OF SUPERVISORS.

Mr. Donaldson moved to invite the Planning Commission to join with the Board on July 22, 1975, for a public hearing on the captioned matter at 7:30 P.M., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

June 30, 1975

6.

CONSIDERATION OF A MEMORANDUM OF AGREEMENT BETWEEN
VPI/SU AND THE COUNTY OF JAMES CITY AND THE COUNTY
OF YORK FOR A SOIL SURVEY OF JAMES CITY COUNTY AND
YORK COUNTY.

The Board discussed the County Administrator's
recommendation in memo of June 27, 1975.

Mr. Waltrip moved that the County Administrator's
be authorized to sign an agreement with the Department of Agronomy of VPI/SU and approved
the expenditure of \$13,491.54 from the consulting services appropriation for FY 76 to carry
out a soil survey for James City County. The motion carried by a unanimous roll call vote.

7.

CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson and a unanimous roll
call vote, the Board of Supervisors of James City County hereby approves the following
warrants for the month of June, 1975.

General Fund	Checks #2365 thru #2520 and Checks #1926 thru #2159 Totalling \$642,659.01
Sanitary District #1	Checks #223 and #224 Totalling \$3,224.11
Sanitary District #2	Checks #342 thru #350 Totalling \$7,167.22
Sanitary District #3	Checks #155 thru #165 Totalling \$24,248.24
Revenue Sharing Trust Fund	Checks #149 thru #158 Totalling \$28,539.14
James City County General Obligation Bonds - Water 1970	Check #131 Totalling \$180,747.50

8.

CONSIDERATION OF APPOINTMENTS TO SOCIAL SERVICES
BOARD

Deferred until executive session.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

9.

MAJOR THOROUGHFARE STUDY REPORT

The Board was presented copies of the Major
Thoroughfare Study by Barton Ashman Inc.

Mr. Frink moved the Board formally receive the
Major Thoroughfare Study Report and directed the County Administrator to make available to
the public copies of the Summary and the full report be available for examination at the
office of the County Administrator. The motion carried by a unanimous roll call vote.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS
ON THE THIRTIETH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-FIVE. THOSE PRESENT AS NOTED ABOVE.

8.

APPOINTMENTS TO SOCIAL SERVICES BOARD

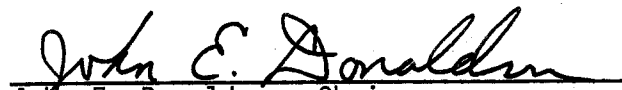
Mr. Frink moved to appoint Mr. Brady Graham for a
four year term on the Social Services Board. The motion carried by a unanimous roll call vote.


July 14, 1975
June 30, 1975

Mr. Waltrip moved to reappoint Mr. Thomas R. McCann, Jr. to a four year term on the Social Services Board. The motion carried by a unanimous roll call vote.

Mr. Donaldson requested the County Administrator to prepare resolutions of appreciation for Mr. Hicks (Social Services Board), Mr. Hoar (Planning Commission), Mrs. Blayton (Thomas Nelson Community College Board) and Mr. Will (James City Service Authority) whose terms expired on various Boards.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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 JULY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

2. PUBLIC HEARING - AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL SECTION 20-2, DEFINITIONS. THE DEFINITION OF THEMATIC PARK OR GARDEN IS PROPOSED TO BE ADDED.

The Chairman opened the public hearing. There being no discussion the Chairman closed the public hearing.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-29

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS.

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 I, In General, be and the same is, hereby, amended and reordained by adding a definition of "Thematic Park or Garden" as follows:

CHAPTER 20

ZONING

Article I. In General

Section 20 - 2. Definitions.

"Thematic Park or Garden" - A park or garden facility that is based on a common theme and may include, but is not limited, to the following: exhibits, animal acts and displays, rides, shops and eating facilities encompassing a minimum of ten (10) acres.

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

July 14, 1975

3.

PUBLIC HEARING - REZONING CASE NO. Z-5-75, APPLICATION OF HENRY S. BRANSCOME ON BEHALF OF POWHATAN SHORES, INC., FOR REZONING OF APPROXIMATELY 78 ACRES ON ROUTE 682 FROM AGRICULTURAL, LIMITED, DISTRICT A-2 TO RESIDENTIAL LIMITED, DISTRICT R-1 AND R-2.

The Chairman opened the public hearing.

Jack Kirtland - presented petition signed by 157 people which stated "The residents of Neck-o-Land (Route 682), adjoining residents and other citizens of James City County oppose the rezoning by Henry S. Branscome on behalf of Powhatan Shores Inc. of approximately 78 acres on Route 682 from Agricultural Limited District A-2 to Residential Limited District R-1 and R-2. We prefer that no spot zoning be allowed and that the entire acreage known as Powhatan Shores Inc. be zoned Residential Limited R-1."

1. Alan Tyler - Opposes rezoning - Additional houses would cause traffic hazard.
2. Ralph Gill - Opposes rezoning - Natural drainage off road has been disturbed, questioned concrete forms on site with no building permit issued.
3. John Barrows - Opposes rezoning - Believes Branscome's wells are drying up his well.
4. Ann Mephram - Opposes rezoning - Wants low density development.
5. Jane Tyler - Opposes rezoning - Balance of nature must be kept.
6. Henry Branscome - Answered some of the questions by people.
7. W. Tinsley - Opposes rezoning - Objects to R-2 portion of rezoning, making it high density.
8. Suzanne Calkins - Opposes rezoning - Showed pictures of her property which is bordered on three sides by Branscome's property which indicated poor drainage.
9. Mrs. Robert Jones - Route 5, Powhatan District - indicated that she wished the people at the meeting were more vocal during the public hearings on the Land Use Plan and encouraged the Board not to enforce certain roads as byways.

There being no further discussion, the Chairman closed the public hearing.

Discussion followed.

Mr. Edwards moved that the Board postpone the vote until its next regular meeting.

Mr. Donaldson asked Mr. Kirtland if Mr. Branscome's requirements were one acre lots would there be any opposition. Mr. Kirtland said there would be absolutely no opposition to this.

The motion to postpone the matter until the next meeting carried by a unanimous vote.

4.

PUBLIC HEARING - SPECIAL USE PERMIT, CASE NO. SUP-2-75, APPLICATION OF ARTHUR E. HALD, JR., AIA, OF J. ROBERT CARLTON AND ASSOCIATES, INC., ON BEHALF OF THE COLONIAL WILLIAMSBURG FOUNDATION FOR A WAREHOUSE, OFFICES AND SILVERSMITH SHOP LOCATED IN THE AGRICULTURAL, LIMITED, DISTRICT A-2 ZONE IN THE VICINITY OF 5TH AVENUE AND WICKRE STREET.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the Special Use Permit as recommended by the Planning Commission. The motion carried by a unanimous roll call vote.

July 14, 1975

5.

CONSIDERATION OF RESOLUTIONS OF APPRECIATION TO THE FOLLOWING
CITIZENS FOR THEIR SERVICE ON BOARD APPOINTED BOARDS AND
COMMISSIONS:

1. Mrs. Alleyne Blayton-Thomas Nelson Community College Board
2. Mr. James E. Hicks - Social Services Board
3. Mr. Bobby N. Hoar - Planning Commission
4. Mr. Stuart Will - James City Service Authority

Mr. Waltrip moved the approval of the Resolutions of
Appreciation as presented. The motion carried by a unanimous roll call vote.

RESOLUTION OF APPRECIATION

WHEREAS, THE BOARD OF SUPERVISORS of James City County appointed Mrs. Alleyne Blayton to the Board of Thomas Nelson Community College in June of 1971; and

WHEREAS, Mrs. Alleyne Blayton has recently completed her four-year term on said Board; and

WHEREAS, because of her great dedication and steadfast support of the community college concept in general, and of "our" community college in specific, Mrs. Blayton has significantly contributed to the increased usage of college facilities by residents of James City County; and

WHEREAS, Mrs. Alleyne Blayton has given unstintingly of her time to promote Thomas Nelson Community College as an important educational resource for many of our young people;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the Board extend its sincere appreciation and thanks to Mrs. Alleyne Blayton as her term on the Board comes to a close.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread across the minutes of this public meeting of the Board of Supervisors to be preserved in perpetuity.

* * * * *

RESOLUTION OF APPRECIATION

WHEREAS, the Board of Supervisors of James City County appointed Mr. James E. Hicks to the Board of Social Services on July 12, 1971; and

WHEREAS, through his work on the Social Services Board, Mr. Hicks has generously provided his time in an effort to improve the quality of life for many citizens of our community who look to the Social Services Department for assistance during time of personal need; and

WHEREAS, Mr. Hicks served as Chairman of the Social Services Board for a period of two (2) years and participated in a number of changes which have assisted in improving the work of this important department;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board extend its thanks and appreciation to Mr. James E. Hicks for his service to our community; and

BE IT FURTHER RESOLVED that a copy of this resolution be spread across the minutes of this public meeting of the Board of Supervisors to be preserved in perpetuity.

* * * * *

RESOLUTION OF APPRECIATION

WHEREAS, the Board of Supervisors of James City County has appointed Mr. Bobby N. Hoar to the James City County Planning Commission on May 1, 1967; and

WHEREAS, Mr. Hoar served as a member of this vital Commission until his resignation in April of 1975; and

WHEREAS, during Mr. Hoar's eight year term on the Board, James City County began to confront substantial problems coincident with its rapid growth and development; and

WHEREAS, Mr. Hoar participated with distinction in reaching many of the decisions which have helped to preserve and protect our vital natural and historic resources as a community of national significance; and

WHEREAS, Mr. Hoar served on the Site Plan Review Committee of the Planning Commission as an energetic, thoughtful, and knowledgeable member providing great service; to his community;

July 14, 1975

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board extend its sincere thanks and appreciation to Mr. Bobby N. Hoar for his outstanding public service; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread across the minutes of this public meeting of the Board of Supervisors to be preserved in perpetuity.

* * * * *

RESOLUTION OF APPRECIATION

WHEREAS, the Board of Supervisors of James City County appointed Mr. Stuart Will to the James City Service Authority in March, 1972, and

WHEREAS, Mr. Will's term expired on July 1, 1975, after three years of loyal and dependable service on the Authority Board; and

WHEREAS, during his term Mr. Will gave unstintingly of his time and talent as the Secretary of the James City Service Authority bringing his fine business experience to bear on the complicated work of this important body;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board extend its sincere appreciation to Mr. Stuart Will for his outstanding service to our community; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread across the minutes of this public meeting of the Board of Supervisors to be preserved in perpetuity.

* * * * *

6.

CONSIDERATION OF A RESOLUTION GRANTING A PERMIT FOR THE WILLIAMSBURG HOSPITAL AUXILIARY TO HOLD BINGO GAMES AT THE KINGSMILL GOLF CLUB.

Mr. Frink moved the approval of the resolution authorizing the Williamsburg Hospital Auxiliary to hold bingogames. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Williamsburg Hospital Auxiliary appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Hospital Auxiliary has met the requirements of Section 18.1-340 (b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the laws of the Commonwealth of Virginia pertaining to bingo and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Williamsburg Hospital Auxiliary is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

* * * * *

7.

CONSIDERATION OF A DATE FOR PUBLIC HEARING ON A VACATION OF A PORTION OF THAT CERTAIN PLAT ENTITLED, "SUBDIVISION PLAT, SECTION NO. 2-B, CHICKAHOMINY HAVEN, COUNTY OF JAMES CITY, VIRGINIA"; REQUESTED BY WILLIAM R. BLAND, TRUSTEE.

Mr. Taylor moved to establish the date of July 28, 1975, at 3:00 P.M. for a public hearing on the captioned matter. The motion carried by a unanimous roll call vote.

July 21, 1975
July 14, 1975

8. CONSIDERATION OF A CONTRIBUTION TO THE PENINSULAR PLANNING DISTRICT COMMISSION TO SUPPORT A REGIONAL SOLID WASTE DISPOSAL STUDY.

The County Administrator reviewed his memorandum and recommendation to the Board, which indicated James City County's share of the total fee of \$95,000 comes to \$5,652.50 for the regional solid waste disposal study. Discussion followed.

Mr. Donaldson moved the adoption of the County Administrator's recommendation and authorized the transfer of funds in the amount of \$5,652.50 from the Contingent Account to Contributions and Transfers 01830-7990. The motion carried by a majority roll call vote. Mr. Taylor voted no.

9. REPORTS AND RECOMMENDATION OF THE COUNTY ADMINISTRATOR
RAILROAD CROSSING AT NORGE - Mr. W. B. McKown

The Board took note of a letter sent to Mr. McKown and Mr. George Grayson from the State Corporation Commission which conveyed information relative to the blocking of railroad crossing at Norge.

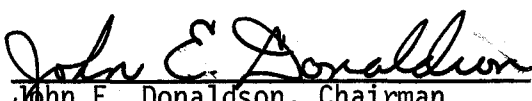
10. WATER AND SEWER MASTER PLAN RERPAED BY MALCOLM PIRNIE ENGINEERS, INC.

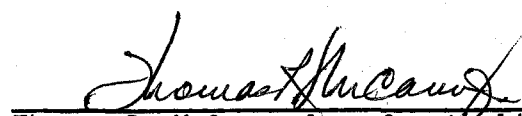
Mr. Frink moved the Board formally receive the Water and Sewer Master Plan and directed the County Administrator to make available to the public copies of the Summary and the full report to be available for examination at the office of the County Administrator. The motion carried by a unanimous roll call vote.

11. PRESENTATION DATES FOR THE CONSULTANTS' REPORTS TO BOARD AND PLANNING COMMISSION.

Mr. Donaldson moved that Monday evening, July 21, 1975, at 7:30, and Thursday, evening, July 24, 1975, at 7:30, be set for the purpose of meeting with the Planning Commission and the utilities and transportation consultants to receive their reports; it being the understanding that all would be in agreement and that a particular meeting could be cancelled by the County Administrator, Planning Commission or consultant.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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 JULY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

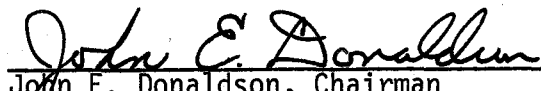
2. RECEIPT OF MAJOR THOROUGHFARE PLAN BY BARTON ASHMAN ASSOCIATES OF WASHINGTON, D. C.

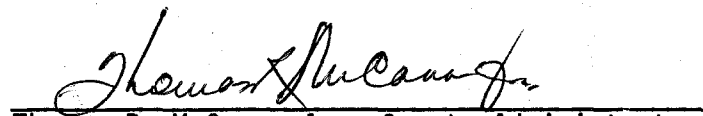
Mr. Donaldson called the meeting to order and indicated that the Planning Commission and Comprehensive Planning Committee had been invited. He turned

July 21, 1975

the meeting over to Mr. William Brown, Chief Planner, who introduced Mr. Harvey Joyner and Mr. Lewis Slade, who presented their report. No action was taken by the Board.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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-SECOND DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Craig G. Covey, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the Administrator

2. PUBLIC HEARING - An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, Section 20-2, Definitions, by amending the definition "Open Space"; by amending Article II, Site Plan, Section 20-21 Same -- Notification of Findings; Processing; by repealing Article IV, Districts, Division 8a, Business Tourist Entry District B-2; and by repealing Article VII, Architectural Design Review.

The Chairman explained the difference between the two ordinance amendments which were being presented and pointed out that the public hearing on this item concerned the repeal of the B-1 District and that public comments should be directed to that issue at this point. The Chairman opened the public hearing.

Mrs. Irene Douglas - Mrs. Douglas asked if this item was simply housekeeping in nature. Mr. Donaldson answered in the affirmative.

Mrs. Marjorie Rowe - Asked if there were any amendments to the B-1 zone other than those passed last February as contained in the present ordinance. Mr. Donaldson answered no.

Mr. Lee Williams - Mr. Williams pointed out that he was a property owner on Route 60 and wished to encourage the Planning Commission and the Board of Supervisors to take a hard look at the zoning in this area. He pointed out that traffic has increased tremendously and there should be some careful planning concerning this area to ensure that it did not become an undesirable tourist entry. He felt that it was necessary to encourage proper business so that the landowners could obtain a fair profit. He said he hated to see the County drop all regulation and control and wind up with a situation like Richmond Road where the local and through traffic mixture was hazardous. He indicated he was in favor of good controls which were tourist oriented for the long range plan.

Mrs. Rowe - Mrs. Rowe responded to Mr. Williams saying that the traffic problem was not going to improve so long as the bottleneck continues as Route 60 enters the City of Williamsburg. As for restrictions, Mrs. Rowe pointed out that she did not see why a MacDonalds or a Seven-Eleven would be out of place in that part of the County since it was inconvenient for present residents to go to James-York Plaza.

With no one else wishing to speak, the Chairman closed the public hearing and adjourned the Board of Supervisors meeting so that the Planning Commission could consider the ordinance.

July 22, 1975

The Board reconvened and received a recommendation to adopt the ordinance from the Planning Commission. Mr. Edwards moved the adoption of the ordinance and indicated that he was sorry about what had happened and felt that the Court had acted unwisely unlike other State Courts which had been confronted with these kinds of issues. He indicated that he hoped that this attitude would change in the future.

Mr. Donaldson commented as a response to Mr. Williams indicating that he was convinced that the rezoning of this area from B-2 to B-1 was not in the best interest of the County or its citizens. He cited statistics concerning the gravity of the traffic safety problems and pointed out that such a traffic threat could produce higher insurance rates in this area based on a likely volume of future accidents because of the substantial number of traffic conflict points along Route 60E. After future comments concerning the evidence submitted to the Supreme Court, the Architectural Review Board, the access road, and the fact that the installation of water and sewer service has created greater land value in this area, Mr. Donaldson concluded his remarks.

Mr. Taylor pointed out his interest in preserving individual property owners freedom and wanted to see the owners' property rights go unmolested. He said that just because Anheuser-Busch had come to town, we did not need to turn our individual rights over to them.

Upon conclusion of these remarks, the Ordinance was adopted unanimously.

ORDINANCE NO. 31A-30

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS, BY AMENDING THE DEFINITION OF "OPEN SPACE"; BY AMENDING ARTICLE II, SITE PLAN, SECTION 20-21, SAME - NOTIFICATION OF FINDINGS; PROCESSING; BY REPEALING ARTICLE IV, DISTRICTS, DIVISION 8a, BUSINESS TOURIST ENTRY DISTRICT B-2; AND BY REPEALING ARTICLE VII, ARCHITECTURAL DESIGN REVIEW.

BE IT ORDAINED, by the Board of Supervisors of the County of James City that Chapter 20, Zoning of the Code of the County of James City, Article I, In General, Section 20-2, Definitions; Article II, Site Plan, Section 20-21, Same - Notification of findings; processing, Article IV, Districts, Division 8a, Business Tourist Entry District B-2; and Article VII, Architectural Design Review, be and the same is, hereby, amended as follows:

CHAPTER 20 ZONING Article I. In General

Section 20-2. Definitions.

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 District landscaped areas of parking lots with trees and ever-green ground cover shall be included in the computation of the required percentage of open space.

Article II. Site Plan

Section 20-21. Same - Notification of findings; processing.

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 ten (10) working days following the review by the Site Plan Review Committee.

Article IV. Districts

Division 8a. Business Tourist Entry District B-2.

The division is hereby repealed in its entirety.

Article VII. Architectural Design Review

The Article is hereby repealed in its entirety.

This ordinance shall be in full force and effect from the date of its adoption.

* * *

July 24, 1975
July 22, 1975

3.

PUBLIC HEARING - Zoning of properties along Route 60E previously zoned Business, Tourist Entry, District B-2. The zoning classification proposed is Business, General, District B-1. Applicant, Board of Supervisors.

Mr. Donaldson opened the public hearing.


Mrs. Marjorie Rowe - Mrs. Rowe criticized a majority of the Board for wasting tax dollars, personal dollars, and two years over this issue.

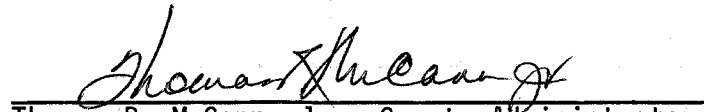
There being no other comment, the Chairman closed the public hearing and adjourned the Board meeting so that the matter could be considered by the Planning Commission.

Mr. Donaldson reconvened the Board and received the unanimous recommendation of the Planning Commission to rezone the B-2 area to B-1.

Mr. Edwards moved the adoption of the rezoning and the motion carried on a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED ON A UNANIMOUS ROLL CALL VOTE.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

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-FOURTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1.

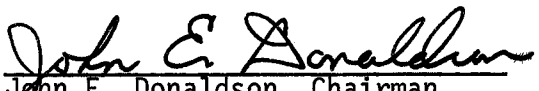
ROLL CALL

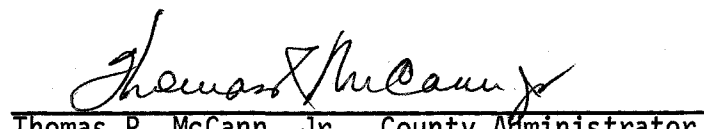
Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

2.

RECEIPT OF WATER AND SEWER MASTER PLAN BY MALCOLM
PIRNIE ENGINEER, INC.

Mr. Donaldson called the meeting to order and indicated that the Planning Commission and Comprehensive Planning Committee had been invited. He turned the meeting over to Mr. William Brown, Chief Planner, who introduced Mr. W. Douglas Ensor and Mr. Robert Dolecki who presented their report. After some discussion, the meeting was adjourned. The Board did not take any action.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County Administrator

July 28, 1975

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 JULY, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

- Mr. John E. Donaldson, Chairman, Jamestown District
- Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan Dist.
- Mr. Abram Frink, Jr., Roberts District
- Mr. Jack D. Edwards, Berkeley District
- Mr. Stewart U. Taylor, Stonehouse District
- Mr. Thomas R. McCann, Jr., County Administrator
- Mr. Wayland N. Bass, Director of Public Works
- Mr. Craig G. Covey, Assistant to the Administrator
- Mr. Frank M. Morton, III, County Attorney
- Mr. John W. Watkins, Assistant to the Administrator

2. MINUTES

Mr. Frink moved the approval of the minutes of June 30 and July 14, 1975, as printed. The motion carried unanimously.

3. HIGHWAY MATTERS

a. Consideration of resolutions to include certain streets into the State Secondary System.

RESOLUTIONS

WHEREAS, the developer of Elmwood, Section 1, 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 Elmwood, Section I, James City County in the State Secondary Highway System.

Description:		
Elmwood Lane	- From: Intersection of Route 609	0.61 Mi.
	To: 0.61 Mi. North to intersection of Tanbark Land	R/W 50'
Birch Circle	- From: Intersection of Elmwood Lane	0.05 Mi.
	0.30 Mi. North of Route 609	
	To: 0.05 Mi. West to end of cul-de-sac	R/W 50'
Tanbark Lane	- From: Intersection of Elmwood Lane	0.67 Mi.
	0.61 Mi. North of Route 609	
	To: 0.03 Mi. W. to end of cul-de-sac	
	and 0.64 Mi. S to intersection of Elmwood Lane	R/W 50'

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Elmwood Subdivision, Section I, Plat Book 31, Page 31 & 32.

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

* * * * *

WHEREAS, the developer of Woodland Farms, Section I, 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 Woodland Farms, Section I, James City County in the State Secondary Highway System.

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, Section I, James City County in the State Secondary Highway System.

Description:		
Woodland Road - From:	0.74 Mi. East of Intersection	0.10 mi.
(Route 1601)	Route 607	
To:	0.10 Mi. East to Intersection of Deer Circle Road R/W 60'	
Pasture Circle-From:	Intersection of Route 1601	0.09 mi.
	East of Route 607	
To:	0.09 Mi. South to end of cul-de-sac R/W 50'	

A right of way of 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Woodland Farms Subdivision, Section I, Plat Book 29, Page 3.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Woodland Farms, Section I, and the Resident Engineer of the Department of Highways and Transportation.

* * * * *

WHEREAS, the developer of Woodland Farms, Section II, 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 Woodland Farms, Section II, James City County in the State Secondary Highway System.

Description:
Deer Circle - From: Intersection of Route 1601 0.10 Mi.
0.84 Mi. East of Intersection of Route 607
To: 0.10 Mi. South to end of cul-de-sac R/W 50'
Woodland Road-From: 0.84 Mi. East of Intersection of Rt. 607-0.06 Mi.
(Route 1601) -To: 0.06 Mi. E. to Intersection of Stonehouse Rd.
Stonehouse Road - From: Intersection of Rt. 1601 60' R/W 0.45 Mi.
to: 0.20 Mi. E. and 0.25 Mi. N. 50 50' R/W

A right of way of 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Woodland Farms, Section II, Subdivision, Plat Book 30, Page 26.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Woodland Farms and the Resident Engineer of the Department of Highways and Transportation.

* * * * *

Mr. Edwards moved the approval of the resolutions as presented. The motion carried by a unanimous roll call vote.

Mr. Donaldson inquired as to the completion of 199 southern by pass. Mr. Hinman indicated that the section from Route 5 to Route 60 will be opened October 1st; and Route 60 to Interstate 64 on December 1st

Mr. Waltrip was informed that the light at Monticello and Ironbound Road would be installed in approximately two weeks. Also, Brick Bat Road would have a public hearing by the Highway Department and after that signs could be posted.

Mr. Frink inquired about Busch entrance stop signs and if any thought has been given to lowering the speed limit. Mr. Hinman indicated that a great deal of thought had been given to this, plus a complete traffic control report. The Highway Department expects traffic to increase to 45,000 cars. Five traffic signals have been recommended. When Mr. Frink inquired about moving signs back at Black's Crossing indicating direction in which one must travel. Mr. Hinman indicated that these could be moved back.

July 28, 1975

Mr. Donaldson requested the Highway Department to look into the matter of the C & O trains stopping on the tracks in Norge and blocking roads. Mr. Hinman indicated he would check into the matter.

Mr. Hinman indicated that streets scheduled for surfacing this summer are scheduled to begin the 15th of August.

4. REZONING CASE #Z-5-75, APPLICATION OF HENRY S. BRANSCOME ON BEHALF OF POWHATAN SHORES, INC. FOR REZONING OF APPROXIMATELY 78 ACRES ON ROUTE 682 FROM AGRICULTURAL, LIMITED, DISTRICT A-2 TO RESIDENTIAL, LIMITED R-1 AND R-2.
-

Mr. Donaldson read a letter from Mr. Branscome withdrawing his request for rezoning 78 acres on Route 682 from Agricultural, Limited, District A-2 to Residential, Limited R-1 and R-2, to a rezoning of all acreage to R-1.

The Board discussed deferring action until such time as the Planning Commission received and considers a request to have the entire parcel zoned R-1.

Mr. Murray Loring, attorney for Powhatan Shores, indicated that the Planning Commission had already approved the 78 acres for rezoning and that since this was the best time to do work on the property, they hoped the Board would rezone the portion requested for R-1 to that rezoning. After discussion with Mr. Branscome and the Board, Mr. Loring requested the entire acreage on Neck-O-Land Road be rezoned to an R-1 category (80.95 acres).

Mr. J. Kirtland suggested that the Board not rush into making a decision on this matter.

Mr. Branscome indicated an urgency to get finished with project--everything worked out for R-1 zoning plans, water, sewer, etc.

Mr. Tinsley - No objection to R-1 zoning.

Mrs. Jane Tyler - Would like postponement of decision.

Mrs. Irene Douglas - quoted from minutes of public hearing on the matter.

Mrs. Suzanne Caulkins - opposed to rezoning.

There being no further comments from the public, the Board discussed this matter at length. They expressed their concern over the fact that the description did not include all of the acreage that Mr. Branscome owns, that two acres or more are not in the original rezoning request.

Mr. Edwards moved that the 56.39 acres and the 22.18 acres on Route 682, Powhatan Shores, be rezoned Residential Limited District R-1. The motion carried by a majority roll call vote. Mr. Donaldson voted no.

The Board urged the Planning staff to focus on the constraints of development in the area along Neck-o-land Road.

Mr. Donaldson moved that in connection with the consideration given in agenda Item 4 that the County Administrator be instructed to put into motion the necessary steps to have the rezoning of acreage designated A-2, consisting of 2.38 acres, owned by Mr. Branscome to be brought to the Planning Commission. The motion carried by a unanimous roll call vote.

July 28, 1975

5.

PUBLIC HEARING - AN ORDINANCE TO VACATE THE PORTION OF THAT CERTAIN PLAT ENTITLED, "SUB-DIVISION PLAT, SECTION NUMBER 2-B, CHICKAHOMINY HAVEN, COUNTY OF JAMES CITY, VIRGINIA." AND MORE PARTICULARLY DESCRIBED AS THAT CERTAIN PROPERTY LINE DIVIDING LOTS 2 AND 3 AS SHOWN ON SAID PLAT.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Taylor moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 89

AN ORDINANCE TO VACATE THE PORTION OF THAT CERTAIN PLAT ENTITLED, "SUBDIVISION PLAT, SECTION NO. 2-B, CHICKAHOMINY HAVEN, COUNTY OF JAMES CITY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT CERTAIN PROPERTY LINE DIVIDING LOTS 2 & 3 AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by William R. Bland, Trustee of Lots 2 & 3, on that certain plat entitled, "Subdivision Plat, Section 2-B, Chickahominy Haven, County of James City, Virginia", to vacate that certain line dividing lots 2 & 3, with the entire parcel to be then designated as lot 2; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended, and

WHEREAS, the Board of Supervisors did consider such application on the 28th day of July, 1975, pursuant to such notice, and were 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:

1. That a certain portion, specifically, the property line dividing Lots 2 & 3 of that certain plat entitled, "Sub-division Plat, Section No. 2-B, Chickahominy Haven, County of James City, Virginia", which said plat is recorded in the Williamsburg-James City County Courthouse in Plat Book 18, page 6, be and the same is, hereby, vacated.
2. That a new plat entitled, "Plat of the Property of William R. Bland, Trustee, Showing Vacation of Property Line Between Lots 2 & 3, Entire Parcel to be Designated Lot 2", be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

6.

CONSIDERATION OF RESOLUTION FOR THE WILLIAMSBURG LIONS CLUB TO OPERATE BINGO GAMES.

Mr. Frink moved the approval of the resolution extending the permit of the Williamsburg Lions Club to conduct bingo games for a period of one year. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, Paul L. Epley of the Williamsburg Lions Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Lions Club has met the requirements of Section 18.1-340 (b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the laws of the Commonwealth of Virginia pertaining to bingo games and raffles.

July 28, 1975

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Williamsburg Lions Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this resolution shall be a matter of public record within the County.

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of July, 1975.

* * * * *

7. CONSIDERATION OF A REPORT FROM THE COUNTY ADMINISTRATOR CONCERNING TENNIS COURT CONSTRUCTION AND/OR LIGHTING.

The Board reviewed the report from Mr. McCann indicating the feasibility and cost of improving several recreation areas in the County.

Mr. Donaldson moved that the County Administrator be directed to work with the School Boards in planning for, and building a site for, two tennis courts to be located at Norge School using the Laykold courts and report back to the Board before the contract is let. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved that the Chairman and County Administrator be authorized to approach the City of Williamsburg to negotiate for lighting of the City courts on the basis of need and that the County is not to absorb more than 50% of the costs. The motion carried by a unanimous roll call vote.

8. CONSIDERATION OF A RESOLUTION AUTHORIZING SALES OF BOND ANTICIPATION NOTES FOR SANITARY DISTRICT 3.

Mr. Donaldson moved the adoption of the resolution authorizing the sale of \$2,120,000 in Bond Anticipation Notes and the interest rate of 5-5/8% as set forth in Attachment A. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

At a regular meeting of the Board of Supervisors of James City County, Virginia, held, on the 28th day of July, 1975, at which the following members were present and absent:

PRESENT:

Mr. John E. Donaldson, Chairman
Mr. Mayo W. Waltrip, Vice-Chairman
Mr. Jack D. Edwards
Mr. Abram Frink, Jr.
Mr. Stewart U. Taylor

ABSENT:

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:

MEMBER

VOTE

Mr. Donaldson	Aye
Mr. Waltrip	Aye
Mr. Edwards	Aye
Mr. Frink	Aye
Mr. Taylor	Aye

July 28, 1975

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE
OF \$2,120,000 BOND ANTICIPATION NOTES OF THE
JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3

WHEREAS, the Board of Supervisors on June 28, 1974, adopted a resolution authorizing the issuance and sale of \$2,120,000 Sewer Bonds, Series of 197__, of the James City County Sanitary District Number 3 (the District) which were authorized at an election held in the District on June 6, 1972, and further authorized the Chairman or Vice-Chairman and Clerk of the Board to borrow money in anticipation of the issuance and sale of such bonds;

WHEREAS, pursuant to such resolution the Chairman and Clerk have borrowed \$300,000 from the United Virginia Bank of Williamsburg evidenced by the District's \$300,000 Sewer Bond Anticipation Note No. 1 and for the purpose for which such bonds have been authorized; and

WHEREAS, there has been submitted to this meeting a proposal from the United Virginia Bank, Richmond, Virginia, to purchase the \$2,120,000 notes to be dated August 1, 1975, to mature February 1, 1977, to be in certain denominations and to bear interest at the rate or rates all as set out in such proposal which is attached hereto as Exhibit A;

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

1. It is hereby determined to be in the best interest of James City County Sanitary District Number 3 to accept the aforesaid proposal of the United Virginia Bank and to issue and sell bond anticipation notes in the aggregate amount of \$2,120,000 under the terms and conditions set forth in such proposal which proposal is hereby accepted.
2. The Chairman or Vice-Chairman and Clerk are hereby authorized to see to the preparation of such notes, to execute and deliver such notes to the United Virginia Bank upon receipt of \$2,120,000, and to use \$300,000 of such proceeds to retire Bond Anticipation Note No. 1 and the balance for the purpose for which the bonds were authorized.
3. The resolution adopted June 28, 1974, is hereby ratifies and confirmed. All resolutions or parts thereof in conflict herewith are hereby repealed.
4. 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 July, 1975, 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 July, 1975.

* * * * *

9. CONSIDERATION OF APPOINTMENT OF DEPUTY DOG WARDEN

Mr. Waltrip moved that Mr. William Stewart be appointed Deputy Dog Warden for the period July 28 through August 31, and then upon Mr. Matheny's retirement on August 31, Mr. Stewart is to become Dog Warden for the period September 1, 1975, through July 31, 1976. The motion carried by a unanimous roll call vote.

10. CONSIDERATION OF CANCELLATION OF AUGUST 25TH BOARD MEETING

Mr. Edwards moved that due to LGOC and vacation schedules, the meeting of August 25, 1975, be cancelled. The motion carried by a unanimous roll call vote.

July 28, 1975

11. DISCUSSION WITH DR. HENRY RENZ CONCERNING CENTER
FOR THE HANDICAPPED.

Dr. Renz appeared before the Board for a general discussion on the center for the handicapped.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

12. CONSIDERATION OF RESOLUTION AUTHORIZING THE RETENTION OF INSPECTORS FOR SANITARY DISTRICT NO.3
PROJECT NO. C510-52801.

Mr. Donaldson moved the adoption of the captioned resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the County of James City has awarded contracts for construction of Sanitary District No. 3, Project No. C510-52801, and

WHEREAS, EPA regulations require the jurisdiction to authorize the retention of inspectors for the project as well as their duties, costs and hours in order that charges may be substantiated;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the following personnel are authorized for resident inspection and project administration for construction of Sanitary District No. 3, Project No. C510-52801, and that their proposed duties, approximate costs and hours of service are set forth as follows:

1. Current employees of the Department of Public Works to be assigned to the project in whole or in part:

- | | |
|------------------------------------|-------------------|
| a. John Kish | \$7,800 per annum |
| Inspector Trainee | |
| 40 hours per week | |
| b. William B. Dillard | 2,839 per annum |
| Construction Inspector* | |
| 10 hours per week | |
| (10 hrs/wk @ \$11,354 per annum) | |
| *Electrical and mechanical work in | |
| pumping stations. | |
| c. Wallace C. Johnson | 11,819 per annum |
| Construction Supervisor | |
| 30 hours per week | |
| (30 hrs/wk @ \$15,759 per annum) | |

2. New employees to be assigned to the project:

- | | |
|-------------------------|-----------------|
| a. Roger M. Marks | 9,423 per annum |
| Construction Inspector | |
| 40 hours per week | |
| b. Kinloch M. Wilkinson | 9,423 per annum |
| Construction Inspector | |
| 40 hours per week | |

- | | |
|---------------------------------|--------------|
| 3. Subtotal of Salaries | \$41,304 |
| Fringe Benefits @ 13% | <u>5,370</u> |
| Total Annual Personnel Costs | 46,674 |
| Mileage and Protective Clothing | <u>1,500</u> |
| TOTAL | \$48,174 |

4. Duties of Inspectors

- Inspect materials, workmanship and installation of sewage facilities for compliance with plans and specifications.
- Notify contractor and Project Engineer of all instances of non-compliance with plans and specifications.
- Keep the Project Engineer advised regarding progress of work.

August 11, 1975
July 28, 1975

d. Keep the following records:

Daily report
Monthly progress report
As built data

5. Duties of Construction Supervisor

- a. Assign and supervise the work of all inspectors
- b. Investigate and answer complaints from citizens
- c. Review and approve:

Shop drawings
Progress payments
Change orders
Inspectors reports

- d. Represent the owner and provide liaison between the Consulting Engineer, the contractor and the public, the Virginia Department of Highways and Transportation and all other local agencies.

* * * * *

13. PUBLIC FACILITIES PLAN

The Board received the draft Public Facilities Plan. Mr. McCann indicated that the summary would be available in two weeks.

Mr. Donaldson moved the acceptance of the Public Facilities Plan and declared it available for review by the public and the summary also available when published. The motion carried by a unanimous roll call vote.

* * * * *

Mrs. Marjorie Rowe apologized to Mr. Donaldson for remarks made by her at the July 22, 1975 meeting.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED ON A UNANIMOUS VOTE.

John E. Donaldson
John E. Donaldson, Chairman

Thomas R. McCann, Jr.
Thomas R. McCann, Jr. County
Administrator

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 AUGUST, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown Dist.
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan, Dist.
Mr. Abram Frink, Jr., Robert District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, County Administrator
Mr. Wayland Bass, Director of Public Works
Mr. Craig Covey, Assistant to the Administrator
Mr. Frank Morton, III, County Attorney
Mr. John Watkins, Assistant to the Administrator

2. MINUTES

Mr. Edwards moved the approval of the minutes

August 11, 1975

of July 21, 22, and 24, 1975 as printed. The motion carried unanimously.

3. PRESENTATION OF SERVICE CERTIFICATES

Mr. Donaldson presented Service Certificates to Miss Eunice Stewart for 15 years of service with the County, and to Mrs. Frances Whitaker, Treasurer, for 10 years of service.

4. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A WHOLESALE AND PROCESSING CENTER FOR BUILDING SPECIALITIES. APPLICANT-GILPIN, INC. OF VIRGINIA

Mr. Gilpin appeared before the Board indicating that his project is to be located on the property owned by Larry Waltrip on Route 31 in B-1 zone for building specialities (wrought iron hand rails, etc.) and would employ 5 or 6 people.

Mr. Taylor moved that the Conditional Use Permit be approved subject to the condition that the site is to be developed and maintained in accordance with applicable codes and the approved site plan. The motion carried by a majority roll call vote. Mr. Edwards voted no.

5. CONSIDERATION OF A RESOLUTION AUTHORIZING THE CHAIRMAN OF THE BOARD TO SIGN CONDEMNATION CERTIFICATES FOR SANITARY DISTRICT NUMBER 3.

Mr. William Bland, Attorney for Sanitary District #3, appeared before the Board to discuss the resolution.

Mr. Edwards moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

RESOLUTION AUTHORIZING THE ACQUISITION OF RIGHTS, TITLE, INTEREST OR EASEMENT IN AND TO REAL ESTATE IN SANITARY DISTRICT NUMBER THREE

WHEREAS, James City County Sanitary District Number Three is a duly created Sanitary District in James City County, Virginia; and

WHEREAS, the Board of Supervisors of James City County is the governing body of the Sanitary District; and

WHEREAS, it is necessary to acquire by gift, condemnation, purchase, lease or otherwise, rights, title, interest or easements in and to certain real estate in the District for the construction, maintenance and operation of sewage, water and related utility services;

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

1. The Chairman or Vice Chairman and Clerk are hereby authorized to execute, deliver or accept such Deeds, Deeds of Easement, Certificates of Deposit, Agreements and other documents on behalf of the District as are deemed necessary by them for the acquisition of such rights, title, interest or easement in real estate for the construction, maintenance and operation of sewerage, water and related utility services for the James City County Sanitary District Number Three.

2. The Chairman or Vice Chairman and Clerk are further authorized to expend on behalf of the District such monies as are deemed appropriate by them for the acquisition of such rights, title, interest or easement in real estate necessary or incidental to the needs of the District.

3. The Chairman or Vice Chairman and Clerk are empowered to make such agreements on behalf of the District as are necessary or incidental to the acquisition of the rights, title, interest or easement in real estate deemed appropriate by them.

4. The Treasurer of James City County with the concurrence of the Chairman or Vice Chairman shall have authority to bind the assets of the District in such acquisition of real estate by condemnation, purchase, lease or otherwise.

August 11, 1975

5. All actions by the Chairman or Vice Chairman and Clerk in the acquisition of rights, title, interest or easement in real estate on behalf of the District are hereby ratified and confirmed. All resolutions or parts thereof in conflict herewith are hereby repealed.

6. An emergency existing, this resolution shall take effect immediately

* * * * *

6.

CONSIDERATION OF WATER AGREEMENT WITH ROUTE 199
ASSOCIATES, INCORPORATED-THOMAS WOOD, APPLICANT

Mr. McCann indicated that 199 Incorporated, Governor Berkeley Professional Center, has acquired 11½ acres, 10 acres in the City and 1½ acres in James City County, bordered by Mill Neck Road, Route 5 and Route 199. 199 Incorporated has built six doctor's offices on the 1½ acre parcel and intends to build further on the balance of the tract. They are within striking distance of the 199 water line; however, by moving that line or making connection to 199 to the 1½ acre parcel they run into some substantial difficulty in carrying that line further through the balance of the tract and find that they can by connecting to the City provide water to the entire tract at a lesser cost. The 199 water line will not be completed until late October and they have a completion date of the first of September. The request is to allow 199 Inc. to connect to the City and pay the County the connection fee that would normally be required even though the service is not going to be provided. Mr. McCann indicated that this matter had been reviewed, the staff had gone over the rate structure on the 199 water line and that they felt the \$600 connection charge was within the ball park and it is the staff's feeling that the County would be in a position to accept the \$600 per unit connection fee, which would be \$3600 total, waive the requirement that this applicant connect to the 199 line and agree or concur in their desire to connect to the water services provided by the City of Williamsburg. Mr. McCann also indicated that while this was a precedent it is also flavored by a number of special circumstances and conditions which the staff felt would not be repeated along the 199 line in the future; and that for the privilege of not serving someone, \$3600 is entirely adequate.

Mr. Tom Wood was present to answer any questions from the Board.

Mr. Waltrip questioned if all of the six units were on the 1½ acres located in James City County. Mr. Wood answered affirmatively.

Mr. Morton replied to Mr. Frink's question referring to another case where water was denied. Mr. Morton replied that this was a difficult situation and that the previous case had various and sundry reasons that it was denied water. He felt it was logical under these circumstances to permit 199 Incorporated to go to the City for water. It would not be logical for the smaller portion to be served by the County and the remainder of the property, which is larger, to be served by the City; and that, furthermore, the City is ready to serve and we are not.

August 11, 1975

Mr. McCann indicated that it was logical for several reasons. First, the client is ready and the line is not; second, because of the nature of the parcel Mr. Wood would have to obtain water for the County portion from the County and water for the City portion from the City. The 199 water line connection cannot effectively or efficiently be extended through the balance of the parcel because it is a problem. If we were faced here with an issue where we are talking about a major parcel some distance from the City without any of the parcel lying within the City, Mr. McCann indicated that this would be a different set of circumstances.

Mr. Donaldson indicated that pursuant to that, we are being consistent with the earlier policy, that the question as he understood it was that if a person could be served by the 199 water line he should pay a prorated cost of construction of that line through connection fee, and that we would be observing that policy with this acceptance of \$3600 at a rate of \$600 per unit. Mr. Donaldson indicated that he was inclined to approve the request, that the County's interests are protected, and that the situation is sufficiently unique with the parcel overlapping two jurisdictions and justifying a less rigid approach.

The Board discussed this request further.

Mr. Donaldson moved that the Board approve the recommendation of the County Administrator to permit the applicant to connect with the City of Williamsburg upon payment of \$3600 availability charge subject, however, to the concurrence of the City of Williamsburg. The motion carried by a unanimous roll call vote.

7. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SITE PLAN, SECTION 20-16, CERTAIN PLANS SUBJECT TO REVIEW BY PLANNING COMMISSION, BY ADDING A NEW PROVISION, SUBSECTION 9n) SITE DEVELOPMENT, CLEARING AND GRADING.

Mr. Frink moved that the captioned ordinance be advertised for public hearing on September 8, 1975, at 7:30 P.M., in the Courthouse Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

8. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SITE PLAN, SECTION 20-19 SAME - SUBMITTAL CONTENTS, SUBSECTION (1) SITE SURVEY AND BY ADDING A NEW PROVISION, SUBSECTION (d) NOTIFICATION OF ADJACENT PROPERTY OWNERS.

Mr. Frink moved that the captioned ordinance be advertised for public hearing on September 8, 1975, at 7:30 P.M., in the Courthouse Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

9. CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson and a unanimous roll call vote, the Board of Supervisors of James City County hereby approves the following warrants for the month of July 1975.

September 8, 1975
August 11, 1975

General Fund

Checks #1 thru #104
Checks #107 thru #122
Totalling \$207,086.58
Checks #2160 thru #2380
Totalling \$62,071.41

General Fund 1974-75 Obligated
Appropriations Fund #81

Checks #105 and #106
Totalling \$8,046.01
\$277,204.00

TOTTALLING

Sanitary District #1

Check #1
Totalling \$2,863.31

Sanitary District #2

Checks #1 thru #7
Totalling \$4,079.61

Sanitary District #3

Checks #1 thru #4
Totalling \$36,056.06

James City Co. Revenue
Sharing Trust Fund

Checks #159 thru #167
Totalling \$35,841.33

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

10. AIR CONDITIONING REPLACEMENT - EOC BUILDING
AND TRANSFER OF FUNDS

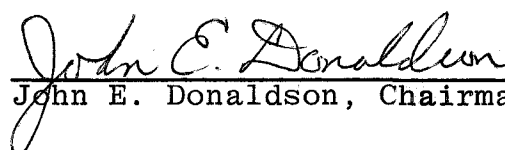
Mr. Donaldson moved the approval of the transfer of funds of \$1,337 from the Contingency account to Buildings and Grounds for the replacement of an air handling unit at the EOC Building which has become inoperative. The motion carried by a unanimous roll call vote.


11. PUBLIC FACILITIES PLAN

Mr. Donaldson moved that the Board establish as an agenda item for the September 8th the presentation of the Public Facilities Plan, and invite the Planning Commission and the citizens advisory committee to be present. The motion carried by a unanimous roll call vote.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION TO CONSIDER A PERSONNEL MATTER.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED BY A UNANIMOUS VOTE.


John E. Donaldson, Chairman


Thomas R. McCann, County Administrator

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 SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown Dist.
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan Dist.
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Criag G. Covey, Assistant to the County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

2. MINUTES

September 8, 1975

Mr. Edwards moved the approval of the minutes of July 28 and August 11, 1975, as printed. The motion carried by a unanimous roll call vote.

3. PUBLIC HEARING - An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article II, Site Plan, Section 20-16, Certain Plans Subject to Review by the Planning Commission, by adding a new provision, Subsection (n) Site Development, Clearing and Grading.

The Chairman opened the Public Hearing. Mr. Morton, County Attorney, explained the ordinance. There being no public discussion, the hearing was closed.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NUMBER 31A-31

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SITE PLAN, SECTION 20-16, CERTAIN PLANS SUBJECT TO REVIEW BY PLANNING COMMISSION, BY ADDING A NEW PROVISION, SUBSECTION (n) SITE DEVELOPMENT, CLEARING AND GRADING.

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 II, Site Plan, Section 20-16, Certain Plans Subject to Review by Planning Commission, be and the same is, hereby, amended and reordained by adding a new provision, Subsection (n) Site Development, Clearing and Grading, to read as follows:

CHAPTER 20

ZONING

Article II. Site Plan

Section 20-16. Certain plans subject to review by Planning Commission.

(n) Site Development, clearing and grading.

This ordinance shall be in full force and effect from the day of its adoption.

* * * *

4. PUBLIC HEARING - An ordinance to amend and reordain Chapter 20, Zoning of the Code of the County of James City, Article II, Site Plan, Section 20-19, Same-Submittal Contents, Subsection (a) Site Survey and By adding a new provision, Subsection (d) Notification of Adjacent Property Owners.

Mr. Covey, Zoning Administrator, explained the ordinance.

The Chairman opened the public hearing.

Mr. Dave Ware - Spoke against the ordinance.

Mrs. Marjorie Rowe - Spoke against the ordinance.

The Chairman closed the public hearing.

Discussion followed.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

September 8, 1975

ORDINANCE NO. 31A-32

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SITE PLAN, SECTION 20-19, SAME - SUBMITTAL CONTENTS, SUBSECTION (a) SITE SURVEY AND BY ADDING A NEW PROVISION SUBSECTION (d) NOTIFICATION OF ADJACENT PROPERTY OWNERS.

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 II Site Plan, Section 20-19, Same - Submittal Contents, be and the same is, hereby, amended and reordained by amending Subsection (a) and by adding a new provision, Subsection (d) Notification of Adjacent Property Owners to read as follows:

CHAPTER 20

ZONING

Article II. Site Plan

Section 20-19. Same - Submittal Contents.

- (a) Site Survey. The preliminary site plan shall be submitted in four 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 one inch equals two thousand feet.
 - (2) Title of project.
 - (3) Name of engineer, architect, landscape architect 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 the projects containing more than two hundred acres, not more than two hundred feet to one inch.
 - b. For projects containing fifty acres to two hundred acres, not more than one hundred feet to one inch.
 - c. For projects containing more than ten acres but less than fifty acres, nor more than fifty feet to one inch.
 - d. For projects containing ten acres or less, nor more than twenty 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 five feet or less. Intervals of two feet preferred.
 - (14) Easements.
 - (15) Sanitary and storm sewers.
 - (16) Watermains.
 - (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.

September 8, 1975

- (19) Computation (note) including total acres; total developable and total nondevelopable acreage and percent of site covered by: existing buildings; roads and drives; woods; open fields; and easements.

Notification Adjacent Property Owners. It shall be the responsibility of the applicant for site plan approval to notify all adjoining property owners advising them of the submission of preliminary plans to the County. No site plan shall be received for review until the applicant presents evidence to the satisfaction of the Administrator, or his designee, that all property owners of pre-existing development contiguous to and sharing a common property line with said applicants or whose property lies directly across from the proposed development, have been notified in writing prior to the time the preliminary site plan is filed for review. 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. CONSIDERATION OF A RESOLUTION TO THE VIRGINIA DEPARTMENT OF HIGHWAYS AND TRANSPORTATION INVOLVING CHANGES IN SECONDARY SYSTEM DUE TO RELOCATION AND AND CONSTRUCTION ON ROUTE 603.

Mr. Taylor moved the approval of the captioned resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, Secondary Route 603 from Route 610, a distance of 2.19 miles, has been altered, and a new road has been constructed and approved by the State Highway and Transportation Commission, 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 attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on 603, Project 0603-047-121, C501, dated at Richmond, Virginia 6-27-75."

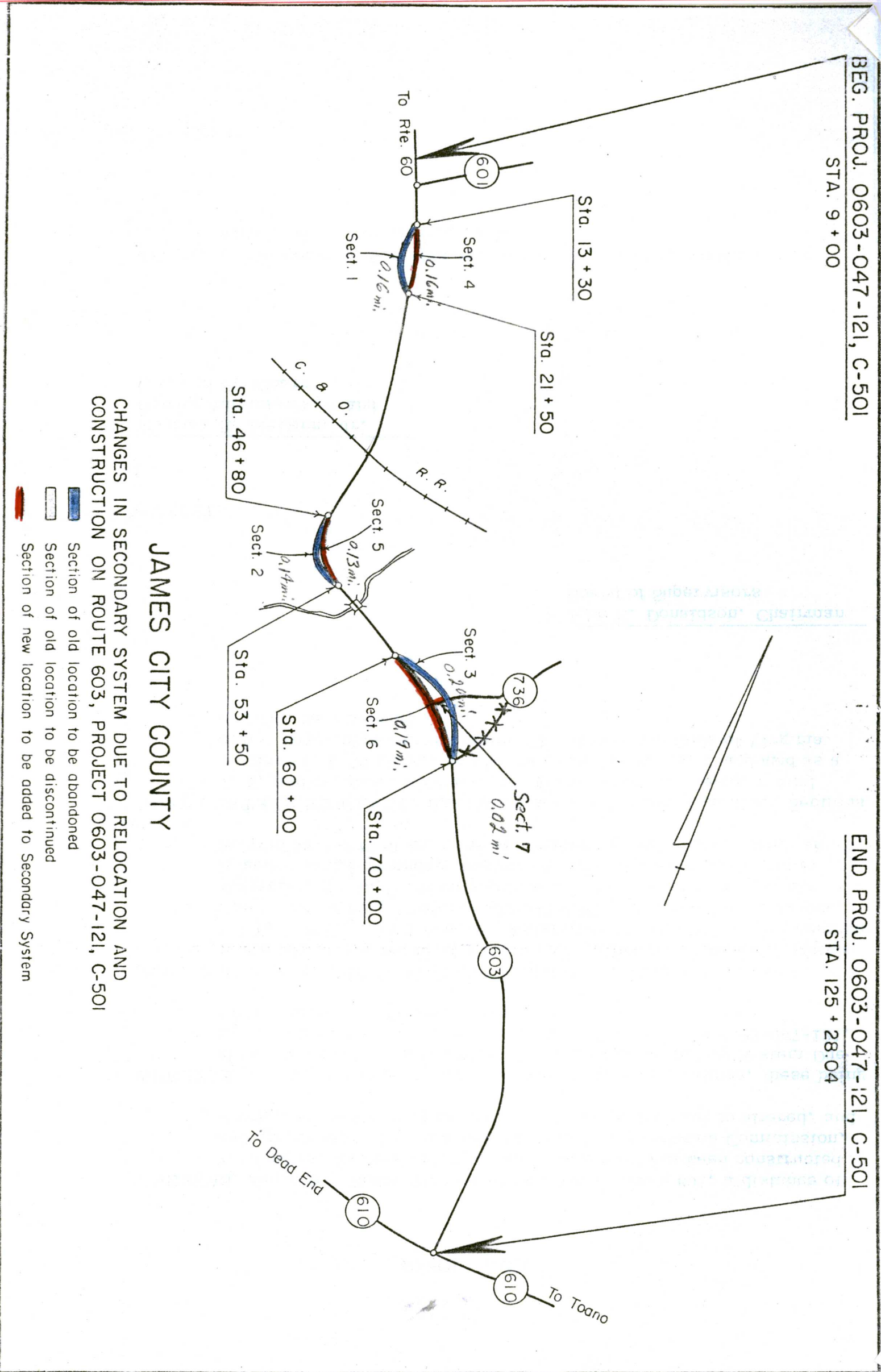
NOW, THEREFORE, BE IT RESOLVED; that the portions of Secondary Route 603, i.e., Sections 4, 5, 6 and 7 shown in red on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 603, Project 0603-047-121, C501, dated at Richmond, Virginia 6-27-75," a total distance of 0.50 miles be, and hereby is added to the Secondary System of State Highways, pursuant to Section 33.1-220 of the Code of Virginia of 1950, as amended; and

BE IT FURTHER RESOLVED, that the sections of old location, i.e., Sections 1, 2, and 3, shown in blue on the aforementioned sketch a total distance of 0.50 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.

ADOPTED BY THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, THIS EIGHTH DAY OF SEPTEMBER, 1975.

* * * * *

(sketch attached to following page)



6.

CONSIDERATION OF RESOLUTION GRANTING A PERMIT FOR THE MENTAL HEALTH DAY CENTER TO HOLD BINGO GAMES.

Mr. Frink moved the approval of the captioned solution. The motion carried by a unanimous roll call vote.

September 8, 1975

R E S O L U T I O N

WHEREAS, Ann Marie Long of the Mental Health Day Center appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Mental Health Day Center has met the requirements of Section 18.1-340 (b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employer of said organization; and, that it through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Mental Health Day Center is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of September, 1975.

* * * * *

7. CONSIDERATION OF A RESOLUTION TO SET A FEE FOR PROCESSING AN APPLICATION FOR THE VACATION OF A PLAT AFTER SALE OF A LOT.

Mr. Edwards moved the approval of the resolution setting a fee of \$50 for the processing of an application for a vacation of a plat under Section 15.1-482 of the Code of Virginia. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the 1974 General Assembly amended Section 15.1-482.1 of the Code of Virginia, 1950, as amended, to permit counties as well as cities to charge a reasonable fee for processing an application for a vacation of a plat pursuant to Section 15.1-482 of said Code, and

WHEREAS, James City County receives numerous requests for such vacations resulting in expenses for staff and the requisite advertising, and

WHEREAS, these requests for vacations usually result in a direct benefit to the applicant rather than the County as a whole,

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

- (1) That pursuant to Section 15.1-482.1 of the Code of Virginia, 1950, as amended, a fee of fifty dollars (\$50) shall be charged for the processing of an application for a vacation of a plat under Section 15.1-482 of said code.

* * * * *

September 8, 1975

8. CONSIDERATION OF A PAYMENT OF REFUND FOR A CANCELLED BUILDING PERMIT TO MR. RALPH E. PRICE IN THE AMOUNT OF \$54.96 FROM CLAIMS AGAINST THE COUNTY.

Mr. Taylor moved that the refund of \$54.96 be made to Mr. Ralph E. Price to reimburse him for a cancelled building permit. The motion carried by a unanimous roll call vote.

9. CERTIFICATION OF WARRANTS

General Fund	Checks #123 thru #249 Totalling \$290,506.89 Checks #2381 thru #2614 Totalling \$65,772.30
TOTAL	\$356,279.19
Sanitary District #1	Checks #2 thru #4 Totalling \$2,199.03
Sanitary District #2	Checks #8 thru #16 Totalling \$2,285.00
Sanitary District #3	Checks #5 thru #20 Totalling \$51,771.95
J. C. C. Revenue Sharing Trust Fund	Checks #168 thru #170 Totalling \$95,068.31

Mr. Donaldson moved the approval of the warrants. The motion carried by a unanimous roll call vote.

10. CONSIDERATION OF A DATE FOR JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION ON THE 1975 COMPREHENSIVE PLAN OF JAMES CITY COUNTY CONSISTING OF THE GOALS AND OBJECTIVES, ECONOMIC BASE STUDY, LAND DEVELOPMENT CONCEPT, MAJOR THOROUGHFARE PLAN, WATER AND SEWER PLAN AND PUBLIC FACILITIES PLAN.

Mr. Edwards moved that a joint public hearing with the Planning Commission be advertised for September 23, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia, on the captioned matter. The motion carried by a unanimous roll call vote.

11. CONSIDERATION OF A DATE FOR JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SITE PLAN, BY AMENDING SECTION 20-16, CERTAIN PLANS SUBJECT TO REVIEW BY PLANNING COMMISSION, SECTION 20-18, PRELIMINARY PLAN SUBMITTAL GENERALLY, SECTION 20-19, SAME-SUBMITTAL CONTENTS, SECTION 20-20, SAME-REVIEW CRITERIA, SECTION 20-21, SAME-NOTIFICATION OF FINDINGS; PROCESSING, SECTION 20-21.7, SAME-AMENDMENT.

Mr. Edwards moved that a joint public hearing with the Planning Commission be advertised for September 23, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia, on the captioned ordinance. The motion carried by a unanimous roll call vote.

September 8, 1975

12. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING AND REORDAINING ARTICLE I, IN GENERAL, SECTION 17-6, ADMINISTRATION AND ENFORCEMENT OF CHAPTER BY AGENT, SECTION 17--43(c), RESERVATION OF LAND FOR PUBLIC PURPOSES, ARTICLE II, PLATS, SECTION 17-54, FEES, SECTION 17-56, PRELIMINARY SKETCH, SECTION 17-57, PRELIMINARY PLAT, SECTION 17-58, PROCEDURE FOLLOWING SUBMITTAL OF PRELIMINARY PLAT, SECTION 17-59, EFFECT OF APPROVAL OF PRELIMINARY PLAT.
-

Mr. Edwards moved that a public hearing be advertised on the captioned ordinance for September 23, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

13. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN APPLICATION BY JAMES CITY COUNTY FOR A FEDERAL GRANT FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT UNDER THE PROVISIONS OF THE COMMUNITY DEVELOPMENT ACT OF 1974, TO BE USED TO UPGRADE THE TOANO WATER SYSTEM.
-

Mr. Edwards moved that a public hearing be advertised on the captioned matter for September 22, 1975, at the Courthouse, 3:00 p.m., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

14. CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN APPLICATION FOR A SPECIAL USE PERMIT IN ACCORDANCE WITH SECTION 20-27 OF THE CODE OF JAMES CITY COUNTY, FOR A SITE FOR TWO MOBILE HOMES. ERNEST WALLACE, APPLICANT.
-

Mr. Edwards moved that a public hearing be advertised on the captioned matter for September 22, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

15. CONSIDERATION OF A DATE FOR PUBLIC HEARING OF AN APPLICATION BY L. V. WOODSON ON BEHALF OF V. DALE MENDENHALL FOR REZONING OF 2.048 ACRES FROM A-1 TO B-1.
-

Mr. Edwards moved that a public hearing be advertised on the captioned matter for October 13, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

16. CONSIDERATION OF A DATE FOR PUBLIC HEARING OF AN APPLICATION BY B. D. LITTLEPAGE ON BEHALF OF J. CORY MULLIGAN FOR REZONING OF 1.00 ACRES FROM A-1 TO B-1.
-

Mr. Edwards moved that a public hearing be advertised on the captioned matter for October 13, 1975, at the Courthouse, 7:30 p.m., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

September 8, 1975

17. CONSIDERATION OF APPOINTMENT TO SOCIAL SERVICES BOARD TO FILL MRS. CHAMPION'S UNEXPIRED TERM

Deferred until executive session at the end of meeting.

18. CONSIDERATION OF APPOINTMENT TO PLANNING COMMISSION TO FILL MR. ADAMO'S UNEXPIRED TERM.

Deferred until executive session at the end of meeting.

19. PRESENTATION OF PUBLIC FACILITIES PLAN.

Deferred until after the Reports and Recommendations of the County Administrator.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR

20. EMERGENCY ORDINANCE - AN ORDINANCE TO AMEND CHAPTER 18, TAXATION OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, SECTION 18-7.1, LAND USE ASSESSMENT, BY ADDING A NEW SUB-ARTICLE (a) (4) PROVIDING FOR THE DELETION OF FEES FOR REAPPLICATIONS IN SUBSEQUENT YEARS.

Mr. Morton, County Attorney, explained the amendment to the Land Use Assessment Ordinance, which permits the Commissioner of the Revenue to charge no fee for reapplication of parcels for treatment of land under this ordinance. Since the land owners are making reapplications now, the ordinance was prepared in emergency form.

Mr. Taylor moved the approval of the captioned ordinance and an emergency ordinance, effective this date. The motion carried by a unanimous roll call vote.

Mr. Waltrip moved to set the date of October 13, 1975, for public hearing on the captioned ordinance, 7:30 p.m., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 80A-1

AN ORDINANCE TO AMEND CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, SECTION 18-7.1, LAND USE ASSESSMENT, BY ADDING A NEW SUB-ARTICLE (a) (4) PROVIDING FOR THE DELETION OF FEES FOR REAPPLICATIONS IN SUBSEQUENT YEARS.

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, Section 18-7.1, Land Use Assessment, be and the same is, hereby, amended and reordained by adding a new sub-article (a) (4) to read as follows:

CHAPTER 18
TAXATION

Section 18-7.1. Land Use Assessment.

The County of James City declares that the preservation of real estate devoted to agricultural or horticultural 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 Virginia, 1950, as amended, (herein after referred to as the Code) and pursuant to the terms of this ordinance.

(a) Application by Property Owner of Any Real Estate.

- (1) The owner as defined in Section 58-769.8 of the Code, meeting the criteria set forth in Sections 58-769.5 (a) or (b) and 58-769.7 (b) (1) 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.

- (2) Each application shall be accompanied by a fee of ten dollars (\$10.00) per parcel plus ten cents (.10¢) per acre or portion thereof contained in such parcel. For purposes of this paragraph contiguous parcels owned by the same applicant or applicants shall be treated as a single application.
- (3) A separate application shall be filed for each parcel listed in the land book.
- (4) No fee shall be levied for those reapplications by the same owner made in subsequent years for property previously processed under this section.

AN EMERGENCY IS HEREBY DECLARED TO EXIST AND THIS ORDINANCE SHALL BE IN EFFECT FROM THE DATE OF ITS PASSAGE.

* * * * *

21. CONSIDERATION OF RESOLUTION SUPPORTING FEDERAL IMPACT AID FUNDS FOR LOCAL SCHOOL SYSTEMS.

Mr. Frink moved the approval of the resolution requesting our representatives in Congress to vote in favor of a bill now pending to appropriate federal impact aid funds to provide for the continued support of the Williamsburg-James City County school system. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Congress of the United States makes an annual appropriation to provide funds to local School Boards in those jurisdictions which are impacted by federal installations, and

WHEREAS, such annual appropriations are essential in ensuring the necessary level of funding to support local school systems, and

WHEREAS, the House of Representatives is expected to vote on federal impact aid to local jurisdictions on September 9, 1975, and

WHEREAS, the sum of \$80,000 is anticipated to become available to the Williamsburg-James City County school system through federal impacted aid, and

WHEREAS, there develops an annual controversy concerning the appropriations of these monies by Congress;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that our representatives in the Congress of the United States be urged to vote in favor of a bill now pending before Congress to appropriate federal impact aid funds to provide for the continued support of the Williamsburg-James City County school system at a level which has been anticipated for the present school year.

ADOPTED BY THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, THIS 8TH DAY OF SEPTEMBER, 1975.

* * * * *

19. PRESENTATION OF PUBLIC FACILITIES PLAN

Mr. William Brown, Chief Planner, presented the County's Public Facilities Plan which identifies schools, fire stations, parks, and other facilities which will probably be needed in coming years.

MR. DONALDSON MOVED TO ADJOURN TO EXECUTIVE SESSION. THE MOTION CARRIED BY A UNANIMOUS ROLL CALL VOTE.

* * * * *

September 22, 1975
September 8, 1975

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS
THOSE PRESENT AS NOTED PREVIOUSLY.

17. CONSIDERATION OF APPOINTMENT TO SOCIAL SERVICES
BOARD TO FILL MRS. CHAMPION'S UNEXPIRED TERM.

Mr. Edwards moved to appoint Mr. Thomas W. Hale to a 1½ year term on the James City County Board of Social Services to replace Mrs. Kay Champion who has resigned, said term to expire ^{July} January 1, 1977. The motion carried by a unanimous roll call vote.

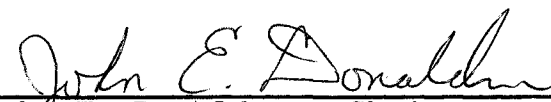
18. CONSIDERATION OF APPOINTMENT TO PLANNING COM-
MISSION TO FILL MR. ADAMO'S UNEXPIRED TERM.

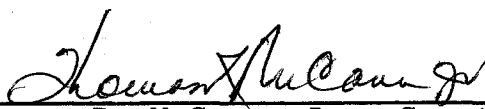
Mr. Donaldson moved to appoint Mr. Steven Turner to a four month term on the James City County Planning Commission to fill the unexpired term of Mr. Carl Adamo who has resigned, said term to expired January 15, 1976. The motion carried by a unanimous roll call vote.

22. APPOINTMENT OF NINTH JUDICIAL DISTRICT COURT SER-
VICE UNIT ADVISORY COUNCIL.

Mr. Donaldson moved to appoint Mr. Stewart U. Taylor to the Advisory Council of Ninth Judicial District Court Service Unit. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS
ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County
Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VA.
HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SECOND DAY OF
SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice Chairman, Powhatan Dist.
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Craig Covey, Assistant to the Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the Administrator

2. MINUTES

Mr. Frink moved the approval of the minutes of
September 8, 1975, as printed. The motion carried unanimously.

September 22, 1975

3. HIGHWAY MATTERS

- a. Consideration of Secondary Road System Budget from the Virginia Department of Highways and Transportation.

Mr. Hinman was present to respond to questions on behalf of the Highway Department.

Mr. Frink moved the approval of the Secondary Road System Budget as submitted. The motion carried by a unanimous roll call vote.

Mr. Taylor inquired as to the lack of signs on I-64 indicating the business districts in Toano, Norge and Lightfoot. Mr. McCann replied that it was his understanding from previous inquiries that signs on Interstate only indicate the nearest city of the first class.

Mr. Edwards asked if traffic signs on Route 5 are decided according to State or local policy. Mr. Hinman replied that the State has a standard policy determined by traffic safety advisors and recommendations from local officials.

Mr. Donaldson asked for an update on the opening of Route 199 southern by-pass. Mr. Hinman indicated that the first section from Route 5 to Route 60 will be opened by the first of October and the second section from Route 60 to Interstate 64 by the first of December.

4. PUBLIC HEARING

- a. An application by James City County for a Federal Community Development Block Grant from the U. S. Department of Housing and Urban Development under the provisions of the "Housing and Community Development Act of 1974."
- b. Consideration of resolution approving submission of application.

Mr. William F. Brown, Chief Planner, explained the proposed improvements to the Toano water system and the necessity for making application by September 30, 1975, for the above captioned grant.

The Chairman opened the public hearing.

Sharon Geddy - Expressed the concern of residents of Toano regarding the undesirable condition of the water supply and indicated their support of the proposed improvements.

Alma White - Inquired as to whether the grant would be used to expand as well as upgrade the existing system. Mr. Brown replied that no great expansion of the present system is intended at this time. Mrs. White spoke in favor of the proposed improvements.

R. M. Hazelwood - Recognized the need for improvements but expressed concern as to how much additional cost this would mean to residents and asked the following questions:

1) Would there be an additional connection fee for those customers presently using the system. Mr. Brown replied that only new customers would be charged a connection fee in keeping with current policy.

2) If smaller lines are badly corroded, who will bear the cost of replacing them. Mr. Brown indicated that there probably are not enough funds in the grant to provide for this.

There being no further comments, the Chairman closed the public hearing.

Discussion followed.

Mr. Donaldson moved the adoption of a resolution approving submission of an application for a Federal Community Development Block Grant. The motion carried by a unanimous roll call vote.

September 22, 1975

R E S O L U T I O N

BE IT RESOLVED by the Board of Supervisors of James City County that an application to the U. S. Department of Housing and Urban Development for receipt of a \$104,000 grant under the provisions of the Housing and Community Development Act of 1974 which is to be used to improve the water supply and distribution system in the community of Toano has our support and should be prepared and forwarded.

John E. Donaldson
 /s/ John E. Donaldson, Chairman
 Board of Supervisors

ATTEST:

/s/ Thomas R. McCann, Jr.
 Clerk to the Board

* * * * *

5. CONSIDERATION OF A REQUEST FROM THE WILLIAMSBURG-JAMES CITY COUNTY SCHOOL BOARDS FOR FUNDS TO CONTROL EROSION AT LAFAYETTE HIGH SCHOOL.

Mr. Taylor expressed strong disapproval of the acceptance of the highest bid submitted and requested an explanation. Dr. Renz replied that the solution proposed by the highest bidder was the one which would be most effective in solving the problem on a long-range basis.

Discussion followed.

The Board considered the possibility of deferring action until a later date. Mr. McCann pointed out that this would mean a probable cost increase. Mr. Morton expressed doubt as to the legality of deferring action since the bids had been exposed.'

Mr. Donaldson read a resolution approving the School Board's request and explained the source of the funds to be appropriated for the project.

It was moved by Mr. Donaldson that the resolution be approved as presented. The motion carried by a majority roll call vote. Mr. Taylor voted no.

R E S O L U T I O N

WHEREAS, the James City County Board of Supervisors has been advised by the Williamsburg-James City County School Boards of a serious problem of soil erosion at the Lafayette High School, and

WHEREAS, to correct this problem the School Boards have requested an additional appropriation of funds in the amount of \$38,585 for Fiscal 75-76, and

WHEREAS, funds in the amount of \$13,632.50 exist in the school system's checking account, such funds being derived from the sale of timber at Lafayette and right of way at Route 199 and Strawberry Plains Road

WHEREAS, there are sufficient unappropriated reserve funds in the County General Fund to balance the difference between surplus funds and the amount requested by the School Boards,

September 22, 1975

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the School Boards' request for funds to correct the erosion problem is approved and the following amounts are hereby appropriated for this project:

1. \$24,952.50 from the County General Fund, and
2. \$13,632.50 from the school system's General Fund.

ADOPTED BY THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, THIS 22ND DAY OF SEPTEMBER, 1975.

* * * * *

6. CONSIDERATION OF FLOOD CONTROL PROGRAM WITH THE NATIONAL FLOOD INSURANCE PROGRAM

The Board reviewed a report from Mr. Watkins recommending the submission of an application to the National Flood Insurance Program. Mr. Watkins then answered questions concerning two resolutions which would render the County eligible for flood insurance:

Exhibit B - a resolution making certain assurances to the Federal Insurance Administration concerning land use and control measures.

Exhibit C - a resolution adopting "preliminary flood plain management measures."

Mr. Edwards requested that the language of the resolution described as Exhibit B be changed to read: "Vests the County Administrator with the responsibility and authority within available resources...."

Mr. Donaldson moved that the resolution set forth in Exhibit B be approved as amended, and the resolution set forth in Exhibit C be approved as presented. The motion carried unanimously.

R E S O L U T I O N

WHEREAS, certain areas of James City County are subject to periodic flooding from streams, rivers, and lakes, causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Board, to require the recognition and evaluation of flood hazards in all official actions relating to land use in the flood plain areas having special flood hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to §15.1-486 of the Code of Virginia, 1950, as amended.

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

1. Assure the Federal Insurance Administration (FIA) that it will enact as necessary, and maintain in force for those areas having flood or mudslide hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and
2. Vests the County Administrator with the responsibility, authority, and means to:
 - (a) Delineate or assist the Administrator of the FIA at his request in delineating the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of building sites.
 - (b) Provide such information as the Administrator of the FIA may request concerning present uses and occupancy of the flood plain.

September 22, 1975

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain areas, and cooperate with neighboring communities with respect to management of adjoining flood plain areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator of the FIA on the progress made during the past year within the community in the development and implementation of flood plan management measures.

3. Appoints the Building Official to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

* * * * *

EXHIBIT C

R E S O L U T I O N

WHEREAS, James City County has adopted and is enforcing the Virginia Uniform Statewide Building Code, and

WHEREAS, Section 113.1 of the aforesaid prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Building Official, and

WHEREAS, the Building Official must examine all plans and specifications for the proposed construction when application is made to him for a building permit.

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

1. That the Office of Building Inspections shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must (i) be designated (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) use construction materials and utility equipment that are resistant to flood damage, and (iii) use construction methods and practices that will minimize flood damage; and

2. That the Subdivision Agent shall review subdivision proposals and other proposed new developments to assure that (i) all such proposals are consistent with the need to minimize flood damage, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located, elevated, and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided so as to reduce exposure to flood hazards; and

3. That the Director of Public Works shall require new or replacement water supply systems and/or sanitary sewage systems to be designated to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water, and require on site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

* * * * *

It was moved by Mr. Donaldson that the Board authorize the submission of an application for County inclusion in the flood insurance program. The motion carried by a unanimous roll call vote.

September 22, 1975

7. CONSIDERATION OF LIVESTOCK CLAIM FROM J. R. LEONARD

Mr. John Stephens, attorney for Mr. Leonard, to appeared before the Board to discuss the claim.

Mr. Leonard described the events that took place on the day referred to in his claim.

The Board reviewed the Dog Warden's statement concerning his investigation of the matter. Discussion followed.

Mr. Donaldson instructed Frank Morton, County Attorney, to meet with Mr. Stephens for the purpose of arriving at a reasonable settlement. He then requested that the matter be placed on the agenda for consideration at the next meeting.

8. CONSIDERATION OF A RESOLUTION ON BEHALF OF SUBURBAN WATER SUPPLY COMPANY, INC. GRANTING APPROVAL OF APPLICATION TO BECOME FRANCHISED UNDER THE STATE CORPORATION COMMISSION.

The Board reviewed the County Attorney's recommendation to approve the resolution.

Mr. Frink moved to adopt the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, Suburban Water Supply Company, Inc., as successor in interest of Mitchell Water Supply, Inc., owns water systems and is supplying water service to all or portions of the areas known as Lakewood, The Colony, Canterbury Hills and Raleigh Square, and

WHEREAS, Suburban Water Supply Company, Inc., is presently a non-regulated utility due to its being grandfathered, and

WHEREAS, Suburban Water Supply Company, Inc., is desirous of becoming a State controlled franchise water utility and as such falling under the auspices of the State Corporation Commission, and

WHEREAS, such Commission requires that prior to receiving approval, it is necessary that the governing body of the affected area give their consent,

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

- (1) the State Corporation Commission be urged to allow Suburban Water Supply Company, Inc., to become a controlled franchised water utility in James City County and continue to serve those areas of the County in which they presently operate.

* * * * *

9. CONSIDERATION OF REQUESTS FROM JAMES CITY COUNTY PLANNING COMMISSION CONCERNING TRAFFIC STUDY ON ROUTE 60E AND HYDROLOGY STUDY.

Mr. Craig Covey presented the requests on behalf of the Planning Commission.

It was noted that Anheuser-Busch is currently undertaking a traffic study on Route 60E. Mr. Frink suggested that the matter be deferred until after the results of this study have been presented.

The need for a County-wide hydrology study was discussed.

Mr. Donaldson directed the County Administrator to study the matter and recommend to the Board various alternatives available to them.

September 22, 1975

10.

CONSIDERATION OF AMENDMENT TO RESOLUTION
AUTHORIZING THE RETENTION OF INSPECTORS FOR
SANITARY DISTRICT NO. 3, PROJECT #C510-52801
CONSTRUCTION.

Mr. Donaldson moved approval of the resolution
as amended. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the County of James City has awarded contracts for construction of Sanitary District No. 3, Project No. C510-52801, and

WHEREAS, on the 22 day of September, 1975, pursuant to EPA regulations the Board of Supervisors of James City County adopted a Resolution authorizing the retention of inspectors for the project as well as their duties, costs and hours in order that the charges may be substantiated, and

WHEREAS, due to turnover on the part of such inspectors and adjustments made to the personnel associated with the projects, the Resolution of July 28, 1975, is no longer entirely accurate;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the following personnel are authorized for resident inspection and project administration for construction of Sanitary District No. 3, Project No. C510-52801, and that their proposed duties, approximate costs and hours of service are set forth as follows:

1. Project Administration

One current employee of the Department of Public Works is assigned to this project for administration on a part-time basis.

Wallace C. Johnson Construction Supervisor 30 hours per week (30 hrs/wk @ \$15,759 per annum)	\$11,819	per annum
Plus 13% fringe benefits	<u>1,536</u>	
Total: Project Administration	13,355	per annum

2. Resident Supervision

Three new employees are assigned to this project for resident supervision on a full time basis.

Kinlock M. Wilkinson Construction Inspector 40 hours per week	9,423	per annum
Dan A. Jones Construction Inspector 40 hours per week	9,423	per annum
Frank P. Paulson Construction Inspector 40 hours per week	<u>9,423</u>	per annum
Subtotal Salaries: Resident Supervision	28,269	per annum
Plus 13% fringe benefits	<u>3,675</u>	
Total Annual Personnel costs Resident Supervision	31,944	per annum
Mileage and protective clothing	<u>1,500</u>	
Total: Resident Supervision	\$33,444	per annum

3. Duties of Inspectors

- Inspect materials, workmanship and installation of sewerage facilities for compliance with plans and specifications.
- Notify contractor and Project Engineer of all instances of non-compliance with plans and specifications.
- Keep the Project Engineer advised regarding progress of work.

September 22, 1975

d. Keep the following records:

Daily report
 Monthly progress report
 As built data

4. Duties of Construction Supervisor

- a. Assign and supervise the work of all inspectors
- b. Investigate and answer complaints from citizens
- c. Review and approve

Shop drawings
 Progress payments
 Change orders
 Inspectors reports

- d. Represent the owner and provide liaison between the Consulting Engineer, the contractor and public, the Virginia Department of Highways and Transportation and all other local agencies.

/S/ John E. Donaldson, Chairman
 Board of Supervisors

ATTEST:

/S/ Thomas R. McCann, Jr.
 Clerk to the Board

* * * * *

11. CONSIDERATION OF PROPOSED LEGISLATION TO BE REQUESTED OF THE GENERAL ASSEMBLY.

- a. Resolution requesting the Virginia Association of Counties to include in their legislative program for 1976 an amendment to Section 15.1-491 of the Virginia State Code which would grant all Counties the power of contractual zoning.

Mr. Morton answered questions from the Board concerning contractual zoning.

Discussion followed.

Mr. Donaldson moved the approval of the captioned resolution. The motion carried by a majority roll call vote. Mr. Taylor abstained.

R E S O L U T I O N

WHEREAS, the 1973 session of the General Assembly amended Section 15.1-491 (a) of the Code of Virginia, 1950, as amended, to permit contractual zoning for purposes of amending the zoning map of those affected jurisdictions, and

WHEREAS, such contractual zoning is limited to those counties wherein the urban county executive form of government is in effect, and

WHEREAS, such a form of zoning is an instrumental factor in the orderly and effective development of land and often is beneficial to both the County and the developer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the General Assembly be requested to amend Section 15.1-491 (a) of the Code to permit all counties if they so desire to contract with developers for purposes of rezoning.

* * * * *

- b. Proposed amendment to Section 29-202 of the State Code which stipulates procedures with regard to the submission and review of livestock claims.

Section 29-202. Compensation for livestock and poultry killed by dogs.

Any person who has any livestock or poultry killed or injured by any dog not his own shall be entitled to receive as compensation therefor a reasonable value of such livestock or poultry; provided that in the counties of Bland, Carroll, Fairfax, Fauquier, Floyd, Giles, Grayson, Halifax, James City, Lunenburg, Patrick, Pittsylvania, Rockbridge, Russell,

September 22, 1975

Smyth, Spotsylvania, Tazewell, Washington and Wythe, the governing body may compensate the claimant upon the basis of the assessed value of such livestock and the fair value of unassessed lambs and poultry, but in no event to exceed the reasonable value thereof. Nothing herein shall be construed as limiting the common-law liability of an owner of a dog for damages committed by it, and when compensation is paid as above provided the county or city shall be subrogated to the extent of compensation paid to the right of action to the owner of such livestock or poultry against the owner of the dog and may enforce the same in an appropriate action at law. Claimants for damages shall furnish evidence under oath of quantity and value to the governing body of the county or of any city within ninety days after sustaining such damage.

Provided, however, that if the governing body of the counties of Campbell, Caroline, Carroll, Floyd, Grayson, Greenville, Henrico, *James City*, King George, Nottoway, Roanoke, Smyth, Southampton, Strafford, Surry, Sussex and Wythe, and the governing body of the City of Chesapeake so prescribe by ordinance, no payment by the county or city shall be made under this section unless and until the claimant shall have exhausted his legal remedies against the owner of the dog doing the damage for which compensation under this section is sought; such governing body of such county or city may require the submission of evidence that the claimant has exhausted his legal remedies against the owner of the dog, if known and provided further, that the governing body of the counties of Greene, Greensville, Lunenburg, Sussex and Wythe may prescribe by ordinance that no payment shall be made by the County under the provisions of this section unless the owner of such livestock or poultry shall have notified the dog warden for such county of his intention to make a claim hereunder and shall have afforded such dog warden an opportunity to view such livestock or poultry within forty-eight hours after the death thereof; provided further, however, that, in addition to any other requirement, in the counties of Caroline, King George, Lunenburg, Southampton and Stafford, no such claim shall be allowed by the governing body thereof unless the owner or custodian of such livestock notified the sheriff of such county, his deputy or the dog warden, of the alleged loss or damage to such livestock within twenty-four hours of the time of the death of or injury to such livestock; and such officer certifies in writing to the governing body that he found physical evidence upon the animal or animals showing that a dog or dogs caused such injury or death; and provided further, that in the counties of Carroll and Henrico no such claim shall be allowed unless the owner or custodian of such livestock notifies the sheriff of such county, his deputy or the dog warden, of the alleged loss or damage to such livestock or poultry within seventy-two hours of the time of the death of or injury to such livestock or poultry; and such officer certifies in writing to the governing body that he found physical evidence upon the animal or animals or poultry showing that a dog or dogs caused such injury or death; and provided further, that in the County of *James City* no such claim shall be allowed unless the owner of such livestock notifies the sheriff of such county, his deputy or the dog warden, of the alleged loss or damage to such livestock or poultry *twenty-four hours of discovery of the death of or injury to such livestock or poultry*; and such officer certifies in writing to the governing body that he found physical evidence upon the animal or animals or poultry showing that a dog or dogs caused such injury or death.

* * * * *

Mr. Edwards requested that the language be changed to read: "within twenty-four (24) hours of discovery of the death of or injury to such livestock or poultry."

Mr. Donaldson moved that the Board approve the submission of special legislation with regard to livestock claims, as amended above. The motion carried by a majority roll call vote. Mr. Taylor voted no.

12.

CONSIDERATION OF A REPORT FROM WILLIAMSBURG-JAMES CITY COUNTY CHAMBER OF COMMERCE CONCERNING AN INFORMATION STATION ON I-64 IN NEW KENT COUNTY.

The Board reviewed a report from Mr. Lee Williams, President - James City County Chamber of Commerce, explaining the proposed project and requesting the County's participation. Mr. Williams was present to answer questions.

Discussion followed.

Mr. Donaldson moved that the Board agree in principle to appropriate \$26,000 for the County's share of construction of an

September 22, 1975

Information Station on I-64 and participate in one-fifth of the annual operating budget of same. The motion carried by a majority roll call vote.

Mr. Taylor voted no.

13. CONSIDERATION OF A DATE FOR A PUBLIC HEARING ON A VACATION OF CERTAIN EASEMENTS ON LOT 77, SECTION III, KRISTIANSAND SUBDIVISION.

Mr. Donaldson moved that a public hearing be advertised on the captioned matter for October 13, 1975, at the Courthouse, 7:30 P.M., Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

REPORTS AND RECOMMENDATIONS OF THE COURTY ADMINISTRATOR

14. CONSIDERATION OF AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF JAMES CITY BY ADOPTING A NEW CHAPTER, CHAPTER 4, DANCE HALLS, BY DEFINING PUBLIC DANCE HALLS, REQUIRING A PERMIT, ESTABLISHING CONDITIONS AND RESTRICTIONS, PROVIDING FOR REVOCATION OF THE PERMIT AND SETTING OUT PENALTIES FOR VIOLATION OF THE CHAPTER.

Discussion of the above captioned ordinance was deferred until the October 13th meeting.

15. CONSIDERATION OF A RESOLUTION DESIGNATING THE WILLIAMSBURG NATIONAL BANK A DEPOSITORY FOR JAMES CITY COUNTY FUNDS UNDER CUSTODY OF THE TREASURER.

Mr. Edwards moved approval of the captioned resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Treasurer of James City County has received bids for time deposits for bond anticipation note funds for Sanitary District No. 3, and

WHEREAS, the Williamsburg National Bank has submitted the highest bid for said time deposits, and

WHEREAS, it is necessary for the Board of Supervisors to authorize the Treasurer to deposit funds in the Williamsburg National Bank from time to time;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that Williamsburg National Bank is hereby designated a depository for James City County funds under custody of the Treasurer.

* * * * *

16. CONSIDERATION OF AWARD OF CONTRACT FOR GRADING AND SITE PREPARATION FOR TENNIS COURTS TO BE CONSTRUCTED AT NORGE SCHOOL.

Mr. Frink moved that the Board approve the awarding of the captioned contract. The motion carried by a unanimous roll call vote.

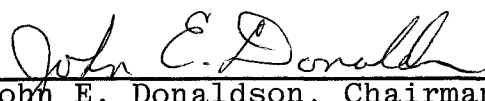
Mr. Waltrip inquired as to the possibility of Langley Research Center supplementing the County's Mosquito Control Program and asked for further information.


Mr. Donaldson moved that the County Administrator be directed to explore the possibility of Langley Research Center or some other agency either taking over or supplementing the County's Mosquito Control Program.

September 23, 1975
September 22, 1975

The motion carried by a unanimous roll call vote.

MR. DONALDSON MOVED TO ADJOURN TO EXECUTIVE SESSION. THE MOTION CARRIED
UNANIMOUSLY.


John E. Donaldson, Chairman


Thomas R. McCann, County
Administrator

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-THIRD
DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan Dist.
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. William Brown, Chief Planner
Mr. Craig G. Covey, Assistant to the Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John Watkins, Assistant to the Administrator

2. PUBLIC HEARING - JOINT HEARING WITH PLANNING COM-
MISSION - JAMES CITY COUNTY COMPREHENSIVE PLAN.

Mr. Donaldson, Chairman, made a brief introduction
of the Comprehensive Plan explaining that all parts of the Plan have been pre-
sented publicly before and that the Goals and Objectives and Land Development Con-
cept have already been approved by the Planning Commission and the Board of
Supervisors.

The Chairman opened the public hearing.

Sharon Kranbuehl - Read support statement by the League of
Women Voters, which endorsed the Plan but suggested the
addition of: Linking of neighborhoods and greater commit-
ment to greenbelts; bookmobiles; greater commitment to re-
creation than set forth in plan; housing study; better
water plan; control of growth; better cost estimates;
special study of low income families.

R. M. Hazelwood, Jr. - Complained about financing of utility
systems--water and sewer plan called for use of General Fund
revenues as opposed to using hook-up fees.

David W. Ware, Jr. - Criticized about the cost sharing formu-
la for schools with the City of Williamsburg. The Plan should
include provision for school contract renegotiation.

Sharon Kieffer - Spoke for "Citizens for Democracy" whose
members are small property owners, etc. Spoke of group's
interest in plan and concern over big landowner. Suggested
bike paths, walkways; neighborhood core idea; suggested that
costs should be shared and not placed on those who could not
afford it.

Mrs. Marjorie Rowe - Spoke on Major Thoroughfare Plan-Page 3.
Referred to B-2 Case and private individuals building roads.
Objected to this particular item.

There being no further comments, the Chairman
closed the Public Hearing.

October 13, 1975
September 23, 1975

3. PUBLIC HEARING

- a. Case No. Z-13-75. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article II, Site Plan, by amending Section 20-16, Certain Plans Subject to Review by Planning Commission, Section 20-18, Preliminary Plan-Submittal Generally, Section 20-19, Same-Submittal Contents, Section 20-20, Same-Review Criteria, Section 20-21, Same-Notification of Findings; Processing, Section 20-21.7, Same-Amendment.

Mr. Donaldson opened the Public Hearing. Mr. Craig Covey explained the ordinance.

R. M. Hazelwood, Jr. - Indicated that he did not want citizens eliminated from Site Plan Committee.

Wesley Sheldon - Felt that citizens should remain on Site Plan Committee.

There being no further comments, the public hearing was closed.

- b. Case No. Z-14-75. An ordinance to amend and reordain Chapter 17, Subdivisions, of the Code of the County of James City, by amending and reordinating Article I, In General, Section 17-6, Administration and Enforcement of Chapter by Agent, Section 17-43(c), Reservation of Land for Public Purposes, Article II, Plats, Section 17-54, Fees Section 17-56, Preliminary Sketch, Section 17-57, Preliminary Plat, Section 17-58, Procedure Following Submittal of Preliminary Plat, Section 17-59, Effect of Approval of Preliminary Plat.

Mr. Donaldson opened the Public Hearing. Mr. Craig Covey explained the ordinance.

Mr. R. M. Hazelwood -Opposed.


Mrs. Marjorie Rowe - Opposed.

Mrs. Sharon Kieffer - Believes there should be speedy action on business. Planning Commission would still retain final decision.

There being no further comments, the public hearing was closed.

ON A MOTION BY MR. WALTRIP, AND UNANIMOUS VOTE, THE BOARD ADJOURNED UNTIL ITS NEXT REGULAR MEETING.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County
Administrator

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 OCTOBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown Dist.
Mr. Mayo Waltrip, Vice-Chairman, Powhatan Dist.
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

1. ROLL CALL (Continued)

Mr. Thomas R. McCann, Jr., County Administrator
 Mr. Wayland N. Bass, Director of Public Works
 Mr. Craig Covey, Assistant to the Administrator
 Mr. John W. Watkins, Assistant to the Administrator

2. MINUTES

Mr. Edwards moved the approval of the minutes of September 22 and 23, 1975, as printed. The motion carried unanimously.

3. PUBLIC HEARING - An ordinance to amend Chapter 18, Taxation, of the County of James City, Virginia, Section 18-7.1, Land Use Assessment, by adding a new subarticle (1)(4) Providing for the Deletion of Fees for Reapplications in Subsequent Years. (20-9/8/75)

The Chairman opened the public hearing. There being no discussion, the Chairman closed the hearing.

Mr. Edwards moved the adoption of the ordinance as presented. The motion carried by a unanimous roll call vote.

O R D I N A N C E
 N U M B E R
 80A-1

AN ORDINANCE TO AMEND CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, SECTION 18-7.1, LAND USE ASSESSMENT, BY ADDING A NEW SUB-ARTICLE (a) (4) PROVIDING FOR THE DELETION OF FEES FOR REAPPLICATIONS IN SUBSEQUENT YEARS.

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, Section 18-7.1, Land Use Assessment, be and the same is, hereby, amended and re-ordained by adding a new subarticle (a) (4) to read as follows:

CHAPTER 18

TAXATION

Section 18-7.1. Land Use Assessment.

The County of James City declares that the preservation of real estate devoted to agricultural or horticultural 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 Virginia, 1950, as amended, hereafter referred as the Code) and pursuant to the terms of this ordinance.

(a) Application by Property Owner of any Real Estate.

(1) The owner as defined in Section 58-769.8 of the Code, meeting the criteria set forth in Sections 58-769.5 (a) or (b) and 58-769.7 (b) (1) 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.

(2) Each application shall be accompanied by a fee of ten dollars (\$10.00) per parcel plus ten cents (.10¢) per acre or portion thereof contained in such parcel. For purposes of this paragraph contiguous parcels owned by the same applicant or applicants shall be treated as a single application.

(3) A separate application shall be filed for each parcel listed in the land book.

October 13, 1975

(4) No fee shall be levied for those reapplications by the same owner made in subsequent years for property previously processed under this section.

THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM THE DAY OF ITS ADOPTION.

* * * * *

4. PUBLIC HEARING - Case No. SUP-3-75. Application by Ernest H. Wallace for a special use permit in accordance with Section 20-27 of the Code of James City County for a site for two mobile homes to be located on Magruder Avenue, Parcels 16A and 16B of Tax Map 34A. (14-9/8/75)

The Chairman opened the public hearing. There being no discussion the Chairman closed the hearing.

Mr. Frink moved to accept the recommendation of the Planning Commission and deny the request made by Mr. Wallace. The motion carried by a majority roll call vote. Mr. Taylor voted no.

5. PUBLIC HEARING - Rezoning Case No. Z-6-75. Application by L. V. Woodson on behalf of V. Dale Mendenhall for rezoning of 2.048 acres located at intersection of Routes 612 & 614 from A-1 to B-1 (15-9/8/75)

The Chairman opened the public hearing. There being no discussion the Chairman closed the hearing.

Mr. Taylor moved that the Planning Commission's recommendation be accepted and that Mr. Mendenhall's application for rezoning 2.048 acres from A-1 to B-1 be approved. The motion carried by a unanimous roll call vote.

6. PUBLIC HEARING - Rezoning Case No. Z-11-75. Application by B. D. Littlepage on behalf of J. Corry Mulligan for rezoning of 1.00 acres located at intersection of Routes 612 & 614 from A-1 to B-1. (16-9/8/75)

The Chairman opened the public hearing. There being no discussion, the Chairman closed the hearing.

Mr. Waltrip moved that the Planning Commission's recommendation be accepted and that Mr. Mulligan's application for rezoning 1.00 acre from A-1 to B-1 be approved. The motion carried by a unanimous roll call vote.

7. PUBLIC HEARING - An ordinance to vacate certain easements shown on a plat entitled, "Kristiansand Section III, Powhatan District, James City County, Virginia," and more particularly described as those certain ten and fifteen foot easements or or portions thereof to be vacated as shown on a newly drawn plat entitled, "A Plat Showing Easement Revisions to Lot 77, Section III, Kristiansand Subdivision, Lying in Powhatan District, James City County, Va. (13-9/22/75)

The Chairman opened the public hearing. There being no discussion, the Chairman closed the hearing.

Mr. Frink moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 90

AN ORDINANCE TO VACATE CERTAIN EASEMENTS SHOWN ON A PLAT ENTITLED, "KRISTIANSAND SECTION III, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THOSE CERTAIN TEN AND FIFTEEN FOOT EASEMENTS OR PORTIONS THEREOF TO BE VACATED AS SHOWN ON A NEWLY DRAWN PLAT ENTITLED, "A PLAT SHOWING EASEMENT REVISIONS TO LOT 77, SECTION III, KRISTIANSAND SUBDIVISION, LYING IN POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA."

WHEREAS, application has been made by Kristiansand, Ltd., Owner, to vacate certain easements shown on a plat entitled, "Kristiansand, Section III, Powhatan District, James City County, Virginia," and more particularly described as those certain ten and fifteen foot easements or portions thereof to be vacated as shown on a newly drawn plat entitled, "A Plat showing Easement Revision to Lot 77, Section III, Kristiansand Subdivision, Lying in Powhatan District, James City County, Virginia," and,

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended, and

WHEREAS, the said Board of Supervisors did consider such application on the 13th day of October 1975, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience to the property owners shown on that plat entitled, "Kristiansand, Section III, Powhatan District, James City County, Virginia," recorded in Plat Book 32, page 63 in the Circuit Court Clerk's Office for Williamsburg and James City County;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia:

1. That those certain easements shown on a plat entitled, "Kristiansand, Section III, Powhatan District, James City County, Virginia," and more particularly described as those certain ten and fifteen foot easements or portions thereof to be vacated as shown on a newly drawn plat entitled, "A Plat Showing Easement Revisions to Lot 77, Section III, Kristiansand Subdivision, Lying in Powhatan District, James City County, Virginia," be and the same are, hereby, vacated.
2. That the newly drawn plat entitled, "A Plat showing Easement Revisions to Lot 77, Section III, Kristiansand Subdivision, Lying in Powhatan District, James City County, Virginia," be recorded in the Circuit Court Clerk's Office for Williamsburg and James City County.

ADOPTION. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM THE DAY OF ITS

* * * * *

8. PUBLIC HEARING - Consideration of an application of the Williamsburg Jaycees for the operation of a haunted house at 1303 Jamestown Road on October 24, 25, 26, 30 and 31, 1975.

The Chairman opened the public hearing.

Mr. William Miller - President of the Williamsburg Jaycees - introduced Mr. Alan Robertson & Mr. Bill Johnson who explained the Jaycees plans.

Mr. Alan Robertson - Answered questions from the Board.

Mr. Bill Johnson - explained site plan to the Board.

Mr. George Douglas - expressed concern for safety of visitors to house because of excessive speeding along this road.

There being no further comments, the Chairman closed the public hearing.

Discussion followed. The Board expressed deep concern over traffic and pedestrian safety during the operation of the haunted house at 1303 Jamestown Road.

Mr. Edwards moved the approval of the captioned request. The motion carried by a unanimous roll call vote.

October 13, 1975

9.

CONSIDERATION AND FINAL ADOPTION OF A COMPREHENSIVE PLAN FOR JAMES CITY COUNTY CONSISTING OF GOALS AND OBJECTIVES STATEMENT ECONOMIC BASE STUDY, LAND DEVELOPMENT CONCEPT, MAJOR THOROUGHFARE PLAN AND PUBLIC FACILITIES PLAN. (10-9/8/75, 2-9/23/75)

Mr. McCann, County Administrator, recommended approval of the Comprehensive Plan, summarizing that no item has been as frequently heard, discussed, critized, or praised as this one has. He also indicated that the Comprehensive Plan is intended to be flexible and subject to update at least every five years and that it provides guidelines to assist policy considerations, planning decisions and operational decisions for the future.

Mr. Frink moved the approval of the resolution adopting the Comprehensive Plan.

Discussion followed. Mr. Taylor indicated that the majority of the people present at the public hearings on this item were opposed to the Plan. He felt that the Plan takes our freedom from us and that it will kill free enterprise. He indicated that he could not support anything that takes freedom away from individuals.

Mr. Donaldson spoke in favor of the adoption of the Comprehensive Plan.

Mr. Frink's motion to approve the resolution adopting the Comprehensive Plan for James City County carried by a majority roll call vote. Mr. Waltrip abstained and Mr. Taylor voted no.

R E S O L U T I O N

WHEREAS, the Board of Supervisors of James City County, Virginia, is empowered by the provisions of Article 4 of Title 15.1 of the Code of Virginia, 1950, as amended, to prepare and adopt a comprehensive plan for the physical development of the County, and

WHEREAS, the Planning Commission has prepared various elements of a comprehensive plan over the last two years, held all requisite public hearings, and recommended them for approval by the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Goals and Objectives, Economic Base Study, Land Development Concept, Major Thoroughfare Plan, Water and Sewer Plan and Public Facilities Plan shall constitute the 1975 Comprehensive Plan for James City County, subject to the following conditions:

- 1) That the Principles of Implementation for the Land Development Concept, Major Thoroughfare Plan and Water and Sewer Plan shall be considered parts of their respective plans.
- 2) That various elements of the plans shall be coordinated with the Peninsula Planning District Commission, Hampton Roads Sanitation District, Virginia Department of Highways, City of Newport News, and other affected agencies.
- 3) That the plans are intended to be flexible and may be amended or modified to meet changing local conditions, that additional elements may be added to the plan at later dates, that plans may be adjusted to meet funding limitations, and that the plan will be updated and readopted at least every (5) five years.

* * * * *

10.

CONSIDERATION OF RECOMMENDATIONS FROM THE PLANNING COMMISSION CONCERNING:

- a. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article II, Site Plan, by amending Section 20-16, Certain Plans Subject to Review by

October 13, 1975

Planning Commission Section 20-18, Preliminary Plan - Submittal Generally, Section 20-19, Same - Submittal Contents, Section 20-20, Same - Review Criteria, Section 20-21, Same-Notification of Findings; Processing, Section 20-21.7, Same-Amendments (11-9/8/75, 3-9/23/75)

- b. An ordinance to amend and reordain Chapter 17, Subdivisions, of the Code of the County of James City, by amending and reordaining Article I, In General, Section 17-6, Administration and Enforcement of Chapter by Agent, Section 17-43(c), Reservation of Land for Public Purposes, Article II, Plats, Section 17-54, Fees, Section 17-56, Preliminary Sketch, Section 17-57, Preliminary Plat, Section 17-58, Procedure Following Submittal of Preliminary Plat, Section 17-59, Effect of Approval of Preliminary Plat. (12-9/8/75, 4-9/23/75)

Mr. Waltrip moved to accept the Planning Commission's recommendation and deny the adoption of the captioned amendments. The motion carried by a unanimous roll call vote.

11. PRESENTATION FROM DURG ACTION CENTER-BACON STREET

Mr. James Rielly, Director of Bacon Street, discussed a formal request for \$4,000 to support the continuation of the durg action program which will be submitted by the Mental Health/Mental Retardation Chapter 10 Board for FY 77 Budget.

Mr. Edwards moved that the Board plan to include this \$4,000 item in the preliminary budget for Fiscal 76-77. The motion carried by a majority roll call vote. Mr. Waltrip abstained, Mr. Taylor voted no.

12. CONSIDERATION OF REIMBURSEMENT OF ERRONEOUS REAL ESTATE ASSESSMENT - MR. CAMERON M. CHANDLER.

Mr. Frink moved to approve the reimbursement for erroneous real estate assessment, Parcel #10-60, 1969-74, in the amount of \$36.00 to Mr. Cameron M. Chandler. The motion carried by a unanimous roll call vote.

13. CONSIDERATION OF A REPORT FROM THE DIRECTOR OF PUBLIC WORKS CONCERNING THE PROPOSED SEWER AGREEMENT BETWEEN JAMES CITY COUNTY AND THE CITY OF WILLIAMSBURG.

The Board reviewed Mr. Bass' recommendation of submitting a formal proposal to the City of Williamsburg requesting that System #16 at the end of Carriage Road be connected to the City's College Creek sewer and that a City area along Earnestine Avenue be served by the County's proposed System #12.

Mr. Frink moved to authorize the Public Works Director and County Administrator to negotiate with the City for this exchange of services. The motion carried by a unanimous roll call vote.

October 13, 1975

14.

CERTIFICATION OF WARRANTS

On a motion by Mr. Donaldson and a unanimous roll call vote, the Board of Supervisors of James City County hereby approves the following warrants for the month of September, 1975.

General Fund	Checks #250 thru #348 Totalling \$641,500.19 Checks #2615 thru #2867 Totalling \$69,215.40
Sanitary District #1	Check #5 Totalling \$1,642.25
Sanitary District #2	Checks #17 thru #31 Totalling \$3,832.29
Sanitary District #3	*Checks #21 thru #35 Totalling \$15,781.17
James City County Revenue Sharing Trust Fund	Checks #171 thru #173 Totalling \$7,241.93

*Sanitary District #3 Check #22 for \$1,500,000.00 was not included in the checks numbered 21 thru 35 due to the fact that it was a transfer of money for investment in C. D.s, Williamsburg National Bank.

15.

CONSIDERATION OF CHANGE OF BOARD MEETING DATE FROM MONDAY, OCTOBER 27, (HOLIDAY) TO FRIDAY, OCTOBER 24, 1975, AND CANCELLATION OF FIRST MEETING IN NOVEMBER DUE TO CONFLICT WITH VACO LEGISLATIVE CONFERENCE.

Mr. Edwards moved that the Board's regular meeting of October 27 be advanced to October 24, 1975, due to Veteran's Day falling on Monday; and also moved that the first meeting in November (10th) be cancelled due to conflicts with Board schedules. The motion carried by a unanimous roll call vote.

16.

CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE VIII, SPECIAL REGULATIONS FOR EXTERIOR SIGNS, BY DELETING SECTION 20-137, COMPLIANCE SCHEDULE.

Mr. Waltrip moved to set the date for public hearing on the captioned matter for November 24, 1975, at 3:00 P.M., in the Council Chambers, Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.


17.

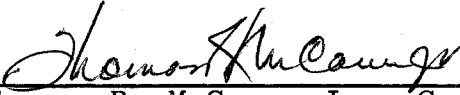
CONSIDERATION OF A DATE FOR PUBLIC HEARING ON AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE IV, DISTRICTS, DIVISION I, BUSINESS, GENERAL, DISTRICT B-1, SECTION 20-86, BY AMENDING SUBSECTION (b) TO PERMIT CERTAIN STRUCTURES ABOVE THE HEIGHT LIMIT.

Mr. Waltrip moved to set the date for public hearing on the captioned matter for December 8, 1975, at 7:30 P.M., in the Council Chambers, Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

October 24, 1975
October 13, 1975

ON A MOTION BY MR. FRINK, AND UNANIMOUS ROLL CALL VOTE, THE BOARD ADJOURNED TO EXECUTIVE SESSION.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County
Administrator

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTEENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-FIVE.


PRESENT: Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

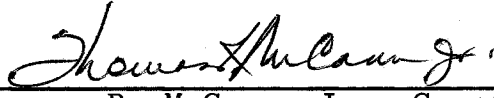
Mr. Thomas R. McCann, Jr., County Administrator

18. CONSIDERATION OF APPOINTMENT OF MR. JOHN W. WATKINS AS ACTING COUNTY ADMINISTRATOR.

On a motion by Mr. Edwards, and carried unanimously, the Board of Supervisors appointed Mr. John W. Watkins as Acting County Administrator beginning November 1, 1975.

ON A MOTION BY MR. TAYLOR, AND BY UNANIMOUS VOTE, THE MEETING WAS ADJOURNED.


John E. Donaldson, Chairman


Thomas R. McCann, Jr., County
Administrator

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-FOURTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-FIVE

1. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Robert District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. Thomas R. McCann, Jr., County Administrator
Mr. Wayland N. Bass, Director of Public Works
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant to the County
Administrator

2. MINUTES

Mr. Frink moved the approval of the minutes of October 13, 1975, as printed. The motion carried unanimously.

October 24, 1975

3. PRESENTATION OF SERVICE CERTIFICATE -

Mr. Fred E. Dunford was not able to attend the meeting to receive his service certificate. The three-year certificate will be presented at the next Board meeting.

4. HIGHWAY MATTERS

a. Federal-Aid Realignment

Mr. Edwards moved the approval of the resolution presented concurring in the "1985 Highway Functional Classification" and Realigned Federal-Aid Highway Systems" for James City County. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Federal-Aid Highway Act of 1973 requires that the Virginia Department of Highways and Transportation realign the Federal-Aid Highway Systems in Virginia by July 1, 1976 on the basis of their anticipated functional usage; and

WHEREAS, the existing State Federal-Aid Systems, with the exceptions of the Interstate System, will be terminated on July 1, 1976; and

WHEREAS, Federal Highway Funds will no longer be available for State roadways after July 1, 1976 unless the Realigned Federal-Aid Systems have been approved by the Federal Highway Administration; and

WHEREAS, the Virginia Department of Highways and Transportation has functionally classified the State Highways in accordance with the guidelines presented in the "Highway Functional Classification Manual" (Volume 20, Appendix 12, Highway Planning Program Manual) and developed the Realigned Federal-Aid Systems for Virginia in accordance with the Federal-Aid Highway Program Manual (Volume 4, Chapter 6, Section 7);

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors concurs with the "1985 Highway Functional Classification" and "Realigned Federal-Aid Highway Systems" for James City County as developed by the Virginia Department of Highways and Transportation

* * * * *

b. Other

During discussion with Mr. Yeatts, the Board requested:

1. A traffic speed study be conducted on Hickory Signpost Road for consideration of lowering the speed limit;
2. Information as to the cost of installing flashing school signs in the vicinity of Berkeley School due to the expectation of heavier traffic on Strawberry Plains Road because of the opening of Route 199.

5.

5. CONSIDERATION OF REIMBURSEMENT OF ERRONEOUS UTILITY BILLING - MINKINS TRAILER PARK.

Mr. Morton explained his memorandum to the Board which indicated that the sum of \$718.29 was overpaid by Minkins Trailer Park due to an erroneous billing. Mr. Morton recommended that the outstanding obligations owed the County by Mr. Minkins be deducted from this sum and a refund be made in the amount of \$58.50 to Mr. Minkins.

Mr. Taylor moved that the recommendation of the County Attorney be approved. The motion carried by a unanimous roll call vote.

October 24, 1975

6. CONSIDERATION OF LIVESTOCK CLAIM - J. R. LEONARD.

Mr. Morton, County Attorney, informed the Board that after negotiation the sum of \$450 had been accepted by Mr. Leonard for his livestock claim.

Mr. Taylor moved to approve payment of \$450 in settlement of Mr. Leonard's livestock claim. The motion carried by a unanimous roll call vote.

7. CONSIDERATION OF AN ORDINANCE TO AMEND THE CODE OF JAMES CITY BY ADOPTING A NEW CHAPTER, CHAPTER 4, DANCE HALLS, BY DEFINING PUBLIC DANCE HALLS, REQUIRING A PERMIT, ESTABLISHING CONDITIONS AND RESTRICTIONS, PROVIDING FOR REVOCATION OF THE PERMIT AND SETTING OUT PENALTIES FOR VIOLATION OF THE CHAPTER.

The Board discussed this ordinance with Mr. Morton, County Attorney.

Mr. Donaldson requested that the County Attorney draft a new ordinance which would include an annual license tax of \$50, and the exemption of nonprofit and charitable organizations from the provisions of the license fee.

Mr. Donaldson moved that action on the Dance Hall Ordinance be deferred until such time as the changes have been made and brought back to the Board at their regular meeting of November 24, 1975, for consideration of a date for public hearing. The motion carried unanimously.

8. CONSIDERATION OF A RESOLUTION FORMALLY APPOINTING JOHN W. WATKINS ACTING COUNTY ADMINISTRATOR.

Mr. Frink moved to approve the resolution appointing Mr. Watkins Acting County Administrator. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the County Administrator, Mr. Thomas R. McCann, Jr., has resigned his position effective at the close of business, Friday, October 31, 1975; and

WHEREAS, it is necessary to appoint an Acting County Administrator to conduct the administrative affairs of the County while the Board of Supervisors seeks a new Administrator; and

WHEREAS, Mr. John W. Watkins has been the chief assistant to the County Administrator for the past several years and is fully aware of the functions of the Office of County Administrator and can, therefore, provide competent and knowledgeable service during the period of transition;

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

1. Mr. John W. Watkins be and hereby is formally appointed Acting County Administrator effective November 1, 1975;
2. The Board of Supervisors express its full confidence in Mr. Watkins to properly carry out the business of the County Government during the period of his tenure;
3. All County employees are requested to cooperate fully with Mr. Watkins and work through and with him in executing the policies and programs approved by the Board of Supervisors.

ADOPTED BY THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, THIS 24TH DAY OF OCTOBER 1975.

October 24, 1975

9. CONSIDERATION OF A DATE FOR PUBLIC HEARING OF AN APPLICATION BY H. V. CLAYTON ON BEHALF OF BERNARD L. LIPMAN, LEONARD, JULIAN AND JEROME GORDON FOR REZONING OF 3.7 ACRES FROM INDUSTRIAL, GENERAL, DISTRICT M-2 TO BUSINESS, GENERAL, DISTRICT B-1.

Mr. Taylor moved to set the date for public hearing of the captioned matter on November 24, 1975, at 3:00 P.M., in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

REPORTS AND RECOMMENDATIONS OF THE COUNTY ADMINISTRATOR.

10. CONSTRUCTION OF TENNIS COURTS AT NORGE SCHOOL.

Mr. Waltrip moved to approve the recommendation of the Public Works Director and the County Administrator to award a contract for construction of two tennis courts to Van Summer, Incorporated in the amount of \$22,453; \$16,000 to be from the balance in the mini-park project and \$16,413 from the Revenue Sharing Trust Fund as noted in the resolution presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

BE IT RESOLVED BY THE BOARD OF SUPERVISORS, James City County, that the amount of \$16,413 be and hereby is appropriated from the Revenue Sharing Trust Fund to Activity Code 1910 (Capital Improvements) for the construction of tennis courts and associated facilities at the Norge Elementary School.

11. REVENUE SHARING RESOLUTION

Mr. Donaldson moved the adoption of the Revenue Sharing resolution presented requesting Congress to approve the continuation of general revenue sharing during the first session of the 94th Congress. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, County governments in nearly half of the states budget from July through June and all counties must make long term budget commitments to efficiently meet the needs of their citizens;

WHEREAS, Counties depend on general revenue sharing dollars for essential county programs;

WHEREAS, Revenue sharing dollars enable counties to fill locally determined vital needs with minimal red tape and federal restrictions;

WHEREAS, Efficient county government calls for well-planned advance budgeting;

WHEREAS, Responsive county government depends on efficient county planning and budgeting and ample time for citizen participation;

WHEREAS, The current revenue sharing program expires December 31, 1976 and July through June fiscal year counties must begin budgeting the previous spring;

THEREFORE, BE IT RESOLVED by the County of James City, Virginia, that general revenue sharing be re-enacted by the first session of the 94th Congress providing counties with advance dollar figures that can be used for efficient, responsive planning of programs and budgets and that can be identified for more than half of their fiscal '76 year and can be incorporated in long term effective planning.

BE IT FURTHER RESOLVED that a copy of this resolution along with the summary report be immediately forwarded to the Senate and the House of Representatives.

* * * * *

October 24, 1975

Mr. Donaldson acknowledged for the benefit of the audience that this was the last meeting Mr. McCann would attend as County Administrator and wished him well in his new job.

ON A MOTION BY MR. EDWARDS, AND UNANIMOUSLY CARRIED, THE BOARD ADJOURNED INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER.

* * * * *

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-FOURTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

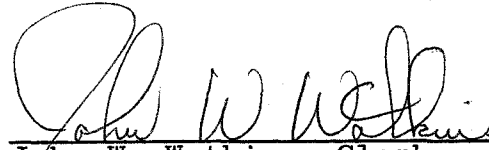
PRESENT: AS NOTED ABOVE

12.

APPOINTMENT TO SOCIAL SERVICES BOARD

Mr. Frink moved to appoint Mr. John Watkins to fill the unexpired term of Mr. McCann on the Social Services Board. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED UNTIL ITS NEXT MEETING ON NOVEMBER 24, 1975.


John W. Watkins, Clerk
Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General Election held the first Tuesday after the first Monday in November, 1975, for

Member of the Senate of Virginia

THIRD DISTRICT

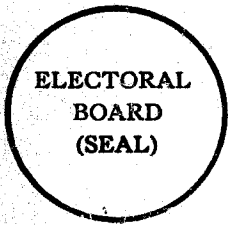
Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
T. RAY WHITE	Eight Hundred Two	(802)	0
WILLIAM E. "BILL" FEARS	Two Thousand Ninety One	(2091)	0
Bruce Spring Steen	One	(1)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November four (4), 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Member of the Senate of Virginia from the third (3rd) District.

Given under our hands this sixth day of November, 1975.

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

John W. Watkins
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General Election held the first Tuesday after the first Monday in November, 1975, for

Member(s) of the House of Delegates

FIFTY FIRST (51st) DISTRICT

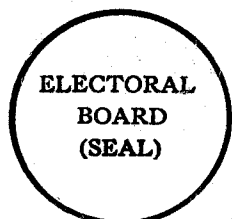
Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
GEORGE W. GRAYSON	Thirty Six Two Thousand Three Hundred	(2336)	0
Thomas Graves	One	(1)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November four (4), 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Member(s) of the House of Delegates from the 51st District.

Given under our hands this sixth day of November, 1975.

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy test:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

R. W. W. Kincaid
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General Election held the first Tuesday after the first Monday in November, 1975, for

Member(s) of the House of Delegates

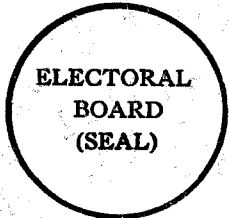
FIFTY SECOND (52nd) DISTRICT			
Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
ROBERT E. QUINN	Thirty Seven One Thousand Seven Hundred/	1757	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November four (4), 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Member(s) of the House of Delegates from the 52 nd District.

Given under our hands this sixth day of November, 1975.

B. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

John W. Watkins
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75,

FOR CLERK OF CIRCUIT COURT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>JULIETTE C. CLOTHIER</u>	<u>Thirty One</u> <u>Two Thousand Two Hundred /</u>	<u>(2231)</u>	<u>0</u>
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

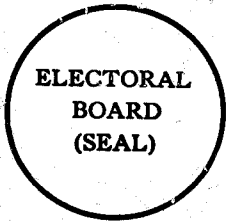
<u>Juliette C. Clothier</u>	<u>Thirty One</u> <u>Two Thousand Two Hundred /</u>	<u>(2231)</u>

for the office of CLERK OF CIRCUIT COURT

Given under our hands this sixth day of November, 19 75

<u>[Signature]</u>	<u>E. M. Hazelywood, Jr.</u>	<u>Chairman</u>
<u>[Signature]</u>	<u>Irene M. Douglas</u>	<u>Member</u>
<u>[Signature]</u>	<u>James W. Kincaid</u>	<u>Secretary</u>

A copy teste:



Recorded Nov 10th day of November, 1975.
James W. Kincaid Secretary, Electoral Board
[Signature] Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 1975,

FOR COMMONWEALTH'S ATTORNEY

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>WILLIAM L. PERSON, JR.</u>	<u>Twenty Two Thousand Two Hundred/</u>	<u>(2220)</u>	<u>0</u>
<u>K. Taylor</u>	<u>One</u>	<u>(1)</u>	<u>0</u>
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

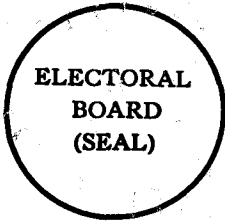
William L. Person, Jr. Twenty Two Thousand Two Hundred/ (2220)

for the office of COMMONWEALTH'S ATTORNEY

Given under our hands this sixth day of November, 1975

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board
Recorded this 10th day of November, 1975.
[Signature]
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 1975,

FOR TREASURER

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FRANCES B. WHITAKER	Eighteen Two Thousand Three Hundred/	(2318)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

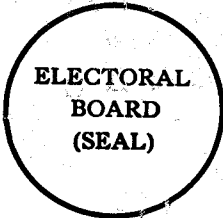
Frances B. Whitaker Eighteen
Two Thousand Three Hundred/ (2318)

for the office of TREASURER

Given under our hands this sixth day of November, 1975.

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

Shirley W. Walker
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 1975,

FOR SHERIFF

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>A. M. "ARCHIE" BRENEGAN</u>	<u>Seventy One</u> <u>One Thousand Nine Hundred/</u>	<u>(1971)</u>	<u>0</u>
<u>WM. R. "RICK" HUTCHENS</u>	<u>Sixty Eight</u> <u>One Thousand One Hundred/</u>	<u>(1168)</u>	<u>0</u>
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

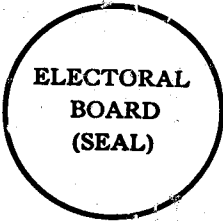
A. M. "Archie" Brenegan Seventy One
One Thousand Nine Hundred/ (1971)

for the office of SHERIFF

Given under our hands this sixth day of November, 1975.

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board
Recorded this 10th day of November, 1975.
[Signature]
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75.

FOR COMMISSIONER OF REVENUE

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>FRANCES S. WALTRIP</u>	<u>Fifty Six</u> <u>One Thousand Nine Hundred/</u>	<u>(1956)</u>	<u>0</u>
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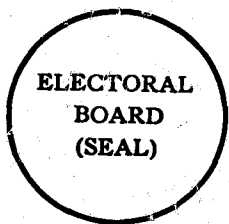
We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

Frances S. Waltrip Fifty Six
One Thousand Nine Hundred/ (1956)

for the office of COMMISSIONER OF REVENUE

Given under our hands this sixth day of November, 19 75.

A copy teste:



R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

[Signature]
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75,

FOR MEMBER, BOARD OF SUPERVISORS, STONEHOUSE DISTRICT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
STEWART U. TAYLOR	Three Hundred Ninety Five	(395)	0
R. M. "Sam" Hazelwood	One	(1)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

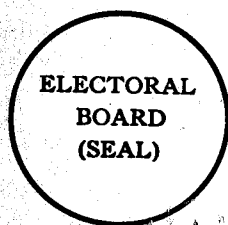
Stewart U. Taylor Three Hundred Ninety Five (395)

for the office of MEMBER, BOARD OF SUPERVISORS, STONEHOUSE DISTRICT

Given under our hands this sixth day of November, 19 75

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

James W. Kincaid
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 1975,

FOR MEMBER, BOARD OF SUPERVISORS, POWHATAN DISTRICT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
ALMA C. WHITE	Two Hundred Forty Four	(244)	0
BENJAMIN S. SCOTT III	Fifty Four	(54)	0
DAVID W. WARE, JR.	Four Hundred Eighteen	(418)	0
LILLIAN ELLA WATKINS	Twenty One	(21)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 1975, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

David W. Ware, Jr. Four Hundred Eighteen (418)

for the office of MEMBER, BOARD OF SUPERVISORS, POWHATAN DISTRICT

Given under our hands this sixth day of November, 1975.

R. M. Hazelwood, Jr. Chairman

Irene M. Douglas Member

James W. Kincaid Secretary

A copy teste:

ELECTORAL
BOARD
(SEAL)

James W. Kincaid
Secretary, Electoral Board

Recorded this 10th day of November, 1975.

James W. Kincaid
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75,

FOR MEMBER, BOARD OF SUPERVISORS, BERKELEY DISTRICT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
KENNETH L. JOHNSON	Four Hundred Twenty Six	(426)	0
JACK D. EDWARDS	Four Hundred Eighty Three	(483)	0
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

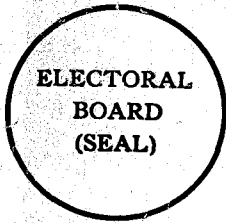
Jack D. Edwards Four Hundred Eighty Three (483)

for the office of MEMBER, BOARD OF SUPERVISORS, BERKELEY DISTRICT

Given under our hands this sixth day of November, 19 75.

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

John W. Walker
Clerk, Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75,

FOR MEMBER, BOARD OF SUPERVISORS, JAMESTOWN DISTRICT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
MARJORIE TOPPING ROWE	Two Hundred Fifty Nine	(259)	0
MURRAY LORING	Twenty One	(21)	0
JOHN E. DONALDSON	Four Hundred Ninety Eight	(498)	0
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		()	
		()	
		()	
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		()	

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

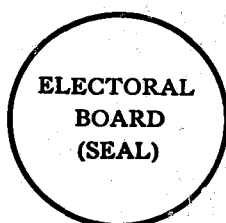
John E. Donaldson Four Hundred Ninety Eight (498)

for the office of MEMBER, BOARD OF SUPERVISORS, JAMESTOWN DISTRICT

Given under our hands this sixth day of November, 19 75

R. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.

[Signature]
Clerk, Board of Supervisors

November 24, 1975

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia,
at the General election held on November 4, 19 75.

FOR MEMBER, BOARD OF SUPERVISORS, ROBERTS DISTRICT

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>ABRAM FRINK, JR.</u>	<u>Three hundred two</u>	(<u>302</u>)	<u>0</u>
		()	
		()	
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 4, 19 75, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

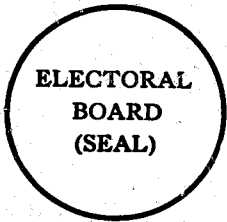
<u>Abram Frink, Jr.</u>	<u>Three Hundred Two</u>	<u>(302)</u>

for the office of MEMBER, BOARD OF SUPERVISORS, ROBERTS DISTRICT

Given under our hands this sixth day of November, 19 75.

A. M. Hazelwood, Jr. Chairman
Irene M. Douglas Member
James W. Kincaid Secretary

A copy teste:



James W. Kincaid Secretary, Electoral Board

Recorded this 10th day of November, 1975.
John W. Watkins
Clerk, Board of Supervisors

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-FOURTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

A. ROLL CALL

- Mr. John E. Donaldson, Chairman, Jamestown District
- Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
- Mr. Abram Frink, Jr., Roberts District
- Mr. Jack D. Edwards, Berkeley District
- Mr. Stewart U. Taylor, Stonehouse District
- Mr. John W. Watkins, Acting County Administrator
- Mr. Frank M. Morton, III, County Attorney

November 24, 1975

B. PRESENTATION OF SERVICE CERTIFICATES

Certificates for Fred E. Dunford and Judy G. Miller, Sheriff's Department, for three year's service each were given to Mr. Watkins for presentation.

c. MINUTES

The Board unanimously approved the minutes of October 24, 1975, as read and distributed.

D. HIGHWAY MATTERS

1. Abandonment of Old Section of Route 60 as it Passes through Anheuser-Busch.

Mr. Kent Hinman indicated that the State Highway Commission authorized the abandonment of the right-of-way on Busch holdings south of State Route 60 and requested the County prepare a resolution concurring in the decision by the Highway Department to abandon the old right-of-way.

Mr. Edwards moved the approval of the proposed abandonment by the Highway Department of the discontinued section of Route 60 as it affects Anheuser-Busch. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Board of Supervisors has been requested by the Virginia Department of Highways and Transportation to abandon that section of Route 60 right of way lying on properties owned by Anheuser-Busch, Inc., of its subsidiaries, and

WHEREAS, the use of this right of way was discontinued in the 1920' and serves no public need.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve of the abandonment as requested.

* * * * *

2. Redesignation of Route 5.

Mr. Hinman requested the Board to approve a redesignation of Star Route 5 at its intersection with State Route 199, east .08 miles to the Williamsburg City limits.

Mr. Waltrip moved to set the date of December 8, 1975, for a public hearing on the redesignation of Route 5 thereby informing the people of this anticipated change. The motion carried by a unanimous roll call vote.

The Highway Department was informed of the following:

A request for white lines on the sides of road on Route 5 - Five Forks area.

A request for check of traffic lights on Monticello Avenue -very bright.

A request for repair of shoulders on Route 5.

Mr. Hinman informed the Board of the anticipated widening of Route 5 between Route 199 and Powhatan Creek to 24'.

November 24, 1975

E. Public Hearings.

1. Application by H. V. Clayton on behalf of Bernard L. Lipman; Leonard, Julian and Jerome Gordan for rezoning of 3.7 acres from Industrial, General, District M-2 to Business, General, District B-1.

The Chairman opened the public hearing. There being no discussion, the hearing was closed.

Mr. Waltrip moved the approval of the captioned rezoning request and to accept the recommendation of the Planning Commission. The motion carried by a unanimous roll call vote.

2. An Ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs, by deleting Section 20-137, Compliance Schedule.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Since this is a Zoning change, the Board referred the captioned ordinance to the Planning Commission for their recommendation.

F. BOARD CONSIDERATIONS

3. Application on behalf of Anheuser-Busch for conditional use permits for temporary offices for brewery expansion and Busch Gardens personnel.

The Board reviewed the information on this request. Mr. Frink moved the approval of the Planning Commission's recommendation to issue conditional use permits for three trailers for use by Busch Gardens personnel and the 30' x 76' five-trailer office complex for use by construction personnel on site at the brewery addition. The motion carried by a unanimous roll call vote.

4. Regional Adult Corrections Facility.

The Board reviewed Mr. Watkins' memorandum with background information.

Mr. Edwards moved the approval of the feasibility study completed in May 1974 by the Peninsula Planning District Commission concerning a regional adult corrections facility and the approval of the formation of a Board of Directors for the facility; and indicated that the Board would consider an appointment to the facility's Board of Directors at the December 8th meeting. The motion carried by a unanimous roll call vote.

5. Dance Hall Ordinances

The Board discussed the Dance Hall Ordinances as presented with Mr. Morton, County Attorney.

Mr. Edwards moved to advertise the ordinances for public hearing on December 22, 1975, at 3:00 P.M., in the Courthouse, Williamsburg, Virginia, as follows:

November 24, 1975

1. An ordinance to amend and reordain Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Business and Activities, Section 9-54, Dance Halls, etc., Open to Public and by adding a new section, Section 9-54.1, Dances Sponsored by Non-profit Organizations.

2. An ordinance to amend the Code of the County of James City by adopting a new Chapter, Chapter 4, Dance Halls, by defining Public Dance Halls, Requiring a Permit, Establishing Conditions and Restrictions, Providing for Revocation of the Permit and Setting Out Penalties for Violation of the Chapter.

Mr. Edwards' motion to advertise the above captioned ordinances for public hearing carried by a unanimous roll call vote.

6. Amendment to Employee Grievance Procedure.

Mr. Edwards moved the approval of the resolution amending its grievance procedure policy designating the County Attorney to rule on questions of grievability. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County adopted by resolution dated December 18, 1973, a grievance procedure reviewed and accepted by the State Director of Personnel pursuant to Section 15.1-7.1 of the Code of Virginia, 1950, as amended, and

WHEREAS, The Division of Personnel has recently recommended that the County's grievance procedure be amended to provide for someone out of the line management structure to rule on questions of grievability;

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

k

(1) That the County Attorney be designated as the individual to rule on questions of grievability.

(2) That the James City County grievance procedure be amended by substituting the attached page designated as page 111-24 of the plans and procedures entitled, "Position Classification and Pay Report."

7. Purchase of right-of-way on Orange & Selby Drives

Mr. Watkins informed the Board that the County has been in the process of trying to obtain rights-of-way on the captioned streets for two years so that the streets could be accepted into the Secondary System. Three parcels have been delaying action and values for acquisition are set as follows:

Orange Drive - Mattie L. Hundley, 5' right-of-way	\$187.00
Oxford Finance Co., 5' right-of-way	\$206.00
Selby Drive - Ernest Wallace, 10' right-of-way	\$250.00

Mr. Frink moved the approval of the recommendation that the County offer the amounts shown for the purchase of the required right-of-way and if these amounts were not accepted authorized condemnation of these parcels. The motion carried by a unanimous roll call vote.

8. Resolution for Sanitary District #1 Liens

Mr. Frink moved the approval of the resolution listing delinquent sewer accounts in J. C. Sanitary District #1 to be entered in the Judgment Lien Docket. The motion carried by a unanimous roll call vote.

November 24, 1975

RESOLUTION

Sanitary District #1-Liens

WHEREAS, the Manager of the James-York Joint Sanitary Board has certified as 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:

ADOPTED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, ON THE 24TH DAY OF NOVEMBER, 1975

James City County Sanitary District #1					Lien List
September 10, 75					
A/C#	Owner & Address of Property	Description of Property	Amount Due	Fee	Total
109	Leslie L. Chalkley & Eileen J. Chalkley 706 Coleman Dr.	Lot 11, Sec. 9, James Terrace D. B. 51, P. 362, M. B. 7, P. 64	\$88.00 ✓	\$1.00	
134	Harry E. Cox & Margie L. Cox 23 Magruder Heights	Lot 23, Magruder Heights D. B. 101, P. 318	88.00 ✓	1.00	89.00
157	Herbert Paul Linton & Carol J. Linton 914 Foley Dr.	Lot 28, Sec. 8, James Terrace	88.00 ✓	1.00	89.00
171	Roland E. Michell 918 Coleman Dr.	Lot 1, Sec. 8, James Terrace D. B. 109, P. 398, P. B. 14, P. 108	88.00 ✓	1.00	89.00
188	Vincent D. McManus, Jr. 908 Coleman Dr.	Lot 6, Sec. 8 James Terrace D. B. 69, P. 498	88.00 ✓	1.00	89.00
190	Winfrey L. Fowler & Minnie Fowler husband & wife 23 Wallace Rd.	Solomon Orange Subdivision D. B. 73, P. 330, P. B. 7, P. 16 Lot 50ft X 100 Ft.	88.00 ✓	1.00	89.00
277	Arthur C. Develletian & Meredith A. Develletian 703 Penniman Rd.	Lot 1, James Terrace D. B. 114, P. 628; P. B. 12, P. 16	88.00	1.00	89.00
330	Ronald L. & Geraldine M. Lassiter 1367 Merrimac Trail	All that parcel of land adjacent to Lot C, Solomon Orange Subdivision D. B. 130, P. 138; with plat in D. B. 55, P. 364	88.00	1.00	89.00
336	James Davis & Eva Mae Davis 1237 Oak Drive	Lots 1 & 2 Old Penniman Rd. Subdivision of Thomas & Hattie Kearney D. B. 56, P. 110; with plat at P. 112	132.82	1.00	133.82
373	Donald Irvin Heath & Nancy L. Heath 909 Coleman Dr.	Lot 40, Sec. 8, James Terrace D. B. 128, P. 60; M. B. 7, P. 108	101.59	1.00	102.59

November 24, 1975

9. Sanitary District #3 EPA Applicant Designation

Mr. Taylor moved the approval of the resolution to change the signator designation by name and title to continue EPA grant in Sanitary District #3. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

APPLICATION FOR GRANT FUNDS FOR

SEWAGE WORKS FACILITIES - SANITARY DISTRICT NO. 3

James City County, Virginia

The members of the JAMES CITY COUNTY BOARD OF SUPERVISORS, in a called meeting, duly assembled at 3:00 P.M. on November 24, 1975, A. D. resolved as follows:

IT IS RESOLVED That the Acting County Administrator, John W. Waktins, is hereby designated as the authorized official in connection with the application on behalf of the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 (Project C510-52801) to the State Water Control Board and the U. S. Environmental Protection Agency, for state and federal grant funds to aid in financing Wastewater Treatment Works Construction under provisions of the Federal Water Pollution Control Act (Public Law 92-500) Amendments of 1972, and is authorized to accept the grant offer and amendments and to execute any and all documents pertaining to the application and to the grant offer.

RESOLVED and done this 24th day of November, 1975, A. D. by the members of the James City County Board of Supervisors, Williamsburg, Virginia.

/s/John E. Donaldson, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:

I hereby certify that the above resolution was duly adopted by the James City County Board of Supervisors in a called meeting duly assembled and open to the PUBLIC the 24th day of November, 1975, A. D.

/s/ John W. Watkins, Clerk
James City County Board of Supervisors
James City County, Virginia

* * * * *

10. Accounting Resolutions For HUD Grant Administration

The Board reviewed a memorandum from Mr. Bass, Public Works Director, which indicated the need for establishing an account for the HUD grant of \$104,000 and designating the signatories.

Mr. Taylor moved the approval of the resolution as presented authorizing the Chairman, Acting County Administrator and Treasurer to sign for Account #96-9058-1 Toano Water Construction Account. The motion carried by a unanimous roll call vote.

November 24, 1975

R E S O L U T I O N

WHEREAS, James City County has recently been approved for a Community Development Block Grant in the amount of \$104,000 for purposes of extending the water system and installation of fire hydrants in the Toano area of the County, and

WHEREAS, pursuant to such grant, the Department of Housing and Urban Development (HUD) will establish a letter of credit at the Washington, D.C. disbursing office of the U. S. Treasury in the amount of said grant, and

WHEREAS, it is necessary that an account be established as the depository of such funds and that certain County personnel be designated as authorized to sign payment vouchers on the letter of credit;

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

(1) That John E. Donaldson, Chairman of the Board of Supervisors of James City County be authorized to execute Standard Form #1194 designating John W. Watkins, Acting County Administrator, and Wayland N. Bass, Director of Public Works, as being authorized to draw as necessary on the letter of credit established by HUD at the U. S. Treasury in the amount of \$104,000.

(2) That an account be established at the United Virginia Bank of Williamsburg in the name of the Toano Water Construction Account, #96-9058-1, and that all checks drawn upon such account shall be signed by the following:

The Chairman, Board of Supervisors or Vice Chairman

and

The Treasurer

and

The County Administrator

(3) That John W. Watkins, Acting County Administrator, be authorized to execute HUD Form #274, authorizing direct deposit of requisitioned funds to the Toano Water Construction Account.

* * * * *

11. Request of Edith Anderson, 113, Roland Street,
for City Water Service.

Mr. Edwards moved the approval of the recommendation from the Public Works Director and Acting County Administrator for Mrs. Edith Anderson to seek and obtain Williamsburg city water service. The motion carried by a unanimous roll call vote.

12. Certification of Warrants-October 1975.

Mr. Donaldson moved the approval of warrants for the month of October 1975. The motion carried by a unanimous roll call vote.

General Fund	Checks #349 thru #455 Totalling \$399,397.39
General Fund -Payroll	Checks #2868 thru #3116 Totalling \$68,873.53
Sanitary District #1	Check #6 Totalling \$1,012.43
Sanitary District #2	Check #32 thru #58 Totalling \$2,779.62
Sanitary District #3	Checks #36 thru #59 Totalling \$180,340.29
Revenue Sharing Trust Fund	Check #174 Totalling \$507.00
JCC Fund #81-1974-75 Obligated Appropriations	Check #391 Totalling \$5,622.78

November 24, 1975

G. Matters of Special Privilege

None

H. Reports of the Administrator

Request for executive session.

I. Board Requests and Directives

Mr. Frink moved to adjourn into executive session to consider personnel matters, a legal matter and a matter of possible purchase of land. The motion carried by a unanimous vote.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:00 P.M.

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-FOURTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

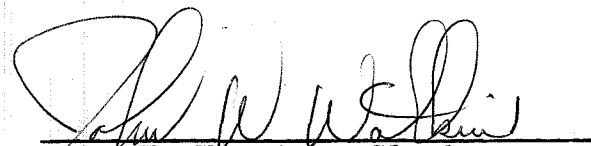
PRESENT: As noted above.

13.

Appointment to the Electrical Examiners Board

Mr. Edwards moved to appoint Mr. Loren Bryan to the Electrical Examiners Board to fill the unexpired term of Mr. E. M. Cox. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED AT 5:45 P. M. UNTIL ITS NEXT REGULAR MEETING IN DECEMBER.


John W. Watkins, Clerk
Board of Supervisors

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 DECEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Abram Frink, Jr., Roberts District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the November 24, 1975 minutes as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend Chapter 20, Zoning, of the Code of James City, Article IV, Districts, Division 8, Business General, District B-1, Section 20-86 by amending Subsection (b) to permit certain structures above the height limit.

The Chairman opened the public hearing. There being

December 8, 1975

no discussion, the hearing was closed.

A brief discussion followed.

Mr. Waltrip moved to adopt the captioned ordinance as recommended by the Planning Commission.

Discussion followed.

Mr. A. B. Smith, Jr., Attorney, requested and received permission to discuss the adoption of the height limit change. He discussed the processing of the ordinance change and the Planning Commission's public hearing and indicated his client's position as being in favor of adoption.

Upon a roll call vote, Mr. Waltrip's motion to approve the captioned ordinance was defeated. Mr. Edwards, Mr. Frink and Mr. Donaldson voted no. When questioned by Mr. Smith as to whether the ordinance would be reconsidered, Mr. Donaldson indicated to Mr. Smith that the zoning regulations will be the subject of attention as the Comprehensive Plan is applied to the County.

2. Route 5 Redesignation

The Chairman opened the public hearing. There being no discussion, the hearing was closed.

The Board asked Mr. Watkins what effect this redesignation would make and he listed the following points:

1. It would change a portion of Route 5 from a primary to a secondary route.
2. It would change the number 5 to a new number which would be given by the Virginia Department of Highways and Transportation
3. It would reroute this portion of Route 5 onto Route 199 from the intersection of Routes 5 and 199, east to the Williamsburg City limits.

Mr. Edwards moved the approval of the Highway Department's request for redesignation of State Route 5 at its intersection with State Route 199, east .08 miles to the Williamsburg City limits. The motion carried by a majority roll call vote. Mr. Waltrip and Mr. Taylor voted no.

D. BOARD CONSIDERATION

3. Presentation by J. Thomas Treece of a Model Program for the Establishment of a Residential Housing Project for Mentally Retarded Adults.

Mr. Treece, Director of the Mental Health/Mental Retardation Services Board, discussed the program for the establishment of a residential housing project for mentally retarded adults with the Board. His memorandum was reviewed and the statistics for financial commitment from local governments was discussed.

Mr. Edwards moved that the Board of Supervisors of James City County go on record as to approving the proposal for a residential housing project, but without any obligation to commit funds. The motion carried by a majority roll call vote. Mr. Waltrip abstained and Mr. Taylor voted no.

December 8, 1975

4. Fowl Claim - Raymond E. Stewart

The Board reviewed the \$20 fowl claim from Mr. Raymond Stewart for five ducks killed by dogs and the loss of eggs. The Board indicated it could not reimburse Mr. Stewart for the egg loss and Mr. Taylor recommended \$15 for the loss of the 5 ducks.

Mr. Taylor moved the approval of \$15 as reimbursement for the 5 ducks killed by dogs. The motion carried by a unanimous roll call vote.

5. Erroneous Tax Assessments.

The Board reviewed a letter from Mrs. Frances Waltrip, Commissioner of the Revenue which indicated three erroneous tax assessments for refunds.

Mr. Donaldson moved that the Board approve the refunds indicated in the letter of November 19, 1975 from the Commissioner of the Revenue. The motion carried by a unanimous roll call vote.

Refunds to: C. L. Sauls, 1975 Personal Property \$138.40
Mrs. Ruth M. Hofmeyer, 1975 Personal Property, \$68.00
David & Margie A. Meccariello, 1974 Real Estate, \$42.00

6. Engineering Contract - Toano Water System Improvements

Mr. Taylor moved the approval of the recommendation to execute a contract with the firm of Deward M. Martin & Associates, Inc., for the preparation of plans and specifications for the proposed water system improvements at Toano, such fees to come from the HUD grant funds. The motion carried by a unanimous roll call vote.

7. Certification of Warrants-November 1975

Mr. Donaldson moved the approval of the warrants for November 1975. The motion carried by a unanimous roll call vote.

General Fund	Checks #456 thru #590 Totalling \$401,476.61
General Fund - Payroll	Checks #3117 thru #3357 Totalling \$68,952.01
James City Co. Sanitary Dist.#1	Check #7 Totalling \$1,177.35
James City Co. Sanitary Dist.#2	Checks #59 thru #68 Totalling \$1,898.21
James City Co. Sanitary Dist.#3	Checks #60 thru #74 Totalling \$221,657.49
Revenue Sharing Trust Fund	Checks #175 and #176 Totalling \$314,033.53

E. MATTERS OF SPECIAL PRIVILEGE

8. Petition from Birchwood Estates Garden Club to Hold Bingo Games

Mr. Donaldson moved the approval of the resolution granting a permit to the Birchwood Estates Garden Club to hold bingo games/and or raffles. The motion carried by a unanimous roll call vote.

December 8, 1975

R E S O L U T I O N

WHEREAS, Birchwood Estates Garden Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and

WHEREAS, it appears to the James City County Board of Supervisors that said Birchwood Estates Garden Club has met the requirements of Section 18.1-340(b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the laws of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Birchwood Estates Garden Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

Adopted by the Board of Supervisors of James City County, Virginia this 8th day of December, 1975.

* * * *

9. Signing on Interstate 64 -A. B. Smith, Jr., Attorney

Mr. A. B. Smith, Jr., County, requested permission to speak as a private citizen regarding an article he had read in the Daily Press relating to the Bicentennial traffic planning underway. He spoke out against the proposed routing of traffic outside of James City County indicating that it would hurt local businesses. He suggested that the Board give some attention to equal signing of the attractions in James City County on the State Highways so that people have a choice of coming into the County and are not just directed around the County to Busch Gardens, etc.

Discussion followed.

Mr. Taylor moved that the County Administrator be directed to consider opinions expressed and formulate a recommendation regarding appropriate signing on Interstate 64 with respect to the use of Route 60 as an alternate route by tourists entering James City County to the West. The motion carried by a unanimous roll call vote.

F. REPORTS OF THE ADMINISTRATOR

10. Board Appointments

The Board is to discuss their appointments to boards and commissions at the January meeting.

11. Holiday - December 26, 1975

On a motion by Mr. Donaldson and unanimous roll call vote, the Board authorized Friday, December 26, 1975, as a holiday for this year.

December 22, 1975
December 8, 1975

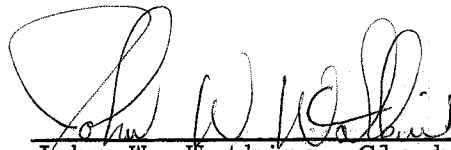
Mr. Donaldson moved to adjourn into executive session to discuss personnel matters and impending litigation. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 9:35 P. M.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTH DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

PRESENT: As noted above.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 9:55 P.M.


John W. Watkins, Clerk
Board of Supervisors

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 DECEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

A. ROLL CALL & MINUTES OF DECEMBER 8, 1975

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Mayo W. Waltrip, Vice-Chairman, Powhatan District
Mr. Jack D. Edwards, Berkeley District
Mr. Stewart U. Taylor, Stonehouse District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

Mr. Edwards moved the approval of the December 8, 1975

minutes as printed. The motion carried by a unanimous vote.

B. HIGHWAY MATTERS

The Board discussed with Mr. Kent Hinman, Assistant Resident Engineer, the following items:

1. The need for signing on Route 199 indicating Kingspoint Subdivision
2. The difficulty of cars entering Route 199 at Birchwood area. Mr. Hinman acknowledged that some signing and marking is needed.
3. The timetable for completion of Route 199. Mr. Hinman advised it will be the end of January.
4. A ditch on Pilot Life field. Mr. Hinman advised this is scheduled for pipe laying by contractor.

C. PUBLIC HEARINGS

1. An ordinance to amend and reordain Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, Section 9-54, Dance Halls, Etc., Open to Public and by adding a new section, Section 9-54.1, Dances Sponsored by Nonprofit Organizations.

The Chairman opened the public hearing. There being no discussion, the public hearing was closed.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

December 22, 1975

ORDINANCE NUMBER 16A-3

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESS AND ACTIVITIES, SECTION 9-54, DANCE HALLS, ETC., OPEN TO PUBLIC AND BY ADDING A NEW SECTION, SECTION 9-54.1, DANCES SPONSORED BY NONPROFIT ORGANIZATIONS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses and Activities, be and the same is, hereby amended and reordained by amending Section 9-54, Dance Halls, Etc., Open to Public and by adding a new section, Section 9-54.1, Dances Sponsored by Nonprofit Organizations.

CHAPTER 9

LICENSES

Article II. Specific Businesses and Activities.

Section 9-54. Dance Halls, etc., Open for Public

Every person engaged in the operation of a dance hall or any commercial hall open to the general public where dancing is permitted, to which an admission fee is charged, or for which compensation is in any manner received, either directly or indirectly, by cover charge or otherwise shall pay a license tax of fifty dollars (\$50.00) per annum, or twenty-five dollars (\$25.00) per dance.

No license shall be issued hereunder unless and until there is presented to the commissioner of the revenue a permit issued pursuant to Chapter 4, Dance Halls, from the County Administrator permitting or authorizing the operation of this business.

Section 9-54.1. Dances Sponsored by Nonprofit Organizations.

No license tax shall be assessed or charged for any activity set forth in Section 9-54 provided such dance is sponsored, supervised and controlled by a nonprofit organization, and provided further that such organization shall first obtain a license for the privilege of doing business in the County.

No license shall be issued under this section until the County Administrator has first made or caused to be made an investigation of the organization involved and the nature of the sponsorship, supervision and control of the show or amusement and the County Administrator is satisfied that:

- 1) The organization is in fact a bona fide nonprofit organization not authorized to distribute its income to its members by charter, constitution or bylaws.
- 2) The show is under the direct sponsorship, supervision and control of the nonprofit organization.
- 3) If any person, firm or corporation connected with, pertaining to or in any manner involved with the activity involved herein receives compensation of any nature for services rendered, such compensation must be paid directly by the nonprofit organization or an affiliate organization of which it is a member.
- 4) No arrangement exists for sharing the profits, net income or gross receipts from such show with any person, firm or corporation; provided however, such profits may be shared with either or both of the following:
 - (a) an affiliated organization of which the nonprofit organization is a member,
 - (b) A property owner providing property upon which such show will be conducted.

* * * * *

2. An ordinance to amend the Code of the County of James City by adopting a new Chapter, Chapter 4, Dance Halls, by defining Public Dance Halls, Requiring a Permit, Establishing Conditions and Restrictions, Providing for Revocation of the Permit and Setting Out Penalties for Violation of the Chapter.

The Chairman opened the public hearing. There being no discussion, the public hearing was closed.

Mr. Edwards moved approval of the captioned ordinance.

December 22, 197

Discussion followed. Mr. Edwards moved to amend Section 4-11 of the dance hall ordinance indicating the closing hour be set at 2:00 A. M., instead of the 1:00 A.M. time indicated in the printed ordinance. Upon a roll call vote, the motion failed. Mr. Waltrip, Mr. Taylor and Mr. Donaldson voted no.

Mr. Edwards' original motion to adopt the Dance Hall Ordinance was voted upon. The motion to adopt the ordinance passed on a unanimous roll call vote.

ORDINANCE NUMBER 91

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF JAMES CITY BY ADOPTING A NEW CHAPTER, CHAPTER 4, DANCE HALLS, BY DEFINING PUBLIC DANCE HALLS, REQUIRING A PERMIT, ESTABLISHING CONDITIONS AND RESTRICTIONS, PROVIDING FOR REVOCATION OF THE PERMIT AND SETTING OUT PENALTIES FOR VIOLATION OF THE CHAPTER.

BE IT ORDAINED, by the Board of Supervisors that the Code of the County of James City be and the same is, hereby, amended by adopting a new chapter, Chapter 4, Dance Halls, by defining public dance halls, requiring a permit establishing conditions and restrictions, providing for revocation of the permit and setting out penalties for violations of the chapter.

CHAPTER 4

DANCE HALLS

Article I. In General.

Section 4-1. Definition of public dance hall

A public dance hall shall be defined as any place open to the general public where dancing is permitted, to which an admission fee is charged or for which compensation is in any manner received, either directly or indirectly, by cover charge or otherwise, or where refreshments or food or any form of merchandise are served for compensation before, during or after dancing. The scale of refreshments, food or any form of merchandise at any such place or the exhibiting of such for sale shall be deemed direct compensation for any such dance hall within the meaning of this section.

Section 4-2.

No license shall be issued by the Commissioner of the Revenue for the operation of a public dance hall in the County, unless and until the permit to obtain a public dance hall, as provided for in this article, shall be authorized by the County Administrator.

Section 4-3. Application for permit.

Any person desiring to obtain from the Commissioner of the Revenue a license for the operation of a public dance hall in the County shall first make written application to the County Administrator for a permit to obtain such license.

Such permit shall contain the following information:

- a) The location of the proposed dance hall.
- b) The name and address of any person who is or who will be an owner, operator or manager of such dance hall, together with the name and address of any person having a financial interest in said dance hall, including stockholders, lienholders or partners.
- c) If the owner or operator of the public dance hall is a corporation, then such application shall set forth the true or equitable owners of the stock of such corporation.
- d) A statement as to the type of food or drink to be offered and the facilities to be provided for the preparation and service thereof.
- e) The number of spaces for off-street parking available for patrons.

Section 4-4. Investigation prior to hearing or issuance of permit.

The County Administrator shall in all instances prior to the issuance of a permit under Section 4-5, cause a copy of the application to be forwarded to the offices of the Fire Marshal, Sheriff and Zoning Administrator and any other department or official who in his judgement would be affected by such application or might have comments pertaining thereto.

December 22, 1975

Section 4-5. Hearing; grant or refusal.

Upon the filing of an application pursuant to the provisions of Section 4-3, the County Administrator may hear statements and receive evidence as to the suitability of the location of such proposed dance hall, preference being given to ground floor locations, and as to the suitability and adequacy of the facilities, as to the fitness of the person or persons who will own, manage or conduct the same, and pursuant to the hearing if the County Administrator deems such hearing to be necessary, he shall grant or refuse such permit within fifteen (15) days from the date of such hearing, or if no hearing is held, within thirty (30) days from the date of application for such permit.

Section 4-6. Procuring by fraud, etc.

It shall be unlawful for any person to procure by fraud or false representation of facts a permit under Section 4-5

Section 4-7. Revocation.

Upon the violation of any of the provisions of this chapter, the County Administrator shall have the right, in addition to any other remedies allowed by law, to revoke any permit granted as provided in Section 4-5, after due hearing and upon not less than five days notice in writing to the permittee, such notice to be sent by registered letter or certified mail to the address given by the permittee when applying for such permit.

Section 4-8. Prerequisite to operation of dance hall.

It shall be unlawful for any person to operate, or cause to be operated, a public dance hall in the County without first obtaining the permit provided for in this article. Any person violating this section shall, upon conviction thereof, be fined not exceeding Five Hundred Dollars (\$500.00) or be confined in jail not exceeding thirty (30) days, or by both such fine and imprisonment.

Article II. Conditions and Restrictions.

Section 4-9. Transfer of permit.

A permit to obtain a license for the operation of a public dance hall shall not be transferable without written consent of the County Administrator.

Section 4-10. Change of ownership, management or location.

The ownership, management or location of a public dance hall operated pursuant to license for the obtaining of which a permit was obtained under the provisions of this chapter shall not be altered or changed without the written permission of the County Administrator.

Section 4-11. Closing hours.

The closing hour of any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this Chapter shall be no later than 1:00 A.M.

Section 4-12. Occupancy allowance.

Sufficient floor area space, as defined by the BOCA Basic Building Code, 1970, as amended, shall be provided in any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter to afford 15 square feet of leaseable floor space to each individual in attendance at such dance hall.

Section 4-13. Seating.

The total seats available in a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter shall be not less than the total number of patrons present at any one time.

Section 4-14. Off-street parking space.

Off-street parking space, at a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter, shall be available in the ratio of a parking space to every six patrons.

Section 4-15. Plumbing fixtures.

Separate plumbing facilities shall be available within the building for male and female patrons at a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter.

Section 4-16. Right of entry of Sheriff's Department.

Members of the Sheriff's Department may enter any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter at all hours to insure that the peace and quiet of the County is preserved.

December 22, 1975

Section 4-17. Persons who may enter or remain.

It shall be unlawful for any person operating a public dance hall in the County to suffer or permit any person under 18 years of age or any person under the influence of alcohol to enter or remain in such a dance hall.

* * * * *

D. BOARD CONSIDERATIONS

3. Sanitary District #3 Loan

Mr. Edwards moved the approval of the recommendation of the Acting County Administrator and the request of the Public Works Department for a loan of \$8,500 from the General Fund Contingency Account to be repaid no later than June 30, 1976. The motion carried by a unanimous roll call vote.

4. Amendment to Operating Policies -
Sanitary District #2

Due to an increase in water connection charges by Newport News applicable to Sanitary District 2, the Director of the Public Works Department requested appropriate action by the Board to revise the charges for water availability in this District.

The Board discussed this matter and indicated the need in the future of more advance notice of these increases from Newport News.

Mr. Donaldson moved the approval of the Sanitary District #2 Ordinance amendment to Section 5.03, Water Availability Charges, as an Emergency Ordinance, said ordinance to be advertised for public hearing on January 26, 1976, at 3:00 P.M., in the Council Chambers, Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 36A-5

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, 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"	\$ 345.00
	3/4"	430.00
1	"	480.00
1	1/2"	720.00
2	"	905.00
3	"	400.00 + cost
4	"	600.00 + cost
5	"	800.00 + cost
6	"	1,000.00 + cost
8	"	1,200.00 + cost

December 22, 1975

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 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 \$345.00 for the first unit and \$345.00 for the additional unit.

Multi-Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$505.00 for the first dwelling unit and \$280.00 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 \$505.00 for the first dwelling unit and for each dwelling unit in addition to the first, the charges

For a 0 - 50 Unit Installation	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03(a) plus a charge of \$90.00 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 \$545.00 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 \$345.00 for 5/8" meter and \$430.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$540.00 base charge, plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$540.00 base charge plus \$75.00 per delivery hose.

Schools - The availability charge shall be \$720.00 plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$720.00 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 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. 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.

* * * * *

December 22, 1975

5. Zoning Ordinance, Article VIII, Special Regulations for Exterior Signs, Deleting Compliance Schedule.

Mr. Donaldson moved that the recommendation of the Planning Commission be accepted and approved the adoption of the ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs, by deleting Section 20-137, Compliance Schedule. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 31A-33

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE VIII, SPECIAL REGULATIONS FOR EXTERIOR SIGNS, BY DELETING SECTION 20-137, COMPLIANCE SCHEDULE.

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 VIII, Special Regulations for Exterior Signs, be and the same is, hereby, amended and reordained by deleting Section 20-137, Compliance Schedule.

CHAPTER 20

ZONING

Article VII. Special Regulations for Exterior Signs.

Section 20-137. Compliance schedule.

This section is hereby deleted.

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

6. Rezoning 2.38 Acres Owned by Powhatan Shores Incorporated - Date for Public Hearing.

The Board instructed the County Administrator to advertise this matter for a public hearing on January 26, 1976, at 3:00 P.M., in the Courthouse, Williamsburg, Virginia.

7. Livestock Claims

Mrs. Virginia M. Massie - Injury to sheep by dogs.

The Board reviewed a veterinarian bill sent

with claim for services to sheep injured by dogs. The Board discussed this matter with the County Attorney who advised that the Code of Virginia does not allow a Board of Supervisors to award this type of claim for injury to an animal.

Mr. Taylor moved to deny Mrs. Massie's claim. The motion carried by a unanimous roll call vote.

Mrs. Susanna L. Calkins - Claim for death of goat by dogs.

The Board reviewed a memorandum from the Dog Warden concerning this claim for \$35.00 for the death of one goat.

Mr. Donaldson moved the approval of the animal claim by Mrs. Calkins for \$35.00 for the loss of her goat. The motion carried by a unanimous roll call vote.

December 22, 1975

8. Williamsburg Fire Service Compensation.

The Board reviewed a memorandum from Mr. Watkins, Acting County Administrator, indicating that the City of Williamsburg submitted its annual bill for the County's share of overtime compensation earned by City fire fighters. Upon audit of the City's records, Mr. Watkins indicated that three other governmental agencies' responses and a medical training course were included in the County's bill and his recommendation was to eliminate the sum of these items from the \$5,004.54 initial bill.

Mr. Donaldson moved to accept the recommendation of the Acting County Administrator to authorize payment of \$3,144.96 to the City of Williamsburg for fire service of which \$1,644.96 would be available with the necessary transfer of funds from account 01850-9011 to account 00710-0226. The motion carried by a unanimous roll call vote.

9. Resolution for Toano Water System (Community Development Act).

The Board reviewed a resolution certifying certain responsibilities that are required prior to final funding of HUD grant.

Mr. Donaldson moved the adoption of the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, James City County has applied for a Block Grant under Title I of the Housing and Community Development Act of 1974 to make certain improvements to the Toano water system, and

WHEREAS, this Act transfers certain requirements which were formerly the responsibility of the Department of Housing and Urban Development (HUD), under the provisions of the National Environmental Policy Act (NEPA) of 1969, from HUD to the applicant, and

WHEREAS, it is necessary to certify that James City County has complied with these requirements and certified that its chief executive officer is authorized to do so;

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

(1) That John W. Watkins, Acting County Administrator, is authorized to consent to assume the status of a responsible Federal Officer under NEPA, insofar as the provisions of NEPA apply to the HUD responsibilities for environmental review, decision making and action assumed and carried out by the County pursuant to the Toano water system project to be funded under this grant.

(2) That John W. Watkins, Acting County Administrator, is authorized to consent, personally, and on behalf of the County, to accept the jurisdiction of the Federal Courts, for the enforcement of all responsibilities referred to in the preceding paragraph, as they relate to the Toano water system project to be funded under this grant.

This resolution shall be in full force and effect from the day of its adoption.

* * * * *

E. MATTERS OF SPECIAL PRIVILEGE

a. Polluted Rivers in County-David W. Ware, Jr.

Mr. David Ware indicated his concern for businesses in the County going out of business due to polluted rivers and asked the Board if it would be possible to contact representatives on the State and National levels to see what could be done for these businesses. He also inquired about reassessment of property on these rivers.

December 22, 1975

Mr. Donaldson directed that the County staff check on emergency loan funds on the federal level to see if there is some kind of relief for these industries; and that as far as appropriate evaluation of land, any change in market value should be reflected in the annual assessment of land in the County.

b. Route 199-By-pass

Mrs. Margaret Harrison expressed her pleasure with the new road.

F.

REPORTS OF ADMINISTRATOR

Depository Resolution - Old Colony Bank

Mr. Edwards moved the approval of a resolution authorizing the Treasurer to place funds for investment in Old Colony Bank. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Treasurer of James City County receives bids for the investment of General Fund revenues, and

WHEREAS, the Old Colony Bank submits bids for said investments, and

WHEREAS, it is necessary for the Board of Supervisors to authorize the Treasurer to periodically deposit funds in the Old Colony Bank;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that Old Colony Bank is hereby designated a depository for the investment of James City County funds under custody of the Treasurer.

Adopted by the Board of Supervisors, James City County, Virginia, this 22nd day of December, 1975.

* * * * *

11. Report on Interstate 64 Business Signing

Mr. William Brown, Chief Planner, presented his report to the Board which was sent in memorandum form prior to the meeting. After discussion of the various recommendations presented by Mr. Brown in his memorandum of December 16, 1975, Mr. Taylor moved to adopt recommendation #2 in resolution form to indicate to the Highway Department the County's desire to have the names "Toano", "Norge" and "Lightfoot" added to signs on I-64 or Route 168 where appropriate, and also request the Highway Department to consider adding the words "To Business Route 60" at these same intersections. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

JAMES CITY COUNTY

WHEREAS, the Board of Supervisors of James City County has determined that the touring public should be made aware of the communities and businesses located west of Williamsburg between Interstate 64 and Williamsburg, and

WHEREAS, appropriate signing of both Interstate 64 and State Route 168 would foster this effort thereby assisting in improving the economy of these areas and alert motorists desirous of patronizing these business communities, without unduly altering the safe and efficient routing of traffic.

December 22, 1975

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board does hereby request the Virginia Department of Highways and Transportation to cause the name "Toano" to be added to the signs at the Toano-Barhamsville interchange on I-64; to cause the name "Norge" and "To Business Route 60" to be placed at the intersection of Route 168 (future I-64) and Route 607; and, to cause the name "Lightfoot" and "To Business Route 60" to be placed at the intersection of Route 168 (future I-64) and Route 646.

This resolution shall be in full force and effect from the day of its adoption.

* * * * *

12. Organizational Meeting Set for January 5, 1976

The Board set for its first meeting in January the date of January 5, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia.

In closing, the Board expressed its pleasure in working with Mr. Mayo Waltrip during his past four years as a member of the Board of Supervisors and praised his many fine characteristics.

Mr. Donaldson moved to adjourn the meeting into executive session and to reconvene into executive session immediately following the James City County Service Authority Meeting.

THE MEETING ADJOURNED AT 4:10 P.M.

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-SECOND DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-FIVE.

RESSENT: As noted above

The following appointments were made:

Governor's Area Committee on Employment of the Handicapped

Mr. Edwards moved the appointment of Mr. Jack Marahenas and John Donaldson to one-year terms on the captioned Committee. The motion carried by a unanimous vote.

Social Services Board

Mr. Taylor moved the appointment of Mr. Stuart D. Spirn to the captioned Board effective December 22 and expiring June 30, 1979. The motion carried by a unanimous roll call vote.

Electrical Examiners Board

Mr. Donaldson moved the appointment of Mr. James B. Bowry - Citizen Member - for a term of three years on the captioned Board. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved the appointment of Mr. William P. Ripley, Jr., Journeyman for a term of two years on the captioned Board. The motion carried by a unanimous vote.

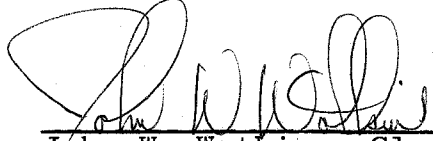
December 22, 1975

Plumbing Examiners Board

Mr. Donaldson moved the appointment of Mr. Charles C. Nixon - Journeyman Member - for a term of two years to the above captioned Board. The motion carried by a unanimous vote.

Mr. Donaldson moved the appointment of Mr. Carl F. Roy - Master Member - for a term of three years to the above captioned Board. The motion carried by a unanimous roll call vote.

UPON A MOTION BY MR. TAYLOR, AND UNANIMOUS ROLL CALL VOTE, THE MEETING WAS ADJOURNED AT 5:00 P.M.


John W. Watkins, Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FIFTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Chairman, Roberts District
Mr. Stewart Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

B. ORGANIZATIONAL MEETING OF THE BOARD

1. Election of Chairman and Vice-Chairman
2. Meeting dates and place
3. Committee Assignments

Mr. Edwards moved to adjourn into executive session in the Building Official's Office for the purpose of discussing personnel matters relating to the organizational meeting of the Board. The motion carried by a unanimous roll call vote. The meeting adjourned into executive session at 7:40 P.M.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FIFTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: as noted above.

1. Election of Chairman

Mr. Edwards moved to nominate Mr. Abram Frink for a one-year term to serve as Chairman of the Board. Mr. Donaldson moved that the nominations be closed.

Mr. Ware indicated that he had nothing against Mr. Frink, but in the sense of justice and fair play it seemed only three members of a five man Board could serve as Chairman and therefore he would vote no.

January 5, 1976

The election carried by a majority roll call vote. Mr. Ware voted no. Mr. Frink indicated that the Board cooperated well and worked well in the past and that in regards to Mr. Ware's comments he certainly hoped to be as fair as possible.

Election of Vice-Chairman

Mr. Frink moved to nominate Mr. Stewart U. Taylor for a one-year term to serve as Vice-Chairman of the Board. Mr. Donaldson moved that the nominations be closed. The election carried by a majority roll call vote. Mr. Taylor abstained.

2. Meeting dates and place

Mr. Taylor 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., in the Council Chambers of the Williamsburg-James City County Courthouse be continued. The motion was seconded by Mr. Edwards and carried by a unanimous roll call vote.

3. Committee Assignments

Mr. Donaldson moved the following appointments:

Advisory Council -9th Judicial Services Unit	Mr. Taylor
Chamber of Commerce	Mr. Ware
Civil Defense	Mr. Ware
Community Action Agency	Mr. Donaldson
Courthouse Committee	Messrs. Frink & Donaldson
Highway Safety Commission	Mr. Taylor
J. C. Service Authority	Mr. Ware
Peninsula Planning District Commission	Messrs. Ware & Donaldson
Planning Commission	Mr. Donaldson
Price & Stabilization Committee	Mr. Taylor
Sanitary District #1 Board	Messrs. Frink & Donaldson
Social Services Board	Mr. Frink

The motion carried by a unanimous roll call vote.

C. MINUTES

Mr. Donaldson moved the approval of the December 22, 1975 minutes as printed. The motion carried by a unanimous roll call vote.

D. BOARD CONSIDERATIONS

1. Bicentennial Committee Report

Mr. Ross Weeks, Jr., Chairman of the Williamsburg- James City County Bicentennial Committee, presented a report of the activities held in 1975 and scheduled for 1976. He also requested a budget consideration of \$8,500 from the County and an equal amount from the City, as the Committee's fiscal year began the first of January. Mr. Donaldson who is the Board's representative on this committee indicated that he recognized the need for the request and felt it was justified. He requested that this budget request and the committee appointments mentioned on page 2 of the written report be placed on the agenda for the Board's next meeting. The Board agreed to this request.

2. Depository Resolutions

Mr. Donaldson moved the approval of the depository resolutions with the names of Mr. Frink as Chairman and Mr. Taylor as Vice-Chairman inserted in the blanks. The motion carried by a unanimous roll call vote.

January 5, 1976

R E S O L U T I O N

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 Revenue Sharing Fund, James City County Subdivision Escrow Account and the Toano Water Construction 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

Stewart U. Taylor

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, to 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 5, 1976.

R E S O L U T I O N

WILLIAMSBURG NATIONAL BANK

BE

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

Stewart U. Taylor

Vice-Chairman

John W. Watkins

Acting County Administrator

Frances B. Whitaker

Treasurer

OR

Eunice P. Stewart

Deputy Treasurer

OR

Betty S. Angle

Deputy Treasurer

January 5, 1976

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 5, 1976.

* * * * *

E. MATTERS OF SPECIAL PRIVILEGE

None

F. REPORTS OF ADMINISTRATOR

A. The Board was advised of the vacancy created by Mr. Ware's resignation from the Wetland's Board and requested that this matter be advertised.

B. The Board received a memorandum from the County Attorney concerning the appointment of a tie breaker.

C. Mr. Watkins informed the Board of a request from the Planning Commission to meet with them at the Planning Commission's regular meeting on January 27, 1976, for a joint public hearing on the following ordinance:

An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following divisions of Article IV, Districts: Division 4, Residential, Limited, District R-1; Division 5, Residential Limited, District R-2; and Division 6, Residential, Limited, District R-3; and to further amend Chapter 20, Zoning, by adding the following new divisions: Division 7.A, Multifamily, Residential District R-5 and Division 7.B, Residential-Agricultural, District R-6.

Mr. Edwards moved that the Board join with with the Planning Commission in a joint public hearing on the captioned ordinance on January 27, 1976.

Discussion followed. Mr. Taylor and Mr. Ware indicated that they felt having one public hearing would close the door to public input, and that they would vote against the motion. Mr. Edwards indicated that he always supported a joint hearing making it easier for the public to come to only one meeting. Mr. Frink indicated that he would vote in favor of the motion, but would support having an additional public hearing if the Board thought it necessary after the joint public hearing.

Mr. Edwards' motion carried by a majority roll call vote. Mr. Taylor and Mr. Ware voted no.

G. BOARD REQUESTS AND DIRECTIVES

1. The County Administrator was directed to prepare an appropriate resolution for Mr. Mayo Waltrip for his service as a Board member.

January 16, 1976
January 8, 1976
January 5, 1976

2. Appointments to Planning Commission

Mr. Donaldson moved that the following people be named to a four year term on the Planning Commission effective 1/15/76. The motion carried by a unanimous roll call vote.

Mr. R. H. Minkins
Mr. M. W. Bryant
Mr. Stephen A. Turner

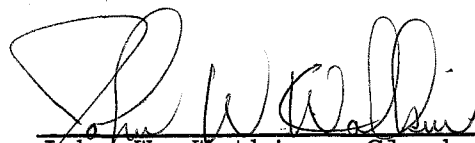
3. Report from Electoral Board

Mr. R. H. Hazelwood, Chairman of the Electoral Board reported on the Board's recent meeting and indicated the following:

1. The Electoral Board agreed to continue with the same Magisterial Districts.
2. Judge Armistead looking for additional space for the Registrar.
3. Mrs. Harris, Precinct Judge, sent letter requesting Custodian of School to be compensated for additional work on Election Day.

Mr. Hazelwood also requested that the Board look into revamping the Sign Ordinance since our ordinance calls for a 32 sq. foot sign and for a sign to be legible to cars at 60 mph a 162 square foot sign is needed.

ON A MOTION BY MR. EDWARDS, AND UNANIMOUS ROLL CALL VOTE, THE MEETING WAS ADJOURNED AT 8:50 P.M.


John W. Watkins, Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

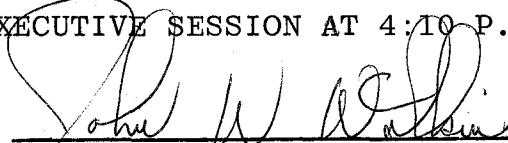
A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Robert District
Mr. Stewart Taylor, Vice-Chairman, Stonehouse District
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

Mr. Frink moved to adjourn into executive session for the purpose of considering employment of a County Administrator for James City County. Mr. Ware indicated his opposition to executive sessions and expressed his desire for all meetings to be opened to the public. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:10 P.M.


John W. Watkins, Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEENTH DAY

January 20, 1976
January 19, 1976
January 16, 1976

JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

Mr. Frink moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote.

Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Donaldson moved to recess the meeting until January 19, 1976, at 3:00 P. M., in the Courthouse, Williamsburg, Virginia, for the purpose of an executive session to discuss personnel matters. 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, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE NINETEENTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

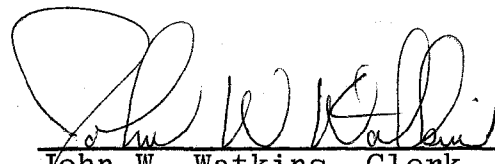
Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District (Arrived late)
Mr. John E. Donaldson, Jamestown District (Left early)
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. Of the members present, it was a unanimous roll call vote.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 3:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Edwards moved to recess the meeting until January 20, 1976, at 4:00 P.M. in the Courthouse, Williamsburg, Virginia, for the purpose of an executive session to discuss personnel matters. Of the members present, the motion carried by a unanimous roll call vote.


John W. Watkins, Clerk
Board of Supervisors

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

January 22, 1976
January 20, 1976

A. ROLL CALL

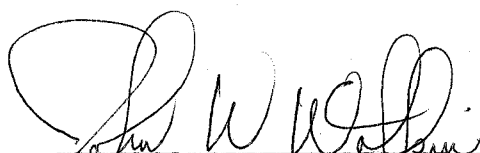
Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Donaldson moved to recess the meeting until January 22, 1976, at 4:00 P.M., in the Courthouse,, Williamsburg, Virginia, for the purpose of an executive session to discuss personnel matters. The motion carried by a unanimous roll call vote.


John W. Watkins, Clerk
Board of Supervisors

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-SECOND DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

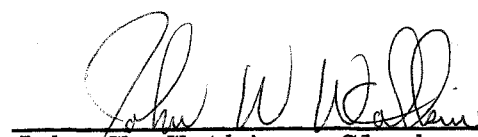
MR. ABRAM FRINK, JR., Chairman, Roberts District
MR. STEWART U. TAYLOR, Vice-Chairman, Stonehouse Dist.
MR. DAVID W. WARE, JR., Powhatan District
MR. JOHN E. DONALDSON, Jamestown District
MR. JACK D. EDWARDS, Berkeley District (Arrived Late)

MR. JOHN W. WATKINS, Acting County Administrator

Mr. Donaldson moved to adjourn into executive session to the Jury Room to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Edwards moved to recess the meeting until January 23, 1976, at 4:00 P.M., in the Courthouse Williamsburg, Virginia, for the purpose of an executive session to discuss personnel matters. The motion carried by a unanimous roll call vote.


John W. Watkins, Clerk
Board of Supervisors

January 26, 1976
January 23, 1976

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

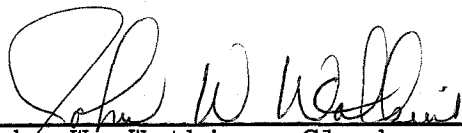
Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Donaldson moved to adjourn the meeting until the Board's next regular meeting, January 26, 1976.


John W. Watkins, Clerk
Board of Supervisors

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

B. PRESENTATION OF SERVICE CERTIFICATES

Robert E. Jones - 5 years.

Janet T. Sindle - 3 years.

C. MINUTES

Mr. Donaldson moved the approval of the minutes of January 5, 8, 16, 19, and 20, 1976, as printed. The motion carried by a unanimous roll call vote.

D. HIGHWAY MATTERS

January 26, 1976

I. Resolution - Changes in Secondary Route 677.

The Board reviewed a resolution, requested by the Highway Department, adding a section of Route 677 to the State Secondary System. Mr. Edwards moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, Secondary Route 677 from Route 143 to 0.07 miles of north of Route 143, a distance of 0.07 miles, has been altered, and a new road has been constructed and approved by the State Highway and Transportation Commission, 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 of Route 199, Project 0199-047-102, C-501, dated at Richmond, Virginia, 10/21/1975."

NOW, THEREFORE, BE IT RESOLVED, That the portion of Secondary Route 677; i.e., Section 1, shown in brown on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 199, Project 0199-047-102, C-501, dated at Richmond, Virginia 10/21/1975", a total distance of 0.07 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.

* * * * *

II. Street Signing and Naming off Route 199

The Board reviewed a resolution by Mr. William Brown, Chief Planner, which indicated the naming or renaming of certain roads upon completion of Route 199 between Route 5 and Route 60.

Mr. Donaldson moved the adoption of the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the completion of Route 199 between Route 5 and Route 60 has resulted in the realignment of several older roads, and

WHEREAS, the completion of Route 199 between Route 5 and Route 60 has resulted in several sections of new or existing intersecting roads being without names or inappropriately named, and

WHEREAS, accurate signing will assist the routing of vehicular traffic and facilitate driving safety;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following segments of road be named or renamed and signed accordingly:

1. The new section of road, between Lake Powell Road and Route 199, being a logical extension of Brookwood Drive, be named Brookwood Drive, and so signed at Route 199.
2. The new segment of road connecting east bound lane of Route 199 and the southbound lane of the Colonial Parkway, being the only access to Kingspoint Drive, be named Kingspoint Access Road, and so signed at Route 199.
3. The segment of Quarterpath Road located south of Route 199, soon to be connected with Mounts Bay Road, be renamed Mounts Bay Road, and so signed at Route 199.

This resolution shall be in full force and effect from the day of its adoption.

* * * * *

January 26, 1976

The Board discussed the following items with Mr. Yeatts, Resident Engineer:

Mr. Ware requested:

An accident study of Long Hill Road
Lowering speed limit on Olde Town Road
One of his constituents, Mrs. Levorsen, had problem of turning into her driveway off Route 60 because of an island obstacle.

Mr. Frink:

Requested streets in Grove be attended to as pot holes that have been filled have settled again and are in need of attention.

E. PUBLIC HEARINGS

3. An ordinance to amend and reordain the Operating Policy of James City County Sanitary District No. 2, by amending Section 5.03, Water Availability Charges.

The captioned ordinance was adopted as an emergency ordinance in December, 1975, in response to an increase in connections charges by Newport News.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Donaldson moved that the captioned ordinance be adopted. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 36A-5

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, 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

503 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"	\$ 345.00
	3/4"	430.00
1	"	480.00
1	1/2"	720.00
2	"	905.00
3	"	400.00 + cost
4	"	600.00 + cost
5	"	800.00 + cost
6	"	1,000.00 + cost
8	"	1,200.00 + 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 \$345.00 for the first unit and \$345.00 for the additional unit.

Multi Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$505.00 for the first dwelling unit and \$280.00 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 \$505.00 for the first dwelling unit for each dwelling unit in addition to the first, the charges shall be:

For a 0 - 50 Unit Installation	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5:03(a) plus a charge of \$90.00 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 \$545.00 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 \$345.00 for 5/8" meter and \$430.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$540.00 base charge, plus \$12.00 per seat.

Filling Stations - The availability charge shall be \$540.00 plus \$18.00 per pupil.

Hospitals and Institutions - The availability charge shall be \$720.00 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 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. 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.

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

- 4. An application of James City County Planning Commission for Powhatan Shores Incorporated for rezoning of approximately 2.38 acres from Agricultural, Limited, District A-2 to Residential, Limited, District R-1. Property is further identified in Plat Book 135,pg. 514

The Chairman opened the public hearing. There being no discussion, the public hearing was closed.

Mr. Taylor moved the approval of the captioned rezoning case as recommended by the Planning Commission. The motion carried by a unanimous roll call vote.

January 26, 1976

5.

Proposed amendments to Dance Hall Ordinance

The Board discussed the proposed amendments to the Dance Hall Ordinance which would extend the hours of operation from 1:00 A.M. to 2:00 A.M. and delete and portion prohibiting the entry of persons under 18 years of age.

Mr. Donaldson moved the approval of the draft ordinance, striking Section 4A-17, as an Emergency Ordinance. The motion carried by an unanimous roll call vote.

Mr. Frink moved to set the date of March 8, 1976 as a public hearing date to be held in the Courthouse, Williamsburg, Virginia, at 7:30 P.M. The motion carried by a unanimous roll call vote.

Mr. Frink moved to set the date of March 8, 1976, as a public hearing date to be held in the Courthouse, Williamsburg, Virginia at 7:30 P.M. The motion carried by a unanimous roll call vote.

ORDINANCE NUMBER 91A-1

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF JAMES CITY BY REPEALING CHAPTER 4, DANCE HALLS, AND BY ADOPTING A NEW CHAPTER, CHAPTER 4A, DANCE HALLS, BY DEFINING DANCE HALLS, REQUIRING A PERMIT, ESTABLISHING CONDITIONS AND RESTRICTIONS, PROVIDING FOR REVOCATION OF THE PERMIT AND SETTING OUT PENALTIES FOR VIOLATION OF THE CHAPTER.

BE IT ORDAINED, by the Board of Supervisors that the Code of the County of James City be and the same is, hereby, amended by repealing Chapter 4, Dance Halls, and by adopting a new chapter, Chapter 4A, Dance Halls, by defining public halls, requiring a permit, establishing conditions and restrictions, providing for revocation of the permit and setting out penalties for violations of the chapter.

CHAPTER 4A

DANCE HALLS

Article I. In General

Section 4A-1. Definition of public dance hall.

A public dance hall shall be defined as any place open to the general public where dancing is permitted.

Section 4A-2.

No license shall be issued by the Commissioner of the Revenue for the operation of a public dance hall in the County, unless and until the permit to obtain a public dance hall, as provided for in this article, shall be authorized by the County Administrator.

Section 4A-3. Application for permit.

Any person desiring to obtain from the Commissioner of the Revenue a license for the operation of a public dance hall in the County shall first make written application to the County Administrator for a permit to obtain such license.

Such permit shall contain the following information:

- a) The location of the proposed dance hall.
 - b) The name and address of any person whosis or who will be an owner, operator or manager of such dance hall, together with the name and address of any person having a financial interest in said dance hall, including stockholders, lienholders or partners.
 - c) If the owner or operator of the public dance hall is a coroproation, then such application shall set forth the true or equitable owners of the stock of such corporation.
 - d) A statement as to the type of food or drink to be offered and the facilities to be provided for the preparation and service thereof.
- 3) The name of spaces for off-street parking avialable for patrons.

January 26, 1976

Section 4A-4. Investigation prior to hearing or issuance of permit.

The County Administrator shall in all instances prior to the issuance of a permit under Section 4A-5, cause a copy of the application to be forwarded to the offices of the Fire Marshal, Sheriff and Zoning Administrator and any other department or official who in his judgement would be affected by such application or might have comments pertaining thereto.

Section 4A-5. Hearing; grant or refusal.

Upon the filing of an application pursuant to the provisions of Section 4A-3, the County Administrator may hear statements and receive evidence as to the suitability of the location of such proposed dance hall, preference being given to ground floor locations, and as to the suitability and adequacy of the facilities, as to the fitness of the person or persons who will own, manage or conduct the same, and pursuant to the hearing if the County Administrator deems such hearing to be necessary, he shall grant or refuse such permit within fifteen (15) days from the date of such hearing, or if no hearing is held, within thirty (30) days from the date of application for such permit.

Section 4A-6. Procuring by fraud, etc.

It shall be unlawful for any person to procure by fraud or false representation of facts a permit under Section 4A-5.

Section 4A-7. Revocation.

Upon the violation of any of the provisions of this chapter, the County Administrator shall have the right, in addition to any other remedies allowed by law, to revoke any permit granted as provided in Section 4A-5, after due hearing and upon not less than five days notice in writing to the permittee, such notice to be sent by registered letter or certified mail to the address given by the permittee when applying for such permit.

Section 4A-8. Prerequisite to operation of dance hall.

It shall be unlawful for any person to operate, or cause to be operated, a public dance hall in the County without first obtaining the permit provided for in this article. Any person violating this section shall, upon conviction thereof, be fined not exceeding Five Hundred Dollars (\$500.00) or be confined in jail not exceeding thirty (30) days, or by both such fine and imprisonment.

Article II. Conditions & Restrictions.

Section 4A-9. Transfer of permit.

A permit to obtain a license for the operation of a public dance hall shall not be transferable without written consent of the County Administrator.

Section 4A-10. Change of ownership, management or location.

The ownership, management or location of a public dance hall operated pursuant to license for the obtaining of which a permit was obtained under the provisions of this chapter shall not be altered or changed without the written permission of the County Administrator.

Section 4A-11. Closing hours.

The closing hour of any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this Chapter shall be no later than 2:00 A.m.

Section 4A-12. Occupancy allowance.

Sufficient floor area space, as defined by the BOCA Basic Building Code, 1970, as amended, shall be provided in any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter to afford 15 square feet of leasable floor space to each individual in attendance at such dance hall.

Section 4A-13. Seating.

The total seats available in a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter shall be not less than the total number of patrons present at any one time.

Section 4A-14. Off-street parking space.

Off-street parking space, at a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter, shall be available in the ratio of a parking space to every six patrons.

January 26, 1976

Section 4A-15. Plumbing Fixtures.

Separate plumbing facilities shall be available within the building for male and female patrons at a public dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter.

Section 4A-16. Right of entry of Shieriff's Department.

Members of the Sheriff's Department may enter any dance hall operated pursuant to a license for the obtaining of which a permit was obtained under the provisions of this chapter at all hours to insure that the peace and quiet of the County is preserved.

An emergency is hereby declared to exist and the ordinance shall be in effect from the date of its passage.

* * * * *

6. Creation of an Economic Development Advisory Committee.

The Board discussed this matter at length. Mr. Frink moved that the creation of this committee be tabled for a worksession so that it could be discussed more thoroughly. The motion carried by a unanimous roll call vote.

7. Pre-school Project Supplemental Appropriation.

The Board reviewed Mr. Watkins' memorandum which indicated the need for an additional appropriation from this year's budget in the amount of \$145,529 due to earlier completion of the pre-school facility.

Mr. Frink moved the approval of the recommendation presented and that an appropriation in the amount of \$145,529 be made in FY 76 operating budget to code 01910-6991 to be used for capital improvement project No. 10-2. Facility for Preschool for the Handicapped, reducing next year's capital improvements appropriation by a corresponding amount. The motion carried by a unanimous roll call vote.

8. Resolution Sanitary District #2 Liens.

Mr. Donaldson moved the approval of the resolution as presented which listed a delinquent sewer account in James City Sanitary District #2. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

Sanitary District #2 - Liens

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City, that the following sewer account in the James City Sanitary District No. 2 is 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. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

January 26, 1976

Account No. 11-1-2777.0	Wisteria Gardens Association 2777 Pocahontas Trail
Description of Property:	Roberts District Section 35, Parcel 14
Amount due:	\$10,152.00 1.00 fee <u>\$10,153.00</u> total

ADOPTED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, ON THE
26TH DAY OF JANUARY, 1976.

9. SANITARY DISTRICT #3 - Project C510-52801-
Inspectors.

Due to EPA regulations, the Board was submitted a new resolution which indicated a new inspector for the above project.

Mr. Donaldson moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the County of James City has awarded contracts for construction of Sanitary District No. 3, Project No. C510-52801, and

WHEREAS, on the 22nd day of September, 1975, pursuant to EPA regulations the Board of Supervisors of James City County adopted a resolution authorizing the retention of inspectors for the project as well as their duties, costs and hours in order that the charges may be substantiated, and

WHEREAS, due to turnover on the part of such inspectors and adjustments made to the personnel associated with the projects, the resolution of September 22, 1975, is no longer entirely accurate;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the following personnel are authorized for resident inspection and project administration for construction of Sanitary District No. 3, Project No. C510-52801, and that their proposed duties, approximate costs and hours of service are set forth as follows:

1. Project Administration

One current employee of the Department of Public Works is assigned to this project for administration on a part-time basis.

Wallace C. Johnson	\$11,819 per annum
Construction Supervisor	
(30 hours per week	
(30 hrs/wk @ \$15,759 per annum)	

Plus 13% fringe benefits	<u>1,536</u>
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Total: Project Administration	13,355 per annum
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2. Resident Supervision

Three new employees are assigned to this project for resident supervision on a full time basis.

Kinloch M. Wilkinson	9,423 per annum
Construction Inspector	
40 hours per week	

Dan A. Jones	9,423 per annum
Construction Inspector	
40 hours per week	

A. Ray Clary	<u>9,423</u> per annum
Construction Inspector	
40 hours per week	

Subtotal Salaries: Resident Supervision	28,269 per annum
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January 26, 1976

Plus 13% fringe benefits	<u>3,675</u>
Total Annual Personnel costs Resident Supervision	31,944 per annum
Mileage and protective clothing	<u>1,500</u>
Total: Resident Supervision	\$33,444 per annum

3. Duties of Inspectors

- a. Inspect materials, workmanship and installation of sewerage facilities for compliance with plans and specifications.
- b. Notify contractor and Project Engineer of all instances of non-compliance with plans and specifications.
- c. Keep the Project Engineer advised regarding progress of work.
- d. Keep the following records:
 - Daily report
 - Monthly progress report
 - As built data

4. Duties of Construction Supervisor

- a. Assign and supervise the work of all inspectors
- b. Investigate and answer complaints from citizens
- c. Review and approve:
 - Shop drawings
 - Progress payments
 - Change orders
 - Inspectors reports
- d. Represent the owner and provide liaison between the Consulting Engineer, the contractor and the public, the Virginia Department of Highways and Transportation and all other local agencies.

* * * * *

10. Approval of Mental Health Services Board Membership Realignment.

Due to the City of Poquoson becoming a member of the Services Board, the MH/MR Board requested approval of the realignment of the Mental Health Services Board.

Mr. Edwards moved the approval of the realignment of the Services Board which continues James City County's representation at 5 members. The motion carried by a unanimous roll call vote.

11. Grant to Bicentennial Committee.

The Board considered two requests from the Bicentennial Committee, one for fund for calendar year 1976, and the second for additional appointments to the Committee. A discussion followed.

Mr. Donaldson moved that an appropriation in the amount of \$8500 for CY 76 be transferred from Contingency Account 01850-9011 to Contributions & Transfers Account #01830-7998, and that the Board consider in executive session the question of committee appointments. Mr. Ware spoke in opposition to executive session and Mr. Donaldson altered his motion by eliminating the reference to executive session, and recommended the appropriation be approved. The motion carried by a unanimous roll call vote.

January 26, 1976

12. Conditional Use Permit for Dow Badische to Operate a Landfill

Mr. Donaldson moved the approval of a conditional use permit for a 40 acre sanitary landfill in accordance with the geologist's recommendations and the site plan presented by Dow Badische for a period of five years. The motion carried by a unanimous roll call vote.

13. Revision to Final Plan, Sections F & G, Southall Quarter, Kingsmill.

Mr. Donaldson moved the approval of the recommendation that Sections F and G, Southall Quarter, Kingsmill, be allowed a 44 lot increase and that the developer be required to resubmit revised final plans showing the new lot layout together with any minor revisions to construction details as may be required by the new layout. The motion carried by a unanimous roll call vote.

14. Certification of Warrants

Mr. Frink moved the approval of the following warrants. The motion carried unanimously.

General Fund	Checks #591 thru 689 Totalling \$427,464.41
General Fund Payroll	Checks #3358 thru 3601 Totalling \$68,081.90
James City County Sanitary District #1	Check #8 Totalling \$2,600.96
James City County Sanitary District #2	Checks #69 thru 74 Totalling \$41,337.98
James City County Sanitary District #3	Checks #75 thru 93 Totalling \$269,519.19
Toano Water Construction Account	Check #1 Totalling \$68.20

MATTERS OF SPECIAL PRIVILEGE

15. Complaint from Mrs. Wanda Heath

Mrs. Wanda Heath, owner of Lightfoot Trailer Park, complained of what she felt to be inequities in the assessment of the Mobile Home Park license tax. She thought she had to pay while others similarly situated did not have to. She felt she was relieved of any requirement to pay taxes as a result of a conditional use permit issued in 1974, and commented that she had consequently "filed her latest bill in File 13."

Mr. Frink requested staff input on this matter and a report back to the Board.

* * * *

Mr. Ware discussed the following items with the Board:

1. City-County contract pertaining to schools - should renegotiate.
2. Taxes on trailer parks-felt it was in excess.
3. Signs and sign ordinance-felt size of signs too

January 26, 1976

small.

Mr. Ben Legum, a citizen, commented that new business get swallowed up among old signs. His new business needs sign advertisement.

16. Economic Development Advisory Committee

The Board was in agreement to bring this matter up for public discussion at their next meeting.

17. RENAMING OF PIGGOTT ROAD

By memorandum, Mr. Brown, Chief Planner, informed the Board of a petition requesting the change of name for Piggott Road. Mr. Donaldson moved that the recommendation be approved and that a public hearing be set for February 9, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

BOARD REQUESTS AND DIRECTIVES

Mr. Donaldson indicated that the Board will recess this regular meeting after reconvening from executive session, until January 27, 1976 for the purpose of an executive session to discuss personnel matters. He also indicated that the Service Authority meeting would be held at the conclusion of the Board's business today which would be later than the 4:00 P. M. time indicated on the Agenda.

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE BOARD ADJOURNED INTO EXECUTIVE SESSION AT 4:55 P.M.

* * * * *

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON JANUARY 26, 1976

PRESENT: As noted above.

The Board made the following appointments:

BOARD OF ADJUSTMENTS & APPEALS

Mr. Donaldson moved to reappoint Mr. Norman Sawyer to the captioned committee for a four year term to expire February 29, 1980; and Mr. Cory Mulligan to a three year term to expire February 28, 1979. The motion carried by a unanimous roll call vote.

WETLANDS BOARD

Mr. Ware moved to appoint Mr. Ross Davis to fill his unexpired term which ends October 1, 1976. The motion carried by a unanimous roll call vote.

BICENTENNIAL COMMITTEE

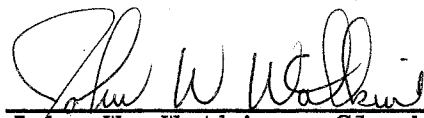
Mr. Donaldson moved to concur with the City of Williamsburg to appoint the following people to the Bicentennial Committee. The motion carried by a unanimous roll call vote.

January 26, 1976

Mr. George Collins
Miss Mildred Matier
Miss Madeline Gee
Dr. Richard Brooks
Mr. Michael Makulowich

Mr. Donaldson moved to recess the meeting until 4:00 P.M., Tuesday, January 27, 1976, at which time a motion will be made to adjourn into executive session to discuss personnel matters. The motion carried unanimously.

THE MEETING ADJOURNED AT 5:15 P.M. UNTIL JANUARY 27, 1976.



John W. Watkins, Clerk to the
Board of Supervisors

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-SEVENTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

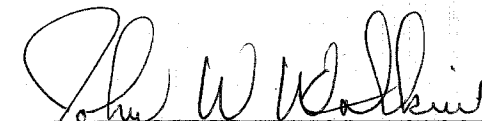
Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 4:05 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Donaldson moved to recess the meeting until January 27, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia, for the purpose of a joint public hearing with the Planning Commission. The motion carried by a unanimous roll call vote.



John W. Watkins, Clerk to the
Board of Supervisors

AT A JOINT MEETING OF THE BOARD OF SUPERVISORS AND PLANNING COMMISSION OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SEVENTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District
Mr. David W. Ware, Jr., Powhatan District

January 27, 1976

Craig G. Covey, Chief Planner
 William F. Brown, Chief Planner
 Frank Morton, III, County Attorney

B.

JOINT PUBLIC HEARING ON AN APPLICATION OF JAMES CITY COUNTY PLANNING COMMISSION, to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following Divisions of Article IV, Districts: Division 4, Residential, Limited, District R-1; Division 5, Residential, Limited, District R-2; and Division 6, Residential, Limited, District R-3; and to further amend Chapter 20, Zoning, by adding the following new Divisions: Division 7.A, Multifamily, Residential, District R-5 and Division 7.B, Residential-Agricultural, District R-6.

Before opening the public hearing, Mr. Frink, chairing the joint meeting, asked Mr. Brown to briefly outline the proposed changes in the Zoning Ordinance.

Mr. Brown explained that the changes were in legislative format so that it would be easy to see exactly what is proposed. There were three main changes which were outlined by Mr. Brown; which were changes to the minimum lot size, establishment of a multifamily housing district and the removal of family housing as a permitted use in the R-2 and R-3 zones; and third a new residential/agricultural district, R-6, is proposed to be established. Mr. Brown pointed out that the proposed changes did not affect any existing housing in the County and did not in any way affect the zoning requirements in the A-1 District.

The Chairman opened the joint hearing to receive public comment.

Mr. Ralph Gill spoke in favor of the creation of the multifamily district.

Mr. Robert Hornsby spoke in favor of the ordinance stating that it appeared to be a good ordinance yet he wanted to be on record indicating that the people who would be affected should be allowed to reserve the right to continue some multifamily development in a coordinated way with their single family areas. Pointing to the national trend toward higher density with more open space, Mr. Hornsby stated that it is difficult to determine what the market may demand and that flexibility is needed to allow development interests to respond to market conditions.

Mr. Wesley Sheldon asked why one acre was required per single family home. Mr. Brown responded to the question that the present twenty thousand square feet required per minimum lot has not proved to be adequate in most cases where extended use of septic systems is required due to the remoteness of the lot from available public sewer lines. He further stated that the one acre requirement was a recommendation for consideration but could be reduced some and still not cause a public health or safety problem for individual lot owners.

Mr. Jack Barnett pointed out that most development is occurring in large subdivisions because no provisions have been made by the County for the easy purchase and development of single family properties in small subdivisions. The need for public sewer prior to the development of subdivisions is, according to Mr. Barnett, caused by the hysteria of residents of such places as First Colony and Chickahominy Haven. The need for sewer throughout the County may be just a crystal ball guess since technology is changing so rapidly it may outmode the conventional sewer line as a future means of waste disposal. He further stated

that population growth in the area is coming from in-migration and that people coming in cannot locate housing which is within their price range due to the restrictiveness of County regulations. Mr. Barnett asked that property be reassessed which is affected by the changes in the proposed ordinance.

Mr. Moneymaker spoke in favor of the ordinance indicating that although he did not agree with it one hundred percent, he thought the approach had been very good. Indicating the need for public input into such proposals, Mr. Moneymaker requested that two public hearings be held on such subjects as zoning to allow the public time to digest and respond to text amendments.

Mr. Sheldon spoke agreeing with Mr. Moneymaker saying that he did not think many people knew that the proposed ordinance documents were available prior to the meeting.

Mr. Jim Carter likewise agreed with Mr. Sheldon. He suggested that instead of percolation tests it would be better to have a soil analysis report which would better resolve the developability of property.

Mr. Joe Terrell stated that the State would be testing the suitability of soil on each piece of property whether or not the County had an engineer test it before plans could be approved. Mr. Terrell also asked if in the R-2 zone four units could be put to the acre. Mr. Brown responded that Mr. Terrell might have to rezone the property for his proposed multifamily use.

Mrs. Dee Brown commended the County for foreseeing the need for different zones.

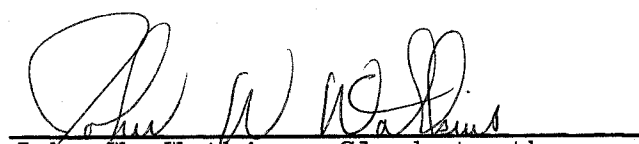
Mr. Robert Hornsby spoke again and stated that he felt there should be a separation of apartments and town houses and even town houses for sale, but that all types of development should be able to be coordinated in close proximity to one another.

There being no further discussion, the Chairman closed the public hearing.

Mr. Taylor asked to speak and stated that he was disappointed because most of the people who he felt were concerned were not present. Specifically, Mr. Taylor indicated that low income people who could acquire by gift or other means a parcel of one-quarter to one-half acre were going to be left out in the cold because they could not acquire one or two acres. Mr. Taylor indicated that if he had had his way there would not have been a Planning Department and if he could he would fire everyone in it tomorrow.

Mr. Donaldson moved to recess the Board of Supervisors meeting until 3:30 P.M., Thursday, January 29, 1976, at which time it is the Board's intention of adjourning to executive session to discuss personnel matters.

The Chairman, by unanimous roll call vote, recessed the Board's meeting and called for a five minute recess for the Planning Commission to reconvene in the Council Chambers.


John W. Watkins, Clerk to the
Board of Supervisors

January 29, 1976

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-NINTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

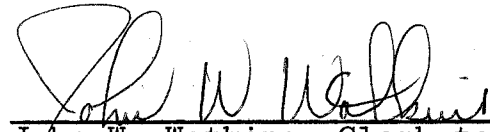
A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. David W. Ware, Jr., Powhatan District
 Mr. John E. Donaldson, Jamestown District
 Mr. Jack D. Edwards, Berkeley District

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 3:35 P.M.

AT A RECONVENED MEETING OF THE BOARD, Mr. Edwards moved to recess the meeting until February 4, 1976, at 3:30 P.M., in the Courthouse, Williamsburg, Virginia, for the purpose of an executive session to discuss personnel matters. The motion carried by a unanimous roll call vote.


 John W. Watkins, Clerk to the
 Board of Supervisors

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 FEBRUARY, NINETEEN AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
 Mr. David W. Ware, Jr., Powhatan District
 Mr. John E. Donaldson, Jamestown District
 Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
 Mr. Frank M. Morton III, County Attorney

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION AT 3:40 P.M.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD IN THE COURTHOUSE, WILLIAMSBURG, ON THE FOURTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT AS NOTED ABOVE

Mr. Frink moved the approval of the following resolution appointing Mr. James B. Oliver, Jr., County Administrator. The motion carried by a unanimous roll call vote.

February 9, 1976
February 4, 1976

RESOLUTION

WHEREAS, the position of County Administrator has been vacant since the resignation of Mr. Thomas R. McCann, Jr., effective November 1, 1975;

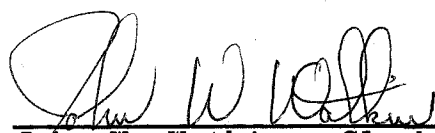
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it does hereby appoint James B. Oliver, Jr., County Administrator for James City County, effective March 1, 1976.

* * * * *

The Board indicated it had unanimously chosen three top candidates with Mr. Watkins, Acting County Administrator, one of the three choices, but because of personal reasons he requested not to be considered further. The Board expressed its thanks to Mr. Watkins, and to Mr. Edwards for processing over 170 applications and indicated that Mr. Oliver and Mr. Watkins would make a good, strong team.

Mr. Edwards moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 3:53 P. M.



John W. Watkins, Clerk to the
Board of Supervisors

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 FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

B. PRESENTATION OF AWARDS

Mr. Frink moved that the framed resolution honoring Mr. Waltrip's service on the Board of Supervisors be approved as read. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Mayo W. Waltrip represented the district of Powhatan on the Board of Supervisors of James City County commencing January 1972, and ending December 1975; and

WHEREAS, during his term of office Mr. Waltrip served as Vice-Chairman of the Board, Director of Emergency Services and represented the governing body on numerous boards, commissions and committees, to all of which he devoted his time, loyalty and wisdom; and

February 9, 1976

WHEREAS, Mr. Waltrip's tenure was during a period of growth in the County when essential policies and decisions were made as well as the formulation of goals, and

WHEREAS, Mr. Waltrip's input contributed substantially to the formulation of progressive County government which will leave a lasting impression on James City County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it does hereby express its gratitude and appreciation to MAYO W. WALTRIP for his outstanding service and contributions to the citizens of James City County through his service on the governing body;

AND, BE IT FURTHER RESOLVED, that this resolution be spread on the minutes of this body and a copy be presented to MAYO W. WALTRIP.

* * * * *

Mr. Frink presented a gavel plaque to Mr. Donaldson in honor of his year as Chairman of the Board. Mr. Donaldson thanked the Board and Chairman.

C. MINUTES - JANUARY 22, 23, 26, 27, 29 & FEBRUARY 4, 1976.

Mr. Donaldson moved the approval of the minutes of January 22, 23, 26, 27, 29 and February 4, 1976, as printed. The motion carried by a unanimous roll call vote.

D. PUBLIC HEARING

- I. A petition requesting name change of Route 649 in James City. This road is commonly referred to as Piggott Road and the petition requests that it be renamed to either Bush Springs Road or Baker's Road.

The Chairman opened the public hearing.

Mrs. Viola Cowles spoke in favor of the name changing to either Bush Springs Road or Baker's Road.

Mrs. Shirley Braxton spoke in favor of the name changing.

Mrs. Annie Brown spoke in favor of the Bush Springs name.

There being no further public comment, the Chairman closed the hearing.

Mr. Watkins informed the Board that Bush Springs Road was indicated on the petition as first choice and that upon investigation with the Highway Department and Post Office, there would be no conflict renaming the road Bush Springs Road.

Mr. Donaldson moved that Route 649 (Piggott Road) be renamed Bush Springs Road. The motion carried by a unanimous roll call vote.

E. BOARD CONSIDERATIONS

2. Real Estate Tax Refund - Charles Garland

The Board reviewed a recommendation from the Commissioner of the Revenue and the County Attorney regarding a real estate tax refund for Mr. Charles Garland.

February 9, 1976

Mr. Donaldson moved that the Board approve the recommendation of the County Administrator to grant a refund in the amount of \$41.44 for taxes paid by Mr. Charles Garland on his his home for the month of December. The motion carried by a unanimous roll call vote.

3.

CERTIFICATION OF WARRANTS - January 1976.

General Fund	Checks #690 thru 819 & 821 Totalling \$461,988.04
General Fund Payroll	Checks #3602 thru 3842 Totalling \$66,379.61
J.C. County Sanitary District #1	Checks #9 and 10 Totalling \$13,860.01
J.C.C. Sanitary District #2	Checks #75 thru 85 Totalling \$2,176.26
J.C.C. Sanitary District #3	Checks #94 thru 120 Totalling \$365,976.07
Toano Water Consturction Account	Check #108 Totalling \$42.25
J. S. Subdivision Escrow Account	Check #108 Totalling \$483.60
J.C. C. Revenue Sharing	Checks #177 thru 181 Totalling \$39,906.65
J.C. C. Fund #81-1974-75 Obligated Appropriations	Check #820 Totalling \$1,370.41

Mr. Frink moved the approval of the warrants. The motion carried by a unanimous roll call vote.

4.

Economic Development Advisory Committee

Mr. Donaldson indicated that he spoke in favor of this committee when it was introduced at the last meeting. He moved the approval of the recommendation and the constriction of the Economic Development Advisory Committee, the size of such committee to be added to or subtracted to at the pleasure of the Board, and to function in the manner as outlined in Mr. Brown's memorandum.

A lengthy discussion with Mr. Brown, Chief Planner, followed.

Mr. Edwards moved to amend Objectives section of Mr. Brown's memorandum to read, "The objectives of this Committee are to prepare and recommend a program which is designed to attract the type of new business and industry which will be an asset to the community, its tax base, employment opportunities, environment, and heritage. While the Board of Supervisors is responsible for policy decisions, the Committee will serve to plan for the future economic development of the County." Mr. Donaldson seconded the motion, and the motion carried by a unanimous roll call vote.

February 9, 1976

Mr. Edwards moved to have item 2F read "To recommend materials for publication." Mr. Donaldson indicated his acceptance of the recommendation. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to change item 2G of Mr. Brown's memorandum to read "To recommend a program to attract desired industries and accommodate interested parties as they seek locations." Mr. Donaldson indicated his acceptance of the recommendation. The motion carried by a unanimous vote.

Mr. Donaldson moved to amend the recommendations set forth in Mr. Brown's memorandum of January 8, 1976, as indicated above, and the Board voted upon his original motion to approve the recommendations and the constitution of the Economic Development Advisory Committee. The motion carried by a unanimous roll call vote. The recommendation reads as follows:

Economic Development Advisory Committee
Recommendation:

The basic recommendation is that the Board of Supervisors appoint an Economic Development Advisory Committee" which would work within the policies set by the Board to assist in formulating industrial development policies and plans, to serve as a central referral point for all inquiries coming to us, and to begin a "focused" promotional effort based upon previously determined objectives. All policies, plans and programs would be subject to the approval of the Board of Supervisors and the Committee would work closely with the staff. The Industrial Development Authority, established in 1969, would remain on the books, but would not be reactivated until a need arose at a later date. The basic roles of the Committee are as follows:

1. Objectives: The objectives of this Committee are to prepare and recommend a program which is designed to attract the type of new business and industry which will be an asset to the community, its tax base, employment opportunities, environment, and heritage. While the Board of Supervisors is responsible for policy decisions, the Committee will serve to plan for the future economic development of the County.
2. Functions:
 - a. To make recommendations concerning the types of industries and businesses which would be in the best long-term interest of the County in terms of their fiscal, employment, aesthetic, and environmental impacts.
 - b. To assemble data on potential sites and community assets.
 - c. To recommend policies and programs to the Board of Supervisors for their approval.
 - d. To assist in preparing a County Industrial Development Plan which will state policies, identify a range of potential sites, describe their attributes, indicate the types of industries or businesses appropriate for each, outline additional public programs which could further this effort, and coordinate industrial development with the other elements of the Comprehensive Plan.
 - e. To serve as the central referral point for industrial promotion and inquiries.
 - f. To recommend materials for publication.
 - g. To recommend a program to attract desired industries and accommodate interested parties as they seek locations.
 - h. To coordinate activities with the Chamber of Commerce and other local groups, various regional and state agencies and industrial associations.
 - i. To periodically report on its efforts.
3. Policy Making: The Committee is not intended to be a policy making body. It shall be officially designated to assist in promoting the industrial policies and objectives of the Board of Supervisors and the industrial recommendations of the Comprehensive Plan. All plans, annual work programs, and major decisions of the Committee would be subject to the approval of the Board.

February 9, 1976

4. Program Expansion: It is anticipated that the initial work of the Committee will be devoted to assembling information, developing recommended policies, preparing publications and establishing contracts. The emphasis will be upon establishing a strong base from which long-term accomplishments can grow. At later dates, the Board of Supervisors may adjust the functions of the committee, or establish additional organizations to assist specific aspects of the overall effort.
5. Membership: The Committee shall have no set number of members, the objective being to include persons who are interested and willing to devote their time to such efforts. For this reason, although the Committee is to serve James City County and all members are to have well established ties to the County, a person who has needed skills shall not be precluded from serving as a member solely because he is not a County resident. All members shall be appointed by the Board of Supervisors for terms of two years, and shall serve at the pleasure of the Board of Supervisors. Any member who fails to attend at least 50% of the meetings in the preceding 12 months may be removed by the Board of Supervisors upon recommendation of the Committee Chairman. The Committee shall initially consist of:

1. Mr. Norman Beatty	7. Dr. William O'Connell
2. Mr. Hammon Branch	8. Mr. Carey Minor
3. Mr. Stan Brown	9. Mr. William Person, Jr.
4. Mr. William Bull	10. Mr. James Shea
5. Dr. Martin Garrett	11. Mr. Stephen A. Turner
6. Mr. Richard Knight	

6. Organization:

The Committee shall elect a Chairman and Vice-Chairman. Mr. William Brown, Chief Planner on the County Staff shall serve as its Executive Secretary. Mr. Brown's office shall provide clerical and staff support as necessary.

7. Budget: During the remainder of FY 75-76, the cost of minor operating expenses to support the work of the committee (stationery, phone calls, preparation of minor reports, etc.) shall be borne by the Office of Planning and Development, within the limits of its budget. For future years, the Executive Secretary shall prepare a Committee Budget to be submitted to the County Administrator.
8. Conflict of Interest: Because the Committee has a broad and diverse membership, which is necessary in order to form a group with the skills and expertise necessary for success; and, because the work of the Committee may, from time to time, relate to a matter which an individual member or his firm has a direct or potential interest in, it is expected that the member shall absent himself from any discussion or decision on the subject.

F.

MATTERS OF SPECIAL PRIVILEGE

Mr. Donaldson stated that he had received copies of legislation that is pending before the 1976 session of the General Assembly. In particular, he brought to the Board's attention, House Bill 321 pertaining to the removal or termination of open-air nonconforming uses. Mr. Donaldson indicated that he would like to testify at this session in favor of its adoption, and requested the Board's direction.

Mr. Donaldson moved that the Board urges the approval of House Bill 321. Mr. Ware and Mr. Taylor indicated that they would not support the motion and that they intended to testify against the Bill. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

Mr. Ware indicated that since only discussion occurred at the last meeting regarding his suggestion of reviewing the school contract that James City has with the City of Williamsburg, that he would like to have some definite action taken by the Board on this matter. During the discussion that followed, Mr. Edwards indicated that he definitely would not like to start renegotiating until after this budgetary season is over.

February 9, 1976

Mr. Taylor spoke in favor of formulating our own policies now and that he did not feel it necessary to wait. Mr. Donaldson suggested that it might be appropriate to call upon the Chairman to appoint a committee of two to recommend to the entire Board a position the Board should take with respect to the terms of the contract. He felt, however, that the County should maintain a joint school system and that withdrawing from the joint system was unattractive to him.

The Chairman appointed Mr. Ware and Mr. Donaldson as members of the committee with Mr. Morton, County Attorney, to assist in regards to legal matters.

* * * *

Mr. Ware read a letter that was sent to Senator Fears on December 1, 1975, by the County Attorney with regard to the amendment to Section 15.1-492 which would allow James City County to amortize certain non-conforming open air uses, and questioned who authorized this letter.

Discussion followed.

Mr. Donaldson indicated that he clearly recalled making a motion at the meeting in September (9/22/75), when the proposed legislation to be recommended to the General Assembly was discussed, and that his motion requested legislation be enacted for James City County to amortize open-air non-conforming uses; carrying with a 3 to 2 vote.

Mr. Donaldson moved that the Clerk be directed to correct the minutes of the meeting of September 22, 1975, to reflect the following motions he had made:

1. That Chapter 20, Zoning, was amended by adopting an Emergency Ordinance deleting Section 20-137, Compliance schedule. The Ordinance was adopted by a unanimous vote.
2. That the County Administrator be instructed to prepare special legislation for submittal to the General Assembly which would permit James City County to amortize nonconforming uses. The motion carried by a majority vote. Mr. Taylor and Mr. Waltrip voted no.

The above motion carried by a majority roll call vote. Mr. Donaldson, Mr. Edwards and Mr. Frink voted yea; Mr. Ware and Mr. Taylor voted no.

G. REPORTS OF COUNTY ADMINISTRATOR

1. Resolution for York River State Park Access Road

The Board reviewed a memorandum from Mr. Brown, Chief Planner, which recommended approval of the resolution to be forwarded to the Highway Department.

Mr. Edwards moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Virginia Department of Highways and Transportation is currently conducting final public hearings on the construction of the proposed York River State Park Access Road, Route 696 in James City County, and

WHEREAS, the Board of Supervisors of James City County has consistently supported the development of the York River State Park as a major recreational and economic asset for James City County and the entire region.

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

1. The consturction of the access road, Route 696, which is necessary to serve the park, has our endorsement.
2. The controlled access features of the road similarly has our endorsement, so long as an at-grade intersection remains at Route 606 and so long as no property will be landlocked or otherwise without access to a State Highway.
3. Because the only remaining issue of controversy regarding the road is the fact that it bisects the Fenton property, the Highway Commission is requested to determine whether the proposed road could be shifted to the north or south on the Fenton property in proximity to either property line, so that this excellent farm property will not be split into two sections.
4. The planning for continued development of access facilities to Interstate 64 should be advanced to the earliest possible date, so that affected property owners will not be subjected to uncertainty any longer than necessary.

This resolution shall be in full force and effect from the day of its adoption.

* * * * *

2. Board of Supervisors' Representative on
Social Services Board

The Board reviewed a memorandum from Mr. Watkins, Acting County Administrator which indicated that an error was made in January 1972 when the Board's representative was appointed to a four-year term instead of to an expired term.

Mr. Edwards moved to extend Mr. Abram Frink's appointment for the remainder of the unexpired term ending June 30, 1978. The motion carried by a unanimous roll call vote.

* * * * *

Mr. Donaldson moved to adjourn into executive session to discuss personnel matters. The motion carried by a majority call vote. Mr. Ware voted no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD ON THE NINTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

3. Appointment to the Peninsula Corrections
Council

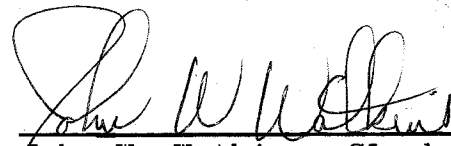
Mr. Edwards moved to appoint Mr. J. R. Zepkin to the Peninsula Corrections Council. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to adjourn the meeting. The

February 9, 1976

motion carried unanimously.

The meeting adjourned at 9:05 p.m.



John W. Watkins, Clerk to the
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,
VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-THIRD DAY
OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. John W. Watkins, Acting County Administrator
Mr. Frank M. Morton, III, County Attorney

A.1 PRESENTATION OF SERVICE CERTIFICATE

Mrs. Judith Trautman, Registrar, was presented a
5 year Service Certificate.

B. MINUTES

Mr. Ware moved that the minutes of February 9, 1976
Page 5, Item 1, should read "The ordinance was adopted by a unanimous roll call
vote," instead of "The Ordinance was adopted by a majority vote. Mr. Taylor and
Mr. Waltrip voted no." Mr. Ware's motion carried by a unanimous roll call vote.

Mr. Ware moved the approval of the minutes of
January 27 and February 9, 1976, as corrected, be approved. The motion carried
unanimously.

C. HIGHWAY MATTERS

Mr. Ken Hinman, Assistant Resident Engineer with
the Highway Department, informed the Board that the Highway Department had
advertised for bids to improve Route 604 and that the contractors were to have
them in by the 28th of March. He also informed the Board that the Highway Depart-
ment is to erect signs on Route 60 at Anderson's Corner directing to Toano; on
Route 168 at 607, directing to Norge; and at Route 646 directing to Lightfoot.

D. BOARD CONSIDERATIONS

1. Report from Division of Forestry - Mr. Gene W. Augsburger, District Forester

Mr. Augsburger, District Forester, presented a
special report from the Virginia Division of Forestry and presented the Board with
material relating to it.

February 23, 1976

2.

Report from Planning Commission on Proposed
Residential Zoning Amendments

The Board reviewed the following ordinance and discussed the Planning Commission's recommendation for the Board of Supervisors to conduct another public hearing on the matter.

An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City by Amending the Following Divisions of Article IV, Districts: Division 4, Residential, Limited, District R-1; Division 5, Residential, Limited, District R-2; and Division 6, Residential, Limited, District R-3; and to further amend Chapter 20, Zoning, by Adding the Following New Divisions: Division 7.A, Multifamily, Residential, District R-5 and Division 7.B, Residential-Agricultural, District R-6.

Mr. Edwards moved to set the date of March 8, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia, for a public hearing on the captioned ordinance. The motion carried by a unanimous roll call vote.

3.

An ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 8, 9, 10 & 11, those lot lines dividing Lots H, I, J & K and those lot lines dividing Lots 8 & H, 9 & I, 10 & J and 11 & K.

The Board reviewed the proposed vacation of plat as captioned. Mr. Frink moved to set the date of March 22, 1976, at 3:00 P.M., at the Courthouse, Williamsburg, Virginia, for public hearing on the captioned ordinance. The motion carried by a unanimous roll call vote.

4.

Resolutions and Appointments Regarding New
County Administrator

Mr. Donaldson moved that the resolutions appended to Agenda Item 4 be approved and further that the County Administrator be appointed to the various boards and commissions indicated effective March 1, 1976. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

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:

Abram Frink, Jr.

Chairman

OR

Stewart U. Taylor

Vice-Chairman

James B. Oliver, Jr.

County Administrator

OR

John W. Watkins

Assistant County Administrator

February 23, 1976

Frances B. Whitaker

Treasurer

OR

Eunice P. Stewart

Deputy Treasurer

OR

Betty S. Pettengill

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 of 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 March 1, 1976.

* * * * *

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, James City County Bond Issue 1964-B Sinking Fund, James City County Revenue Sharing Fund, James City County Subdivision Escrow Account and the Toano Water Construction 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

Stewart U. Taylor

Vice-Chairman

James B. Oliver, Jr.

County Administrator

OR

John W. Watkins

Assistant County
Administrator

Frances B. Whitaker

Treasurer

OR

Eunice P. Stewart

Deputy Treasurer

OR

Betty S. Pettengill

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

February 23, 1976

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 March 1, 1976.

* * * * *

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 Payroll Deduction Fund 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 two of the following:

James B. Oliver, Jr. County Administrator

OR

John W. Watkins Assistant County Administrator

Frances B. Whitaker Treasurer

OR

Eunice P. Stewart Deputy Treasurer

OR

Betty S. Pettengill 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 March 1, 1976.

R E S O L U T I O N

WHEREAS, James City County has applied for a Block Grant under Title I of the Housing and Community Development Act of 1976 to make certain improvements to the Toano water system, and

WHEREAS, this Act transfers certain requirements which were formerly the responsibility of the Department of Housing and Urban Development (HUD), under the provisions of the National Environmental Policy Act (NEPA) of 1969, from HUD to the applicant, and

WHEREAS, it is necessary to certify that James City County has complied with these requirements and certified that its chief executive officer is authorized to do so;

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

- (1) That James B. Oliver, Jr., County Administrator is authorized to consent to assume the status of a responsible Federal Official, under NEPA, insofar as the provisions of NEPA apply to the HUD responsibilities for environmental review, decision-making and action assumed and carried out by the County pursuant to the Toano water system project to be funded under this grant.

February 23, 1976

- (2) That James B. Oliver, Jr., County Administrator, is authorized to consent, personally, and on behalf of the County, to accept the jurisdiction of the Federal Courts, for the enforcement of all responsibilities referred to in the preceding paragraph, as they relate to the Toano water system project to be funded under this grant.

This resolution shall be effective on and after March 1, 1976.

* * * * *

RESOLUTION

APPLICATION FOR GRANT FUNDS

for

SEWAGE WORKS FACILITIES - SANITARY DISTRICT NO. 3
James City County, Virginia

The members of the JAMES CITY COUNTY BOARD OF SUPERVISORS, in a called meeting, duly assembled at 3:00 P.M., on February 23, 1976, A.D. resolved as follows:

IT IS RESOLVED that the County Administrator, James B. Oliver, Jr., is hereby designated as the authorized official in connection with the application on behalf of the JAMES CITY COUNTY SANITARY DISTRICT NO. 3 (Project C510-52801) to the State Water Control Board and the U. S. Environmental Protection Agency, for state and federal grant funds to aid in financing Wastewater Treatment Works Construction under provisions of the Federal Water Pollution Control Act (Public Law 92-500) Amendments of 1972, and is authorized to accept the grant offer and amendments and to execute any and all documents pertaining to the application and to the grant offer.

RESOLVED and done this 23rd day of February, 1976, A.D. by the members of the James City County Board of Supervisors, Williamsburg, Virginia.

/s/ Abram Frink, Jr., Chairman
Board of Supervisors
James City County, Virginia

ATTEST:

I hereby certify that the above resolution was duly adopted by the James City County Board of Supervisors in a called meeting duly assembled and open to the PUBLIC the 23rd day of February, 1976, A.D.

/s/ John W. Watkins, Clerk
James City County Board of Supervisors

* * * * *

Appointment: Civil Defense - Coordinator of Emergency Services
Courthouse Committee
Mosquito Control Commission
Peninsula Planning Commission
Bicentennial Committee
Sanitary District #1 Board

E. MATTERS OF SPECIAL PRIVILEGE

Mr. and Mrs. Albert Lucas spoke to the Board in regards to the switching of trailers from one lot to another. Mr. Frink indicated that if Mr. and Mrs. Lucas brought the matter to the staff that they would assist them in whatever way that they could.

Mr. A. Legum indicated that a petition was being signed requesting that the Board refrain from putting money into the Williamsburg National Bank and request the use of Old Colony Bank. Mr.

February 23, 1976

Watkins explained that the reason Williamsburg National Bank was used was that in 1972, the County had a school bond income which when put to bid Williamsburg National Bank gave the highest investment interest rate. Those funds were, therefore, deposited with Williamsburg National.

Mr. Legum also questioned some warrants where money was spent in Williamsburg and not in the County. It was explained that most items were put out on bids and that every attempt was made to keep the money in the County.

F.

REPORTS OF THE COUNTY ADMINISTRATOR1. Check Signing Machine

After discussing the advantages of a check signing machine, Mr. Donaldson still expressed the desire that one member of the Board be designated to review checks. The Board was in agreement.

Mr. Edwards moved that the Board authorize the use of machine signatures on County warrants in addition to individual signatures. The motion carried by a unanimous roll call vote.

2. Rural Transit Grant Report

The Board was presented a report from William Brown, Chief Planner, for its information.

3. Meeting with School Board

The Board of Supervisors was informed of the School Board's desire to meet with them to discuss in part its Capital Outlay budget. The Board selected Monday, March 1, 1976, at 7:30 P.M. in the Council Chambers, Courthouse, Williamsburg, Virginia.

4. Noise Ordinance

An ordinance to amend Chapter 13, Offenses - Miscellaneous, of the Code of the County of James City, Virginia, by amending Section 13-20, Noises Prohibited in Residential Zoned Areas.

Mr. Donaldson indicated the need for a noise ordinance and presented a draft copy of the captioned ordinance for the Board's review.

Mr. Donaldson moved that the captioned ordinance be advertised for public hearing on April 12, 1976, at 7:30 P.M., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn into executive session for the purpose of considering personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY VIRGINIA, ON THE TWENTY-THIRD DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

February 23, 1976

Appointments1. Mental Health/Mental Retardation Services Board

Mr. Edwards moved to appoint Patricia M. Merriman to the Mental Health/Mental Retardation Services Board for a term to expire December 31, 1978. The motion carried by a unanimous vote.

2. Health Systems Agency Board


Mr. Donaldson moved to appoint Mrs. Dorothy Healy to serve on the Health Systems Agency V Board of Directors for a term of three years representing James City County, Williamsburg, York County, Poquoson and Gloucester County. The motion carried by a unanimous vote.

3. Bicentennial Committee

Mr. Ware moved to accept Mr. Samuel Powell's resignation and to appoint Mrs. R. L. Moody to serve in his place on the Bicentennial Committee. The motion carried by a unanimous vote.

On a motion by Mr. Ware the Board moved to adjourn to reconvene on March 1, 1976 at 7:30 P.M. in the Council Chambers, Courthouse, Williamsburg, Virginia.

THE MEETING ADJOURNED AT 9:05 P.M.


John W. Watkins
Acting County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE FIRST DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator

The Board of Supervisors met with the School Board to discuss the proposed Capital Outlay program consisting of a primary school and a regional vocation center. The Board reviewed the materials presented and no action was taken. However, the School Board did request an answer within a four to six week period as to whether the Board of Supervisors will approve the two capital outlay items.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED, BY A UNANIMOUS VOTE, UNTIL ITS NEXT REGULAR MEETING ON MARCH 8, 1976.

James B. Oliver, Jr.
County Administrator

March 8, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE EIGHTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District

Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of February 23 and March 1, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend Chapter 20, Zoning, of the County of James City by amending the following divisions of Article IV, Districts: Division 4, Residential, Limited, District R-1; Division 5, Residential, Limited, District R-2; and Division 6, Residential, Limited, District R-3; and to further amend Chapter 20, Zoning, by adding the following new divisions: Division 7.A, Multifamily, Residential, District R-5 and Division 7.B, Residential-Agricultural, District R-6.

Mr. William Brown, Chief Planner, reviewed the changes made in the ordinance since the previous joint public hearing with the Planning Commission. Mr. Brown also explained that after the changes were recommended to the ordinance, the Planning Commission arrived at a set of Principles of Implementation which indicate how the Planning Commission will handle the rezonings from R-2 to R-3 and R-3 to R-5. These Principles of Implementation would also establish policies on unusual situations of rezoning.

The Chairman opened the public hearing.

Mr. Robert Hornsby - developer of Windsor Forest on Longhill Road. Basically in favor of the ordinance. Indicated that he would like assurance from the Board that they would rezone an area to a multifamily zone so long as it did not adversely affect property of owners next door.

Mr. A. A. Mizell - Resident of California - Owner of Hamlet - 60 acres zoned R-2. Property zoned R-2 completely engineered for multifamily homes, has paid for 60 connections to S. D. and indicated his concern as to what happens to this particular piece of ground. Questioned whether there would be a grandfather clause. Wanted on record the fact that he had already submitted his plans and requested notification of adoption so that he can make formal application and do whatever is necessary.

March 8, 1976

Mr. R. M. Hazelwood - Stonehouse District - Questioned

Mr. Brown on lot frontage requirements and price of curb, gutters and streets in subdivisions. Requirements of ordinances making the cost of lots prohibitive.

Mr. A. B. Smith, Jr. - Property owner in County. Indicated

that as long as the Board intends not down grade property that he had no objection to the ordinance.

Mr. John Moneymaker, Berkeley District - Indicated that he

had spent a great deal of time going over the ordinance with people in the Real Estate field. Felt that this ordinance is one he could pick up and read and apply to a particular piece of land and know that it fits. Questioned Mr. Brown on 20-80.9 setback requirement and 20.80.13(h) traffic generated by a multifamily development.

Mr. Ralph Gill - Jamestown District - Likes proposed ordinance.

In general will create less problems if passed the way it is.

Mr. Philip Richardson - Indicated he felt that property owners

that now own in a particular area should be assured that they get usage of the property "before the fact."

Mr. R. M. Hazelwood - R-6 bound to fall in A-1 - A-2 zone

and does not see where it doesn't down grade. He discussed the limiting of livestock. Against the ordinance.

There being no further comments, the Chairman closed the

public hearing.

Mr. Ware discussed various sections of the proposed ordinance

with Mr. Brown.

Mr. Donaldson moved that the captioned ordinance be placed

on the agenda of the Board's next regular meeting of March 22, so that comments made at this public hearing may be considered. The motion carried unanimously.

Mr. Donaldson commented that he had no objections to the use

of the Principles of Implementation as guidelines, but that there is language in 4b and 4c where it says "such requests shall be honored" and that the Board cannot appropriately say this. He indicated that the Board has to take into account what the public's opinion is at a public hearing.

Mr. Edwards discussed further sections of the ordinance with

Mr. Brown.

Mr. Taylor indicated his disapproval of the ordinance.

Mr. Frink moved that the Principles of Implementation be

tabled until the March 22, 1976 meeting. The motion carried by a unanimous roll call vote.

2. An ordinance to amend the Code of the County of James City by repealing Chapter 4, Dance Halls, and by adopting a new chapter, Chapter 4A, Dance Halls, by defining public dance halls, requiring a permit, establishing conditions and restrictions, providing for revocation of the permit and setting out penalties for violation of the Chapter.

March 8, 1976

Mr. Morton, County Attorney, reviewed the Dance Hall Ordinance with the Board and indicated it had been adopted previously as an emergency ordinance and brought back to them now within the 60 day period.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Ware moved the adoption of the captioned ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE 91A-1

D. BOARD CONSIDERATIONS

3. Grove Fire Station

The Board reviewed the memorandum from Mr. Oliver, County Administrator, and previous information from Mr. Watkins, and discussed the proposed fire station with Mr. Garland Woody, Fire Marshal.

(1) Mr. Frink moved the approval of the resolution creating a County Fire Department. The motion carried by a unanimous roll call vote.

RESOLUTION

(2) Lease - Busch Properties - Mr. Morton, County Attorney, indicated that there was a possibility of a rerouting of Route 60 and that was the reason for a somewhat unusual nature of the lease with Busch.

Mr. Donaldson moved the approval of the Lease Agreement between Busch Properties and the County. The motion carried by a unanimous roll call vote.

AGREEMENT

(3) Mr. Donaldson moved the approval of the recommendation calling for the employment of fifteen additional firefighters and a Contingency transfer to Account #00710-0110 in the amount of \$31,000 to compensate these additional personnel.

(4) Mr. Donaldson moved the approval of the Fire Protection Contract with the City of Williamsburg to become effective on the date the Grove station is placed in operation. The motion carried by a unanimous roll call vote.

AGREEMENT

(5) Mr. Edwards moved the approval of the agreement with the City of Williamsburg to receive and dispatch alarms for the Grove Station. The motion carried unanimously.

AGREEMENT

(6) Mr. Edwards moved to authorize the County Administrator to seek bids on a second pumper truck. The motion carried by a unanimous roll call vote.

March 8, 1976

4. Proposed Zoning Ordinance Amendment/Nonconforming Uses

The Board reviewed the proposed Zoning Ordinance Amendment pertaining to Nonconforming Uses, and the Memorandum from Mr. Brown, Chief Planner, and Mr. Morton, County Attorney.

Mr. Edwards moved that the ordinance amending Chapter 20, Zoning, of the Code of the County of James City by amending Article V, Nonconforming Uses, be sent to the Planning Commission for their recommendation. The motion carried by a unanimous roll call vote.

The Board requested this matter be placed on its agenda for March 22, 1976, as a possible emergency ordinance.

Mr. Lucas presented his problem to the Board again regarding his placement of a larger trailer on his lot. He asked the Board members to take into consideration that he was upgrading his property. Mr. Lucas requested that since the trailer was hooked up to electricity that he be allowed to let his tenants occupy it before the ordinance is passed.

Mr. Ware moved to allow the people to live in the trailer. The motion failed by a majority vote. Mr. Donaldson, Mr. Edwards and Mr. Frink voted no.

5. Certification of Warrants

General Fund	Checks #822 thru #964 Totalling \$736,338.47
General Fund Payroll	Checks #3843 thru #4101 Totalling \$67,361.16
Sanitary District #1	Check #11 Totalling \$1,441.10
Sanitary District #2	Checks #86 thru #98 Totalling \$3,701.98
Sanitary District #3	Checks #121 thru #144 Totalling \$223,360.38
Subdivision Escrow Account	Checks #109 thru #111 Totalling \$4,424.50
Revenue Sharing Account	Checks #182 thru #183 Totalling \$520.54

Mr. Frink moved the approval of the above warrants. The motion carried by a unanimous roll call vote.

E. MATTERS OF SPECIAL PRIVILEGE

1. Mr. Oliver, County Administrator, informed the Board of a letter received from Dr. H. Renz, Superintendent of Schools, regarding the School Board's authorization to purchase ten school buses. No action was taken.

2. Mr. Donaldson welcomed Mr. Oliver as the new County Administrator, and expressed appreciation to Mr. Watkins for an excellent job he did during the interim while the Board searched for a new administrator.

3. Reapportionment of County's Election Districts

The Board reviewed Mr. Morton's memorandum regarding the procedure for reapportionment of the County's Election Districts.

March 15, 1976
March 8, 1976

Mr. Donaldson moved that the staff be directed to proceed as expeditiously as possible to prepare and submit alternative options for redistricting the County. The motion carried by a unanimous roll call vote.

Mr. Oliver, County Administrator, indicated his desire for a worksession with the Board to obtain guidelines from them.

Mr. Donaldson moved that the Board establish a special meeting on March 15, 1976, at 7:30 P.M., to have a worksession on redistricting of election districts in the County. The motion carried by a unanimous roll call vote.

F. BOARD REQUESTS AND DIRECTIVES

Mr. Donaldson moved that the Board recess into executive session for the purpose of discussing pending litigation. The motion carried by a majority roll call vote. Mr. Ware voted no.

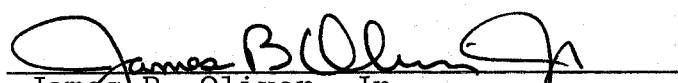
* * * * *

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, HELD ON THE EIGHTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: AS NOTED ABOVE

Mr. Ware moved to adjourn the meeting until Monday, March 15, 1976, at 7:30 P.M. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED
AT 10:45 P.M.


James B. Oliver, Jr.
County Administrator

AT A WORKSESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE FIFTEENTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District
Mr. Jack D. Edwards, Berkeley District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. William F. Brown, Chief Planner
Mr. Craig G. Covey, Chief Planner

B. CONSIDERATION OF REAPPORTIONMENT OF COUNTY'S ELECTION DISTRICTS.

The County Administrator indicated that the purpose of the worksession was to consider the memorandum of March 8th from the County Attorney and the memorandum dated February 11th from Chief Planner, Bill Brown, regarding whether the Board wishes to reapportion the five election districts, and if so which plan they would like to designate for additional staff work.

Mr. Brown made a presentation in which he indicated that Mrs. Douglas of the Electoral Board had suggested that the County staff examine the

March 15, 1976

districts since they were last reapportioned in 1971 to see if there had been any major population shifts. The evaluation indicated that there had been significant changes and indeed there were certain imbalances. Essentially, Mr. Brown explained three possible alternatives the Board might consider.

Chief Planner Brown indicated that the methodology used was fairly complicated but in essence the staff used the 1970 census data, added building permit data and also verified questionable areas by counting roof tops with the use of aerial photography. The 1971 redistricting was based on 3,100 persons per district and the alternatives before the Board establish 4,200 persons as the desirable objective for each district.

Mr. Brown pointed out that you cannot redistrict one district, but you must redistrict the entire County if the process is begun. He also indicated that the staff had used a one percent variance (210 people) as a guiding principle. The staff also assumed a five-district structure and tried to use natural features for boundary lines as much as possible.

Mr. Brown indicated that alternative number one had the minimum changes, including the least minority change but that the lines were not the clearest. Alternative number two was considered the cleanest and simplest. Mr. Brown indicated 3.3 persons per household was used as the multiplier since that was the average for the County in the 1971 census.

In response to questions Mr. Brown indicated that Eastern State Hospital was left out of the consideration because only nine or so patients are registered voters in the County. He felt this was consistent with the previous redistricting and also with census guidelines. Mr. Edwards indicated that he had some concerns about using Route 5 as a dividing line and also some interest in keeping incumbent School Board members within the same district.

In response to another question, Mr. Brown indicated alternatives one and three were more in accordance with the racial proportions that might be acceptable to the Federal Government.

After considerable discussion, the Board instructed the staff to do additional work on alternative three, indicating that the Board would vote Monday, March 22nd to set a public hearing to advertise an alternative in accordance with County procedures.

THERE BEING NO FURTHER BUSINESS, THE BOARD ADJOURNED
UNTIL ITS NEXT REGULAR MEETING ON MARCH 22, 1976.


James B. Oliver, Jr.
County Administrator

March 22, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-SECOND DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Donaldson moved the approval of the minutes of March 8 and 15, 1976, as printed. The motion carried by a unanimous roll call vote.

C. HIGHWAY MATTERS

Mr. Rawley Yeatts, Resident Engineer, discussed the following with the Board:

1. The sign to be located on Rt. 64 indicating Toano to be put up shortly.
2. Rt. 614, entrance to James River Baptist Church - in need of repair.
3. Mrs. Levorsen's problem - Engineers have decided that a section of the meridian should be cut off.
4. Construction at Busch entrance.

Mrs. Alma White, Powhatan District, indicated that citizens on Route 631, (Chickahominy Road) requested a speed sign and widening of Rt. 631 due to the traffic generated by the County landfill located off Rt. 611. She stated that large vehicles now use the road between Toano and the Church intersection. Mr. Yeatts informed the Board and Mrs. White that a project program is scheduled for this road, but that he did not know when it will begin. He indicated he will see about the speed limit and sign.

D. PUBLIC HEARING

1. An ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 8, 9, 10 & 11, those lot lines dividing Lots H, I, J & K and those lot lines dividing Lots 8 & H, 9 & I, 10 & J and 11 & K.

The Chairman opened the public hearing. There being no discussion the Chairman closed the public hearing.

Mr. Donaldson moved the adoption of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE 92

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT OF COLONIAL TERRACE, JAMES CITY DISTRICT, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THOSE LOT LINES DIVIDING LOTS 8, 9, 10 & 11, THOSE LOT LINES DIVIDING LOTS H, I, J & K AND THOSE LOT LINES DIVIDING LOTS 8 & H, 9 & I, 10 & J AND 11 & K.

WHEREAS, application has been made by Thomas W. Athey, counsel for the owners of Lots 8, 9, 10, 11, H, I, J and K, Colonial Terrace, to vacate certain property lines, as more particularly described below, the result of which will leave one lot to be designated Lot 11; and

March 22, 1976

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 22nd day of March, 1976, pursuant to such notice and were 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:

1. That those lot lines dividing lots 8, 9, 10 and 11, those lot lines dividing lots H, I, J, and K, and those lot lines dividing lots 8 & H, 9 & I, 10 & J and 11 & K, as shown on that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," dated September 18, 1931, and prepared by J. M. Coehlan, Certified Engineer, and recorded in Plat Book 5, page 27 in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby, vacated.
2. That a new plat entitled, "Plat of property of PBF Associates showing vacation of property lines involving Lots 8, 9, 10, 11, H, I, J, and K. Entire parcel to be designated Lot 11," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

* * * * *

E. BOARD CONSIDERATIONS

1. Grove Fire Station presentation

Mr. W. H. Phillips, Jr., A.I.A., made a presentation on the design of the building for the Grove Fire Station.

Mr. Frink inquired of Mr. Phillips as to whether the County office complex could be built anywhere, since it looked as though the location planned on originally will not be used. Mr. Phillips indicated that the County complex was designed in units and that they could be built anywhere.

Mr. Frink requested the staff to include the County complex in the Capital Outlay program for the Board to consider during budget time. Mr. Donaldson indicated he would like a budget showing the capital needs requirement for the next five years with funding suggestions.

2. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following divisions of Article IV, District: Division 4, Residential, Limited, District R-1; Division 5, Residential Limited, District R-2; and Division 6, Residential, Limited, District R-3; and to further amend Chapter 20, Zoning, by adding the following new divisions: Division 7.A, Multi-family, Residential, District R-5 and Division 7.B, Residential-Agricultural, District R-6.

The Board reviewed the captioned ordinance which had been tabled for action at their public hearing on March 8, until this meeting. Mr. Brown discussed various points with the Board. Mr. Edwards moved that on page 18 of the captioned ordinance, (m) Building height: item (3) the word "morals" be deleted. The Board was in agreement.

Mr. Donaldson moved the approval of the captioned ordinance. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

ORDINANCE NO. 31A-35

March 22, 1976

Section 20-80.22. Special provisions for corner lots.

Of the two sides of a corner lot the front shall be deemed to be the shorter of the two sides fronting on streets.

The minimum side yard setback on the side facing the side street shall be a minimum of thirty-five feet for both main and accessory building, except as indicated in Section 20-80.17.

Corner lots in subdivisions platted after the enactment of this ordinance, shall have a minimum width at the setback line of one hundred fifty feet.

Section 20-80.23. Sign regulations.

To assure an appearance and condition which is consistent with the purposes of the R-6 residential, agriculture, district, outdoor signs on the properties within the district shall comply with the regulations for exterior signs in Article VIII of this chapter, except that home occupation signs shall not exceed four square feet in area.

This ordinance shall be in full force and effect from the date of its adoption.



Abram Frink, Jr.
Abram Frink, Jr., Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.
James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, on the 22nd day of March, 1976.

3. Principles of Implementation for the proposed changes to R-1, R-2, R-3 and the new R-5 and R-6 zoning districts

The Principles of Implementation were brought back to the Board at their request. Mr. Donaldson again indicated that he had doubts about the Principles because it seemed to direct action by the Board without a public hearing.

Mr. Donaldson moved to pass this item by indefinitely.
(Withdrawn)

A discussion followed. During this discussion the subject of fees was brought up. Mr. Donaldson inquired as to whether there will be any formal requirement of the Board to change fees. Mr. Morton indicated he would get back to the Board on this matter.

Mr. Donaldson withdrew his previous motion. Mr. Donaldson moved to table the captioned matter. The motion carried by a unanimous roll call vote.

March 22, 1976

4. An ordinance to amend and reordain Chapter 21, Zoning, of the Code of the County of James City by amending Article V, Nonconforming Uses.

It was indicated that the adoption of the captioned ordinance would enable a person to replace a mobile home on his lot with a larger mobile home.

Mr. Edwards moved the approval of the captioned ordinance as an Emergency Ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-34

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE V, NONCONFORMING 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, be and the same is, hereby, amended and reordained by amending Article V, Nonconforming Uses, to read as follows:

CHAPTER 20

ZONING

Article V. Nonconforming Uses.

Section 20-103. Continuation.

If, at the time of enactment of this chapter, any legal activity which is being pursued, or any lot or structure legally utilized in a manner or for a purpose which does not conform to the provisions of this chapter, such manner of use or purpose may be continued as herein provided.

If any change in title or possession, or renewal of a lease of any such lot or structure occurs, the use existing may be continued.

If any nonconforming use (structure or activity) is discontinued for a period exceeding two years after the enactment of this chapter, it shall be deemed abandoned, and any subsequent use shall conform to the requirements of this chapter.

Temporary seasonal nonconforming uses that have been in continual operation for a period of two years or more prior to March 1, 1969, are excluded.

Section 20-104. Permits required.

This section is deleted in its entirety.

Section 20-105. Repairs and maintenance.

On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten percent of the current replacement value of the structure; provided, that the cubic content of the structure as it existed at the time of passage or amendment of this chapter shall not be increased. Nothing in this chapter shall be deemed to prevent the strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 20-106. Changes in zoning district boundaries.

Whenever the boundaries of a district are changed, any uses of land or buildings which become nonconforming as a result of such change shall become subject to the provisions of this article.

Section 20-107. Expansion or enlargement.

A nonconforming structure to be extended or enlarged shall conform with the provisions of this chapter. This shall not apply to single-family homes or mobile homes legally in existence, and such single-family homes or mobile homes may be expanded or enlarged, provided they comply with the area, setback, minimum frontage, yard, height, sign and other provisions of the district in which they are located.

Section 20-108. Nonconforming lot areas.

Any lot of record at the time of the adoption of this article which is less in area or width than the minimum required by this chapter may be used when the requirements of the Board of Zoning Appeals regarding setbacks, side and rear yards are met.

March 22, 1976

Section 20-109. Restoration or replacement.

(a) Nonconforming activity. If a nonconforming activity is destroyed or damaged in any manner, to the extent that the cost of restoration to its condition before the occurrence shall exceed seventy-five percent of the cost of reconstructing the entire activity or structure, it shall be restored only if such use complies with the requirements of this chapter. This shall not apply to single family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence and they may be repaired or replaced.

(b) Nonconforming structure. If a nonconforming structure is destroyed or damaged in any manner to the extent that the cost of restoration to its condition before the occurrence shall exceed seventy-five percent of the cost of reconstructing the entire structure, it shall be restored only if it complies with the requirements of this chapter. However, a property owner so affected may take recourse to obtain rezoning. This shall not apply to single-family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence at the time and they may be repaired or replaced.

(c) Other instances. Where a conforming structure devoted to a nonconforming activity is damaged less than fifty percent of the cost of reconstructing the entire structure, or where a nonconforming structure is damaged less than seventy-five percent of the cost of reconstructing the entire structure, either may be repaired or restored; provided, that any such repair or restoration is started within twelve months and completed within eighteen months from the date of partial destruction. This shall not apply to single-family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence and they may be repaired or replaced.

(d) Determination of cost. The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any structure or activity devoted to a nonconforming use.

An emergency is hereby declared to exist and this ordinance shall be in effect from the date of its passage.

* * * * *

5. An ordinance to amend Chapter 2, Administration, of the Code of the County of James City, Virginia, Article II, Magisterial District, Election Districts and Election Precincts, by amending Section 2-5, Election District Boundaries, to provide for the appointment of members of the County Board of Supervisors, to establish boundary lines of the Election Districts and to name each Election District.

Mr. Morton indicated that the Planning Department had checked data figures provided by the Peninsula Planning District Commission and had found errors in figures for two districts and, therefore, requested that the Board have a special meeting to review a corrected ordinance and set a date for public hearing properly.

Mr. Ware moved to set the date of Tuesday, March 23, 1976, at 7:30 P.M. for a special meeting on the captioned matter. The motion carried unanimously.

6. An ordinance to amend Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses, by amending Section 9-29, Amusement Parks.

Mr. Edwards moved to set the date of April 26, 1976, at 3:00 P.M., at the Courthouse, Williamsburg, Virginia, for a public hearing on the captioned matter. The motion carried by a unanimous vote.

7. An ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 1 and 2, Lots A and B, Lots B and 2 and Lots A and 1.

March 23, 1976
March 22, 1976

Mr. Frink moved to set the date of April 12, 1976, at 7:30 P.M., at the Courthouse, Williamsburg, Virginia, for a public hearing on the captioned matter. The motion carried by a unanimous vote.

8. Case No. SUP-1-76. A Special Use Permit for a manager's mobile home at Ramada Camp Inns - John R. Carter, Applicant.

Mr. Donaldson moved to set the date of April 12, 1976, at 7:30 P.M., at the Courthouse, Williamsburg, Virginia, for a public hearing on the captioned matter. The motion carried by a unanimous vote.

9. Grove Station Presentation

Listed earlier in the minutes.

10. Erroneous Tax Assessments Refunds

The Board reviewed the letter from the Commissioner of the Revenue and memorandum from the County Attorney regarding erroneous tax assessments.

Mr. Donaldson moved that the Board authorize refunds in each of the three refund applications recommended for approval by the County Attorney. The motion carried by a unanimous roll call vote.

J. E. Burnett - \$84.00
John G. Warburton Estate - \$372.68
Lyle B. and Rosemary Venable - \$20.00

F. MATTERS OF SPECIAL PRIVILEGE

Mrs. Irene Douglas informed the Board that Mr. Charles H. Steen was now Chairman of the Electoral Board and that she was continuing as Secretary and Mr. Charles Gary member-at-large.

G. REPORTS OF COUNTY ADMINISTRATOR

The Board briefly discussed budget schedules and Mr. Oliver indicated that a budget calendar suggesting dates for worksessions would be presented at the Board's meeting of April 12.

Mr. Ware moved to recess the meeting until March 23, 1976, at 7:30 P.M., in the Council Chambers, Williamsburg Courthouse, Virginia. The motion carried unanimously.


County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-THIRD DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. David W. Ware, Jr., Powhatan District
Mr. John E. Donaldson, Jamestown District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

March 23, 1976

B. An ordinance to amend Chapter 2, Administration, of the Code of the County of James City, Virginia, Article II, Magisterial District, Election Districts and Election Precincts, by amending Section 2-5, Election District Boundaries, to provide for the appointment of members of the County Board of Supervisors, to establish boundary lines of the Election Districts and to name each Election District.

The County Administrator pointed out that the special meeting was called to set a public hearing on the captioned ordinance. Mr. Oliver introduced Chief Planner, William Brown, who described the proposed ordinance, and the redistricting plan known as Alternative 4, Mr. Brown advised that cross-checking of data figures provided by the Peninsula Planning District by County staff had indicated some errors in two districts, Powhatan and Berkeley. Therefore Alternative 3, which had been previously designated for additional staff work by the Board of Supervisors was modified and Alternative 4 has been proposed. According to Mr. Brown, Alternative 4 is a slightly adjusted Alternative 3 and that the districts will average approximately 4, 100 residents rather than the previous 4,200. He indicated that district changes are less drastic in Alternative 4 than they were in Alternative 3 as compared to existing boundaries.

Mr. Donaldson moved to set the date of April 12, 1976, as the date for a public hearing on the captioned ordinance, to be held at 7:30 P.M., Courthouse, Williamsburg, Virginia. The motion carried by a unanimous vote of roll call.

Mrs. Alma White asked the Board to give consideration to doing away with election districts altogether and to go to an at-large system. Mrs. White indicated that districts and the changing of district lines periodically is very confusing to citizens and she suggested a change to the at-large system.

Mrs. Judy Trautman, Voter Registrar, indicated that whatever determination is made of districts that the Electoral Board will notify each voter who has been changed to a new district by letter informing him of the change and also of the location of his new voting place.

Mr. Donaldson moved to adjourn into executive session to consider a legal matter for presentation by the County Attorney. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-THIRD DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SIX.

Mr. Ware moved to adjourn the meeting. The motion carried unanimously.

THE MEETING ADJOURNED AT 7:55 P.M.


James B. Oliver, Jr.
County Administrator

April 7, 1976

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE SEVENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

 Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. Presentation of School Board Budget

Mrs. Frances White, Chairman of the School Board made introductory remarks about the proposed school budget, indicating that the budget process is a year-long process, planning a program - program improvements - to meet the needs of a wide variety of students, and indicated that the economic financial climate is different this year that emphasis from the public had to do with implementing some of the new programs.

Dr. Henry Renz, Superintendent of Schools, then indicated that they did not have a formal presentation to make to the Board and that it was preferred to proceed as in the past which is largely to respond to questions from the Board. The Board then discussed at length the School Board's Budget, questioning items that they needed more information about.

Mrs. Gale Hood, President of the PTA Council, commented on a recent PTA survey made in seven schools and indicated that of the 1,000 responses there was an overwhelming desire for quality programs and teachers and that 70% were interested in having more money spent in the school system.

Mrs. Margaret Harrison indicated that she and her husband were retired and are very willing to pay for quality education in our area.

Mr. Frink thanked the School Board for its presentation and indicated that since the County had a money need that the budget would be looked at closely.

C. Agreement with the City of Newport News, Virginia Department of Highways and Transportation, and the County regarding the relocation of State Route 631.

Due to the Little Creek Reservoir Project involving the flooding of a portion of State Route 631 (Chickahominy Road), the State Department of Highways and Transportation requires an agreement that assures: 1) the City of Newport News will provide all work necessary to effectuate the additions and abandonments; 2) VDHT will make certain assurances to the City, including but not limited to acceptance of the new Route 631 into the State system for maintenance; and 3) James City will upon request of Newport News and VDHT approve the additions and abandonments as completed. The Board reviewed the agreement and map and it was noted that the County Attorney concurred with the agreement's form and content.

Mr. Edwards moved the approval of the agreement as presented. The motion carried by a unanimous roll call vote.

April 12, 1976
April 7, 1976

D. Authorization to purchase reserve pumper from the City of Norfolk.

The Board reviewed the Fire Marshal's memorandum and the County Administrator's request for authorization to contact the City of Norfolk regarding the purchase of a reserve pumper which they declared surplus, and indicated its approval of the concept to make an offer for the pumper.

Mr. Taylor moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED

AT 6:10 P.M.


James B. Oliver, Jr.
County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWELFTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Donaldson moved the approval of the minutes of March 22 and 23, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend Chapter 2, Administration, of the County of James City, Virginia, Article II, Magisterial District, Election Districts and Election Precincts, by amending Section 2-5, Election District Boundaries, to provide for the appointment of members of the County Board of Supervisors, to establish boundary lines of the Election Districts and to name each Election District.

Mr. Morton discussed the ordinance with the Board and indicated that if the Board adopted the ordinance that its effective date according to legislation recently received would be December 1, 1976; however, the Board to implement redistricting must approve the ordinance by July 1, 1976.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Donaldson moved the adoption of the ordinance as presented with the effective date of December 1, 1976. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 69A-2

April 12, 1976

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE II, MAGISTERIAL DISTRICT, ELECTION DISTRICTS AND ELECTION PRECINCTS, BY AMENDING SECTION 2-5, ELECTION DISTRICT BOUNDARIES; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE COUNTY BOARD OF SUPERVISORS, TO ESTABLISH BOUNDARY LINES OF THE ELECTION DISTRICTS AND TO NAME EACH ELECTION DISTRICT.

BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia, Chapter 2, Administration, of the Code of the County of James City, Virginia, Article II, Magisterial District, Election Districts and Election Precincts, be and the same is, hereby, amended, by amending Section 2-5, Election District Boundaries, to provide for the appointment of members of the County Board of Supervisors, to establish boundary lines of the election districts and to name each election district as follows:

CHAPTER 2

ADMINISTRATION

Article II. Magisterial District, Election Districts, and Election Precincts.

Section 2-5. Election district boundaries.

Berkeley Election District. Beginning at a point where State Route 5 intersects the Williamsburg City limits; thence northerly following the Williamsburg City limits to the point at which they intersect the York County line; thence northerly following the York County line to the point on State Route 603 at the railroad crossing at Ewell; thence westerly following the railroad crossing to U. S. Route 60 (West); thence southerly following the centerline of U. S. Route 60 (West) to its intersection with State Route 658; thence westerly following the centerline of State Route 658 to Longhill Road; thence northerly following the centerline of Longhill Road to its intersection with Longhill Swamp; thence following the centerline of Longhill Swamp to Powhatan Creek; thence following the centerline of Powhatan Creek to a point where an unnamed tributary of Powhatan Creek, located 3,100 feet south of State Route 613, branches off in a westerly direction; thence following the centerline of that unnamed tributary to its closest point to State Route 614, that point being located 6,000 feet north of State Route 5; thence due westerly to Shell Bank Creek; thence following the centerline of Shell Bank Creek to the centerline of the James River; thence in an easterly direction along the centerline of the James River and the James City County-Surry County line to a point where State Route 31 intersects the James River; thence northerly following the centerline of State Route 31 to its intersection with Powhatan Creek; thence northerly following the centerline of Powhatan Creek to its intersection with State Route 5; thence easterly following the centerline of State Route 5 to the point of beginning.

Jamestown Election District. Beginning at a point where State Route 5 intersects the Williamsburg City limits; thence westerly following the centerline of State Route 5 to its intersection with Powhatan Creek; thence southerly following the centerline of Powhatan Creek to its intersection with State Route 31; thence following the centerline of State Route 31 extended to the centerline of the James River; thence easterly following the centerline of the James River and the James City County-Surry County line to a point where it intersects the centerline of College Creek; thence northerly following the centerline of College Creek to its intersection with the Colonial Parkway; thence following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence following the centerline of Halfway Creek to its confluence with Tutter's Neck Creek; thence following the centerline of Tutter's Neck Creek and its tributaries to the point where they intersect U. S. Route 60 (East) 3,000 feet southeast of the Williamsburg City limits; thence northerly following the centerline of U. S. Route 60 (East) to the Williamsburg City limits; thence following the Williamsburg City limits westerly to the point of beginning.

Powhatan Election District. Beginning at the intersection of State Route 646 and U. S. Route 60 (West); thence westerly following the centerline of U. S. Route 60 (West) to a point 600 feet west of State Route 649; thence southerly following the property line of James City County Land Map Section 8, parcels 81 and 82 to an unnamed tributary of Yarmouth Creek; thence southerly following the centerline of that tributary to Yarmouth Creek; thence following the centerline of Yarmouth Creek to Shipyard Creek; thence following the centerline of Shipyard Creek to the Chickahominy River; thence southerly following the centerline of the Chickahominy River and the James City County-Charles City County line to the centerline of the James River; thence easterly following the centerline of the James River and the James City County-Surry County line to Shell Bank Creek; thence northerly following Shell Bank Creek to the point closest to State Route 614, located 6,000 feet north of State Route 5; thence due east to State Route 614, thence due east 1,300 feet to an unnamed tributary of Powhatan Creek; thence following the centerline of that creek to Powhatan Creek; thence northerly following the centerline of Powhatan Creek to Longhill Swamp, thence following the centerline of Longhill Swamp to its intersection with State Route 612; thence easterly following the centerline of State Route 612 to its intersection with State Route 658; thence northerly following the centerline of State Route 658 to U. S. Route 60 (West); thence following the centerline of U. S. Route 60 (West) to the railroad crossing at Ewell; thence northerly following the railroad crossing to State Route 603 and the James City County-York County line; thence westerly following the York County line to the point of beginning.

April 12, 1976

Roberts Election District. Beginning at a point where Penniman Road intersects U. S. Route 60 (East) at the Williamsburg City and York County line limits; thence easterly following 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 centerline of the James River and the James City County-Surry County line; thence westerly following the centerline of the James River to a point where College Creek intersects the James River; thence northerly following the centerline of College Creek to a point where it intersects the Colonial Parkway; thence northerly following the centerline of the Colonial Parkway to its intersection with Halfway Creek; thence following the centerline of Halfway Creek to the confluence of Tutter's Neck Creek; thence following the centerline of Tutter's Neck Creek and its tributaries to the point at which they intersect U. S. Route 60 (East) 3,000 feet southeast of the Williamsburg City limits; thence westerly following the centerline of U. S. Route 60 (East) to the point of beginning.

Stonehouse Election District. Beginning at the intersection of State Route 646 and U. S. Route 60 (West); thence westerly following the centerline of U. S. Route 60 (West) to a point 600 feet west of State Route 649; thence southerly following the property line of James City County Land Map Section 8, parcels 81 and 82 to an unnamed tributary of Yarmouth Creek; thence southerly following the centerline of that tributary to Yarmouth Creek; thence following the centerline of Yarmouth Creek to Shipyard Creek; thence following the centerline of Shipyard Creek to the Chickahominy River; thence northerly following the Chickahominy River and the James City County-Charles City County line to a point being the corner of the New Kent County-James City County boundary lines; thence northerly following the New Kent County-James City County line to the centerline of the York River; thence easterly following the centerline of the York River and the James City County line to a point being the corner of the James City County-York County boundary lines; thence southerly following the James City County-York County line to the point of beginning.

This ordinance shall be effective December 1, 1976

* * * * *

2. An ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 1 and 2, Lots A and B, Lots B and 2, and Lots A and 1.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 93

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT OF COLONIAL TERRACE, JAMES CITY DISTRICT, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THOSE LOT LINES DIVIDING LOTS 1 AND 2, LOTS A AND B, LOTS B AND 2, AND LOTS A AND 1.

WHEREAS, application has been made by W. L. Person, Jr., counsel for G-Square, Inc. owners of Lots 1, 2, A, and B, Colonial Terrace, to vacate certain property lines, as more particularly described below, the result of which will leave one lot to be designated Lot 1; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 12th day of April, 1976, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare,

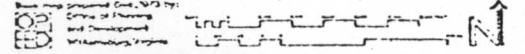
NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That those lot lines dividing Lots 1 and 2, and A and B and those lot lines dividing Lots A and 1 and Lots B and 2 as shown on that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," dated September 18, 1931, and prepared by J. M. Coehlan, Certified Engineer, and recorded in Plat Book 5, page 27, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.
2. That a new plat entitled, "Plat of property of G-Square, Inc. showing vacation of property lines involving Lots 1, 2, A and B. Entire parcel to be designated Lot 1," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

* * * * *

JAMES CITY COUNTY



Proposed Redistricting Plan

(ALTERNATIVE number 4)

District lines ———

Polling place *

STONEHOUSE

4081

POWHATAN

4002

BERKELEY

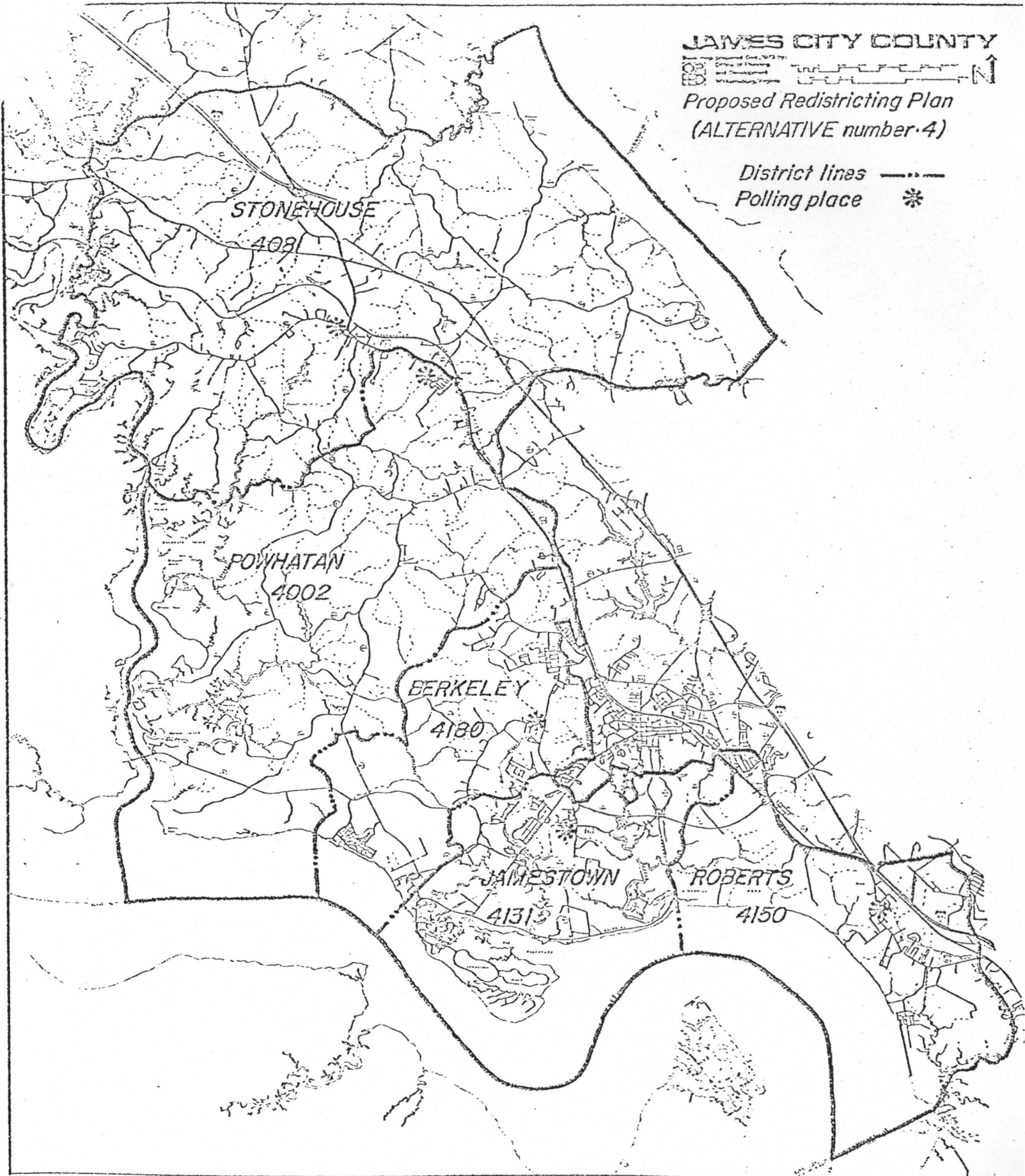
4180

JAMESTOWN

4131

ROBERTS

4150



April 12, 1976

3. An ordinance to amend Chapter 13, Offenses - Miscellaneous, of the Code of the County of James City, Virginia, by amending Section 13-20, Noises Prohibited in Residential Zoned Areas.

Mrs. Jean Williams, 101 Glenwood Drive - Supports adoption of ordinance.

Mr. Ronald Williams, 101 Glenwood Drive - Supports ordinance.

Mr. Donaldson moved the adoption of the ordinance as presented.

Mr. Edwards moved to strike all language after the word "sale" in line 3 Section (i) in the ordinance presented. The motion carried by a unanimous roll call vote.

Mr. Frink spoke on Item (g) Construction or Repairing Houses, Roads, etc., indicating that the starting hour of 7:00 A.M. was questionable and that bricklayers usually start earlier.

Mr. Edwards moved that Item (g) be deleted entirely and that (h) and (i) be renumbered (g) and (h) respectively. Discussion followed. The motion carried by a unanimous roll call vote.

Mr. Ware moved that the word "bird" be deleted from Item (d) Animals. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved the adoption of the ordinance as amended. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NO. 56A-1

AN ORDINANCE TO AMEND CHAPTER 13, OFFENSES - MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 13-20, NOISES PROHIBITED IN RESIDENTIAL ZONED AREAS.

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, Virginia, be and the same is, hereby, amended by amending Section 13-29, Noises Prohibited In Residential Zoned Areas, to read as follows:

CHAPTER 13

OFFENSES - Miscellaneous.

Section 13-20. Noises prohibited in residential zoned areas.

It shall be unlawful for any person to make, continue, or cause to be made or continued any excessive, unnecessary or unusually loud noise or any noise on any premises of such a character as to either disturb, injure or endanger the quiet, comfort, repose, health, peace, or safety of others, within the limits of the County; provided that this section shall apply only to residential zoned areas and all uses provided for in such a zoning classification.

The following acts, among others, are declared to be loud, disturbing, and unnecessary noise in violation of this ordinance, but said enumeration shall not be deemed to be exclusive:

- (a) Horns, Signaling Devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle, bicycle, or other vehicle on any street or public place of the County, except as a danger warning; the creation by means of any signaling device of any unreasonable loud or harsh sound; and the sounding of any signaling device for an unnecessary and unreasonable period of time.
- (b) Radios, Phonographs, etc. The using, operating, or permitting to be played, used or operated, any radio receiving set, tape recorder, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, or chamber in which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, phonograph, machine, or device between the hours of 11:00 P.M. and 7:00 A.M. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, or vehicle in which it is located shall be prima facie evidence of a violation of this section.

April 12, 1976

- (c) Loud Speakers, Amplifiers for Advertising. The using, operating or permitting to be played, used, or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound which is caused upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building, structure, or vehicle.
- (d) Animals. The keeping of any animal which by causing frequent or continued noise shall disturb the comfort or repose of any persons in the vicinity.
- (e) Exhausts. The discharge into open air of the exhaust of any steam engine, stationary internal combustion engine, motor boat, or motor vehicle, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (f) Defects in Vehicle. The use of any automobile, motorcycle, or vehicle so out of repair, so loaded, or in such a manner as to create loud and unnecessary grating, grinding, rattling, or other noise.
- (g) Hawkers. The shouting and crying of peddlers, hawkers, and vendors which disturbs the peace and quiet of the neighborhood.
- (h) Musical Instruments. The use of any drums or other musical instrument or device for the purpose of attracting attention by creation of noise to any performance, show, or sale.

Violation. Any person violating any of the provisions of the section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not exceeding One Hundred Dollars (\$100), or be imprisoned in jail for a period not exceeding ten (10) days, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.

This ordinance shall be in full force and effect from the day of its adoption.

* * * * *

4. Case No. SUP-1-76. A Special Use Permit for a manager's mobile home at Ramada Camp Inns - John R. Carter, Applicant.

The Chairman opened the public hearing. There being no comment, the public hearing was closed.

Mr. Donaldson moved the recommendation granting a Special Use Permit for a manager's mobile home at Ramada Camp Inns be approved. The motion carried by a unanimous roll call vote.

D. BOARD CONSIDERATIONS

5. Request for grant approval - DJCP - Volunteer Program - and Domestic Relations Court.

Mr. Arthur Matthews, Jr., Director of Juvenile Court Services, made a presentation on the request for grant approval indicating that \$3,800 is required of James City County to participate in the program which provides \$75,000 worth of services. A discussion followed. Mr. Edwards indicated that he would be interested in funding the program but at a level which did not include a full time coordinator.

Mr. Donaldson moved that the captioned item be tabled until the Board's next regular meeting. The motion carried by a unanimous roll call vote.

6. Resolution supporting House Bill #9719.

The Board reviewed the resolution supporting House Bill #9719 which would authorize "Payments-in-lieu of taxes" by the federal government for certain federally-owned lands that are currently tax exempt such as National Parks.

April 12, 1976

Mr. Donaldson moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, U. S. House of Representatives Bill #9719 is currently before the Congress, and

WHEREAS, this legislation would authorize Payments-in-Lieu of Taxes to Counties and other local governments to partially compensate them for the tax immunity of natural lands, including National Forests, National Parks, wilderness areas, Bureau of Land Management Lands, and others, and

WHEREAS, this legislation would provide equitable compensation of seventy-five cents per acre annually to localities for the tax exempt status these lands currently hold;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that this legislation has our support and copies of this resolution should be sent to our Representative and Senators.

* * * *

7. Resolution - Sanitary District #1 Liens

The Board reviewed the resolution listing delinquent sewer accounts in James City Sanitary District #1 to be entered in the Judgement Lien Docket of James City County.

Mr. Edwards moved the approval of the resolution as presented. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Ware voted no.

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,

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.

* * * *

8. Resolution to Compensation Board requesting funding for additional deputies.

The Board reviewed a resolution endorsing the expansion of the Sheriff's Department by four deputies and requesting the Compensation Board to make funds available for these deputies.

Mr. Frink moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

Mr. Donaldson indicated he would attend the meeting of the Compensation Board meeting on April 15, if his schedule allowed.

RESOLUTION

WHEREAS, James City County is dependent upon the Sheriff's Department for all aspects of law enforcement, and

April 12, 1976

WHEREAS, the Sheriff's Office presently has an authorized complement of ten deputies, of which two are detectives and the Chief Deputy and the Sheriff are involved with Court proceedings, and

WHEREAS, the Board of Supervisors is concerned with the level of enforcement and protection given the limits of the Department as presently structured and the fact that James City County is composed of 148 square miles and has a present population of approximately 24,000, and

WHEREAS, because of these and other associated duties for eight hours per day only one deputy is on patrol to serve the entire County, and

WHEREAS, the added problems associated with the influx of tourists will be accentuated this Bicentennial year;

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

1. That it respectfully urges the Compensation Board to make available the funds to permit the Sheriff's Department to be expanded by four deputies to insure that the County will be provided with adequate law enforcement protection.

This Resolution will be in full force and effect from the date of its adoption.

* * * * *

9. Three-Year Law Enforcement Improvement Plan.

The Board reviewed the comprehensive program presented in the memorandum from Mr. Brown, Chief Planner, and Sheriff Brenegan. Discussion followed.

Mr. Donaldson moved that the Board conceptually approve the Three-Year Law Enforcement Improvement Plan with the understanding that further Board action will be needed as the plan is implemented. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

10. Consideration of revocation of conditional use permit - Lightfoot Trailer Park.

The captioned matter was discussed at length by the Board and material from the Commissioner of the Revenue and County Attorney was reviewed.

Mr. Ware moved that Item 10 be rescheduled for the next regular meeting of the Board and that a certified letter be sent to Mr. and Mrs. Heath notifying them that the consideration of a revocation of the Lightfoot Trailer Park conditional use permit would be acted upon. The motion carried by a majority roll call vote. Mr. Frink voted no.

11. Date for public hearing on an ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City, by amending Article V, Nonconforming Uses.

Mr. Edwards moved to set the date of May 10, 1976, for a public hearing on the captioned ordinance to be held in the Courthouse, Williamsburg, VA, at 7:30 P.M. The motion carried unanimously.

12. Date for public hearing on an ordinance vacating a portion of that certain plat entitled, "Subdivision Plat, Poplar Hall Plantation, Section No. 1, James City County, Virginia," and more particularly described as those lot lines dividing Lots 72 and 73 and Lots 73 and 74, as shown on said plat.

Mr. Edwards moved to set the date of May 10, 1976, for a public hearing on the captioned ordinance to be held in the Courthouse, Williamsburg, Va., at 7:30 P.M. The motion carried unanimously.

April 12, 1976

13. Date for public hearing on an ordinance to amend Chapter 11, Motor Vehicles and Traffic, of the Code of the County of James City, Article I, In General, by adding a new section, Section 11-26.1, Operation of Certain Vehicles on Public or Private Property.

Mr. Ware moved to set the date of May 10, 1976, for a public hearing on the captioned ordinance to be held in the Courthouse, Williamsburg, Va., at 7:30 P.M. The motion carried unanimously.

14. Reimbursement of Penalty - Associated Mortgage Companies

The Board reviewed a memorandum from the Treasurer regarding a reimbursement of a penalty to Associated Mortgage Companies in the amount of \$165.20.

Mr. Taylor moved the approval of a reimbursement of \$165.20 to Associated Mortgage Companies for an erroneous penalty. The motion carried by a unanimous roll call vote.

15. Equal Employment Opportunity and Affirmative Action Plan

Mr. Frink moved that the captioned item be tabled for further study and to be brought back at the next regular meeting. The motion carried by a unanimous roll call vote.

16. Appointment to Patrick Henry Hospital Board of Trustees

The Board indicated that the staff should advertise the captioned vacancy for citizen participation.

17. Certification of Warrants

Mr. Frink moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #965 thru #1071 Totalling \$360,141.95
General Fund Payroll	Checks #4102 thru #4355 Totalling \$71,106.80
Sanitary District #1	Check #12 Totalling \$1,201.82
Sanitary District #2	Checks #99 thru #106 Totalling \$2,199.12
Sanitary District #3	Checks #145 thru #159 Totalling \$280,254.36
Subdivision Escrow Acct.	Checks #112 thru #116 Totalling \$2,575.02
Revenue Sharing Account	Check #184 Totalling \$306.25

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Donaldson indicated that he could not continue to be responsible for representing the Board on the Peninsula Drug Abuse Council as they meet during the afternoon and he cannot attend.

F. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver, County Administrator, reviewed his memorandum regarding the County Government Center site and indicated that he would like it to be known that the County was interested in receiving written bids for sale or dedication of property that could be used for this center with a deadline of June 12, 1976. The Board indicated its agreement.

April 20, 1976
April 12, 1976

Mr. Oliver, County Administrator, presented a proposed budget calendar which indicated worksession dates which the Board agreed to.

Conditional Use Permit for Anheuser Busch Brewery for a temporary mobile home trailer. Mr. Oliver presented a memorandum from Mr. Covey, Chief Planner, which recommended a conditional use permit be issued for one year for an additional temporary mobile home at the Anheuser Busch Brewery.

Mr. Taylor moved the approval of the conditional use permit. The motion carried by a unanimous roll call vote.

There being no further business, Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 10:10 P.M.


James B. Oliver, Jr.
County Administrator

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTIETH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. Construction Award - Grove Fire Station

The Board reviewed the bids submitted and listened to a report Mr. William Phillips, AIA, which analyzed the bidding of two firms. Discussion followed.

Mr. Donaldson moved that the recommendation of the County Administrator be accepted and the contract be awarded to Piland Construction Company. The motion carried by a unanimous roll call vote.

Mr. Ware moved that the meeting be adjourned. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 4:40 P.M.


James B. Oliver, Jr.
County Administrator

April 26, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-SIXTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

 Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Donaldson moved the approval of the minutes of April 7 and 20, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PRESENTATION OF RESOLUTION OF APPRECIATION TO MR. R. M. HAZELWOOD, JR.

The Chairman read the Resolution of Appreciation for Mr. R. M. (Sam) Hazelwood, Jr., in recognition of his services on the James City County Electoral Board. Mr. Frink moved the approval of the resolution and the motion carried by a unanimous roll call vote.

Mr. Hazelwood was present to receive the resolution and personally thanked the Board for its expression of appreciation.

RESOLUTION

WHEREAS, ROBERT MEREDITH (SAM) HAZELWOOD, JR. was appointed to the James City County Electoral Board on January 8, 1964, to fill the unexpired term of Bill Ben Piggott, and

WHEREAS, SAM HAZELWOOD served continuously on said Electoral Board during which period held the offices of Secretary and Chairman, and

WHEREAS, SAM HAZELWOOD was responsible for the Board instituting progressive and needed practices including the relocation of polling places, the acquisition of voting machines long before State law required them and the appointment of a full time Registrar to better serve the needs of the citizenry, and

WHEREAS, SAM HAZELWOOD gave freely and unselfishly of his time from making order out of the original registration records to arising long before sunrise in order to light wood fires in polling places on election day.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it does hereby express its gratitude and appreciation to SAM HAZELWOOD for his outstanding service and unselfish contribution to the electoral process of the County which has resulted in outstanding service to its citizenry.

AND, BE IT FURTHER RESOLVED that this Resolution be spread on the minutes of this body and a copy presented to SAM HAZELWOOD.

* * * * *

D. HIGHWAY MATTERS

A petition was presented by qualified voters requesting street lights on Mooretown Road and improvement of the C. & O. Bridge in order to make it safe. The Board gave a copy of the petition to Mr. Hinman, Assistant Resident Engineer, as it relates to the C. & O. Bridge improvement and indicated that the staff would proceed with the lighting request.

The Board discussed the following items with Mr. Hinman:

April 26, 1976

1. Design determinations for the remaining Route 199.
2. Grass cutting of Route 199.
3. Camping signs on Routes 64 and 30.

E. PUBLIC HEARING

1. An ordinance to amend Chapter 9, Licenses, of the Code of the County of James City, Article II, Specific Businesses, by amending Section 9-29, Amusement Parks.

Mr. Morton, County Attorney, presented the ordinance and indicated that the ordinance was amended to eliminate the ambiguous prohibition against games of skill.

The Chairman opened the public hearing.

Mr. G. Douglas asked Mr. Morton to state the reason for the ordinance again.

There being no further discussion, the Chairman closed the public hearing.

Mr. Donaldson moved that the ordinance be adopted as presented to become effective May 21, 1976. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 16A-4

AN ORDINANCE TO AMEND CHAPTER 9, LICENSES, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE II, SPECIFIC BUSINESSES, BY AMENDING SECTION 9-29, AMUSEMENT PARKS.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 9, Licenses, of the Code of the County of James City be and the same is, hereby, amended by amending Section 9-29 to read as follows:

CHAPTER 9

LICENSES

Article II. Specific Businesses and Activities.

Section 9-29. Amusement parks.

Any person operating any permanent park for public amusement in this County which shall be open to the public shall, for the privilege of operating within such park a bowling alley, hobby horse, merry-go-round, ferris wheel, old mill, roller coaster, pony or train rides, and other similar amusements, coin operated machines for exhibiting pictures, automatic photomachines, bathhouses, boathouses and parking lots, shall pay an annual license tax of four hundred dollars.

When such amusement park has two or fewer of the above accumulated amusements, such annual license tax shall be one hundred dollars.

Whenever such amusement within such park is operated by a person other than the operator of such park, such person shall pay for such amusement an annual license tax of fifty dollars.

Any person other than the operator of such amusement park, who shall operate any amusement within the park, for which tickers are not sold, such as recording the voice, guessing one's weight or age, testing one's strength, and the like, shall pay an annual license tax of fifty dollars.

The license tax provided in this section shall not be prorated nor be construed to authorize the sale of beer, wine or tobacco, or any other business or occupation for which a specific license is required by this chapter.

This ordinance shall be in full force and effect on and after May 21, 1976.

* * * * *

2. Adoption of the Equal Employment Opportunity Affirmative Action Plan.

Mr. Frink moved the adoption of the Equal Employment Opportunity Affirmative Action Plan. The motion carried by a unanimous roll call vote.

April 26, 1976

RESOLUTION

WHEREAS, the Board of Supervisors of James City County is the policy making body of the County as it exists as a body politic; and

WHEREAS, the County Administrator of James City County is the administrative officer of the County whose responsibility is the execution of policies promulgated by the Board of Supervisors of James City County; and

WHEREAS, the Board of Supervisors of James City County recognizes the importance of establishing a formal Equal Employment Opportunity Affirmative Action Program to assure the continuance of the County's long-standing policy of equal employment opportunity; and

WHEREAS, it is the opinion of the Board of Supervisors of James City County that its adoption of an Equal Employment Opportunity Affirmative Action Program will facilitate the promulgation of equal employment opportunity for all employees and applicants without regard to race, color, creed, sex, age, national origin or other non job-related circumstances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a program dated April 26, 1976, and entitled, "James City County Equal Employment Opportunity Affirmative Action Program," be and the same is, hereby, adopted by the Board of Supervisors of James City County, a copy of which is attached hereto, and made a part hereof as if fully set out herein.

* * * * *

3. Authorization to advertise the 1976-77 Budget for Public Hearing.

Mr. Frink moved to advertise the 1976-77 budget for public hearing on May 17, 1976, at 7:00 P.M. in the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

Mr. Edwards raised the question as to whether there would be public comments at worksessions. After discussion, the Board agreed that opening a worksession so that everyone could speak would defeat the purpose of a work-session. However, Mr. Frink indicated if the public had a pertinent question that the Board would probably acknowledge it for answering.


G. MATTERS OF SPECIAL PRIVILEGE

4. Older American Citizens Month

Mr. Frink acknowledged receiving a letter from Mr. George Douglas requesting the month of May be proclaimed Older American Citizens Month. Mr. Frink moved that the month of May be proclaimed Older American Citizens Month. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to recess the meeting until the Board's worksession on May 3, 1976, at 7:30 P.M. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE BOARD RECESSED AT 3:45 P.M.


James B. Oliver, Jr.
County Administrator

May 3, 1976

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE THIRD DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mrs. Betty Winstead, Budget Analyst

B. WORKSESSION ON CAPITAL IMPROVEMENT BUDGET

Mr. Frink made introductory remarks and described the budget schedule, indicating that this meeting was devoted to capital improvement budget per se and was not a public hearing. A public hearing is set for May 17th.

The County Administrator presented an overview and discussion of the financial condition of the County and the major influencing factors that led to his fiscal policy recommendations as they relate to the capital improvements budget and the operating budget. He pointed out that copies of the summary budget message and summary sheets of revenue and expenditures were available to the public at the budget worksession and that the complete budget proposal could be obtained from the County Administrative offices should any of the public wish to go into the budget in any detail.

Chief Planner, William Brown, explained the details of the proposed capital improvement program including a general overview of the five year program and specific explanations project-by-project of the proposed one year budget.

It was pointed out that an attempt has been made to shift as much surplus money and revenue sharing to capital expenditures in order to avoid inflating the operating costs of County agencies any more. The County Administrator and Chief Planner explained that there is a significant revenue gap in the proposed operating budget and that it was their recommendations that further use of surplus funds to balance the operating budget would be inappropriate.

Supervisor Ware asked several questions about the proposed recreation project for the Norge field area, and indicated the only recreation request he had heard from residents in that area were for a lighted softball field.


Supervisor Taylor questioned the need for the capital improvements. It was suggested by Mr. Taylor and Mr. Ware that a bond referendum might be appropriate.

Supervisor Donaldson indicated that he believed the referendum was not necessary and that the public had elected the supervisors to make such judgmental decisions and that he was prepared to do so.

Supervisor Edwards asked several questions regarding the availability of revenue sharing. The County Administrator indicated that \$217,000 in new revenue sharing funds is assured in the period between July 1 and December 31 and that he had included another \$217,000 in anticipated revenue sharing for the period January 1, 1977 through June 30, 1977, but that money was not yet assured by Congress. It was also indicated that revenue sharing funds in the future are being counted upon for capital budgets, but that they have not yet been appropriated by Congress and that there is definite uncertainty and that this matter should be given close supervision.

Presentations and discussion of the budget by the supervisors and several questions from the public lasted an hour-and-a-half and the meeting adjourned at approximately 9:00 P. M.

Mr. Donaldson moved to adjourn the meeting until the budget worksession scheduled for May 10, 1976, at 3:00 P. M. The motion carried unanimously.


James B. Oliver, Jr.
County Administrator

May 10, 1976

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mrs. Betty Winstead, Budget Analyst

B. WORKSESSION ON OPERATING BUDGET

Mr. J. Oliver, County Administrator, discussed each operating budget item with the Board indicating matters of importance and interest.

The Board made inquiries of the following items:

Duties of Assistant Administrator of Finance- Mr. Oliver indicated that this person would be identified as a financial planner who would establish internal control systems, handle problems of James City Service Authority, help secure grants, establish better cost techniques and have computer knowledge and at least two years public accounting background.

Social Services - It was questioned why there are new positions indicated when welfare is down - Mr. Oliver indicated that James City County had in the neighborhood of 30 people serving the County welfare and that three additional people would be employed only if the Social Services building was approved.


Buildings and Grounds increase was noted - Mr. Oliver and Mr. Bass indicated that this was due to the fact that paving is necessary of a 400 ft. access road to provide all-weather vehicular access into the landfill.

Fire service - The Board inquired as to when the County anticipated hiring firefighters. It was indicated that interviews were finished and reference checks were being made and that hiring would be done during the latter part of the month so that the men could attend fire school the first week in June.

The Board voiced its appreciation of the format in which the budget was presented, indicating it was very helpful and identified some issues that needed to be recognized.

Mr. Ware moved to adjourn the meeting. The motion carried by a unanimous called vote.

THERE BEING NO FURTHER DISCUSSION, THE MEETING ADJOURNED.


 James B. Oliver, Jr.
 County Administrator

AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE SEVENTEENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mrs. Betty Winstead, Budget Analyst

May 10, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton III, County Attorney

B. MINUTES

Mr. Donaldson moved the approval of the minutes of April 12 and 26, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PRESENTATION OF RESOLUTION OF APPRECIATION - THOMAS R. McCANN, JR.

Mr. Frink read the resolution of appreciation for Thomas R. McCann, Jr., and moved the adoption of the resolution as presented. The motion carried by a unanimous roll call vote.

RESOLUTION OF APPRECIATION

WHEREAS, THOMAS R. McCANN, JR. was appointed County Administrator of James City County on February 19, 1973, and served in that capacity until October 31, 1975, and

WHEREAS, THOMAS R. McCANN, JR. provided professional, administrative leadership during a time of critical and significant growth in James City County, and

WHEREAS, THOMAS R. McCANN, JR. brought to his position credentials of high integrity as well as personal dedication to solving problems and finding solutions to the issues before the County, and

WHEREAS, THOMAS R. McCANN, JR. combined his talents of outstanding professionalism with qualities of human understanding, patience and a genuine concern for his fellow man;

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

1. That the Board extends its thanks and appreciation to THOMAS R. McCANN, JR. for the outstanding accomplishments achieved during his tenure as County Administrator.
2. That the Board wishes THOMAS R. McCANN, JR. the best in his new endeavors, and

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this Board and a copy be presented to THOMAS R. McCANN, JR.

D. PRESENTATION OF SERVICE CERTIFICATE - WALTER DUTTON, 15 YRS.

Mr. Frink presented a Service Certificate to Walter Dutton, Chief Deputy Sheriff, for 15 years with the County.

E. PUBLIC HEARINGS

1. An ordinance to amend and reordain Chapter 20, Zoning, of the Code of the County of James City by amending Article V, Non-Conforming Uses.

The Chairman opened the public hearing, There being no discussion, the Chairman closed the public hearing.

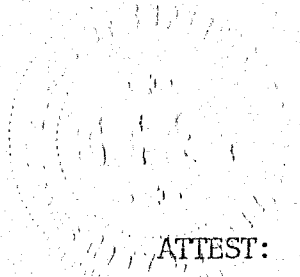
Mr. Edwards moved the adoption of the captioned ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-34

reconstructing the entire structure, or where a nonconforming structure is damaged less than seventy-five percent of the cost of reconstructing the entire structure, either may be repaired or restored; provided, that any such repair or restoration is started within twelve months and completed within eighteen months from the date of partial destruction. This shall not apply to single-family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence and they may be repaired or replaced.

(d) Determination of cost. The cost of land or any factors other than the cost of the structure are excluded in the determination of cost of restoration for any structure or activity devoted to a nonconforming use.

This ordinance shall be in full force and effect from the date of its adoption.



Abram Frink, Jr.
Abram Frink, Jr., Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.
James B. Oliver, Jr.
Clerk to the Board

2. An Ordinance vacating a portion of that certain plat entitled, "Subdivision Plat, Poplar Hall Plantation, Section No. 1, James City County, Virginia, and more particularly described as those lot lines dividing Lots 72 and 73 and Lots 73 and 74, as shown on said plat.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Taylor moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 94

AN ORDINANCE VACATING A PORTION OF THAT CERTAIN PLAT ENTITLED, "SUBDIVISION PLAT, POPLAR HALL PLANTATION, SECTION NO. 1, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THOSE LOT LINES DIVIDING LOTS 72 AND 73 AND LOTS 73 and &\$, AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by M. B. Hitchens, owner of Lots 72, 73, and 74, Poplar Hall Plantation, to vacate certain property lines, as more particularly described below, the result of which will eliminate Lot 73 and enlarge Lots 72 and 74 by those portions designated Lot No. 73-A and Lot No. 73-B, respectively, as shown on a plat attached hereto and made a part hereof, entitled, "Plat of Lot No. 73 Divided, Poplar Hall Plantation, Subdivision, James City County, Va."; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 10th day of May 1976, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the best interest of the public welfare,

MAY 10 1976

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-34

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE V, NONCONFORMING 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, be and the same is, hereby, amended and reordained by amending Article V, Nonconforming Uses, to read as follows:

CHAPTER 20

ZONING

Article V. Nonconforming Uses.

Section 20-103. Continuation.

If, at the time of enactment of this chapter, any legal activity which is being pursued, or any lot or structure legally utilized in a manner or for a purpose which does not conform to the provisions of this chapter, such manner of use or purpose may be continued as herein provided.

If any change in title or possession, or renewal of a lease of any such lot or structure occurs, the use existing may be continued.

If any nonconforming use (structure or activity) is discontinued for a period exceeding two years after the enactment of this chapter, it shall be deemed abandoned, and any subsequent use shall conform to the requirements of this chapter.

Temporary seasonal nonconforming uses that have been in continual operation for a period of two years or more prior to March 1, 1969, are excluded.

Section 20-104. Permits required.

This section is deleted in its entirety.

Section 20-105. Repairs and maintenance.

On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve consecutive months on ordinary repairs or on repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding ten percent of the current replacement value of the structure; provided, that the cubic content of the structure as it existed at the time of passage or amendment of this chapter shall not be increased. Nothing in this chapter shall be deemed to prevent the

strengthening or restoring to a safe condition of any structure or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Section 20-106. Changes in zoning district boundaries.

Whenever the boundaries of a district are changed, any uses of land or buildings which become nonconforming as a result of such change shall become subject to the provisions of this article.

Section 20-107. Expansion or enlargement.

A nonconforming structure to be extended or enlarged shall conform with the provisions of this chapter. This shall not apply to single-family homes or mobile homes legally in existence, and such single-family homes or mobile homes may be expanded or enlarged, provided they comply with the area, setback, minimum frontage, yard, height, sign and other provisions of the district in which they are located.

Section 20-108. Nonconforming lot areas.

Any lot of record at the time of the adoption of this article which is less in area or width than the minimum required by this chapter may be used when the requirements of the Board of Zoning Appeals regarding setbacks, side and rear yards are met.

Section 20-109. Restoration or replacement.

(a) Nonconforming activity. If a nonconforming activity is destroyed or damaged in any manner, to the extent that the cost of restoration to its condition before the occurrence shall exceed seventy-five percent of the cost of reconstructing the entire activity or structure, it shall be restored only if such use complies with the requirements of this chapter. This shall not apply to single-family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence and they may be repaired or replaced.

(b) Nonconforming structure. If a nonconforming structure is destroyed or damaged in any manner to the extent that the cost of restoration to its condition before the occurrence shall exceed seventy-five percent of the cost of reconstructing the entire structure, it shall be restored only if it complies with the requirements of this chapter. However, a property owner so affected may take recourse to obtain rezoning. This shall not apply to single-family dwellings, mobile homes, two-family dwellings, three-family dwellings, four-family dwellings, townhouses, or multi-family dwellings legally in existence at the time and they may be repaired or replaced.

(c) Other instances. Where a conforming structure devoted to a nonconforming activity is damaged less than fifty percent of the cost of

May 10, 1976

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That those lot lines dividing Lots 72 and 73 and Lots 73 and 74 as shown on that certain plat entitled, "Subdivision Plat, Poplar Hall Plantation, Section No. 1, James City County, Virginia," dated May 21, 1958, and prepared by Glass-Thomas and Associates, Engineers and Surveyors, and recorded in Plat Book 17, page 2, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.
2. That the following plats be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia:

 "Plat of Lot No. 73 Divided, Poplar Hall Plantation, Subdivision, James City County, Va."

 "Plat of Lot No. 72, Poplar Hall Plantation, Subdivision, James City County, Va."

 "Plat of Lot No. 74, Poplar Hall Plantation, Subdivision, James City County, Va."

This ordinance shall be in full force and effect from the date of its adoption.

3. An ordinance to amend Chapter 11, Motor Vehicles and Traffic, of the Code of the County of James City, Article I, In General, by adding a new section, Section 11-26.1, Operation of Certain Vehicles on Public or Private Property.

Mr. Morton explained the captioned ordinance indicating that it reques written permission to drive any of vehicles mentioned on private and public property.

The Chairman opened the public hearing.

Mrs. Jones - Powhatan District - Questioned whether race tracks (Colonial Pipeline) will need permits.

There being no further discussion, the Chairman closed the public hearing.

Mr. Taylor indicated he was not in favor of ordinance. He felt citizens should be more responsible.

Mr. Ware moved the adoption of the ordinance as presented. The motion carried by a majority roll call vote. Mr. Taylor voted no.

ORDINANCE NO. 66A-3

AN ORDINANCE TO AMEND CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY ADDING A NEW SECTION, SECTION 11-26.1, OPERATION OF CERTAIN VEHICLES ON PUBLIC OR PRIVATE PROPERTY.

BE IT ORDAINED, by the Board of Supervisors of James City County that Chapter 11, Motor Vehicles and Traffic, of the Code of the County of James City, Article I, In General, be and the same is, hereby, amended by adding a new section, Section 11-26.1, Operation of Certain Vehicles on Public or Private Property.

CHAPTER 11

MOTOR VEHICLES AND TRAFFIC

Article I. In General.

Section 11.26.1. Operation of certain vehciles on public or private property.

It shall be unlawful for any person to operate or permit to be operated any motor vehicle, motorcycle, mini-bike, go-kart, trail bike, dune buggy, motor scooter or other form of transportation propelled by an internal combustion engine upon private property of another or upon public property other than school property which is not held open to the public for vehicular use. It shall be unlawful for any person to operate any motor vehicle, motorcycle, mini-bike, go-kart, trail bike, dune buggy or motor scooter upon the grounds or parking lot of any property owned by the County or the School Board of the County.

This section shall not apply to the following:

(a) The operation of any vehicle by persons driving upon such property with the written consent of the owner or person in lawful possession of such real property, or to the owner himself, his family, employees, agents or lessees.

(b) The operation of emergency and governmental vehicles upon such property as is described in this section.

May 10, 1976

(c) The operation of any license vehicle upon school property open to vehicular use by teachers, students or members of the school staff for the purpose of attending school sessions or other related school functions.

(d) The operation of any license vehicle authorized by the principal of that particular school property on which the vehicle is being operated.

This ordinance shall be in full force and effect from the day of its adoption.

F. BOARD CONSIDERATIONS

4. Conditional use permit for Wisteria Gardens Mobile Home Park Campground.

The Board reviewed a memorandum from Mr. Covey, Chief Planner, which indicated that Mr. George Norris requested an amendment to the 400 space conditional use permit for Wisteria Gardens Mobile Home Park which he recently purchased. His request was to permit 125 spaces to be used for self-contained recreational vehicles.

The Board acknowledged Mrs. Wallace Owens. She listed her objections to the use of the park by overnight campers. Mrs. Owens also referred to a petition from Indian Circle residents which listed complaints.

Mr. George Norris explained recent renovations at the park and explained his future plans. Discussion followed.

Mr. Frink indicated that the petition had issues that were varied and did not pertain to the conditional use permit and that these items should be handled separately.

Mr. Frink moved the approval of the conditional use permit for Wisteria Gardens Mobile Home Park to permit Section 2, 125 of the 400 total spaces, to be used for only self-contained recreational vehicles for a period of two years. The motion carried by a majority roll call vote. Mr. Donaldson and Mr. Edwards voted no.

5. Certification of Warrants

General Fund	Checks #1072 thru #1192 Totalling \$497,005.15
General Fund Payroll	Checks #4356 thru #4599 Totalling \$67,434.60
Sanitary District #1	Checks #13 Totalling \$1,245.13
Sanitary District #2	Checks #107 thru #113 Totalling \$10,176.87
Sanitary District #3	Checks #160 thru #179 Totalling \$302,605.92
Subdivision Escrow Account	Checks #117 thru #121 Totalling \$3,758.67
Revenue Sharing Account	Check #185 thru #187 Totalling \$6,108.30

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards moved that the Board adopt procedures for the public hearing on May 17 as follows:

1. Have the usual kind of public hearing without any exchange.
2. After the public hearing the Board should continue in session so that Supervisors can comment on the budget if they choose to do so.

Mr. Edwards motion carried by a unanimous roll call vote.


H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver acknowledged formally the petition received from the Poplar Hall residents and indicated the staff would prepare a response to them and to the Board.

I. BOARD REQUESTS AND DIRECTIVES

The Board was in agreement to change the meeting time for the May 18 Worksession to 3:00 P.M. instead of 7:00 P.M. as indicated in the budget calendar.

There being no further business, Mr. Donaldson moved to recess the meeting until 7:00 P.M. the evening of May 17th for the purpose of holding a public hearing on the proposed budget. The motion carried by a unanimous roll call vote.


James B. Oliver, Jr.
County Administrator

May 17, 1976

B. PUBLIC HEARING ON PROPOSED BUDGET FOR THE FISCAL YEAR BEGINNING BEGINNING JULY 1, 1976, AND ENDING JUNE 30, 1977.

The Chairman opened the public hearing. The following people presented their views:

1. Mrs. Eleanor Davidson - Spoke on behalf of the Mental Health/Mental Retardation Services Board. Indicated that they were a Regional Board with four jurisdictions to work with. Requested that the \$1693 cut from their original budget request be put back - with four jurisdictions the total appropriation loss is \$7500.
2. Mr. S. Byam - Had statement from the School Board. Urged the Board of Supervisors to fund the entire School Budget request.
3. Mrs. Elise Emanuel - Requested School Budget be fully funded.
4. Mr. Robert Hanny - Indicated that the schools have to play catch-up and that they had a long way to go. Pleased with increased police protection. Hopes for new sources of revenue. In favor of doubling tax increase to 50¢ and willing to be taxed at a higher rate.
5. Gwen P. Carneal - Matthew Whaley President - PTA - Urged Board to give top priority to children's education and fully fund School Budget.
6. Mr. Lous Vosteen - For fully funding School Budget.
7. Ruth Mullaney - For fully funding School Budget.
8. Joseph Patterson - Had no comment at present time.
9. Mrs. Leo Mitkiewsz - Represented school band. In favor of school funding to prepare band for the future.
10. Mr. W. J. Scruggs - Indicated that the tax increase is not large for residential homeowners, but big for businesses and corporations. Disappointed with tax increase, but urged Board to adopt budget as proposed with the School cut.
11. J. C. Richardson - Criticized welfare amounts indicating that many on welfare should not be. His taxes will be increased roughly \$300 this year. Urged the Board to look at the whole budget and all increases for additional cuts.
12. Mrs. Francis White - Resident of Berkeley - Indicated that the budget addresses County-wide need. Felt there are two areas in the budget that need to be amplified - County portion to the City Library and the School Budget - both should be fully funded. Supports additional means of revenue - suggested County seek new industry to broaden tax base; other types of taxes; and supports increase in taxes to support the needs of the County. Top priority is education.
13. Helen Hall - Spoke as teacher and parent. School division is involved in catch-up - compared the 22% increase in County staff to the 9% increase of school staff. Requested Board to restore funds to the school category.
14. Mrs. Mignon Coursen - Has 16 year old child with learning disability. Favors raising taxes to help. Requested support of the entire school budget.
15. Linda Gauthier - In favor of physical education in the elementary schools. Discussed "language and movement" learning. Requested approval of budget as submitted by School Board.
16. James T. Wood - President of Rawls Byrd PTA - Presented petition collected by members of the PTA with a total of 420 signatures requesting full funding of the school budget.
17. Mrs. Irene Douglas - Secretary to the Electoral Board - Requested that the funds cut from the budget be reinstated. As citizen of County endorsed full funding of school budget.
18. Mrs. Gale Hood - PTA Council - In favor of full funding of school budget.
19. Mr. Collyer Linn - Opposed to tax increase - Has seen no improved services in last six years.
20. Mrs. A. Blayton - Resident of James City County - Favors full funding of school budget - "The better educated these children are, the more taxes they can pay later." Must help other children to grow and become responsible citizens. Favors (1) activities buses and (2) alternate programs for children.
21. Bobby Giese - Norge Elementary PTA - Presented Mr. Taylor and Mr. Ware petition signed by 109 parents interested in passing proposed budget. Urged Board to fully fund the school budget.

May 17, 1976

22. James Hicks - Favors fully funding the School Budget
23. R. M. Hazelwood - Wanted hearing at Lafayette School. Commends Board of budget.
24. M. O. Smith - Indicated he was a good listener. Expressed concern for the nees of retarded children and delinquent children. Supported tax increase.
25. Cheryl Tuxhill - Physical Education teacher - primary interest is educating the total child - wants PE for kindergarten child through third year.
26. Donald Garrison, President of Senior Class - Lafayette High School - Requested Board to pass school budget as presented - indicated there is a need for different activities.
27. Brad Coursen - Recommended full funding - indicated he had music 35 years ago when he was attending school in New Jersey, and he indicated the need here.

There being no further discussion, the Chairman closed the public hearing and recessed the meeting for five minutes.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS, JAMES CITY COUNTY, VIRGINIA, HELD IN THE COURTHOUSE WILLIAMSBUR, VIRGINIA, THE SEVENTEENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

C. BOARD CONSIDERATIONS

2. Date for public hearing on an ordinance to amend the operating policy of James City County Sanitary District No. 2, by amending Section 5.01(d), Section 5.01(e) and Section 5.01(f) of the Water Division and Section 6.01(b) of the Sewer Division. The effect of the amendments will be to increase the present rate approximately 25%.

Mr. Donaldson moved that the captioned ordinance be advertised for public hearing on June 14, 1976, in the Courthouse, Williamsburg, Virginia, at 7:30 P.M. The motion carried by a unanimous roll call vote.

D. BOARD DIRECTIVES

The Board then held a question and answer period and discussed various items of interest to the public. These topics included:

Additional tax revenue.
 Mosquito Abatement Program.
 Tourist tax.
 Revenue Sharing.
 Civil Defense.
 Maintenance of public grounds
 Balanace carried forward.
 Social Services.
 Cost of County rent.
 Office of Purchasing and Budget.
 Zoning Administration.
 Decrease in Animal Shelter category.
 Acquisition of land for County Center.
 The need for County Building.

There being no further discussion, Mr. Donaldson moved that the Board recess the meeting until May 18, 1976, at 3:00 P.M., at the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.


 County Administrator

AT A WORKSESSION MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE EIGHTEENTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

May 18, 1976

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mrs. Betty Winstead, Budget Analyst
 Mr. Frank M. Morton, III, County Attorney

B. WORKSESSION ON 1976-77 BUDGET

Mr. Edwards presented the Board with a statement and discussed it with them. He suggested the Board find as much of the school budget as possible, increasing the appropriation for public schools by \$110,000; and suggested taking out of the school budget \$20,000 for the comprehensive study; adding \$1700 for the Mental Health and Mental Retardation Services Board; adding \$1,300 for the Electoral Board and about \$3,000 for Library Services. He asked the County Administrator to consider and make recommendations as to how to come up with revenue for these suggestions.

Mr. Edwards moved that the Board direct the County Administrator to prepare a proposal to increase the school budget appropriation by \$110,000. Discussion followed. The Board indicated that the size of school budget presented some frustrations. Would like in the future to be informed of the needs and priorities in advance of the formal budget document and no indications of priorities were submitted this year. The motion failed by a majority roll call vote. Mr. Edwards voted, yes, other members of the Board no.

Mr. Donaldson moved to direct the County Administrator to find additional \$80,000 for school budget appropriation. The motion failed by a majority roll call vote. Mr. Ware, Mr. Frink, and Mr. Taylor voted no.

Mr. Frink moved that the County Administrator try to find additional \$75,000 for the school budget appropriation. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

Mr. Edwards moved that the County Administrator in reworking the budget include \$10,000 in the consulting category for the school's comprehensive study, with the understanding that the study would be jointly funded by the City. The Board indicated that the consultant should be partly responsive to the governing bodies as well as the school. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

Mr. Edwards moved that the County Administrator include an extra \$1693 in the budget for the Mental Health/Mental Retardation Services Board. The Board indicated that MH/MR budget presentation was thorough, however, they felt that the State should be funding more. The motion failed by a majority roll call vote. Messrs. Ware, Donaldson, Taylor and Frink voted no.

Mr. Edwards moved that the County Administrator restore \$1375 to the Electoral Board category. The motion carried by a unanimous roll call vote.

Mr. Edwards moved that the County Administrator increase the category for Library Services by \$3,000. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

Mr. Frink requested that the County Administrator determine if the \$120,000 return from the school could be put into a reserve and earmarked for the Vo-Tech center.

Mr. Donaldson indicated that he hoped consideration would be given to merit increases for distinguished teachers this year.

Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 4:30 P. M.


 County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-FOURTH DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

May 24, 1976

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton III, County Attorney

B. MINUTES

Mr. Edwards moved the approval of the minutes of May 3 and 10, 1976, as printed. The motion carried by a unanimous roll call vote.

C. HIGHWAY MATTERS

Mr. Yeatts, Resident Engineer, was present for discussion with the Board.

The Board reviewed resolutions to initiate Virginia Department of Highways and Transportation acceptance of the following streets into the Secondary System.

A. Cypress Point Subdivision:

1. Remained of Cypress Drive
2. Laurel Lane
3. Holly Lane
4. Portion of River Drive

B. Chickahominy Haven Subdivision:

1. Remainder of Riverside Drive

C. Poplar Hall Plantation Subdivision:

1. Tarleton Bivouac

D. Powhatan Springs Subdivision:

1. Powhatan Springs Road

Mr. Donaldson moved the adoption of the several resolutions for acceptance of streets into the Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description: Cypress Drive

From: End of State Route 673

To: Laurel Lane

Distance: .12 mi.

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision Plat Book 17, Page 7 and 8, dated August 4, 1958.

Be It Further Resolved that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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;

May 24, 1976

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description: Laurel Lane
From: Cypress Point
To: River Drive
Distance: .17 mi.

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 8, dated August 4, 1958.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description: Holly Lane
From: Cypress Drive
To: River Drive
Distance: .14 mi.

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 8, dated August 4, 1958.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description: River Drive
From: Laurel Lane
To: Holly Lane
Distance: .07 mi.

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Cypress Point Subdivision, Plat Book 17, Page 23, dated May 17, 1959.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

May 24, 1976

RESOLUTION

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 Chickahominy Haven Subdivision to be included in 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 James City County Magisterial District, James City County in the State Secondary Highway System.

Description: Riverside Drive
From: Route 716
To: End of cul-de-sac
Distance: .13 mi.

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Chickahominy Haven Subdivision, Plat Book 18, Page 6, dated January 12, 1959.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 Poplar Hall Plantation 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 Poplar Hall Plantation Subdivision James City County Magisterial District, James City County in the State Secondary Highway System.

Description: Tarleton Bivouac
From: Route 60
To: Route 60
Distance: .50 mi.

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Poplar Hall Plantation Subdivision, Plat Book 17, Page 1, dated June 14, 1958.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

RESOLUTION

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 Powhatan Springs 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 Powhatan Springs Subdivision James City County Magisterial District, James City County in the State Secondary Highway System.

May 24, 1976

Description: Powhatan Springs Road
 From: State Route 640
 To: End of cul-de-sac
 Distance: .13 mi.

A right-of-way of 40 feet is guaranteed as evidenced by plat of record, entitled Powhatan Springs Subdivision, Plat Book 19, Page 50, dated May 10, 1962.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Resident Engineer of the Department of Highways.

D. BOARD CONSIDERATIONS

2. Adoption of resolutions appropriating funds as indicated in the Proposed Budget for 1976-77.

Mr. Ware inquired as to whether the Board would be committing the \$101,000 for the Vo-Tech Center by adopting the appropriations resolution. It was indicated that the money would be reserved, however, the County Administrator would have to come back to the School Board and Board of Supervisors for subsequent actions.

Mr. Edwards moved the approval of the resolution appropriating funds and setting the tax rates. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

RESOLUTION

WHEREAS, the Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1976, and ending June 30, 1977, 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:

00110	Board of Supervisors	19,475
00120	Office of County Administrator	87,427
00125	Office of Accounting	30,281
00130	Office of Purchasing/Budget	20,545
00135	Purchasing Stores	2,500
00140	Office of County Attorney	35,982
00150	Office of Citizen Affairs	-
00160	Office of Planning	51,640
00170	Zoning Administration/Development	38,124
00210	Commissioner of the Revenue	67,257
00250	Office of Real Estate Assessments	54,762
00310	County Treasurer	62,164
00410	Clerk of Circuit Court	15,949
00510	Circuit Court	9,795
00520	General District Court	4,572
00530	Commonwealth's Attorney	21,563
00610	Sheriff	285,411
00680	City-County Jail	19,685
00710	Fire	310,189
00810	Social Services-Administration	421,373
00820	Social Services-Assistances	774,292
00880	Social Services-Lunacy Commission	1,200
01010	Public Works - Administration	62,558
01020	Public Works - Water & Sewer Operations	86,252
01050	Building Inspection	66,215
01080	Refuse Disposal	78,119
01090	Mosquito Control	25,200
01110	Extension & Continuing Education	28,478
01210	Animal Shelter	8,345
01310	Office of General Registrar	18,055
01320	Electoral Board	2,970
01330	Election Expenses	3,990
01410	Buildings & Grounds	90,627
01420	Maintenance - Public Grounds	13,479
01510	Public Works - Street Lighting	13,998
01610	Public Works - Maintenance	1,200
01710	Public Schools	3,655,477

May 24, 1976

01810	Civil Defense	13,397
01820	Employee Benefits	150,024
01830	Contributions and Transfers	235,758
01840	Other Expenditures	48,500
01850	Contingent Account	164,725
01910	Capital Improvements	1,160,291
02010	Debt Service	732,391

TOTAL 8,994,235

LESS: Amount received from James City
Service Authority -86,254

LESS: Interdepartmental Transfers 2,500

LESS: Amount received from Sanitary District 3 33,086

LESS: Revenue Sharing -559,627

TOTAL GENERAL FUND EXPENDITURES 8,312,768

JAMES CITY COUNTY GENERAL FUND 8,312,768

Expenditures 8,312,768

Income 8,312,768

JAMES CITY COUNTY SANITARY DISTRICT #1

Expenditures 34,974

Income 34,974

JAMES CITY COUNTY SANITARY DISTRICT #2

Expenditures 68,100

Income 68,100

JAMES CITY COUNTY SANITARY DISTRICT #3

Expenditures 24,450

Income 24,450

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	\$3.05
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 the approval of the Revenue Sharing Appropriation resolution. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

RESOLUTION REVENUE SHARING APPROPRIATION

WHEREAS, the Board of Supervisors has adopted an appropriations resolution for FY 76-77; and

WHEREAS, revenue sharing funds were included in said resolution but not specifically delineated; and

WHEREAS, it is the recommendation of the State Auditor's that such a delineation be made;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following amounts are hereby appropriated from the Revenue Sharing Trust Fund for the following purposes as set forth in the FY 77 Annual Operating Budget and Capital Improvements Budget and appropriated in the FY 77 appropriations resolution adopted on

1910 CAPITAL IMPROVEMENTS \$559,627

00-1	Fire Stations	48,000
10-1	Law Enforcement	29,000
20-1	Improvements to Dirt Streets	44,000
40-1	County Government Center	410,316
60-1	Computer Facility Expansion	28,311

Total Revenue Sharing Expenditures \$559,627

May 24, 1976

3. Approval of revisions to the Kingsmill Master Plan

Mr. Dick Knight, General Manager of Kingsmill, presented the plan and answered Board questions. It was indicated that the changes made would provide housing which would be affordable by a larger segment of population offering a greater choice of types of housing. The changes would be internal modifications within the parameters previously approved by the Board of Supervisors.

Mr. Donaldson moved that the recommendation of the County Administrator be approved and that the Kingsmill Master Plan be approved as presented. The motion carried by a unanimous roll call vote.

4. Approval of Final Plan for Kingsmill's Quarterpath Trace.

Mr. Taylor moved the approval of the County Administrator's recommendation that the conceptual design plan for Quarterpath Trace be approved subject to, (1) Final Construction plan approval by appropriate County Departments, (2) Final Subdivision Plat approval by the Agent and (3) Compliance with the provisions of the Sedimentation and Erosion Control Ordinance. The motion carried by a unanimous roll call vote.

5. Authorization of reimbursement of \$50 for an erroneous Board of Zoning Appeals application - L. V. Woodson.

The Board reviewed a memorandum from Mr. Covey which indicated that Mr. Woodson paid for an unnecessary Zoning Appeals application.

Mr. Edwards moved the approval of the County Administrator to refund \$50 to Mr. L. V. Woodson. The motion carried by a unanimous roll call vote.

6. Proclamation - July 4th Ringing of Bells.

Mr. Frink moved the approval of the Proclamation concerning a nationwide ringing of bells on July 4. The motion carried by a unanimous roll call vote.

PROCLAMATION

In observance of the Bicentennial of our Independence on July 4, 1976, the Board of Supervisors of James City County hereby proclaim it a day for the ringing of all bells, at 2:00 P.M. for two minutes in conformance with the rest of the nation.

E. MATTERS OF SPECIAL PRIVILEGE

The Board reviewed a letter from Mayor V. Geddy which indicated approval of a joint school consulting category in budget.

The Board set the date of June 14, 1976, for a public hearing on a vacation of a plat entitled "Subdivision Plat, First Colony, Section 2, Owners and Developers - First Land Corporation, Located in Jamestown District, James City County, Virginia" and more particularly described as that lot line dividing Lots 161, 162 and 163 from Lot 160, and a portion of those lot lines dividing Lots 161 and Lots 162 and 163, as shown on said plat.

F. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver discussed the recruitment of a computer operator with the Board and they indicated acceptance of his recommendation.

Mr. Deward M. Martin appeared before the Board to seek authorization to conduct a more extensive study of sewerage systems out Route 60 towards Toano. Mr. Martin indicated the possibility of the availability of additional grant funds and the need to inform the State Water Control Board by the end of the month as to whether the Board desired to apply for these additional funds. If the Board wished to proceed to obtain these additional grant funds, Mr. Martin indicated that his firm would need authorization to make a more extensive report of the State Water Control Board so that the County would be eligible. The Board discussed this matter at length with Mr. Martin.

Mr. Donaldson indicated he would like a recommendation from the staff by Friday and the feasibility of \$120,000 expenditure.

Mr. Edwards moved that the Board recess its meeting until Friday, May 28, 1976. Discussion followed. The motion was withdrawn by Mr. Edwards.

Mr. Donaldson moved that the meeting be recessed until Tuesday, June 1, at 3:00 P.M. in the Council Chambers, Courthouse, Williamsburg, Va. The motion carried by a unanimous roll call vote.

June 1, 1976

THE MEETING RECESSED UNTIL TUESDAY, JUNE 1, 1976, at 3:00 P.M.


County Administrator

AT A RECESSED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE FIRST DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton III, County Attorney

B. BOARD CONSIDERATIONS

1. Lightfoot/Toano Sewerage System

The Board reviewed a memorandum from the County Administrator which identified the Toano sewer problems, study approach, plans, types of systems and schedules, and compared the \$3.4 million plan to the \$4.8 million preliminary plan and the adopted sewer plan. The County Administrator recommended that the Board stay on the course now underway mainly due to the feasibility of the study not because of funding. During the discussion that followed, the Board commented on Route 60 development; the attitude of persons re mandatory connection fees; the time element to present plans to the State Water Control Board; soil conditions in Toano; that the solution would be a very expensive one for 53 residents; the necessity of a referendum if 10% of voters requested it; and the Comprehensive Plan which calls for completion of sewer system prior to 1990.

Mr. Ware moved that the Board accelerate the Rt. 60W sewer system and to take the necessary steps to fund the program, and to reassess this item by August 15, contingent only upon final voice of the people. The motion carried by a majority roll call vote. Mr. Edwards voted no.

2. Planning Staff Realignment

The Board reviewed the memorandum from the County Administrator which explained the Planning Department's staff realignment.

Mr. Edwards moved the approval of the resolution assigning the duties of Zoning Administrator and Subdivision Agent to William F. Brown, Director of the Planning Department. The motion carried by a unanimous roll call vote.

RESOLUTION

BE IT RESOLVED, by the Board of Supervisors of James City County, that the duties of Zoning Administrator and Subdivision Agent be, and hereby are, assigned to William F. Brown, Director of the Department of Planning, pursuant to Sections 17-6 and 20-5 of the Code of the County of James City.

3. Date for public hearing on a special use permit for Pedro N. Jones

Mr. Ware moved to set the date for a public hearing for June 28, 1976, at 3:00 P.M. in the Courthouse, Williamsburg, Va., for a special use permit for Pedro N. Jones. The motion carried by a unanimous roll call vote.

The Board indicated its appreciation for the work done on Agenda Item #1.

Mr. Edwards moved that the meeting be adjourned. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 4:20 P.M.


County Administrator

June 14, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE FOURTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of May 10 and 17, 1976 as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend the operating policy of James City County Sanitary District No. 2, by amending Section 5.01(d), Section 5.01(e) and Section 5.01(f) of the Water Division and Section 6.01(b) of the Sewer Division. The effect of the amendments will be to increase the present rate approximately 25%.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Donaldson moved the adoption of the ordinance as presented. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 36A-6

AN ORDINANCE TO AMEND THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.01(d), SECTION 5.01(e) AND SECTION 5.01 (f) OF THE WATER DIVISION AND SECTION 6.01 (b) OF THE SEWER DIVISION.

BE IT ORDAINED, by the Board of Supervisors of James City County that the Operating Policy of James City County Sanitary District No. 2, be and the same is, hereby, amended by amending Section 5.01(d), Section 5.01(e) and Section 5.01(f) of the Water Division and Section 6.01(b) of the Sewer Division, as follows:

AN ORDINANCE ESTABLISHING AN OPERATING POLICY

FOR

SANITARY DISTRICT NO. 2

JAMES CITY COUNTY, VIRGINIA

5.01(d) Minimum Quarterly Charge by District

<u>Meter Size</u>	<u>Water Utility Charge</u>
5/8"	\$ 9.25
3/4"	11.25
1 "	13.25
1 1/4"	18.75
1 1/2"	26.25
2 "	37.50
3 "	56.25
4 "	75.00
6 "	150.00

- 5.01(e) Where a single water meter is used to serve multiple water users such as motels, hotels, schools, institutions, mobile home parks and other multiple users as allowed by the Newport News Water Department, the District shall establish a separate amortization charge for each user.

The initial quarterly charges by the District for typical multiple users, in addition to the meter minimums outlined above, shall be as follows: (Quarterly)

June 14, 1976

For Multi-Family Apartments	\$9.25 per apartment unit
For Motels and Hotels	2.00 per room
For Mobile Home Parks	8.25 per occupied mobile home space
For Schools	2.00 per pupil

- 5.01(f) The District shall levy a charge above the minimum meter charge for all commercial and industrial users. Applicable charges will be established from time to time. Initial charges for typical commercial users (in addition to the minimum meter Charge) shall be as follows: (Quarterly)

Hospitals and Nursing Homes	\$2.50 per room
Small Commercial	
(10 employees or less)	.55 per employee
Large Commercial	
(more than 10 employees)	.40 per employee
Restaurants	.75 per seat
Service Stations	2.50 per delivery hose
Manufacturing	To be negotiated

- 6.01(b) Sewer Service Charges by the District

The District Sewer System bills (called, "Amortization Charge") shall be rendered by the Sanitary District to each sewer user quarterly. The initial District minimum quarterly charges for sewer service shall be as follows:

Single-Family Residence	\$13.25 /	Family Unit
Multiple-Family Residence	13.25 /	Living Unit
Mobile Home Parks	11.25 /	Unit
Hotels and Motels	12.50 /	First Unit and
	2.00 /	Each additional room
Hospitals and Nursing Homes	25.00 /	First Unit and
	3.75 /	Each additional room
Public Schools	62.50	Minimum plus
	0.40 /	Pupil
Small Commercial		
(10 employees or less)	18.75	Minimum plus
	0.55 /	Employee
Large Commercial		
(over 10 employees)	25.00	Minimum plus
	0.40 /	Employee
Restaurants	18.75	Minimum plus
	0.75 /	Seat
Service Stations	18.75	Minimum plus
	2.00 /	Delivery Hose
Manufacturing		To be negotiated

This ordinance shall be in full force and effect on and after July 1, 1976.

2. An ordinance vacating a portion of that certain plat entitled "Subdivision Plat, First Colony, Section 2, Owners and Developers - First Land Corporation, Located in Jamestown District, James City County, Virginia," and more particularly described as that lot line dividing Lots 161, 162 and 163 from Lot 160, and a portion of those lot lines dividing Lots 161 and Lots 162 and 163, as shown on said plat.

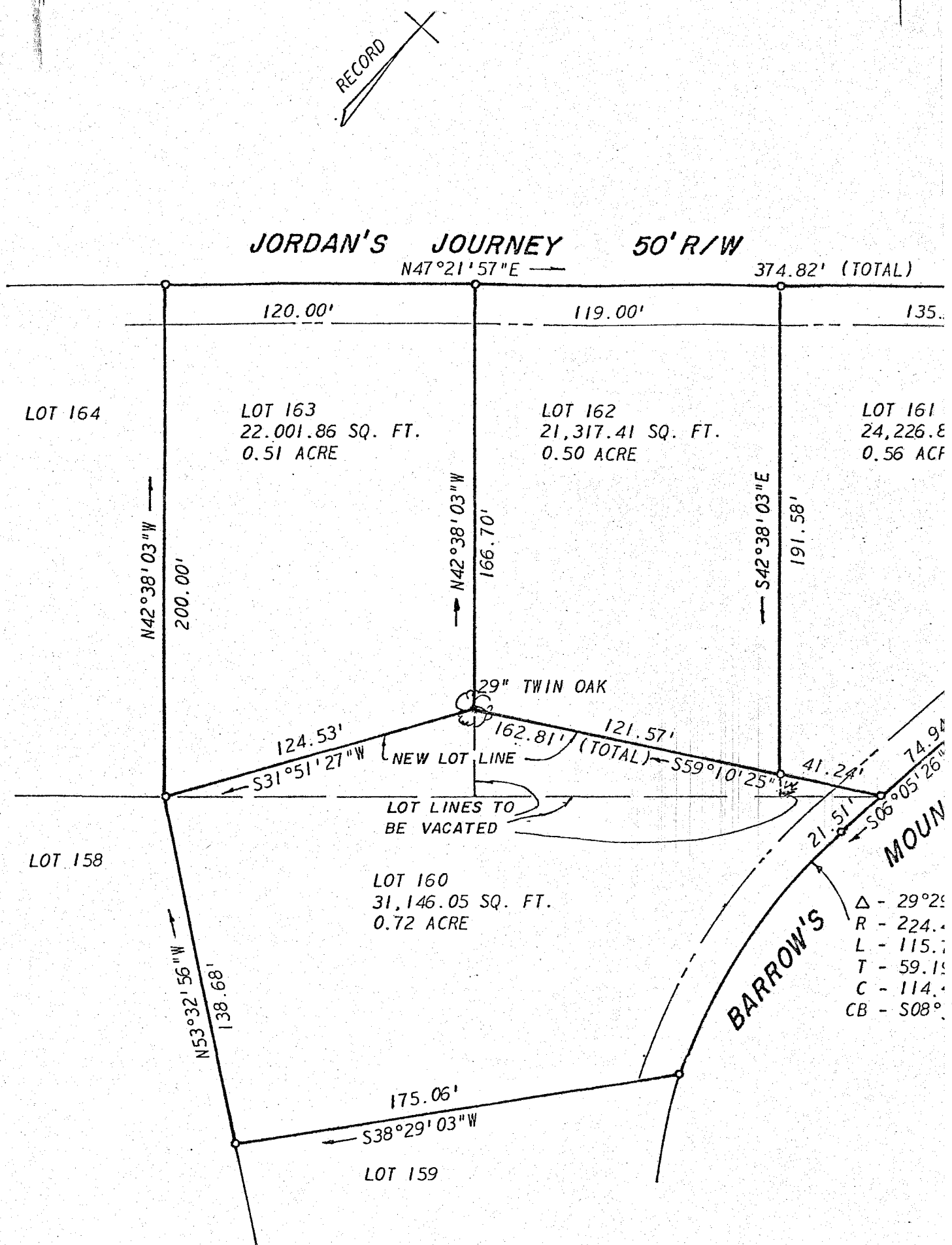
The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the captioned ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 95

(Next page)

June 14, 1976



THIS RESUBDIVISION IS WITH THE APPROVAL OF THE UNDERSIGNED ADJOINING OWNERS

Clyde E Barker Janet W Barker
C. E. BARKER - LOT 160

Murphy Taylor Pres.
MURPHY TAYLOR - LOT 161

R.D. Wier Vice-pres.
NEWPORT NEWS SERVICE CORP. - LOT 162 AGENT

Murphy Taylor Pres.
MURPHY TAYLOR - LOT 163

First Land Corporation
FIRST LAND CORPORATION

ORDINANCE NO. 95

AN ORDINANCE VACATING A PORTION OF THAT CERTAIN PLAT ENTITLED, "SUBDIVISION PLAT, FIRST COLONY, SECTION 2, OWNERS AND DEVELOPERS - FIRST LAND CORPORATION, LOCATED IN JAMESTOWN DISTRICT, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THAT LOT LINE DIVIDING LOTS 161, 162 AND 163 FROM LOT 160, AND A PORTION OF THOSE LOT LINES DIVIDING LOTS 161 AND 162 AND LOTS 162 AND 163, AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Julian H. Blalock, counsel for First Land Corporation and the owners of Lots 160, 161, 162 and 163, First Colony, to vacate certain property lines, as more particularly described below; and

WHEREAS, this vacation is necessitated by the fact that improvements placed on Lot 160 encroach approximately six feet over the lot line of Lot 162; and

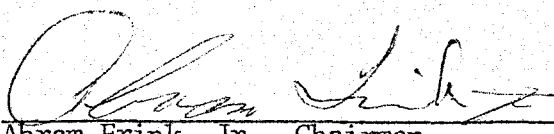
WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 14th day of June, 1976, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience and is in the interest of the public welfare,

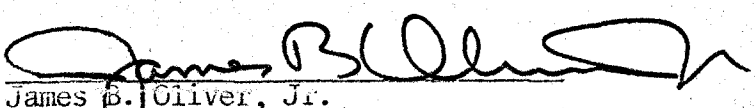
NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That the lot line dividing Lots 161, 162 and 163 from Lot 160, and a portion of those lot lines dividing Lots 161 and 162 and Lots 162 and 163, as shown on that certain plat entitled, "Subdivision Plat, First Colony, Section 2, Owners and Developers - First Land Corporation, Located in Jamestown District, James City County, Virginia," dated June 29, 1963, and prepared by S. V. Camp, III, Certified Land Surveyor, and recorded in Plat Book 21, page 48, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.
2. That a new plat entitled, "A Plat of Lots 160, 161, 162 & 163, First Colony Subdivision, Showing Vacation of Lot Lines of Lots 161, 162, 163 from Lot 160," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.


Abram Frink, Jr., Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

JUN 14 1976

June 14, 1976

D. BOARD CONSIDERATIONS3. Proposed agreement with City of Newport News - Sanitary District #2.

Mr. Donaldson moved the approval of the resolution authorizing the Chairman of the Board and Clerk to the Board to execute the agreement with the City of Newport News, James City Service Authority and James City County, which provides for the reimbursement of certain water service connections located in James City County. The motion carried by a unanimous roll call vote.

RESOLUTION

A RESOLUTION to authorize Abram Frink, Jr., Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, to execute that certain agreement dated April 15, 1976, by and between the City of Newport News, the County of James City and the James City Service Authority, providing for the reimbursement of certain water service connections located in James City County.

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

1. That it hereby approves the agreement providing for the reimbursement of certain water service connections located therein, under the terms and conditions contained in that certain agreement dated April 15, 1976, attached hereto and made a part of this resolution.

2. That it hereby authorizes Abram Frink, Jr., Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, to execute same on behalf of James City County.

4. Petition from James City-Bruton Fire Department and the James City Squad to hold bingo games.

Mr. Edwards moved the approval of the resolution for the James City-Bruton Volunteer Fire Department and the James City Rescue Squad to hold bingo games. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City Bruton Volunteer Fire Department and the James City Rescue Squad appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Volunteer Fire Department and Rescue Squad has met the requirements of Section 18.1-340(h) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the James City-Bruton Volunteer Fire Dept. and James City Rescue Squad is hereby granted a permit for a period of one year commencing with the date of this Resolution for the Operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this resolution shall be a matter of public record within the County.

5. Resolution to Highway Department requesting a cceptance of Orange Drive into State Secondary System.

Mr. Frink moved the approval of the resolution requesting the Highway Department to construct and include Orange Drive as a rural addition in the State Highway Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

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

June 14, 1976

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 "Orange Drive" 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 and Transportation is hereby requested to construct and include the following road in the State Secondary Highway System by rural addition:

Orange Drive

From: State Route 143
To: State Route 642
Distance: 0.13 mile

A right-of-way of 40 feet is guaranteed as evidenced by Deeds of Record, recorded in Deed Book 156, Page 609, Dated 10-3-74; Deed Book 157, Page 788, Dated 10-2-74; and Deed Book 168, Page 703, Dated 601076 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 and Transportation.

6. Contract with J. L. Minton Virginia Associates, Inc.

The Board discussed at length the contract proposal with J. L. Minton to assist the County in the field of grants administration.

Mr. Edwards moved to postpone action until the next regular meeting of the Board. The Board was in agreement.

7. Reimbursement of Erroneous Tax Assessment - Mrs. Juanita Mae Snow.

The Board reviewed a letter from the Commissioner of the Revenue and a memorandum from the County Attorney which recommended a refund of Personal Property Tax in the amount of \$220 due to the double assessment of a mobile home on real and personal property records for 1975 to Mrs. Juanita Mae Snow.

Mr. Donaldson moved that the recommended refund be authorized. The motion carried by a unanimous roll call vote.

8. Fowl Claim - Bert E. Geddy, Jr.

The Board reviewed the fowl claim from Mr. Geddy certified by the Dog Warden, for 72 chickens and 2 ducks in the amount of \$74.00. Mr. Taylor moved that the claim in the amount of \$74.00 be paid. The motion carried by a unanimous roll call vote.

9. Appointments

This agenda item deferred for discussion of personnel matters in executive session.

10. Certification of Warrants

General Fund	Checks #1193 thru #1318 Totalling \$790,370.67
General Fund Payroll	Checks #4600 thru #4849 Totalling \$78,872.34
Sanitary District #1	Check #14 Totalling \$884.49
Sanitary District #2	Checks #114 thru #124 Totalling \$4,471.18
Sanitary District #3	Checks #180 thru #193 Totalling \$314,512.31
Subdivision Escrow Account	Checks #122 and #123 Totalling \$2,197.01
Revenue Sharing Accounty	Checks #188 thru #192 Totalling \$8,985.23

Mr. Frink moved the approval of the certification of warrants as presented. The motion carried by a unanimous roll call vote.

June 14, 1976

E. MATTERS OF SPECIAL PRIVILEGE

None.

F. REPORTS OF THE COUNTY ADMINISTRATOR

1. The County Administrator presented a report on the Family-oriented Group Home Program which indicated his approval of the plan.
2. The Board received a report on the Status of Sewerage Construction in Sanitary District No. 3.
3. Mr. Oliver indicated that the purchase of the fire truck from the City of Norfolk would cost an additional \$50.00 for some additional equipment replacement. He requested that the Board authorize the expenditure of the additional \$50 making the total appropriation \$2550.

Mr. Edwards moved to enter into agreement with the City of Norfolk for the purchase of the fire truck in the amount of \$2550. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn the meeting into executive session for the purpose of considering personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE FOURTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SIX.

ROLL CALL

Present as noted above.

Item 9. AppointmentsSocial Services Department

Mr. Frink moved to reappoint Mr. William F. Pettengill to the Social Services Board for a term of four years effective July 1, 1976. The motion carried by a unanimous roll call vote.

Service Authority Board

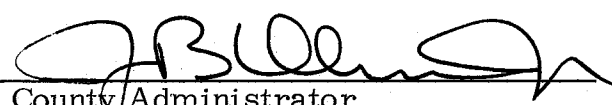
Mr. Edwards moved to reappoint Mr. Stewart U. Taylor to the Service Authority Board for a term of three years effective July 1, 1976. The motion carried by a unanimous roll call vote.

Patrick Henry Hospital Board - Deferred until next meeting.Drug Abuse Council - Deferred until next meeting.

Adoption of Memorandum of Agreement for Cost Sharing of Toano Sewer Project with Service Authority. See minutes of September 12, 1977 (Item F-5) and September 26, 1977 (Item E-1), Pages 449 and 458, respectively of Board of Supervisors Book #9.

Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED.


County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-EIGHTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton III, County Attorney

June 28, 1976

B. HIGHWAY MATTERS

Mr. Yeatts, Resident Engineer, advised the Board that the Virginia Department of Highways and Transportation would be advertising in September, 1976, for bids to complete construction of I-64.

Mr. Donaldson advised Mr. Yeatts that the Brookwood Drive and Route 199 intersection sign was missing and requested Mr. Yeatts to install a replacement sign.

Mr. Edwards inquired about Route 5 between Powhatan Creek and Route 199.

Mr. Yeatts stated that the work in process is called a "trench widen job." Mr. Yeatts indicated that area would be trenched out two feet on each side of the road and base material extended which will widen the roadway to 24 feet. Powhatan Creek bridge will be widened and a new guard rail installed.

Mr. Frink stated he had noticed additional traffic lights being installed in the vicinity of Busch Gardens along Route 60E, and asked how many were planned and where the lights would be located.

Mr. Yeatts stated that the Busch Gardens/Route 199 intersection has one light; Busch Corporate Center will have one; the Kingsmill entrance will have one; the brewery and surrounding parking lot will have one; two traffic lights are already installed at the Gardens parking lots; and one light is planned for the east parking lot off of Route 60. Mr. Yeatts indicated that these traffic lights would be a progressive signal system, i.e., interlocking and synchronized for 45 MPH. He further stated that when the Gardens are closed the traffic lights would remain green until tripped from another direction.

C. PUBLIC HEARING1. Special Use Permit request - Pedro N. Jones, applicant.

Mr. Oliver stated that Pedro N. Jones had previously applied for a rezoning on a portion of land located on Strawberry Plains Road. The Planning Commission denied Mr. Jones' request but offered relief by recommending the applicant apply for a special use permit.

Chairman Frink opened the public hearing. There being no discussion, the Chairman closed the hearing.

Mr. Taylor asked if a special use permit had to be renewed.

Mr. Brown, Planning Director, indicated that a special use permit does not need renewal.

Mr. Edwards wondered why the Planning Commission had denied the rezoning but granted a special use permit.

Mr. Brown indicated that the Planning Commission did not want to rezone the land to permit other uses in the future and, therefore, suggested a special use permit which will limit the property to a special use.

Mr. Edwards asked if the adjacent property owners were aware of the request.

Mr. Brown indicated the adjacent property owners were notified by mail when the applicant requested the rezoning and no one objected.

Mr. Ware moved to grant the special use permit. The motion carried by a unanimous roll call vote.

D. BOARD CONSIDERATIONS1. Peninsula Corrections Council funding request.

Mr. Oliver stated that this item had been presented to the Board on previous occasions. Mr. Oliver indicated that this Council is responsible for organizing and constructing a Regional Misdemeanant Correctional Facility to serve the peninsula jurisdictions. He further stated that the Council now needs a modest appropriation from each jurisdiction to provide secretarial and legal services to the Council for planning of the facility.

Chairman Frink recognized Judge J. R. Zepkin, James City County's representative to the Peninsula Corrections Council. Judge Zepkin indicated a study of this proposed facility had been conducted by Gruen and Associates and it was the Judge's understanding that the localities involved had agreed in principle to the concept of the regional facility. PPDC has been studying this proposal for the past three to four years. The purpose of this facility is solely for convicted misdemeanants. The estimated cost is 2.2 million which was the originally projected cost excluding land. Judge Zepkin stated that there would be two basic costs; a one-time construction cost and continuing operating expenses. Construction cost will be based upon localities proportionate population as estimated by using 1985 projections. Operating expenses

June 28, 1976

will be based upon each locality's use. Judge Zepkin stated that the State will provide two-thirds of the salaries of guards, para-medics, teachers and other similar personnel. The State will pay one hundred percent of the daily costs for prisoners in violation of State laws.

Mr. Donaldson moved to approve the recommendation to authorize payment of \$385.44 to the Peninsula Corrections Council which would be made available with the transfer of \$385.44 from account 01830-7021 to obligated appropriations 1975-76 account 01830-7021.

Mr. Ware stated that appropriations based upon a formula using jurisdictions' populations as a base penalizes certain areas. He suggested possible analyses of appropriations according to jurisdictions' real estate assessed value.

Motion carried by a majority roll call vote. Messrs. Ware and Taylor voted no.

2. Contract with J. L. Minton Virginia Associates, Inc.

Chairman Frink mentioned that this item had been carried over from the last Board meeting of June 14.

Mr. Donaldson moved to accept the proposal and requested that appropriate persons be authorized to execute the contract.

Messrs. Ware and Taylor opposed the proposal indicating opposition to the principle concept of the firm.

Mr. Donaldson state that the two sanitary districts underway for the last several years are largely funded by federal funds which are made available to localities which submit successful applications. This proposal will allow the County to seek federal funds more effectively than in the past. As the County grows, we will need additional capital improvements and will be seeking federal funds for these projects. Mr. Donaldson further stated that James City County residents pay taxes to the federal government, the County is eligible to apply for grants and Mr. Donaldson felt that the County should prepare and submit the applications the most effective way possible.

Mr. Oliver stated that there appears to be a sizeable amount of potential revenues that are nonlocal which James City County may be eligible to receive. Mr. Oliver indicated that the contract would allow the County to test this approach for one year at the cost of \$4,000.

Mr. Donaldson's motion to accept the proposal and authorize appropriate persons to execute the contract carried by a majority roll call vote. Messrs. Ware and Taylor voted no.

3. VACo funding request.

Mr. Oliver stated that the County had previously participated in funding of the Virginia Association of Counties (VACo) negotiations with VEPCO. Mr. Oliver indicated that VACo had organized this arrangement with VEPCO to protect localities against high electric power rates.

Mr. Edwards moved to approve VACo's \$386 funding request which would be made available with the transfer of \$386 from account 01840-9981 to obligated appropriations 1975-76 account 01840-9981.

Mr. Ware opposed the motion due to the funding ratios which were based upon population projections. Motion carried by a majority roll call vote. Messrs. Ware and Taylor voted no.

4. Circuit Court supplemental appropriation.

Mr. Oliver stated that the law now states that Circuit Court Judges cannot be supplemented by localities, as the State has set and will pay Judges' salaries; however, this does not help cover the cost of secretarial assistance.

Mr. Donaldson moved to approve the supplemental appropriation of \$540 for Circuit Court secretarial assistance. Motion carried by a unanimous roll call vote.

5. Economic Development Advisory Committee resolutions.

Chairman Frink expressed gratitude to the Economic Development Advisory Committee for their efforts and gratefully accepted the resolutions regarding the County's government center and the possibility of an airport being located within the County in the future.

June 28, 1976

6. Public Hearing date for a Special Use Permit for Williamsburg Properties, Ltd.

Mr. Taylor moved to hold a public hearing on July 26, 1976, to consider a special use permit for Williamsburg Properties, Ltd., to allow a funeral home on subject property. The motion carried by a unanimous roll call vote.

7. Planning Commission resolutions regarding highway improvements.

Chairman Frink received resolutions from the Planning Commission regarding traffic control on several roads in the County.

Mr. Edwards moved that these matters be brought to the attention of the Virginia Department of Highways and Transportation and requested the County staff to look into these matters as needed. Motion carried by a unanimous roll call vote.

8. Resolution for completion of Route 199.

Mr. Donaldson moved to adopt a resolution which would be forwarded to Commissioner Harwood, Department of Highways and Transportation, to inform the Department of the strong community interest in accelerating completion of Route 199. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County's Comprehensive Plan and numerous Regional and State transportation plans and studies conclude that Route 199, the southern by-pass around Williamsburg, is essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need within the community to relieve the traffic congestion on Routes 616, 615, and 612 by expediting the completion of all or parts of the future segments of Route 199 from its present terminus at Route 5;

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

1. Corridor selection, alignment, design and construction of the remaining portions of Route 199 are of high priority to this Board of Supervisors.
2. The location and timing of numerous public facilities, public utilities, and private capital investment is dependent upon the expeditious completion of this project.
3. Traffic congestion and public safety in the west-central portions of the County will continue to deteriorate in the absence of this roadway.
4. Final corridor selection should be generally in agreement with the County's Comprehensive Plan.

E. REPORTS OF THE COUNTY ADMINISTRATOR

1. Grove Fire Station.

Mr. Oliver reviewed a memo to the Board stating that there is a balance of \$19,129 left from the Fire Department expenditure account, which is due to a one-month hiring delay in personnel. In order to reduce the FY 78 appropriation for pumper purchase, Mr. Oliver requested the Board to authorize a transfer of this balance of \$19,129 from the Fire Department account 00710-0110 to obligated appropriations 1975-76 capital outlay fund account 01910-6991.

Chairman Frink moved to authorize the transfer. Motion carried by a unanimous roll call vote.

2. Finance Director employment.

For informational purposes, Mr. Oliver stated he had employed a well qualified, James City County resident to fill the newly created Finance Director position. Mr. Oliver then introduced Mr. John E. McDonald, Assistant to County Administrator/Finance, to the Board.

Mr. Edwards moved to adjourn into executive session to discuss personnel matters and possible land transactions. The motion carried by a majority roll call vote. Mr. Ware vote no.

THE MEETING ADJOURNED INTO EXECUTIVE SESSION.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD ON THE TWENTY-EIGHTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

July 12, 1976
June 28, 1976

D-9 APPOINTMENTS

9a. Appointment to the Patrick Henry Hospital Board of Trustees.

Chairman Frink moved to appoint Dr. Philip C. Wilson to the Patrick Henry Hospital Board. The motion carried by a unanimous roll call vote.

9b. Appointment to the Drug Abuse Council

Chairman Frink moved to appoint Ms. Cynthia Lassiter to the Peninsula Drug Abuse Council. The motion carried by a unanimous roll call vote.

9c. Appointment to the Regional Library Board.

It was noted that this appointment required a Supervisor to serve on this Board. Mr. Donaldson moved to appoint Supervisor Edwards to serve on the Regional Library Board. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn the meeting. The motion carried unanimously.

THE MEETING ADJOURNED AT 5:56 P.M.


County Administrator

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWELFTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David E. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards corrected the minutes of May 18, 1976, indicating that the motion to find an additional \$80,000 for the school budget appropriation was made by Mr. Donaldson and not by him. Mr. Donaldson agreed and moved that the minutes of May 18 be corrected to read that he made this motion and to approve the minutes of May 14, 24, and June 1, 1976 with the correction noted. The motion carried by a unanimous roll call vote.

C. BOARD CONSIDERATIONS

1. Report by Mr. H. Cochran, Executive Director of PPDC, on Regional Solid Waste Disposal Study.

Mr. Henry Cochran, Executive Director of PPDC, appeared before the Board and presented a summary of the report from Metcalf & Eddy on the Regional Solid Waste Disposal Study. Discussion followed.

Mr. Donaldson moved the approval of the recommendations set forth in Mr. Bass' memorandum of July 9, that (1) the County participate in the solid waste disposal Authority recommended in the Regional Solid Waste Management Plan, and (2) the County would not make a commitment regarding the use of the Authority disposal facilities until the Authority tipping fees compare favorably with our landfill operating costs; and by participating in the Authority authorizing James City County's share of \$1200. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

2. Resolution authorizing Bingo-Raffle permit for Williamsburg Lions Club.

Mr. Edwards moved the approval of the resolution extending the permit of the Williamsburg Lions Club to conduct bingo games for a period of one year beginning August 1, 1976. The motion carried by a unanimous roll call vote.

July 12, 1976

RESOLUTION

WHEREAS, Robert E. Riley of the Williamsburg Lions Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; from August 1, 1976 to July 31, 1977, and

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Lions Club has met the requirements of Section 18.1-340(b) of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of James City, that the Williamsburg Lions Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

3. Resolution for State/Local hospitalization for indigents.

The Board reviewed the resolution. Mr. Donaldson moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Section 63.134, et. seq., of the Code of Va., 1950, as amended, provides that the County of James City and the State Board of Welfare and Institutions may enter into a program to provide for hospitalization and outpatient treatment and care for indigent persons residing within the County, and

WHEREAS, the Board of Supervisors recognizes a need to provide such assistance to the medically indigent, and

WHEREAS, the 1976-77 Annual Budget for James City County allocates \$5,000.00 as the County's share for participation in such a program;

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

1. That it authorizes James B. Oliver, Jr., County Administrator, to enter into contracts with those hospitals approved by the State Board of Welfare and Institutions.
2. That it authorizes and appoints Frederick Scherberger, III, Director of Social Services, as its authorizing agent, pursuant to Section 63.1-139 of the Code of Va., 1950, as amended, for purposes of determining the eligibility of such persons for hospitalization.

4. Certification of Warrants

General Fund	Checks #1319 thru #1483 Totalling \$680,965.25
General Fund Payroll	Checks #4850 thru #5144 Totalling \$87,109.08
Sanitary District #1	Checks #15 and #16 Totalling \$2,067.52
Sanitary District #2	Checks #125 thru #130 Totalling \$1,635.05
Sanitary District #3	Checks #193 thru #212 Totalling \$213,910.18
Revenue Sharing Account	Checks #193 thru #206 Totalling \$48,151.95

Mr. Frink moved the approval of the warrants for June, 1976. Mr. Ware indicated at this point that because of the wasteful and extravagant spending, he did not intend to vote in favor of any more warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

5. Appointment of Dog Warden

Mr. Taylor moved to reappoint Mr. William (Buck) Stewart as Dog Warden for James City County effective August 1, 1976. The motion carried by a unanimous roll call vote.

July 12, 1976

D. MATTERS OF SPECIAL PRIVILEGE

The Chairman, with the concurrence of the Board, directed the staff to prepare a resolution for Mrs. Betty Winstead in recognition of her services.

E. REPORTS OF THE COUNTY ADMINISTRATOR1. Toano Water System - Bids

The Board reviewed a memorandum of July 9, 1976, from Mr. Bass and Mr. Morton containing information on the bid tabulation for the Toano Water System. Because the low bidder was not licensed by the State Registration Board for Contractors and in order not to slow the project, it was recommended that William H. Gammon Well Drilling Company be awarded a portion of the bid--the sinking of a 6" well--and then to reschedule an opening of a second bid on August 6 on the remainder of the project.

Mr. Ware moved to award a contract to William H. Gammon Well Drilling Company to sink a 6" well for \$7,570. The motion carried by a unanimous roll call vote.

Mr. Ware moved that August 6, 1976, at 2:00 P.M. be set as the date for the rebid to be opened on the remainder of the project. The motion carried by a unanimous roll call vote.

2. Purchase of 2 Howe commercial pumper units.

The Board reviewed a memorandum of July 9, 1976, from the County Administrator on the captioned matter, which recommended the purchase of two Howe pumps with a delivery time of 14-16 months if ordered at this time.

Mr. Donaldson moved to authorize the purchase of two (2) Howe C-900 Ford units at a total cost of \$101,707.68; with a commitment of \$25,853.84 of funds in the FY 78 budget towards the purchase of the second pumper. The motion carried by a unanimous roll call vote.

3. Redistricting

The Board reviewed a memorandum from the County Attorney which indicated the acceptance of the County's redistricting plan by the Department of Justice.

4. Emergency Services On-Site Assistance Report.

The Board received the report with the recommendation that the staff would be appreciative of any comments that the Board might have.

5. Postponement of Step I Public Hearing - Ewell-Toano Sewer System.

The State Water Control Board/Environmental Protection Agency ruled that 30 days notice be given prior to the public hearing and, therefore, the Director of Public Works recommended that the public hearing be postponed from Monday, July 19 to Monday, August 2 at 7:30 P.M.

Mr. Donaldson moved that the Board concur in the recommendation and set the date of public hearing on the Ewell-Toano Sewer System to be re-advertised for August 2, at 7:30 P.M. The motion carried by a unanimous roll call vote.

6. Rural Transit Project

The Board reviewed a memorandum from the Director of Planning, Mr. William Brown, which indicated the receipt of the Rural Transit Grant from the Federal Highway Administration and the actions to be taken to comply with Federal and State requirements. Discussion followed.

Mr. Edwards moved the approval of the resolution authorizing the County Administrator to execute the contract between the County and the Department of Highways and Transportation. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County has recently been awarded a Federal grant under the "Rural Highway Public Transportation Demonstration Program", Section 147 of the Federal-aid Highway Act of 1973;

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

(1) That "An Agreement for the Utilization of Rural Highway Public Transportation Demonstration Program Funds in James City County" may be executed.

(2) That James B. Oliver, Jr., County Administrator is authorized to execute this agreement and to implement the program in James City County.

This resolution shall be in full force and effect from the day of its adoption.

July 26, 1976
July 12, 1976


Mr. Donaldson moved to adjourn into executive session to discuss matters of possible land acquisition. The motion carried by a majority roll call vote.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, HELD ON THE TWELFTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT AS NOTED ABOVE.

Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 9:46 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-SIXTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David E. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware requested that the meeting of June 28, 1976, show that he voted no to adjourn into executive session. He moved to approve the minutes of June 14 and 28 with the correction noted. The motion carried by a unanimous roll call vote.

C. PRESENTATION OF RESOLUTION OF APPRECIATION - MRS. BETTY WINSTEAD.

Mr. Frink moved the approval of the resolution of appreciation to Mrs. Betty Winstead. The motion carried by a unanimous roll call vote. Mrs. Winstead was present to accept the resolution and expressed her thanks.

RESOLUTION

WHEREAS, BETTY W. WINSTEAD served as an employee of James City County from December 1, 1967, until her resignation effective June 30, 1976; and

WHEREAS, throughout this period of service BETTY W. WINSTEAD held the positions of Registrar, Administrative Secretary, Administrative Assistant, and Budget Analyst/Purchasing Agent; which positions required that she continue to accept, become familiar with and carry out assignments requiring increasing responsibility and dedication; and

WHEREAS, BETTY W. WINSTEAD contributed substantially to the development and implementation of new purchasing and budgetary procedures designed to meet the needs of the County during a period of rapid and significant growth; and

WHEREAS, BETTY W. WINSTEAD consistently demonstrated those qualities of initiative, perserverance and dedication which have resulted in exceptional service to the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Board wishes to extend its sincere appreciation and thanks to BETTY W. WINSTEAD for her outstanding service and dedication to the County and its citizenry during the past eight and one-half years.

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this Board and a copy be presented to BETTY W. WINSTEAD.

D. HIGHWAY MATTERS

Mr. Taylor moved the approval of the resolutions to include certain streets into the State Secondary System. The motion carried by a unanimous roll call vote.

July 26, 1976

RESOLUTION

WHEREAS, the developer of Windsor Forest, Section I 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 Windsor Forest, Section I, James City County in the State Secondary Highway System.

Description:

Sheffield Road - From: Intersection of Route 612
To: .253 Mi. SW of Intersection of Route 612

A Right of way of 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest, Section I Subdivision, Plat Book 28, Page 52.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest, Section I and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of First Colony, Section II 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 First Colony, Section II, James City County in the State Secondary Highway System.

Description:

Berkeley Circle - From: Route 1102 0.13 Mi.
To: 0.13 Mi. NW to end cul-de-sac 50' R/W

A Right of way 50 feet as shown above is guaranteed as evidenced by plat of record, entitled First Colony Subdivision, Section II, Plat Book 21, Page 48.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of First Colony, Section II and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Woodland Farms, Sec. I, 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 Woodland Farms, Section I, James City County in the State Secondary Highway System.

Description:

Woodland Road - From: 0.74 Mi. E. of Intersection Rt. 607 0.10 Mi.
(Rt. 1601) Rt. 607
To: 0.10 Mi. E. to Intersection of
Deer Circle Road R/W 60'

July 26, 1976

Pasture Circle - From: Intersection of Rt. 1601 0.74 0.09 Mi.
 E. of Rt. 607
 To: 0.09 Mi. S. to End of cul-de-sac
 R/W 50'

A Right of way 50 - 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Woodland Farms Subdivision, Section I, Plat Book 29, Page 3.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Woodland Farms, Section I, and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Windsor Forest, Sec. 3-A 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 Windsor Forest, Sec. 3-A, James City County in the State Secondary Highway System.

Description:

Buford Road - From: 0.29 Mi. SW of Route 612 0.17 Mi.
 To: 0.46 Mi. SW of Route 612
 R/W 60'

A Right of way of 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Sec. 3-A, Plat Book 30, Page 55.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest, Section 3-A, and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Windsor Forest Section II 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 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 Windsor Forest Section II, James City County in the State Secondary Highway System.

Description:

Buford Road - From: Intersection of Route 612 0.29 Mi.
 To: 0.29 Mi. Southwest of Route 612
 60' R/W
 Hastings Lane - From: Intersection of Buford Road 0.12 Mi.
 To: 0.24 Mil. Southwest of Route 612
 0.12 Mil. North to Intersection
 of Sheffield Road. 60' R/W

A Right of way of sixty feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section II, Plat Book 29, Page 33.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

July 26, 1976

RESOLUTION

WHEREAS, the developer of Woodland Farms, Sec. II, 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 Woodland Farms, Section II, James City County in the State Secondary Highway System.

Description:

Deere Circle - From: Intersection of Rt. 1601 0.10 Mi.
 0.84 Mi. E. of Intersection of Rt. 607
 To: 9.10 Mi. S. to end of cul-de-sac R/2 50'
 Woodland Road - From: 0.84 Mi. E. of Intersection of Rt. 607 0.09 Mi.
 (Rt. 1601) To: 0.09 Mi. E. to Intersection of Stonehouse Rd.
 60' R/W
 Stonehouse Road - From: Intersection of Rt. 1601 0.45 Mi.
 To: 0.20 Mi. E. and 0.25 Mi. N. 50' R/W

A Right of way of 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Woodland Farms, Sec. II, Subdivision, Plat Book 30, Page 26.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Woodland Farms and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Windsor Forest Section IV 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 Windsor Forest Section IV, James City County in the State Secondary Highway System.

Description:

Buford Road - From: 0.46 Mi. SW of Route 612 0.22 Mi.
 To: 0.22 Mi. SW to a temporary cul-de-sac
 60' R/W
 Bransford Court - From: Intersection of Buford Road 0.05 Mi.
 0.53 Mi. SW of Route 612
 To: 0.05 Mi. NW to end of cul-de-sac
 50' R/W

A Right of way of variable 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Subdivision, Section IV, Plat Book 31, Page 30.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Kingspoint, Sections 6, 7 & 8 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 Transportation and providing any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection.

July 26, 1976

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following streets in Kingspoint, Sections 6, 7 & 8, James City County in the State Secondary Highway System.

Description:

Southpoint Drive -	From: Overlook Drive (Route 1213)	0.39 Mi.
	To: 0.39 Mi. S.W. to end of cul-de-sac 50' R/W	
Cedar Court -	From: Southpoint Drive	0.06 Mi.
	To: 0.06 Mi. S. to end of cul-de-sac 50' R/W	
Pinepoint Road -	From: Southpoint Drive	0.27 Mi.
	To: 0.27 Mi. S. to end of cul-de-sac 50' R/W	
Archers Hope Drive -	From: Southpoint Drive	0.23 Mi.
	To: 0.23 N.W. to end of cul-de-sac 50' R/W	
Archers Court -	From: Archers Hope Drive	0.06 Mi.
	To: 0.06 Mi. N. to end of cul-de-sac 50' R/W	

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Kingspoint Subdivision, Plat Book 28, Pages 21, 44, 31, 6

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Kingspoint and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia this 26th day of July, 1976.

RESOLUTION

WHEREAS, the developer of Elmwood, Section II 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made with a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Elmwood, Section II, James City County in the State Secondary Highway System.

Description:

Chinkapin Lane -	From: Route 1605	0.33 Mi.
	To: 0.33 Mi. North to Intersection of Locust Place 50' R/W	
Locust Place -	From: 0.05 Mi. E. of Chinkapin Lane	0.13 Mi.
	To: 0.08 Mi. W. of Chinkapin Lane	

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Elmwood, Section II Subdivision, Plat Book 33, Page 36.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Elmwood, Section II and the Resident Engineer of the Department of Highways and Transportation

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July 1976.

RESOLUTION

WHEREAS, the developer of Saint George's Hundred, Section I & II 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it

July 26, 1976

hereby is respectfully requested, contingent upon the above, to include the following streets in Saint George's Hundred, Section I & II James City County in the State Secondary Highway System.

Description:

Robertson Street - (Route 1439)	From: Route 1438 To: 0.09 Mi. E. to Intersection of Castle Lane 60' R/W	0.09 Mi.
Castle Lane -	From: Intersection of Robertson St. To: 0.14 Mi. S. to Intersection of Mace Street 60' R/W	0.14 Mi.
Mace Street -	From: Intersection of Castle Lane To: 0.11 Mi. W. to Intersection of St. George's Blvd. 60' R/W	0.11 Mi.
St. George's Blvd. -	From: End of St. George's Blvd. (Route 1438) To: 0.07 Mi. S. to Intersection of Arena Street 80' R/W	0.07 Mi.
Arena Street -	From: Route 1438 Intersection To: 0.08 Mi. W. to temporary cul-de-sac 50' R/W	0.08 Mi.

A right of way of variable 60-80 feet as shown above is guaranteed as evidenced by plat of record, entitled Saint George's Hundred Subdivision, Plat Book 31, Page 34.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Saint George's Hundred and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 26th day of July 1976.

E. PUBLIC HEARING

2. CASE SUP-2-76. Application of Williamsburg Properties, Ltd., to construct and operate a funeral home in Grove.

Mr. William Brown, Planning Director, identified the location of the proposed funeral home as being located on the south side of Route 60 between the intersections of Howard Street/Route 60 and Jackson Street/Route 60.

The Chairman opened the public hearing.

Mr. Frederick R. Carter discussed his request for approval of the special use permit for locating a funeral home in Grove. He indicated association with Carter Funeral Home in Gloucester and Knight Funeral Home in Matthews, which consisted of 70 years of business experience. He compared the desirable affects of the funeral home to the adverse affects of apartments, which could be located on the R-3 zoned property. After discussion, Mr. Carter requested that the Board defer action on this request until he had had an opportunity to talk with the residents of the area who were opposed to the granting of the special use permit.

Mrs. Madeline Roberts - Roberts District - presented the Board with a petition signed by over 125 people opposing the establishment of a funeral home in this particular area of Grove.

Mr. Donaldson moved that action be deferred on this matter until the next regular meeting of the Board. The motion carried by a unanimous roll call vote.

F. BOARD CONSIDERATIONS

3. Volunteers in Probation Program.

The Board reviewed the July 19 memorandum from the County Administrator which contained additional information regarding the Probation Department funding and program expansion program originally presented for consideration on April 12. A brief discussion followed.

Mr. Donaldson moved that the Board approve as a matter of policy the participation in the Volunteers in Probation Program outlined in the memorandum in the manner indicated, and the necessary transfer of \$2440 from out Contingency account to our Juvenile & Domestic Relations Court Services Unit #01830-7021. The motion carried by a majority roll call vote. Mr. Ware voted no.

4. Social Services Lease

Mr. Frederick Scherberger, Director of Social Services, was present to discuss the Social Services building location with the Board and identified the site in Five Forks. Mr. Edwards expressed some concern about locating the Social Services department out by itself away from the County Complex. Discussion followed.

August 2, 1976
July 26, 1976

Mr. Donaldson moved that the Chairman of the Board of Supervisors and County Administrator be authorized to execute the Social Services Department building lease. The motion carried by a unanimous roll call vote.

5. Rebate of duplicate permit fee - Anheuser-Busch, Inc.

The Board reviewed a request from the Building Official and County Attorney to refund a duplicate permit fee in the amount of \$219.50 to Anheuser-Busch, Inc.

Mr. Edwards moved the approval of the refund in the amount of \$219.50 to Anheuser-Busch, Inc. The motion carried by a unanimous roll call vote.

6. Proposed Sign Ordinance Revision

The Board reviewed a memorandum from the County Attorney and Director of Planning which indicated the changes proposed in the Sign Ordinance. There was some discussion as to changing language of the proposed amendments to the Sign Ordinance, but it was preferred that the language in the Ordinance should go to the Planning Commission as presented.

Mr. Frink moved that the proposed amendments to the Sign Ordinance be referred to the Planning Commission for study and recommendation back to the Board of Supervisors. The motion carried by a majority roll call vote. Mr. Taylor voted no.

G. MATTERS OF SPECIAL PRIVILEGE

None.

H. REPORTS OF THE COUNTY ADMINISTRATOR


The Board received a memorandum from the County Administrator which indicated the driving times between possible County government center sites and other key locations in the County.

I. BOARD REQUESTS AND DIRECTIVES

The Board discussed cancelling the second meeting in August of the Board of Supervisors due to conflicting vacations and a conference. The Board requested the County Administration to check on whether a resolution was necessary on this for the Board's meeting on August 9, 1976.

Mr. Donaldson moved that the Board recess until 3:00 P.M., Monday, August 2, at which time the Board will receive a motion to go into executive session to consider land acquisition. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING RECESSED AT 5:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE SECOND DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

B. CALL TO EXECUTIVE SESSION

Mr. Donaldson moved to recess the meeting into executive session for the purpose of considering matters of real estate acquisition. The motion carried by a majority roll call vote. Mr. Ware voted no.

August 2, 1976


AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, HELD ON THE SECOND DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

The Board indicated that they wished further review of the proposals presented with a special session with the County staff, and will have a Special Meeting at 7:30 P.M. in the Council Chambers on August 5, 1976 for a possible decision on the acquisition of land for the County site.

Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 5:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS AND SERVICE AUTHORITY OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE SECOND DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

B. PUBLIC HEARING - STEP I FACILITIES PLAN ROUTE 60 WEST, NORGE, AND TOANO AREAS

Mr. Taylor, Vice-Chairman, opened the public hearing.

Mr. Oliver, County Administrator, stated that the Board of Supervisors and the Service Authority had given the authority to study the need of a sewer system in the County.

Mr. Oliver stated that there are steps to take before asking for Federal Grants. Step one is to determine the problem and feasibility of a preliminary plan. At this point, the public is given a chance to offer their viewpoints. Step two is to have preliminary plans finalized by an engineer, and step three is a final stage construction process.

Mr. Oliver also stated that it appears that Congress will be appropriating more money this year; therefore, if James City County should apply for these funds before January, there is a possibility that the County could receive 75 percent of the construction cost of the sewer system. Without a Federal Program, the County might have to defray the cost of the entire system. He said that there was no commitment on anyone for anything said tonight, and that the Board had not made any final decisions.

Mr. Oliver then turned the discussion over to Mr. Deward M. Martin, of Deward M. Martin and Associates, Inc. Mr. Martin said that several engineering surveys had been made. Some of his men had been sent from door to door to County residents to see if they had had any sewer related problems. The areas where residents have had problems are being studied. Mr. Martin pointed out the problem areas on a map.

Mr. Martin stated that the Toano and Ewell Hall areas have similar problems. Their systems need to be brought up to EPA and State Water Control Board standards. In the Mooretown area, better than 60 percent of the residents have an inadequate sewage disposal facility. There is enough sewage going on the ground to cause a serious health hazard. Leakage from several systems are affecting down stream areas. Mr. Martin said that if one is to think about a sewer system, he must look at the entire area.

He also mentioned that the Williamsburg Pottery built a huge drain field trying to help their problem there, but they too can see that a problem will arise in the future. He said that there is no possible way to build a sewer that would be suitable with everyone.

Mr. Martin gave several alternatives for a sewer system:

1. Optimum operation of existing facilities.
2. Construction of sewer systems and separate treatment plants in each of the populated communities.

August 2, 1976

3. Construction of sewer systems in each of the communities and disposal to the Hampton Roads Sanitation District Regional Treatment Plant.

The third alternative seemed the best or least expensive providing the other entities pay their share.

Mr. Martin stated that after going through the alternatives, the financial aspects of the sewer system were viewed. There were several programs considered:

1. Program A included collection sewers in the entire area between Anderson's Corner and the City of Williamsburg. This program was expected to be expensive on a per unit basis.
2. Program B was related to the construction of interceptors and pumping stations only as a first phase project. The income from the project area would not support the construction of lateral sewers solely from revenue bonds or local funds.
3. Program C was developed to determine what costs would be involved in providing a small program serving only the most critical areas. Program C lacked the capacity for adequate future growth.
4. Program D was the most practical project. It would provide interceptors and force mains to collect the sewage from Ewell Hall and Toano, would provide new collection sewers in the Ewell and Mooretown areas, the Lightfoot and Williamsburg Pottery area and to all the commercial and public properties in the Norge area. Mr. Martin recommended this program fully. He felt that it is the best way to solve all of the existing problems that have been identified.

Mr. Martin stated that under Program D the total cost of the project would be approximately \$3,418,000. It is possible that \$2,336,000 could be funded from Federal Programs. Mr. Martin recommended that the community come up with some way of providing cash money to bring down bond issues. (Other places which do not have any problems now will be taken care of by providing interceptors that will be large enough for future service to those areas.) If this type of project can be proposed, it is estimated that the connection fees would be \$450 for a single family residential connection, \$600 for a commercial connection, \$300 for trailers in pre-piped parks, and similar rates for other commercial and industrial customers.

Mr. Martin said that if the County had to pay for the project without any grant funds, it would be a tremendous task. Mr. Martin stated that there are needs and real problems in the study areas of the County; therefore, the citizens should try to work for these Federal funds.

Following the opening remarks by Mr. Oliver and Mr. Martin, the Chairman opened the floor for public comments.

Mr. J. A. Mann - 106 King Henry Way - The Hamlet. Mr. Mann stated the connection fee would be too high without Federal aid. There would be a possibility that the residents would be paying \$1200 to \$2000 if Ewell Hall has to fund its own program. As citizens, they feel that the system now being used is not a malfunctioning one. The cost of the hook up, without Federal aid, is much more than the citizens can afford.

Mr. Vinson Sutuve - 116 Canterbury Place - The Hamlet. Mr. Sutuve felt that the proposed County plan would be good for the Hamlet area.

Mr. Douglas Kinley - 229 Olde Towne Road - Ewell Hall. Mr. Kinley stated that he supports the plan. He questioned the small difference between the fees of the single family dwellings and businesses.

Mr. Martin replied that some of the rates may be changed.

Mrs. Mamie Edloe - 4108 Richmond Road. Mrs. Edloe stated that rates seemed high for family and commercial people. She wanted to know if it was mandatory for everyone to connect.

Mr. Martin replied that everyone must connect, because the project could not be funded if they did not.

Mr. John Moneymaker - 205 Kingswood Drive. Mr. Moneymaker spoke on behalf of the Williamsburg Board of Realtors. He recommended that the County consider constructing the sewers, because it would be an asset to the County.

Mr. Sam Hazelwood, Jr. - Toano. Mr. Hazelwood stated that he favored the project. He said that the project would encourage business and industrial growth. He asked if the County had considered reducing the bond issue by encourage pre-paid connection fees.

Mr. Martin replied that this was not in the report but it seemed like a good idea.

Mr. J. H. Harris, Jr. - Toano. Representing Malcolm Industries in Toano, Mr. Harris stated that they located in Toano in 1969, because sewerage was available. They knew that something would have to take place in the near future and supported the project; but would like to see lower fees for his facility.

Philip C. Wilson, M.D. - Director of Williamsburg-James City Health Department. Action needs to be taken to correct sewerage problems throughout the project area. In fact, the Ewell and Toano areas are under orders from the State Water Control Board to upgrade their systems.

August 5, 1976
August 2, 1976

Dr. Wilson stated that it is the recommendation of the Health Department that James City County should proceed with the development of a sewerage system that will correct the current potential health hazards and prevent others from occurring in the future.

Mr. Oliver J. Shelton - 17 Settler's Lane. Mr. Shelton stated that he is in favor of the project. He said that he can afford it better now rather than later.

Mr. Wesley Sheldon - Toano. Mr. Sheldon stated that he was aware of the fact that the system was bad in Toano. He feels that the project will enhance general business and industry.

Mrs. George Earman - Toano. Mrs. Earman stated that she was not presently on the Toano system. She is in favor of the plan. "Can't see how the County citizens can do otherwise, but favor the plan."

Mrs. Betty S. Smith - Lightfoot. Mrs. Smith stated that she was against the plan. She believes that the wildlife systems would be endangered. Mrs. Smith feels that big business is against the individual family.

Mrs. Elsie Mullen - Route 3, Box 247 - Williamsburg. Mrs. Mullen stated that she is presently living on Centerville Road. She would like to see the facts on the water coming out of the stream near her home, because she doesn't think it is polluted. Her reason for building in the area was because of the good drinking water and to get away from the people. Mrs. Mullen wanted to know who had been having problems in the area and how would her father be able to pay connection fees on his trailer park. Mrs. Mullen stated that she was against the project and she hopes that the County is working for the people and not against them.

Mr. Ernest B. Heath, Jr. - Route 3, Box 256 - Williamsburg. Mr. Heath said that he was against the County sewer. He stated that he had presented a petition to Mr. Oliver against the sewer plan.

Mr. Oliver acknowledged having received the petition, and indicated it would be made a part of the record to be contained in the County files.

Mr. Ezekiel Lee - Black's Crossing. Mr. Lee believes that if the County is going to become sanitary, make the whole County sanitary, not certain areas. (Note: Black's Crossing is in Eastern James City County, and is not within the project area.)

Mrs. Lillian E. Watkins - Route 60 - Williamsburg. Mrs. Watkins stated that the sewer is needed, although here septic system is working okay.

Mr. Robert C. Howard - 121 King William Drive - Williamsburg. Mr. Howard was in favor of the system. He stated that he was against connection fees.

Mrs. William Beck - Toano. Mrs. Beck stated that she was in favor of the system. She mentioned that her septic tank worked fine, but there comes a time when her septic tank might go out. She stated that the sewer system could lead to more industries for the County. She stated that Toano needs this, and that the citizens should think about the other person.

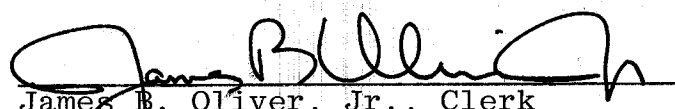
Mr. C. E. Douglas - P. O. Box 132 - Norge. Mr. Douglas stated that it is quite probable with the future system, that a bond referendum might be eliminated with advance connection fees. Mr. Douglas stated that in the last few years, he had encountered some problems. He said that he would prefer paying the fee today rather than in the future when fees might be higher.

Mr. Bruce Green - Lightfoot Road. Mr. Green stated that he was in favor of the sanitary sewer where it is needed, but said he did not need it. He also said, "What's the use in trying to prevent people from having diseases if you are going to starve them to death?"

There being no further comments from the public, the Chairman moved to recess the meeting of the Board of Supervisors until August 5, 1976, at 7:30 P.M. in the Courthouse. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved that the Service Authority be adjourned until its next meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING RECESSED AT 9:45 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE FIFTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

August 9, 1976
August 5, 1976

A. ROLL CALL

Mr. Abram Frink, Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

Mr. Donaldson moved to adjourn the meeting into executive session for the purpose of considering matters concerning real estate acquisition. The motion carried by a majority roll call vote. Mr. Ware voted no.

* * * *

Mr. Edwards moved to return to public session. 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, HELD ON THE FIFTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

Mr. Donaldson moved that the County office complex be located on the site it owns in the Kingsmill area on the assurance made by Anheuser-Busch that the necessary utilities will be extended to the site at no expense to the County. He indicated that it is a decision most economical for the County and takes into account the various characteristics of the sites and other considerations.

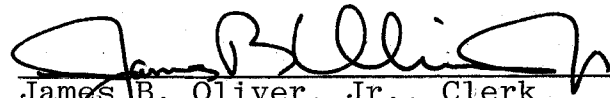
Mr. Ware indicated that as far as his district and constituents are concerned that he felt that this location is not in the best interests of his constituents and at this point of time and with what the Board had to work with, this location is in the best interest of James City County.

Mr. Taylor indicated that he agreed partially that Kingsmill is a good location, but that contact with constituents showed that most felt it is not near enough to the center of the County---"Makes as much sense to build at Barhamsville as it does Kingsmill" and for that reason Mr. Taylor indicated he would like to see the complex more centrally located. As far as the ground at Kingsmill, it is as good or better than some others. He indicated that on those conditions he could not support the motion.

The motion carried by a majority roll call vote. Mr. Taylor voted no.

Mr. Ware moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FUTHER BUSINESS, THE MEETING ADJOURNED AT 8:50 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE NINTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District - Absent
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of July 12, 1976, as printed. The motion carried by a unanimous roll call vote.

* * * * *

The Board acknowledged Mr. Rawley Yeatts, Resident Engineer, Virginia Department of Highways and Transportation, who was present at this meeting due to the fact that the Board was cancelling its second meeting of the month when he usually

This book was missing pages 297 and 298.

August 9, 1976

appeared. Mr. Yeatts mentioned the VDH&T's secondary budget and the need for Board approval. It was indicated that the Board received the budget and would review it and bring back at their September 13 meeting.

C. BOARD CONSIDERATIONS

1. Special Use Permit, Case #SUP-2-76, application of Williamsburg Properties, Ltd., for funeral home in Grove.

The County Administrator informed the Board of a call from Mr. F. Carter's partner, Mr. Bennett, who indicated difficulty in making the meeting and that he would like another deferral of Board's decision of his request, indicating another presentation in ten days.

Mr. William Bull, Williamsburg Properties, Ltd., indicated that his firm owns the property which is contracted for sale to Mr. Carter and Mr. Bennett provided they obtain a special use permit. He indicated that the permit was instigated by Williamsburg Properties for Mr. Carter and Mr. Bennett. Mr. Bull indicated he had tried to contact Mr. Carter, but was informed he was in Washington. Since Mr. Bennett is Mr. Carter's partner and has requested a postponement, Mr. Bull requested the Board to honor this.

Mr. Frink suggested that the Board deny this permit because of the petition by the residents of this area in Grove who were against the construction of the funeral home.

Mr. Frink moved that the Special Use Permit be denied. Mr. Donaldson indicated support of the motion to deny the request. He indicated that it was clear that the majority of the people regarded this particular use as not compatible with the land use plan. Mr. Taylor indicated that it was evident that the majority did not want the approval of the permit and felt that the Board should abide by the majority of the public. The motion carried by a unanimous roll call vote.

2. Presentation of Economic Development Advisory Committee recommendations - Stan Brown, Chairman.

The Board reviewed the Report of the Economic Development Advisory Committee and discussed it briefly with Mr. Brown, Chairman.

Mr. Donaldson moved that the Board accept the findings as set forth in the memorandum listed under paragraph A, and the recommendations as far as policies and the mission of the Economic Development Advisory Committee as set forth in paragraphs B and C. The motion carried by a unanimous roll call vote.

3. Toano Water System Improvement Contract.

The Board reviewed the bid openings for the completion of the new well at Toano.

Mr. Donaldson moved the approval of the County Administrator's recommendation to award the contract to William H. Gammon in the amount of \$38,835. The motion carried by a unanimous roll call vote.

4. Receipt of Williamsburg, James City County and York County Demonstration Bikeway Proposal.

Mr. Bill Mettler, Williamsburg City Planning Director, made a presentation to the Board and requested endorsement of the bikeway proposal which would serve Williamsburg, James City County and York County. The Planning Commission reviewed and recommended that the Board of Supervisors approve the proposal in concept. Discussion followed.

Mr. Donaldson moved that the unanimous recommendation of the Planning Commission to approve the proposal be accepted. A vote was taken which showed:

Mr. Ware	No	
Mr. Donaldson	Aye	
Mr. Taylor	No	Tie vote.
Mr. Frink	Aye	

Mr. Donaldson called upon his colleagues to reconsider their vote.

Discussion followed:

Mr. Morton, County Attorney, referred to the Code of Virginia, 1950, as amended, §15.1-540, and informed the Board that in a case where there is a tie vote when all members are not present, the question shall be passed by until the next meeting when it shall again be voted upon.

Mr. Frink indicated that the matter will be carried over to the next regularly scheduled meeting at which time it can be voted upon. The Board was in agreement.

5. Date for Public Hearings on:

- a. Case #Z-9-76. Application by Norco, Inc., to rezone 5.28 acres of land on Neck-o-Land Road from A-2 and R-2 to R-5 for multi-family use.

August 9, 1976

- b. Case #Z-10-76. Application by Joseph Terrell for rezoning of three lots in Raleigh Square Subdivision on Albemarle Drive from R-2 to R-3 to construct three four-family dwelling units.
- c. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending Article I, Section 20-12, Minimum Off-Street Parking.
- d. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending Chapter 20, by adding a new Article, Article IX, Planned Unit Development Districts.
- e. An Ordinance to amend Chapter 18, Taxation, of the Code of the County of James City, Article I, In General, by adding a new section, Section 18-7.2, Refund of Levies Erroneously Paid.

Mr. Donaldson moved that items (a) thru (e) under Agenda Item 5 be scheduled for public hearing on September 13, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Va. The motion carried by a unanimous roll call vote.

6. Certification of Warrants - July 1976

General Fund	Checks #1484 thru 1610 Totalling \$251,941.20
General Fund Payroll	Checks #5145 thru 5435 Totalling \$84,367.61
Sanitary District #1	Check #17 Totalling \$2,662.86
Sanitary District #2	Checks #131 thru 136 Totalling \$2,445.51
Sanitary District #3	Checks #213 thru 233 Totalling \$358,963.00
Revenue Sharing Account	Checks #207 thru 225 Totalling \$29,314.43
James City Subdivision	Checks #124 and 125 Totalling \$1,056.20
Obligated Appropriations	Checks #1485, 1564 thru 1567, 1605 thru 1606 Totalling \$12,995.36

7. Cancellation of August 23, 1976 Board of Supervisors meeting.

Mr. Donaldson moved that the Board cancel the meeting originally scheduled for August 23, 1976, at 3:00 P.M. The motion carried by a unanimous roll call vote.

D. MATTERS OF SPECIAL PRIVILEGE

Mr. Donaldson indicated that he received a petition signed by 23 persons in favor of a comprehensive sewer plan in particular for the Centerville Road and Settlers Lane area and requested this petition be made a part of the record of the public hearing on August 2, 1976 on the Step I Public Facilities Plan.

E. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver indicated he and the City Manager of Williamsburg had met with six architectural firms to explore an approach to gather sufficient material to give to the Board (and the City Council) regarding facilities at the joint jail at the Courthouse. This is a follow-up of the request by Judge J. R. Zepkin when he was present to discuss the regional corrections facilities and pointed out overcrowding at the jail. Mr. Oliver indicated the need for a study as to the costs and structural alternatives that the governing bodies might have. He estimated the cost to engage a firm for a month to six weeks at \$3,000. The County Administrator asked for the Board's concurrence to hire a firm to study the jail expansion indicating that he will do this administratively if there is no objection. The Board indicated none.

Mr. Oliver requested an executive session to consider a personnel matter.


Mr. Donaldson moved to adjourn the meeting into executive session to consider personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

* * * * *

The meeting was reconvened by Mr. Donaldson, who moved to adjourn the meeting at 9:30 P.M. The motion carried unanimously.

August 19, 1976
August 9, 1976

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 9:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE NINETEENTH DAY OF AUGUST, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL - BOARD OF SUPERVISORS

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District - Absent

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant to the County Administrator
Mr. Frank M. Morton, III, County Attorney

A-1 ROLL CALL - SERVICE AUTHORITY

Mr. John E. Donaldson, Chairman
Mr. Abram Frink, Jr., Vice-Chairman
Mr. Jack D. Edwards, Secretary
Mr. Stewart U. Taylor
Mr. David W. Ware, Jr. - Absent

B. BOARD CONSIDERATION

1. Step I Facilities Plan, EPA Project No. C510-583-01 Route 60 West-Toano.

Mr. Oliver discussed his memorandum of August 18 with the Board and recommended the approval of the attached resolution which formally adopts the Step I Facilities Plan, Route 60 West - sewerage project. He indicated that modifications had been made by the engineers and County staff in light of the public hearing which the Board held, and that with the adoption of the Step I plan the Board is indicating its best concept as to how it thinks the sewer problem can be solved in the Route 60 West Toano area. Mr. Oliver indicated that by approving the Step I Facilities Plan and submitting the resolution to the State Water Control Board at their public hearing on August 24 would strengthen the County's position. He also pointed out this would not be a final commitment on the Board's part, that rates, etc., would be subject to the Board's consideration in the future should the federal grant be granted.

Mr. Donaldson requested the addition of an appendage to the resolution to reflect the receiving of the additional petition at the August 9th meeting in favor of the Step I Facilities Plan.

Mr. Donaldson moved, in behalf of the Board of Supervisors and the Service Authority, the adoption of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Step I Facilities Plan, EPA Project No. C510-583-01, Route 60 West-Toano was prepared at the direction of the Board of Supervisors of James City County by Deward M. Martin and Associates, Inc., Engineers, and

WHEREAS, there exists inadequate sewage facilities for certain populated communities lying on either side of U.S. Route 60 from the City of Williamsburg to and including the community known as Toano, and

WHEREAS, because of these inadequate sewage facilities serious health problems exist in portions of the communities of Ewell Hall, The Hamlet, Mooretown, Lightfoot, Norge, Norvalia and Toano, and

WHEREAS, only the communities of Toano, Ewell Hall and The Hamlet are presently served by sanitary sewers, which sewer systems are presently operating under permits from the State Water Control Board which have expired or are due to expire in the near future, and

WHEREAS, the Board of Supervisors of James City County and the Board of the James City Service Authority are desirous of alleviating this serious health problem by providing public sewage facilities to all residential, commercial and industrial establishments located in these areas;

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

September 13, 1976
August 19, 1976

the James City Service Authority as follows:

1. That the Board of Supervisors of James City County and the James City Service Authority approve and endorse the Step I Facilities Plan, EPA Project No. C510-583-01, Route 60 West - Toano.
2. That the Board of Supervisors of James City County and the Board of the James City Service Authority agree with the Engineer's recommendation to select "Program D" as the project to be initiated.
3. That the Board of Supervisors of James City County and the Board of the James City Service Authority urge the State Water Control Board to look favorably on the plan and to give it their highest priority.

Mr. Edwards moved that the Board adjourn its meeting. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 4:25 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE THIRTEENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District
Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware corrected the minutes of August 5, 1976, adding the word "not" to his comments on site selection to read "that he felt that this location is not in the best interests of his constituents...." Mr. Ware moved the approval of the minutes of July 26, August 2 (two sets), August 5, 9, 19, 1976, with the change as noted above. The motion carried by a unanimous roll call vote.

C. HIGHWAY MATTERS

1. VHD&T Secondary Road Budget FY 76-77.

Mr. Donaldson moved the approval of the resolution as presented approving the Secondary System Budget for the County of James City for the current fiscal year. The motion carried by a unanimous roll call vote.

D. PUBLIC HEARINGS

2. Case #Z-9-76. Application by Norco, Inc., to rezone 5.28 acres of land on Neck-o-Land Road from A-2 and R-2 to R-5 for multi-family use.

Prior to the meeting, attorneys for the captioned case presented a letter requesting withdrawal of the application.

Mr. Donaldson moved that the application by Norco, Inc. for rezoning on Neck-o-Land be considered as withdrawn. The motion carried by

September 13, 1976

a unanimous roll call vote.

3. Case #Z-10-76. Application by Joseph Terrell for rezoning of three lots in Raleigh Square Subdivision on Albemarle Drive from R-2 to R-3 to construct three four-family dwelling units.

The Chairman opened the public hearing. There being no discussion, the public hearing was closed.

The application was reviewed by the Board.

Mr. Ware moved that the Board accept the recommendation of the Planning Commission and approve the rezoning from R-2 to R-3 and grant the conditional use permit as requested. The motion carried by a unanimous roll call vote.

4. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending Article I, Section 20-12, Minimum Off-Street Parking.

The Chairman opened the public hearing.

Mr. John Moneymaker - Commented that he was very impressed with the ordinance and felt that it was an exceptionally good one.

There being no further discussion, the Chairman closed the public hearing.

The Board reviewed the ordinance with Mr. Brown, Director of Planning. In particular, Mr. Ware expressed concern with the addition of landscaping requirements in the ordinance.

Mr. Edwards moved the approval of the ordinance. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

ORDINANCE NO. 31A-36

(Next page)

SEP 13 1976

ORDINANCE NO. 31A-36

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE I, SECTION 20-12, MINIMUM OFF-STREET PARKING.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, of the Code of the County of James City be and the same is, hereby, amended by amending Article I, Section 20-12, Minimum off-street parking, to read as follows:

CHAPTER 20

ZONING

Article I. In General

Section 20-12. Minimum off-street parking.

There shall be provided at the time of erection of any main building or at the time any main building is enlarged, minimum off-street parking with adequate landscaping and provision for entrance and exit by standard-sized automobiles, as follows:

A. General provisions.

1. No building permit shall be issued for any structure which does not comply with these requirements; however, structures already in use or those which have already received final site plan approval are exempted, provided that:

- (a) exempted buildings remain in continuous use and at no time remain vacant or unused for a continuous period of one year.
- (b) no main building is enlarged or substantially altered.
- (c) no parking lot for any excepted property is enlarged or materially altered.

2. Required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification.

3. Required off-street parking spaces may be provided jointly for two or more uses, subject to permanent easements that will assure access and availability. The number of such combined parking spaces to be required shall equal eighty percent of the sum of the amounts which would be required for each of the separate uses. Where such joint parking lots are proposed, they shall have one common point of ingress and egress, shall be designed as one parking lot, and shall have both properties shown on the site plan.

4. Off-street parking spaces shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory. Permanent storage of vehicles shall not be allowed. Storage of vehicles for sale shall not be allowed.

5. Site plans, in accordance with Article II of this Chapter, shall be submitted for all new off-street parking areas with four or more spaces, or for any additions to existing off-street parking areas.

6. Parking areas required by this section are intended to accommodate the off-street parking needs of the customers and employees of commercial, institutional, industrial, and residential uses. They are specifically intended to eliminate the need for parking along adjoining streets and roads. As such, all required parking areas shall be generally accessible and free of charge to the customers and employees they are designed to serve. Separate lots for employees and customers may be permitted; but parking for a fee, meter or rent of the minimum number of spaces required by this section shall be by conditional use permit only.

B. Landscaping.

Parking areas shall be arranged for functional efficiency and convenience and shall be designed to be amenable to surrounding property. Parking areas accessory or otherwise, containing more than ten parking spaces shall comply with the following:

1. The parking area shall be separated from the street right-of-way and property lines by a landscaped strip at least ten feet in width. Ingress and egress shall be provided through driveway openings only. In the event a joint parking lot is proposed, the required landscaped strip along the common property line shall be waived. Dimension, location, and construction of driveway openings shall be subject to approval by the Commission.

2. The parking area shall be constructed so that spaces are grouped into bays, generally consisting of eight to twelve parking spaces. Bays shall be separated by a landscaped median strip along one of its longer dimensions. Where the parking spaces are 10' x 20' and concrete or wooden bumpers are used to prevent vehicle overhang into the landscaped median strip, the landscaped median strip shall be at least four feet in width. As an alternative, parking spaces of 10' x 17'

may be used with overhang into the landscaped strip permitted if the width of the landscaped strip is increased to at least eight feet. On each of its other two shorter dimensions, a landscaped strip of at least four feet in width and fifteen feet in length shall be built to separate the bays from each other or from traffic lanes.

3. "Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required they shall be of a minimum height of seven feet with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking.

4. Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce objectionable glare on adjacent property or streets, and no lighting fixture shall exceed a height of fifteen feet in a residential district or thirty feet in any other district.

5. The design of the lot shall meet the minimum geometric standards presented in the following table:

MINIMUM OFF-STREET PARKING AREA DIMENSIONS

Angle of Parking (degrees)	Direction of Traffic	Dimensions of Stall (ft)	Width of Aisle (ft)	Width of Aisle Plus Two Stalls (ft)
30	One-way	10 x 20	10	34.0
45	One-way	10 x 20	11	39.8
60	One-way	10 x 20	18	60.6
90	Two-way	10 x 20	22	62.0

6. As specified in (2) above, the dimensions of the stall may be reduced to 10' x 17' if additional landscaped median strip is provided.

7. Where the required number of parking spaces is not set forth for a particular use in the following sections, where the applicant is uncertain as to final use or size of the structure or where there is no similar general type of use listed, the Commission shall determine the number of spaces to be provided.

8. Parking areas shall be surfaced with gravel, stone, asphalt or concrete. Adequate drainage shall be provided for the removal of storm water and a drainage plan shall be submitted with the site plan and approved by the County Engineer.

C. Minimum off-street parking requirements.

1. Residential uses: The minimum number of off-street parking shall be one space per single-family residential unit. Other residential uses shall provide one and one half spaces per residential unit.

2. Commercial uses: Commercial and institutional uses shall be divided into various categories according to the parking demand which they generate, as follows:

Category A. High Parking Demand Generators shall provide one parking space per two hundred square feet of retail floor area, to include:

General retail stores.

Retail food stores, bakeries, and fish markets.

Laundries and dry cleaners.

Wearing apparel, shoes, yard goods, toys, music and records, tailors, dressmakers, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, tobacco and pipes, jewelry sales and service, books, greeting cards, and sporting goods stores.

Drug stores.

Plants and garden supply, hardware and paint, and home appliance sales and service.

Antique, novelty, arts and crafts, and gift shops.

Libraries and post offices.

Lodges, civic clubs, fraternal organizations, service clubs, public billiard parlors, arcades, pool rooms, dance halls, and private clubs.

All other commercial uses not specified in Category B or C below.

Category B. Moderate Parking Demand Generators shall provide one parking space per two hundred and fifty square feet of retail floor area, to include:

Banks and financial institutions.
Corporate, business and professional offices.
Lumber and building supply.
Plumbing and electrical supply.
Tire, transmission, glass, body and fender, and
other automotive product sales and service.
Machinery sales and service.
Photography studios and sales and artist and
sculptor studios.

Category C. Uses with unique requirements:

(a) Motels, hotels and tourist homes shall have one parking space per rental unit plus one parking space for every two hundred square feet of accessory, retail or business use.

(b) Theaters, auditoriums and places of public assembly shall have one parking space per five seats based upon the planned seating capacity.

(c) Hospitals, nursing homes or convalescent facilities shall provide one parking space for every three patients or beds, plus one parking space for each employee on the largest shift.

(d) Outdoor retail sales/display areas shall provide at least one parking space per five hundred square feet of area.

(e) Bowling alleys shall have three parking spaces per alley plus one space for every two hundred square feet of accessory business use.

(f) Barber shops and beauty shops shall have at least three spaces plus two spaces for every barber or beautician chair.

(g) Planned shopping centers, with four or more stores using a common parking lot, which contain from twenty thousand square feet to sixty thousand square feet of retail floor area shall provide at least one parking space for every two hundred and fifty square feet of retail floor area. Planned shopping centers which contain sixty thousand square feet or more of retail floor area shall provide at least one parking space for every three hundred square feet of retail floor area. Where a theater is proposed in conjunction with any shopping center which contains at least sixty thousand square feet of retail floor area the number of parking spaces required for the theater may be reduced by twenty-five percent of what would have been required under (b) above. All shopping centers utilizing the provisions of this paragraph shall have a minimum landscaped strip along street rights-of-way of twenty feet and the landscaped strip along all other property lines shall be a minimum width of fifteen feet.

(h) Medical and dental clinics shall provide at least three parking spaces for each doctor or dentist having offices in such clinic.

(i) Mortuaries and funeral homes shall provide at least thirty parking spaces.

(j) Furniture stores, carpet show rooms and indoor vehicular sales show rooms shall have one parking space for every four hundred square feet of retail floor area.

(k) Restaurants shall have one parking space for every four seats based upon the maximum seating capacity allowed.

3. Industrial Uses: Industries, warehouses and wholesale establishments not selling directly to the public shall provide a minimum of one parking space per two employees on the largest shift.

4. Appeals, Variances, Special Exceptions.

(a) Appeals. The Commission shall determine the category and the number of spaces required for each use. A property owner may appeal for a change of a commercial use from Category A to Category B or a less restrictive requirement within Category C, however, the burden of proof shall be upon the applicant to show that the particular activity will not reasonably generate parking demand sufficient to justify the parking requirement of its present classification. Appeals for changes to different parking classifications shall be made to the Board of Supervisors.

(b) Variances. A property owner may be granted a variance by the Board of Zoning Appeals from the minimum off-street parking requirements if it can be shown that due to unique circumstances, a particular activity would not reasonably be expected to generate parking demand sufficient to justify the parking requirement. Any variance granted by the Board of Zoning Appeals shall not allow a greater building area than would have been possible had the original parking requirement been enforced. The Board of Zoning Appeals may place conditions upon the granting of a variance, and may require that the parking area not required upon the granting of the variance be landscaped in addition to the minimum landscaping requirements.

September 13, 1976

This ordinance shall be in full force and effect from the date of its adoption.



Abram Frink, Jr.
Abram Frink, Jr., Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.
James B. Oliver, Jr.
Clerk to the Board

5. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending Chapter 20, by adding a new Article, Article IX, Planned Unit Development Districts.

The Chairman opened the public hearing.

Mr. John Moneymaker - Commented on the ordinance as

follows:

- Page 3, paragraph (c) - VDH&T - traffic needs to be there they do anything.
Section 20-142 - Procedures - Time element of 180 days too long.
Section 20-149 - Requirements for Improvements and Design-
(2) Recreation Areas - Maintenance of equipment after installed?
Section 20-151 - Page 10 - Size and type of trees should clarified.
Page 10 - (4) Density - visual section - 40' in width should be for industrial uses.

Mr. Moneymaker indicated that he was in favor of the ordinance with a few modifications and recommended its adoption.

September 13, 1976

There being no further discussion, the Chairman closed the public hearing.

The Board discussed the ordinance with the County Administrator.

Mr. Edwards moved to postpone action on this matter until the remarks made at the public hearing were considered. The motion carried by a unanimous roll call vote.

6. An Ordinance to amend Chapter 18, Taxation, of the Code of James City, Article I, In General, by adding a new section, Section 18-7.2, Refund of Levies Erroneously Paid.

The Chairman opened the Public Hearing. There being no discussion, the Chairman closed the Public Hearing.

Mr. Donaldson moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 96

AN ORDINANCE TO AMEND CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE I, IN GENERAL, BY ADDING A NEW SECTION, SECTION 18-7.2, REFUND OF LEVIES ERRONEOUSLY PAID.

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, Article I, In General, be and the same is hereby amended by adding a new section, Section 18-7.2, Refund of Levies Erroneously Paid.

CHAPTER 18

TAXATION

Article I. In General.

Section 18-7.2. Refund of levies erroneously paid.

Pursuant to Section 58-1152.1 of the Code of Va., 1950, as amended, the Board of Supervisors hereby provides for the refund of any local levies erroneously assessed on tangible personal property, machinery and tools, or merchant's capital, or a local license tax or real estate.

If upon application, the Commissioner of the Revenue is satisfied that he or his predecessor in office has erroneously assessed such applicant with any local levies as provided herein, he shall certify to the tax collecting officer the amount erroneously assessed. If the levies have not been paid, the applicant shall be exonerated from so much thereof as is erroneous, and if such levies have been paid, the tax collecting officer or his successor in office shall refund to the applicant the amount erroneously paid, together with any penalties and interest paid thereon.

No refund shall be made in any case when more than two years have lapsed since payment of the amount erroneously assessed.

This ordinance shall be in full force and effect from the day of its adoption.

E. BOARD CONSIDERATIONS

7. Williamsburg-James City County and York County Demonstration Bikeway Proposal.

This matter was carried over because of a tie vote on the following motion:

Mr. Donaldson moved that the unanimous recommendation of the Planning Commission to approve the bikeway proposal be accepted. The motion carried by a majority roll call vote. Mr. Taylor and Mr. Ware voted no.

8. Presentation on water speed problem on Chickahominy River - Charles Bowman, President Wright Island Hunt Club.

Mr. Charles L. Bowman, President of the Wright Island Game Association, made a presentation to the Board on the activities of this club

September 13, 1976

indicating that the land was used as a sanctuary for raising of duck, Canadian geese and deer. His complaint was that boats interested in fishing tournaments cut through Shipyard Creek to Yarmouth Creek and that they drive recklessly and damage breeding grounds and cause soil erosion of the land. He requested the Board's assistance in writing to the Virginia Game and Inland Fisheries Department to request signs to be erected on these creeks to control speeding boats.

The Board indicated its desire to assist Mr. Bowman and the Wright's Island Game Association and requested the staff to prepare a letter to the Game Commission requesting these signs.

9. Declaration appointing Mr. W. R. Bland, Attorney for James City County Sanitary District #3 for purpose of instituting condemnation proceedings.

The Board reviewed the Declaration presented. Mr. Donaldson moved that the Declaration be adopted. The motion carried by a unanimous roll call vote.

DECLARATION

The James City County Board of Supervisors acting on behalf of James City County Sanitary District Number Three having heretofore employed Stone, Bland, and Wood, Attorneys at Law, to perform legal services for the DISTRICT hereby authorizes WILLIAM R. BLAND, Attorney, to act as the agent and attorney for the James City County Sanitary District Number Three for the purpose of instituting condemnation proceedings, filing such condemnation proceedings in the name and on behalf of the DISTRICT, and in the settlement of condemnation suits pending or in progress.

10. County Government Center: Proposed engineering services agreement with Langley, McDonald and Overman.

In his memorandum of September 9, 1976, the County Administrator presented a proposed engineering services contract with the firm of Langley, McDonald, and Overman, and indicated also the need for test borings to be done by a professional firm. Mr. Oliver advised the Board that if there were no objections he would handle it administratively. The Board indicated no objections.

11. Referral of an "Ordinance to amend Chapter 20, Zoning, of the Code of County of James City; Article IV, Districts, Division 7, Residential Planned Community, District R-4; Section 20-72, Final Plans - Review; Board of Supervisors Action; Recording," to the Planning Commission.

Mr. Frink moved to refer the captioned ordinance to the Planning Commission for its action. The motion carried by a unanimous roll call vote.

12. Resolution changing date for observance of Veteran's Day to November 11.

Mr. Frink moved the approval of the resolution changing observance of Veteran's Day to November 11. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, by Resolution dated December 18, 1973, the Board of Supervisors of James City County adopted the Position Classification and Pay Report prepared by Yarger and Associates, Inc., and

WHEREAS, Chapter V, Section 1, Holidays, set forth the official holidays that the offices of the County would be closed, and

WHEREAS, Veteran's Day was recognized as the third Monday in October, and it is now the desire of the Board of Supervisors to redesignate this holiday to the traditional date of November 11;

September 13, 1976

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

1. That instead of the third Monday in October, the traditional date of November 11 of each year be observed as Veteran's Day and as such an official holiday.

13. Approval of Changes to the Final Plans for Winster Fax townhouses and Littleton Quarter cluster homes in the Kingsmill Planned Community.

Mr. Taylor moved the approval of the requested changes to the Final Plans of Winster Fax and Littleton Quarter. The motion carried by a unanimous roll call vote.

14. Update of Resolution authorizing retention of inspectors for Sanitary District 3 construction.

The Board reviewed the resolution. Mr. Donaldson moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City has awarded contracts for construction of Sanitary District No. 3, Project No. C510-52801, and

WHEREAS, on the 22nd day of September, 1975, pursuant to EPA regulations the Board of Supervisors of James City County adopted a Resolution authorizing the retention of inspectors for the project as well as their duties, costs and hours in order that the charges may be substantiated, and

WHEREAS, due to turnover on the part of such inspectors and adjustments made to the personnel associated with the projects, the Resolution of September 22, 1975, is no longer entirely accurate;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the following personnel are authorized for resident inspection and project administration for construction of Sanitary District No. 3, Project No. C510-52801, and that their proposed duties, approximate costs and approximate hours of service are set forth as follows:

1. Project Administration

One current employee of the Department of Public Works is assigned to this project for administration on a part-time basis.

Wallace C. Johnson	\$14,180 per annum
Construction Supervisor	
30 hours per week	
(30 hrs/wk @ \$16,544 per annum - 9.09/hr)	

Plus 13% fringe benefits	<u>1,843</u>
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Total: Project Administration	16,023 per annum
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2. Resident Supervision

Three new employees are assigned to this project for resident supervision on a full time basis.

Kinlock M. Wilkinson	9,901 per annum
Construction Inspector	
40 hours per week	

Dan A. Jones	9,901 per annum
Construction Inspector	
40 hours per week	

Hugh L. Boggs, Jr.	<u>9,901 per annum</u>
Construction Inspector	
40 hours per week	

Subtotal Salaries: Resident Supervision	29,703 per annum
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Plus 13% fringe benefits	<u>3,861 per annum</u>
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Total Annual Personnel costs Resident Supervision	33,564 per annum
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Mileage and protective clothing	<u>1,500</u>
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Total: Resident Supervision	\$35,064 per annum
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3. Duties of Inspectors

- a. Inspect materials, workmanship and installation of sewerage facilities for compliance with plans and specifications.

September 13, 1976

- b. Notify contractor and Project Engineer of all instances of non-compliance with plans and specifications.
- c. Keep the Project Engineer advised regarding progress of work.
- d. Keep the following records:
 - Daily report
 - Monthly progress report
 - As built data
- 4. Duties of Construction Supervisor
 - a. Assign and supervise the work of all inspectors.
 - b. Investigate and answer complaints from citizens.
 - c. Review and approve:
 - Shop drawings
 - Progress payments
 - Change orders
 - Inspectors reports
 - d. Represent the owner and provide liaison between the Consulting Engineer, the contractor and the public, the Virginia Department of Highways and Transportation and all other local agencies.

15. Certification of Warrants

Mr. Frink moved the approval of the warrants for August, 1976. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #1611 thru #1764 Totalling \$402,455.26
General Fund Payroll	Checks #5436 thru #5745 Totalling \$85,673.90
Sanitary District #2	Checks #137 thru #142 Totalling \$1,333.37
Sanitary District #3	Checks #234 thru #252 Totalling \$239,379.69
Revenue Sharing Account	Checks #226 thru #237 Totalling \$7,111.48

16. Dates for Public Hearing:

The Board reviewed items (a) through (e). Mr. Donaldson moved to set the date of October 11, 1976, at 7:30 P.M. for public hearings on the following items, to be held in the Courthouse, Williamsburg. The motion carried by a unanimous roll call vote.

- a. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs.
- b. Case #Z-8-76. Pearle B. Miller, Applicant. Rezoning of property between Rt. 60W and the C. & O. Railroad, between Lightfoot and Pottery from M-2 to M-1.
- c. Case #Z-11-76. Elizabeth N. Vaiden, Applicant. Rezoning approximately 40 acres of farm on Ironbound Road from A-2 to R-6, Residential Agriculture.
- d. Case #Z-12-76. R. S. Hornsby, Applicant. Rezoning of 14.2 acres on southside of intersection of Olde Towne Road and Longhill Road from R-2 to B-1 to accommodate offices and small businesses.
- e. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, by amending the following division of Article IV, Districts; Division 8, Business, General, District B-1.

17. Appointments

The Board deferred action on this matter until after executive session.

September 13, 1976

G. MATTERS OF SPECIAL PRIVILEGE

None.

H. REPORTS OF THE COUNTY ADMINISTRATOR1. SANITARY DISTRICT #3 LOAN

The County Administrator indicated that due to a delay in receiving reimbursement funds from EPA and the State Water Control Board that the County could not pay the full amount of contractual obligations for Sanitary District No. 3 from current funds. He requested a transfer of \$11,980 from the General Fund to the Sanitary District No. 3 fund to cover obligations and further requested authorization to transfer funds from the General Fund as necessary in the future to cover federal and state grant payment lags.

Mr. Donaldson moved that the recommendation to cover the \$11,980 item be accepted and that the Board adopt the resolution as attached to the memorandum.

Discussion followed. The Board expressed interest in a report on the cash flow of Sanitary District No. 3 before issuing further authorization for additional money for this district from the General Fund.

Mr. Donaldson withdrew his previous motion.

Mr. Donaldson moved to accept the recommendation of the County Administrator regarding the transfer of funds in the amount of \$11,980 from the General Fund to the Sanitary District No. 3 fund, to be reimbursed at the end of the month. The motion carried by a unanimous roll call vote.

2. Board meeting schedule.

The Board reviewed a memorandum from the County Administrator which suggested that their regular meeting date of September 27 be changed to September 23 due to the fact he and his assistant would be attending a conference.

Mr. Donaldson moved that the Board schedule its second meeting in September on Thursday, September 23, at 3:00 P.M. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn the meeting into executive session. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA, ON THE THIRTEENTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

17. Appointments:

- a. Planning Commission) Deferred until
- b. Wetlands Board) October 11, 1976 meeting

The Board reviewed a letter from the School Superintendent which represented the appointment of one of the Board to serve on a subcommittee for the comprehensive study of the school division.

School Subcommittee on Comprehensive Study

Mr. Donaldson moved that Mr. Edwards be appointed to the

September 13, 1976

above captioned committee. The motion carried by a unanimous roll call vote.

Mr. Frink moved that the meeting be adjourned. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 10:10 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-THIRD DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. AWARD OF CERTIFICATES OF SERVICE

Shelly Beers, Building Inspections Department - 3 yrs.
Robert Garrett, Building Inspections Department - 3 yrs.
Gloria Parker, Commonwealth's Attorney's Office - 3 yrs.
Percell Druitt, Buildings and Grounds Department - 5 yrs.

C. PRESENTATION OF RESOLUTION OF APPRECIATION

Mr. Frink moved the approval of the Resolution of Appreciation to Mrs. Ina Friedman. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Ina M. Friedman served James City County from May, 1971, until her resignation effective August, 1976; and

WHEREAS, throughout this period of service Ina M. Friedman held the position of membership on the Planning Commission and Site Plan Review Committee of the Planning Commission, and served as Planning Commission Chairman for one year; which positions required that she continue to devote her time and accept positions requiring responsibility and dedication; and

WHEREAS, Ina M. Friedman consistently demonstrated those qualities of initiative, perserverance and dedication which have resulted in exceptional service to the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board wishes to extend its sincere appreciation and thanks to Ina M. Friedman for her outstanding service and dedication to the County and its citizenry during the past five years.

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this Board and a copy be presented to INA M. FRIEDMAN.

D. HIGHWAY MATTERS

1. Resolution to include certain streets into the State Secondary System.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

September 23, 1976

RESOLUTION

WHEREAS, the developer of Seasons Trace, Section 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Seasons Trace, Section I, James City County in the State Secondary Highway System.

Description:

Seasons Trace - From: Route 612 0.16 Mi.
To: 0.16 Mi. North to
end of cul-de-sac

60' R/W

A right of way of 60 feet as shown above is guaranteed as evidenced by plat of record, entitled Seasons Trace, Section I Subdivision, Plat Book 32, Page 46.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Seasons Trace and the Resident Engineer of the Department of Highways and Transportation.

Mr. Rawley Yeatts introduced his new assistant resident engineer, Mr. James Kelley, who replaces Mr. E. Ken Hinman. Mr. Hinman was promoted to another position in Virginia.

The Board discussed various highway matters with Mr. Yeatts mostly relating to Route 199 and Route 5.

E. BOARD CONSIDERATIONS2. Resolution authorizing lease renewal of EOC Building space by County ASC Committee.

Mr. Taylor moved the approval of the EOC Building lease by the ASC Committee. The motion carried by a unanimous roll call vote.

RESOLUTION

A RESOLUTION to authorize ABRAM FRINK, JR., Chairman of the Board of Supervisors, and JAMES B. OLIVER, JR., Clerk, to execute that certain lease dated September 1, 1976, by and between the James City County Board of Supervisors, Lessor, and the James City County ASC Committee, Lessee, providing for the rental of office space in the EOC Building on Forge Road in Toano.

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

1. That it hereby approves the lease providing for the occupation of office space by the James City County ASC Committee in the EOC Building on Forge Road in Toano, under the terms and conditions contained in that certain lease dated September 1, 1976, attached hereto and made a part of this resolution.

2. That it hereby authorizes and directs Abram Frink, Jr., Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, to execute same on behalf of James City County.

3. Resolution for Sanitary District #3 Construction Loan.

Mr. John McDonald, Assistant to the Administrator/Finance, discussed the cash flow situation for Sanitary District #3 with the Board.

Mr. Edwards moved the approval of the resolution borrowing money for Sanitary District #3. The motion carried by a unanimous roll call vote.

RESOLUTION

September 23, 1976

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 23rd day of September, 1976, at which the following members were present and absent:

PRESENT: Mr. Abram Frink, Jr., Chairman
Mr. Stewart U. Taylor, Vice-Chairman
Mr. Jack D. Edwards
Mr. John E. Donaldson
Mr. David W. Ware, Jr.

ABSENT: None

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:

MEMBER	VOTE
Mr. Frink	Aye
Mr. Taylor	Aye
Mr. Edwards	Aye
Mr. Donaldson	Aye
Mr. Ware	Aye

RESOLUTION AUTHORIZING A LOAN TO BE MADE BY
JAMES CITY COUNTY IN THE MAXIMUM AMOUNT OF
\$500,000.00 FOR JAMES CITY COUNTY SANITARY
DISTRICT #3.

WHEREAS, James City County Sanitary District #3 is anticipating a shortage of operating capital for the completion of the construction of the works and system of the sewage system within the District; and

WHEREAS, it is necessary and expedient for the County to obtain a loan in the maximum amount of \$500,000.00 to offset the present shortage of capital in anticipation of the payment of Federal and State Grants to the District and the collection of connection fees and other income by said District; and

WHEREAS, there has been submitted to this meeting a proposal from the United Virginia Bank of Williamsburg, Williamsburg, Virginia to lend the County a maximum amount of \$500,000.00 by promissory note to be dated September 24, 1976 and to mature September 24, 1977, to bear interest at the rate of 4.00% per annum, on the amounts so drawn and paid to the County within the period of one (1) year.

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

1. It is hereby determined to be in the best interest of James City County and James City County Sanitary District #3 to accept the aforesaid proposal of the United Virginia Bank of Williamsburg and to obtain said loan and issue the promissory note in the amount of \$500,000.00 under the terms and conditions set forth in such proposal which proposal is hereby accepted.

2. The Chairman or Vice-Chairman and Clerk or Assistant County Administrator are hereby authorized to see to the preparation of such note, to execute and deliver such note to the United Virginia Bank of Williamsburg. Upon receipt of the amount so drawn and paid to the County the same shall be deposited to the General Fund and advanced to the fund of James City County Sanitary District #3 as necessary.

3. All resolutions or parts thereof in conflict herewith are hereby repealed.

4. 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 23rd day of September, 1976, and of the whole thereof so far as applicable to the matters referred to in such extract.

WITNESS my hand and seal of the Board of Supervisors of James City County, Virginia, this 23rd day of September, 1976.

4. Case File No. SP-34-75R - Williamsburg Jaycees "Haunted Manor."

The Board reviewed the request for the Haunted Manor by the Jaycees.

Mr. Frink moved the approval of the Resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Williamsburg Jaycees are a non-profit civic organization which finances its various charitable activities through community projects,

WHEREAS, the "Haunted Manor" is one such community project,

WHEREAS, the "Haunted Manor" project has been thoroughly reviewed by the Site Plan Review Committee, the Building Official, the Fire Marshal, the Sheriff's Department, and other appropriate public agencies and has been found to

September 23, 1976

meet the minimum requirements for the protection of the public's health, safety, and welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Williamsburg Jaycees may operate, according to the approved site plan and procedures, the "Haunted Manor" for the period from October 22 through October 31, 1976.

5. Receipt of Peninsula Airport Commission Williamsburg-area airport site selection report and referral to Planning Commission.

Mr. Donaldson moved that the report from the Peninsula Airport Commission be referred to the Planning Commission pursuant to the time frame suggested by the County Administrator's memorandum of September 22. The motion carried by a unanimous roll call vote.

6. County Government Center update by architect.

Mr. W. Phillips, Architect, made a presentation to the Board of the master plan for the County Government Center. The Board discussed various items with Mr. Phillips.

Among the points discussed was the basic concept of the development of the site as three major areas, each representing approximately one-third of the site. The concept identified the three areas as the government center near Mounts Bay Road, a possible future school site in the center of the property, and a community facility, i.e., library, recreation or interpretive center, etc. Mr. Phillips asked the Board's concurrence with the general concept of the development and indicated that detailed final site plan and a presentation would be made to the Planning Commission for Phase I development. It was indicated by Mr. Phillips that concept approval was important at this point so that the soil boring contractor could proceed under the direction of the County's consulting engineer for site work.

Mr. Oliver presented the Board with a memorandum dated September 23, 1976, with attachments from the architect which together identified design criteria and special cost considerations for each of the two Phase I buildings. Mr. Oliver pointed out the cost figures per square foot for the Administration Building and the Public Works Building and indicated that the staff was trimming to stay within the budget set by the Board. Costs for the Public Works building are preliminarily estimated at \$38.50 per sq. ft. and the Administration Building at \$53 - \$54 per sq. ft. Mr. Oliver asked the Board if these figures posed any problems and indicated final figures would be known only when bids are received. The Board made no indication of concern.

Mr. Donaldson moved that the County Administrator be instructed to present to the Board for approval a Site Plan of the complex in general accordance with what has been presented at this meeting. The motion carried by a unanimous roll call vote.

F. MATTERS OF SPECIAL PRIVILEGE

None.

G. REPORTS OF THE COUNTY ADMINISTRATOR

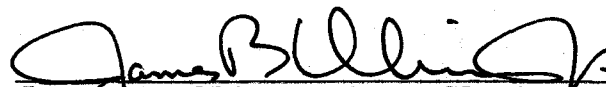
Mr. Oliver introduced new staff members:

October 11, 1976
September 23, 1976

Mr. Anthony Conyers - Transportation Program Manager
Mr. Carson Cross - Budget Analyst

Mr. Edwards moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 4:25 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE ELEVENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of September 13 and 23, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. Case Z-8-76. Pearle B. Miller, Applicant. Rezoning of property between Rt. 60W and the C. & O. Railroad, between Lightfoot and Pottery from M-2 to M-1.

Mr. William Brown, Director of Planning, explained the rezoning request.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the captioned case rezoning property between Rt. 60W and the C. & O. Railroad between Lightfoot and the Pottery from M-2 to M-1. The motion carried by a unanimous roll call vote.

2. Case Z-11-76. Elizabeth N. Vaiden, Applicant. Rezoning approximately 40 acres of farm on Ironbound Road from A-2 R-6, Residential Agriculture.

Mr. William Brown, Director of Planning, explained the rezoning request.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

The Board inquired as to the road that services these lots and it was indicated by Mr. Brown that the cost of road improvements would be borne by the property owners.

October 11, 1976

Mr. Alvin Anderson indicated that Mr. D. Martin in conjunction with Mr. Brown drafted restrictions--the crux of which was that each of the property owners and Mrs. Vaiden are jointly responsible for the road. The County would be held harmless to any expansion and that the homeowners association would have the option to upgrade the road to any standard they desired.

Mr. Morton, County Attorney, indicated that under these circumstances the Board is well advised to direct the applicant back to the deed of restrictions.

Mr. Donaldson moved to accept the recommendation of the Planning Commission and approve the rezoning from A-2 to R-6. The motion carried by a unanimous roll call vote.

3. Case Z-12-76. R. S. Hornsby, Applicant. Rezoning of 14.2 acres on southside of intersection of Olde Towne Road and Longhill Road from R-2 to B-1 to accommodate offices and small businesses.

The Chairman opened the public hearing. There being no discussion, the public hearing was closed.

Mr. Donaldson moved the approval of the recommendation and the rezoning to B-1 to accommodate offices and small businesses. The motion carried by a unanimous roll call vote.

4. An ordinance to amend Chapter 20, Zoning, of the Code of James City by amending the following division of Article IV, Districts; Division 8, Business, General, District B-1.

Mr. Brown, Director of Planning, presented a brief explanation of the text of the B-1 ordinance. He indicated two minor changes--On Page 5 of the ordinance, delete the word "morals", and on Page 6 of the ordinance, add to Section 20-86.4, Item (2) Minimum lot width shall be two hundred feet or one hundred fifty feet where self-service gasoline pumps are subordinate to general retail uses and no repair is conducted.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the revised ordinance. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

ORDINANCE NO. 31A-38

(Next page)

OCT 11 1976

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-38

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING THE FOLLOWING DIVISION OF ARTICLE IV, DISTRICTS: DIVISION 8, BUSINESS, GENERAL, DISTRICT B-1.

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 be and the same is, hereby, amended by amending the following divisions of Article IV, Districts: Division 8, Business, General, District B-1, to read as follows:

CHAPTER 20

ZONING

Article IV. Districts

Division 8. Business, General, District B-1.

Section 20-81. Statement of intent.

Generally, the business, general, district B-1, covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. All buildings erected, altered or restored within the district shall be subject to these requirements.

Section 20-82. Permitted uses.

In the business, general, district B-1, structures to be erected or land to be used, shall be for one or more of the following uses:

Retail food stores, bakeries and fish markets.

Dry cleaners and laundries.

Department stores, wearing apparel, furniture, carpet, shoe, tailor, dressmaking, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, upholstery, yard goods, toys, music and records, tobacco and pipes, jewelry sales and service, books, greeting cards and sporting goods stores.

Drug stores, barber shops and beauty shops.

Restaurants, drive-in restaurants, tea rooms, and taverns.

Banks and other financial institutions.

Plants and garden supply, hardware and paint, and home appliance

shall be included in a computation of sign area. The area of signs with more than two 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.

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.

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 nontransparent material illuminated from within but with no exposed or exterior bulbs, tubes or other light source.

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.

Projecting sign. A sign which is attached to and projects more than eighteen inches from the face of a wall of a building. The term projecting sign includes a marquee sign.

Sign. A structure, display or device that is arranged, intended, designed, or used as an advertisement, announcement, identification, description or direction.

Section 20-130. 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 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 20-131.

Section 20-131. Sign dimensions and special regulations.

(a) Each property having less than four hundred feet of lot frontage shall be permitted one free standing sign. Such signs shall not exceed thirty-two square feet per face if located within seventy-five feet of the road right-of-way, fifty square feet per face if located seventy-five to one hundred and fifty feet from the road right-of-way, or sixty square feet per face if located one hundred and fifty feet or more from the road right-of-way. Such signs shall not exceed an overall height of twenty feet from grade.

Individual stores, businesses or professions on the same property shall combine signs on a single standard; and the square footage of the combined signs shall not exceed thirty-two square feet per face, except as provided herein.

Shopping centers shall be permitted one free-standing sign per major street frontage; except, that no more than two 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 subsections (c) and (d) of this section; 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 four hundred feet of lot frontage shall be permitted one additional free-standing sign of the same size and height as subsection (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 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 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 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, shall be allowed by permit provided that the same are installed in a permanent fashion, are maintained in good repair at all times and will not constitute a hazard to vehicular traffic.

(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 subsection (c) above.

Maximum Height	Maximum Percentage of lot area in Building Coverage	Maximum Floor Area Ratio	Minimum Percentage of lot area in Open Space
Up to 3 floors or 35 feet	25%	.6	30% ¹
Over 35 feet or 4 floors or more but not in excess of 60 feet	20%	.6 ²	40% ^{1.3}

Notes:

¹The minimum open space land area may in no case be less than the thirty percent or the total area in required open space whichever is greater.

²An increase of twenty-four percent to .75 FAR may be permitted if the additional floor area is used for inside parking space.

³This percentage may include the perimeter open space but shall in any case be open space contiguous to such perimeter open space.

(A) A building in excess of sixty feet in height but not in excess of one hundred feet, from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank or other accessory functions, but excluding those items listed in (C) below, 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:

- 1) The aforesaid regulations regarding building coverage, floor area ratio and open space applicable to buildings above thirty-five feet are met;
- 2) Such building will not impair property values in the surrounding area;
- 3) Such building will not impair the enjoyment of historic attraction and areas of significant historic interest;
- 4) Such building is adequately designed and served from the standpoint of safety, and that the County Fire Marshal certifies the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property;
- 5) Such building would not be contrary to the public health, safety or general welfare.

(B) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, home television antennae and home radio aerials are exempt. Parapet walls may be up

(d) Temporary nonilluminated 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 nonilluminated 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) Nonilluminated signs warning trespassers or announcing property as posted, not to exceed four 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.

(i) Home occupation signs not to exceed four square feet. Such signs shall not be illuminated and shall be attached to the dwelling.

(j) Signs within a business or manufacturing district which are not visible from a public road or abutting property line.

(k) Signs not to exceed six square feet in area, within a business or manufacturing district, which state the name or number of a building, to be located on the rear or sides of a building on a parcel containing four or more buildings.

(l) Signs placed upon the exterior of a structure indicating the location of restrooms, bathhouses, entrances or exits.

(m) Signs not to exceed six square feet in area indicating the entrance or exit from a parking lot, potable water supply, sewage station for recreational vehicles, or other notices related to public health or safety. Such signs shall be adjacent to the facility.

(n) Temporary signs not to exceed twelve square feet per face erected for a period of up to sixty days advertising seasonal agricultural products for sale within an agricultural district.

(o) Special notice placards not to exceed four square feet in size attached to a building or to a free-standing sign indicating credit cards which are accepted on the premises; group affiliations of which the business is a member or clubs or groups which utilize, recommend, inspect or approve the business for use by its members.

Section 20-133. Prohibited signs.

The following signs are specifically prohibited:

(a) Flashing, animated and rotating signs or appurtenances to signs which are nonstationary.

(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 of colored lights blending with traffic signal lights that might reasonably confuse a motorist when viewed from a normal approach position of a vehicle at a distance of twenty-five to three hundred 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, except as otherwise provided herein.

(e) Signs 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.

(g) Signs which are portable or otherwise designed to be relocated, or are constructed on a chassis or carriage with permanent or removable wheels.

Section 20-134. Temporary signs.

The Administrator or his designee, upon application, may issue temporary permits for the following signs and displays 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. Such permits shall be valid for a period of up to thirty days following issuance.

(a) Signs of not more than thirty-two square feet advertising a special civic or cultural event such as a fair or exposition, play, concert or meeting sponsored by a governmental, charitable or nonprofit organization.

(b) Special decorative displays used for holidays, public demonstrations or promotion for nonpartisan civic purposes.

(c) Special decorative displays used for purposes of advertising the opening of a new store, business or profession.

Section 20-135. Permits.

Procedures. The following regulations apply generally to all signs and are in addition to the regulations contained elsewhere in this chapter.

(a) Required; application; inspection of signs. No sign, unless herein excepted, shall be erected, constructed, structurally altered, 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 provided by the Administrator or his designee shall be filed together with three sets of drawings 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 or securing or fastening and number of signs applied for and the wording of the sign or advertisement to be carried on the sign.

(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 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 one dollar per square foot of surface area shall be charged to cover the cost of administration. Area shall be computed in accordance with the definition of gross sign area as set forth in Section 20-129.

Section 20-136. Exceptions.

Upon application, the Administrator or his designee may grant an On-Premises Sign Limitation Waiver which may allow:

(a) One free standing sign not to exceed seventy-five square feet per face; or

(b) One building face sign not to exceed an area equal to fifteen percent of the area of the first story of the front facade of the building. Such signs shall be mounted flat against the building; or

(c) One free standing sign not to exceed thirty-two square feet per face and not to exceed thirty feet in height; or

(d) One sign to be placed on the roof of the building not to exceed fifteen percent of the area of the first story of the front facade of the building.

(e) Such On-Premises Sign Limitation Waivers shall only be granted in unusual circumstances where it can be demonstrated to the Administrator or his designee that:

(1) Unusual topography, vegetation, distance of the business or parcel from the road right-of-way, separation of grade, or the location of the driveway in relation to the location of the business and traffic patterns would impose a substantial hardship upon the business by making the advertising signs unreadable from vehicles on the adjoining roadway; or

(2) The waiver would allow the business to post signs that are consistent with the majority of other businesses located on the same parcel; or

(3) In addition to the provisions for granting sign limitation waivers under (1) and (2) above, if the facade of the building is so designed that a building face sign cannot be placed upon it, and a roof sign would be the only reasonable and practical solution consistent with good design, a sign consistent with (d) above shall be permitted, provided the sign is not within 200 feet of residentially zoned property, and

(4) That in (1), (2) and (3) above such waiver is consistent with traffic safety.

Section 20-137. Nonconforming signs.

Any sign existing prior to adoption of this chapter and not conforming to the terms of this chapter is hereby declared a nonconforming sign and may not be structurally altered, or replaced unless such sign conforms to the requirements of the Chapter. Upon the cessation or termination of particular use on a parcel of real property, the owner thereof shall within ninety days of such cessation or termination remove all nonconforming 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 days, the Administrator shall cause such removal and charge the cost to the owner of the premises.

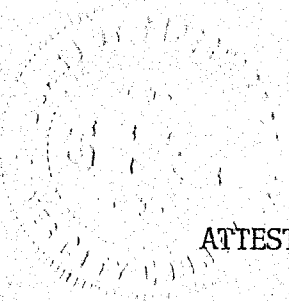
Section 20-138. Violation and penalties.

The violation of any of the provisions of this article is hereby declared to be a misdemeanor for which the Administrator or his designee shall cause a written notice of violation to be issued to the owner, tenant or lessee of the property on which the sign is located and/or the owner or lessee of the sign. If such violation is not corrected within five days after receipt of the notice of violation except violations involving portable signs, the Administrator or his designee shall remove or cause to be removed at the owner's or tenant's expense such sign and/or institute such other action as may be appropriate. If the violation involves a portable sign, such sign shall be removed immediately, and if not the Administrator or his designee shall remove or cause to be removed at the owner's or tenant's expense such sign and/or

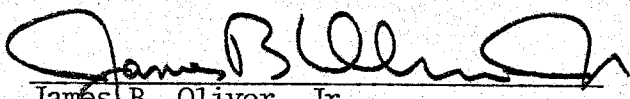
October 11, 1976


- (1) Minimum lot area shall be twenty thousand square feet.
- (2) Minimum lot width shall be two hundred feet or one hundred fifty feet where self-service gasoline pumps are subordinate to general retail uses and no repair is conducted.
- (3) No gasoline island shall be located closer than fifteen feet to any adjoining road right-of-way.
- (4) The width of curb openings shall not exceed thirty-five feet and where two or more curb openings are proposed, they shall be no closer than twenty-five feet apart.
- (5) Curb openings shall be no closer than ten feet from an adjoining property line and no closer than twenty-five feet to a street intersection.
- (6) Two off-street parking spaces shall be provided for each service bay plus a total of three spaces for employee parking.

This ordinance shall be in full force and effect from the date of its adoption.



ATTEST:


James B. Oliver, Jr.
Clerk to the Board


Abram Frink, Jr., Chairman
Board of Supervisors

5. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs.

Mr. W. Brown, Director of Planning, discussed the ordinance changes with the Board.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Edwards indicated he did not consider it desirable for the Planning Commission to decide on waivers as noted in the ordinance. Mr. Edwards moved to strike the words "Planning Commission" in Section 20-136 and to insert "Administrator or his designee". Mr. Donaldson indicated he was opposed to the motion, that the Planning Commission is essentially advisory--can exercise decisions, i.e., the Subdivision Ordinance and prefers the draft as it is written. The motion carried by a majority roll call vote. Mr. Ware and Mr. Donaldson voted no.

Mr. Edwards moved the approval of the captioned ordinance

OCT 11 1976

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-37

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, ARTICLE VIII, SPECIAL REGULATIONS FOR EXTERIOR SIGNS.

BE IT ORDAINED, by the Board of Supervisors of the County of James City that Chapter 20, Zoning, of the Code of the County of James City, Article VIII, Special Regulations for Exterior Signs, be and the same is, hereby, amended to read as follows:

CHAPTER 20

ZONING

Article VIII. Special Regulations for Exterior Signs.

Section 20-129. Definitions.

For the purpose of this article, the following definitions of terms and words shall apply:

Double-faced sign. A sign with two parallel or nearly parallel faces, back to back, and located not more than twenty-four inches from each other.

Flashing sign. An illuminated sign on which the artificial or reflected light is not maintained stationary or 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.

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 eighteen inches from the building wall.

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.

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

sales and service stores.

Lumber and building supply (with storage under cover).

Plumbing and electrical supply (with storage under cover).

Vehicle and trailer sales and service (with major repair under cover).

Tire, transmission, glass, body and fender and other automotive product sales and service (with storage and major repair under cover).

Hotels, motels, tourist homes, and convention centers.

Machinery sales and service (with storage and repair under cover).

Photography studios and sales, artist and sculptor studios, art and crafts and handicraft shops, antique shops, reproduction and gift shops.

Corporate, business and professional offices.

Doctors, dentists and other medical clinics or offices.

In-door theaters, museums, and public meeting halls.

Schools, fire stations, post offices, public utilities, churches and libraries.

Lodges, civic clubs, fraternal organizations and service clubs.

Funeral homes, hospitals and nursing homes.

Wholesale and warehousing (with storage under cover).

Marinas, docks, piers, yacht clubs, boat basins, and servicing facilities for the same.

Public billiard parlors, arcades, pool rooms, bowling alleys, dance halls and private clubs and other centers of amusement with a conditional use permit.

Wholesale and retail marine or waterfront businesses to include the receipt, storage and transshipment of waterborne commerce, or sea-food receiving, packing or distribution, with a conditional use permit.

Radio and television stations, with a conditional use permit required if any antenna or tower is to exceed sixty feet in height.

Processing, assembly and manufacture of light industrial products or components; with all storage, processing, assembly, and manufacture conducted indoors and under cover; with no dust, noise, odor or other objectionable effect; with a conditional use permit.

Drive-in theaters, with a conditional use permit.

Design, research and evaluating laboratories, with a conditional use permit.

Printing and publishing, with a conditional use permit.

Tourist camps, with a two hundred foot setback for campsites, with a conditional use permit.

Off-street parking as required by this Chapter.

Section 20-83. Area requirements.

None, except for permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the Health Official. The Administrator may require a greater area if considered necessary by the Health Official.

Section 20-84. Setback requirements.

Structures shall be located fifty feet or more from any street

right-of-way which is fifty feet or greater in width. Where the street right-of-way is less than fifty feet in width, structures shall be located seventy-five feet or more from the center line of the street.

Section 20-84.1. Side and rear setbacks.

Buildings shall be located twenty feet or more from side or rear property lines. This minimum side and rear setback shall be increased an additional one foot for each one foot of building height in excess of thirty-five feet. This additional setback may be used for driveways, parking or open space, but not for any building or structure.

Section 20-85. Perimeter open space regulations.

For permitted uses a ten foot minimum perimeter open space area shall be provided adjoining the sides and rear property lines within which no building, structure, driveway (unless such driveway shall run perpendicularly across the property line to connect with adjoining property, as opposed to running along the property line), or parking surface will be permitted. Necessary approved curb cuts (entrance or entrances) will be allowed. In addition to such minimum side and rear landscaped areas, a minimum ten foot perimeter open space strip shall be provided adjacent to buildings. Such open space areas shall be landscaped except for necessary entrances and walkways and shall not be used for parking.

Land within the perimeter planting areas shall be landscaped with grass, trees, shrubs or evergreen ground cover and maintained in good condition.

"Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed, and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required, they shall be of a minimum height of seven feet, with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover, or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property.

Section 20-86. Height limits.

Buildings may be erected up to sixty feet in height from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank or other accessory functions, but excluding those items listed in (b) below, and in accord with the following criteria:

(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) Permit vehicular traffic to locate distinctive places of historical significance, businesses, campgrounds, industries and residential areas or other activities which are located off and are not visible from the state primary roads; and

(2) Show only the name, mileage and direction.

If determined necessary by the Administrator, or his designee, each such place of historical significance, residence or business may be allowed up to three 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 25 ft. from Road Right-of-Way</u>	<u>Max. Sign Size Over 25 ft. from Road Right-of-Way</u>
Interstate & Primary	500 Ft.*	10 SF	10 SF
Secondary	100 Ft.	6 SF	6 SF

* In the event there is not 500 feet between intersections, the sign may be placed at or near the midpoint between the intersections providing the sign is not closer than 100 feet to either intersection.

Section 20-132. 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, display encasement, reader board or bill board.

to four feet above the height of the building on which the walls rest.

(c) No accessory structure which is within ten feet of any party lot line shall be more than one story high. All accessory structures shall be less than the main structure in height.

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 VIII of this Chapter.

Section 20-86.2. Underground utilities.

(a) Where new commercial structures are built or existing structures expanded, all electrical and communication service extensions which run from the main transmission or distribution lines to the structure shall be placed beneath the surface of the ground, as specified below.

(1) Above ground facilities in existence prior to the adoption of this ordinance may remain above ground and be repaired or replaced.

(2) If the retail floor area within an existing structure is to be expanded by more than twenty-five percent, and if the existing service extension line must be expanded in capacity, the new line and existing lines shall be placed beneath the surface of the ground.

(b) Electric transmission lines and facilities in excess of 50 kilovolts may be permitted above ground.

(c) Transformers, switching equipment, meter pedestals, telephone pedestals, outdoor lighting poles, and meters or service connections attached to the outside wall of the building may be placed above ground.

Section 20-86.3. Site plan review.

All buildings or complexes of buildings erected, altered, or restored within the district shall be subject to site plan review in accordance with Section 20-16 of this Chapter.

Section 20-86.4. Automotive service stations.

The following special requirements shall apply to automotive service stations:

October 11, 1976

with changes. The motion carried by a majority roll call vote. Mr. Ware and Mr. Taylor voted no.

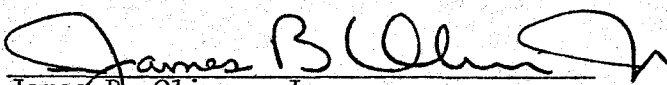
ORDINANCE NO. 31A-37

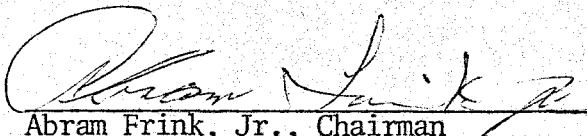
institute such other action as may be appropriate. Removal of a sign shall not affect any proceedings instituted prior to removal of such sign.

This ordinance shall be in full force and effect from the day of its adoption.



ATTEST:


James B. Oliver, Jr.
Clerk to the Board


Abram Frink, Jr., Chairman
Board of Supervisors

D. BOARD CONSIDERATIONS

1. Refund of Building Permit fee to Master Pools by Schertle, Inc.

Mr. Ware moved the approval of the refund of Building Permit #76-320B in the amount of \$27.00 to Master Pools by Schertle, Inc. The motion carried by a unanimous roll call vote.

2. County Government Center Master Plan approval.

The Board reviewed a memorandum from the Planning Direc-

October 11, 1976

tor which indicated that the Planning Commission adopted a motion that it "supports the location of the County Government Center on that portion of the Master Plan as shown."

A brief discussion followed.

Mr. Edwards moved the approval of the general concept of the Master Plan including the first phase of the center and the proposed road and parking systems. The motion carried by a unanimous roll call vote.

3. Planning Commission recommendations on highway matters.

The Board reviewed a memorandum from Mr. Brown, Planning Director, which indicated Planning Commission recommendations regarding highway problems in the County. The Board requested the County staff to look into these matters and to report back to it within two months.

4. Request for approval of grant application under the Local Public Works Capital Development and Investment Act of 1976.

The Board reviewed a memorandum from Mr. Covey, Special Projects Coordinator, which indicated that there is an opportunity for local governments to make application to the Economic Development Administration for 100 percent funding of capital improvements projects which can be ready to go to construction within 90 days from application approval date.

Mr. Frink moved the approval of the resolution authorizing the application to apply for such funds. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, PRESIDENT FORD recently signed the Appropriations Bill for the Local Public Works Capital Development and Investment Program for 1976, and

WHEREAS, the Board of Supervisors of James City County is desirous of making application under said program for such funds as may qualify under the 1976-77 Capital Improvements Program for James City County.

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

1. That Abram Frink, Jr., Chairman and James B. Oliver, Jr., Secretary be, and the same are hereby authorized and directed to make and enter into such applications and other documents as are necessary to apply for such funds as may be available under the Local Public Works Capital Development and Investment Program of 1976.

5. Change of November 8 Board Meeting Date.

The Board discussed the fact that the Virginia Association of Counties' conference is scheduled for the same day as its November 8th meeting.

Mr. Donaldson moved that the 10th of November be the date for the Board's first meeting in November. The motion carried by a unanimous roll call vote.

6. Certification of Warrants - September 1976

Mr. Frink moved the approval of the warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund

Checks #1765 thru #1889
Totalling \$1,262,299.38

General Fund Payroll

Checks #5746 thru #6053
Totalling \$88,804.88

Sanitary District #1

Check #18
Totalling \$1,545.86

Sanitary District #2

Checks #143 thru #146
Totalling \$1,101.02

October 11, 1976

Sanitary District #3

Checks #253 thru #280
Totalling \$296,816.61

Revenue Sharing Account

Checks #238 thru #245
Totalling \$31,572.88

James City Subdivision Escrow Account

Check #126
Totalling \$7,420.00

Toano Water Construction Account

Check #5
Totalling \$389.557. Date for Public Hearings:

Mr. Donaldson moved that Items (a) through (e) be set for public hearing on Wednesday, November 10, 1976, at 7:30 P.M., in the Courthouse, Williamsburg, Virginia, and that Item (e) would be a joint hearing with the Planning Commission. The motion carried by a unanimous roll call vote.

a. SUP-5-76. A Special Use Permit to allow the placement of a mobile home on the property of Mrs. D. C. Renick on Ironbound Road.

b. Z-16-76. P. O. Richardson, Applicant. Rezoning of 22 acres of the Miller Farm fronting on Longhill Road from Limited Residential R-2 to Multi-family Residential R-5.

c. Z-15-76. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following divisions of Article IV, Districts: Division 2, Agricultural, General, District A-1.

d. Z-15-76. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following Divisions of Article IV, Districts: Division 3, Agricultural, Limited, District A-2.

e. Case SUP-4-76. A Special Use Permit to allow Agrotec, Inc. to construct a cattle feeding facility on Jackey's Neck Farm. Joint hearing with the Planning Commission.

8. Authorization to send delegation to visit a cattle feeding facility similar to Agrotec, Inc. and transfer of \$1,000 from Contingency Account to Board of Supervisors 00110-220.

Mr. Donaldson moved that the recommendation of the Planning Commission to visit a facility similar to Agrotec by a delegation from the Planning Commission and a transfer of \$1,000 from Contingency Account to Board of Supervisors 00110-220. The motion carried by a unanimous roll call vote.

9. Appointments

Deferred for executive session.

E. MATTERS OF SPECIAL PRIVILEGE

None.

F. REPORTS OF THE COUNTY ADMINISTRATOR

The County Administrator brought to the Board's attention the memorandum from the Planning Director that was included in the Board's folder. The memorandum recommended consultant services for a professional review of previous work on the Subdivision Ordinance. Mr. Oliver indicated that if there were no objections, the County would proceed. The Board indicated no objection.

The County Administrator reviewed his memorandum which indicated the establishment of a Citizens Advisory Committee for the Public Transit Project and requested one representative from each district and one from the City.

October 25, 1976
October 11, 1976

Mr. Donaldson moved that the meeting be adjourned into executive session for the purpose of discussing personnel matters and possible real estate acquisition. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE ELEVENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

9. Appointments

a. Planning Commission

Mr. Edwards moved to appoint Fred Belden, 148 Cooley Road, to fill the unexpired term of Mrs. Friedman on the Planning Commission, such term to expire January 15, 1977. The motion carried by a unanimous roll call vote.

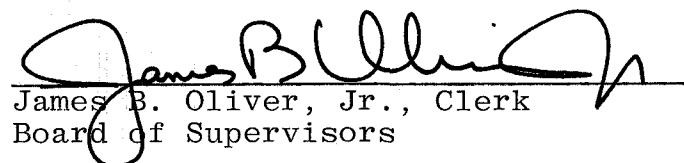
b. Wetlands Board

Mr. Donaldson moved the appointment of Mrs. Carey Fuqua to the Wetlands Board for a term of five years. The motion carried by a unanimous roll call vote.

Mr. Ware moved the appointment of Mr. Ross Davis to the Wetlands Board for a term of five years. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn the meeting. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 10:13 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TWENTY-FIFTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

October 23, 1976

B. MINUTES - October 11, 1976

Mr. Ware moved the approval of the minutes of October 11, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PRESENTATION OF SERVICE CERTIFICATES

Mr. Frink presented each of the following people with Service Certificates and indicated the Board's appreciation and congratulations on their service with the County.

Robert E. Jones - 3 years
 Kenneth R. McGinley - 3 years
 Betty Wallace - 3 years
 Frank M. Morton, III - 3 years
 Theresa B. Frank - 3 years
 Frances S. Waltrip - 3 years

D. HIGHWAY MATTERS1. Resolution to include certain street into the State Secondary System.

Mr. Edwards moved the approval of the resolution recommending the Highway Department accept a segment of road into the State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of First Colony-Section II 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street in First Colony-Section II, James City County in the State Secondary Highway System.

Description:

The Maine 50' R/W
 From: Route 1104
 To: 0.38 Mi. S. to Route 1104 0.38 Mi.

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled First Colony-Section II Subdivision, Plat Book 21, Page 48.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of First Colony and the Resident Engineer of the Department of Highways and Transportation.

2. Request for lights at Pottery - Charles Crone

Mr. Charles Crone addressed the problem of the intersection at the Pottery and the need for traffic signs and/or lights. He felt there has been a major improvement at the Pottery's parking lot which now holds 1,500 cars.

Mr. Yeatts indicated that a complete signal system for the intersection was worked up by the Traffic Division. Mr. Maloney never returned phone calls that Mr. Yeatts put through to him. Mr. Yeatts indicated that the need exists, and no action was to be taken by the Board.

Mr. Taylor presented a report of traffic accidents serviced by the Rescue Squad at the intersection of Route 614, Lightfoot, and Route 60. Mr. Yeatts indicated he would follow-up on this report.

October 25, 1976

Mr. Yeatts was asked for the completion date of South Henry Street and he indicated that if it stopped raining it was hoped traffic would be in there by December. They expressed interest in how long before the bridges would be complete and Mr. Yeatts indicated the time period of two weeks.

Mr. Frink indicated that he had been contacted about Forrest Heights Avenue off of Route 60W and that the citizens wanted road accepted into secondary system. Mr. Watkins indicated that an effort was made three years ago to do this, but a majority of the citizens met and decided not to give up right of way and to maintain the road as a private road, and did not wish to be taken into the system. He indicated that if this situation has changed the County can include this street to be put into the system.

Mr. Anderson, a resident of Forrest Heights Avenue, appeared a few minutes later to make the request personally and the above was repeated by Mr. Watkins. The Board indicated that the citizens should work with Mr. Watkins.

E. BOARD CONSIDERATIONS

3. Authorization to sign Fire Suppression Mutual Aid Agreement.

Mr. Donaldson moved that the resolution granting the desired authorization be approved. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County is desirous of entering into an agreement with the City of Williamsburg which will augment the fire protection available within the County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that James B. Oliver, Jr., County Administrator, is authorized and directed on behalf of the County to enter into fire suppression mutual aid agreements with local jurisdictions for purposes of promoting the general safety of the citizens and properties located in the County.

This resolution shall be in full force and effect from the day of its adoption.

4. Request for an extension of the proposed Social Services Department lease to five years.

The Board reviewed the County Attorney's memorandum and recommendation to extend the term of the Social Services Department lease to five years. After discussion with the County Attorney, the Board indicated its desire for further information on the lease and Mr. Morton indicated he would contact the attorney for the building, Mr. Anderson.

5. Date for Public Hearings:

Mr. Donaldson moved that the date of November 22, 1976, at 3:00 P.M., in the Courthouse, Williamsburg, Virginia, be set for the following ordinances. The motion carried by a unanimous roll call vote.

a. An ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 1 & 2, Lots 2 & 3, Lots 3 & 4 and Lots 4 & 5, Block 6.

b. An ordinance to vacate that certain plat entitled, "North County Subdivision, revised plat of North County Subdivision by William F. Pettengill, Stonehouse District, James City County, Virginia."

c. An ordinance to vacate a portion of that certain plat

October 25, 1976

entitled, "Littletown Quarter Subdivision of Property of Busch Properties, Inc., James City County, Virginia" dated May 30, 1974, and revised December 11, 1974.

F.

MATTERS OF SPECIAL PRIVILEGE

None.

G.

REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver presented a proposed Budget Calendar and requested its general adoption by the Board. Mr. Donaldson moved the approval of the Budget Calendar. The motion carried by a unanimous roll call vote.

Mr. Oliver presented a list of the Citizens Advisory Committee for Public Transit Project. Mr. Frink requested that Mr. Edward Radcliff, Sr. be added as the representative of his district. Mr. Edwards moved the approval of the list as revised. The motion carried by a unanimous roll call vote.

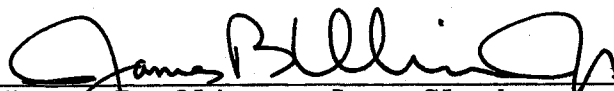
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Mr. Donaldson moved to adjourn into executive session to consider potential acquisition of real estate. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY, VIRGINIA,
ON THE TWENTY-FIFTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SIX.

PRESENT: As noted above.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 4:35 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of James City, Virginia
at the General Election held the first Tuesday after the first Monday in November, 1976, for

MEMBER
UNITED STATES SENATE

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
Harry P. Byrd, Jr.	Three thousand three hundred/ ^{twenty-nine}	(3329)	0
Martin H. Perper	One hundred eighty-seven	(187)	0
E. R. (Bud) Zumwalt	Two thousand one hundred/ ^{ninety-two}	(2192)	0
		()	
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MEMBER
HOUSE OF REPRESENTATIVES

First DISTRICT

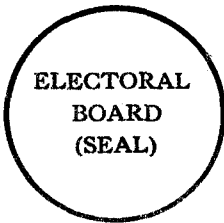
Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
Paul S. Tribble, Jr.	Two thousand six hundred/ ^{fifty-one}	(2651)	0
Mary B. McClaine	Four hundred thirteen	(413)	0
Robert E. Quinn	Two thousand five hundred/ ^{forty-seven}	(2547)	0
		()	
		()	
		()	
		()	
		()	

We, the undersigned Electoral Board, upon examination of the official records deposited in the office of the Clerk of the Circuit Court of the election held on November 2nd, 1976, do hereby certify that the above is a true and correct Abstract of Votes cast at said Election for a Member of the Senate and a Member of the House of Representatives in the Congress of the United States.

Given under our hands this 4th day of November, 1976.

Sh. L. Speen Chairman
Charles E. Garry Member
Jane M. Douglas Secretary

A copy teste:



Jane M. Douglas Secretary, Electoral Board

B'd Sup.

JAMES CITY COUNTY

ABSTRACT OF VOTES cast in the County/City of _____, Virginia,
at the General Election held November 2, 1976, for

PROPOSED CONSTITUTIONAL AMENDMENTS

QUESTION 1: Shall Sections 1 and 2 of Article II of the Constitution of Virginia be amended to eliminate length of residence as a qualification to vote and to extend the time a voter may vote in his precinct after moving from it?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Two thousand five hundred and thirty	2,530	-0-
AGAINST (No)	One thousand five hundred forty one	1,541	-0-

QUESTION 2: Shall Section 4 of Article II of the Constitution of Virginia be amended to permit absentee registration by persons, and their families, temporarily residing outside the country by reason of employment?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Three thousand three hundred and eight	3,308	-0-
AGAINST (No)	Seven hundred and twenty nine	729	-0-

QUESTION 3: Shall Section 5 of Article II of the Constitution of Virginia be amended to specify that the requirement of one year's residence in Virginia for office seekers be the year preceding the election to office?

	Total Votes Received (In Writing)	Received Total Votes (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Three thousand and ninety two	3,092	-0-
AGAINST (No)	Nine hundred and one	901	-0-

QUESTION 4: Shall Section 8 of Article II of the Constitution of Virginia be amended to remove the restriction against certain public officials and employees serving as assistant or substitute registrars or officers of election?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	One thousand eight hundred forty three	1,843	-0-
AGAINST (No)	Two thousand and eight	2,008	-0-

QUESTION 5: Shall Section 12 of Article VI of the Constitution of Virginia be amended to permit judicial appointments of elected local officials, and eliminate the need for special elections to fill a vacancy for less than sixty days?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Two thousand three hundred thirty five	2,335	0
AGAINST (No)	One thousand five hundred forty eight	1,548	0

QUESTION 6: Shall Section 6 of Article X of the Constitution of Virginia be amended to permit certain tax exemptions for property subject to a perpetual easement for flooding, property owned by the permanently and totally disabled, property used for solar energy purposes, and tangible farm property and products?

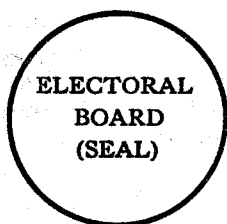
	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Two thousand eight hundred eighty six	2,886	0
AGAINST (No)	One thousand and forty two	1,042	0

We, the undersigned Electoral Board, upon examination of the official records deposited in the office of the Clerk of the Circuit Court of the election held on November 2, 1976, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for and against the proposed amendments to the Constitution of Virginia.

Given under our hands this 4th day of November, 1976.

Charles E. Ham Chairman
Charles E. Ham Member
Irene M. Douglas Secretary

A copy teste:



Irene M. Douglas Secretary, Electoral Board

Abstract of Votes cast in the County/City of James City, Virginia
for Electors of President and Vice President of the United States, at the general election held November 2, 1976.

THE TABULATION FOR EACH ELECTOR ENTERED IN THIS ELECTION IS AS FOLLOWS:

United States Labor Party for Electors for **Lyndon H. LaRouche, Jr.**, President and **R. Wayne Evans**, Vice President

Fred D. Brown	Fred Knight	E. Herbert Eby	Ava S. Rosenberg
Jerry Maurice Wilson	Mary G. Cunningham	Daniel Edward Switzer	John Bryan Ascher
Anthony Van Zwaren	Warren D. Wood, Jr.	John B. Hodges	Patricia Van Zwaren
Twenty-three		(23)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

Republican Party for Electors for **Gerald R. Ford**, President and **Robert Dole**, Vice President

R. George Hubbard	Bert A. Bobbitt	Giles H. Miller, Jr.	Cecile S. Reeves
Albert Teich, Jr.	Virginia P. Newnam	Mary O. Shertzer	Olen H. Lewis, Jr.
Walter W. Craigie, Jr.	Douglas C. Wine	Henry Alan Vanover	John B. Watkins
Thirty-one hundred eighty-six		(3186)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

American Party for Electors for **Thomas Jefferson "Tom" Anderson**, President and **Rufus Shackelford**, Vice President

Robert Arthur Blount	Norman LeRoy Hedrick	Albert Bennett Moore	Cordell Hull Burch
Charles Embert Ketchu	John Wesley Carter	Carl Mason Gardner	James Robert Orgain, Jr.
Josephine Luntsford Dawson	Virginia Trout Maxey	Ralph Lee Patton	Gladyce Gordon Muse
Sixty-seven		(67)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

Democratic Party for Electors for **Jimmy Carter**, President and **Walter Mondale**, Vice President

C. Flippo Hicks	C. Hardaway Marks	William A. Elwood	Vivian Kallen
William P. Robinson, Sr.	Carl D. Brown, Jr.	Patrick S. Portway	Jack Moore Horn
Pamela K. Fay	Prentiss A. Webb	Gail C. Buck	Novella P. Rawlings
Three thousand		(3000)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

Socialist Workers Party for Electors for **Peter Camejo**, President and **Willie Mae Reid**, Vice President

Michael A. Faia	Patrick B. Tatum	John W. Israel	Roy Stowell Inglee
Robert Drake Scull	Susan Page Osborne	Norman Lee Oleson	Katharine Whitney Inglee
Michael Pennock	Gregg P. Godeli	William H. Williams	Marcella Kuzeja
One hundred fifty-nine		(159)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

Libertarian Party for Electors for **Roger L. MacBride**, President and **David P. Bergland**, Vice President

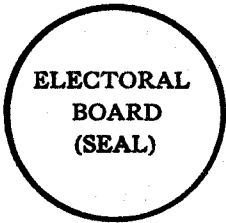
Robert L. Gordon, Jr.	Beverly Sue Hammons	Thomas L. Johnson	Richard H. Gentry
Joseph Mason Newsome	R. Leonard Vance	Warren W. Woolsey	Carolyn M. Paulette
Mary Douglas Godsey	Clarence Edwin Cabaniss, Jr.	Charles H. Breeden	David W. Pendleton
Nineteen		(19)	0
Total Votes Received (In Writing)		Total Votes Received (In Figures)	Challenged Votes Included in Total

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election on November 2, 1976, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Electors for President and Vice President.

Given under our hands this 4th day of November, 1976.

Shirley Green Chairman
Charles E. Gentry Member
Jane M. Douglas Secretary

A copy teste:



Jane M. Douglas Secretary, Electoral Board

November 10, 1976

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, THE TENTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

 Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards moved the approval of the minutes of October 25, 1976, as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. SUP-4-76. A Special Use Permit to allow Agrotec, Inc., to construct a cattle feeding facility on Jockey's Neck Farm. Joint hearing with Planning Commission.

Mr. Scruggs, Chairman of the Planning Commission, indicated that a quorum of the Commission was present. He indicated that Mr. Steve Turner would make a committee report of the facilities visited in Florida and South Carolina.

Mr. Steve Turner indicated that the committee's recommendation was favorable. Construction details indicate waste treatment system will be fully enclosed and with this enclosure the committee did not see health problems. As far as the committee could determine, there was nothing objectionable to this facility and recommended approval of the permit.

Mr. Brown, Director of Planning, showed the Board slides of the facilities visited.

The Chairman of the Board opened the joint public hearing.

Mr. Enos Smith, Gospel Neck Church - Expressed concern regarding the water table. He commented that ten thousand head of cattle will drink a lot of water and expressed concern about wells. He questions whether the firm could process water out of the creek rather than use wells which would pull the water table down.

Mr. Brown indicated that the company has been looking into water from College Creek. The Agrotec representative indicated the company has water situation under analysis. Preliminary analysis shows that they can use the water from the creek, and that they are 80% sure they will not have to build deep wells. He indicated an alternative plan would be to go to the municipal water line off Rt. 199.

Mr. Ralph Gilly questioned the amount of traffic that will be generated on the two roads that go to Jockey's Neck. Mr. Brown replied that eight truck trips per day to serve the facility is estimated. Most are feed trucks and other materials. It was indicated that there was a possibility that the County could get funding to have the State construct a new link between Lake Powell Road and Rt. 199.

November 10, 1976

There being no further discussion, the hearing was closed.

Mr. Mel Bryant, a member of the committee that went to Florida, indicated that his feelings were in line with Mr. Turner's. He commented that management is the key and from indications Agrotec will be run similar to the one in Florida and they have received an environmental award.

Mr. Frink introduced Mrs. Frances Waltrip's letter for the record which indicated concern with water supply and truck traffic to the area.

The Agrotec representative indicated that if any individual well is jeopardized that Agrotec will assist its neighbor.

Mr. Ware moved to approve the special use permit as written to Agrotec, Inc. The motion carried by a unanimous roll call vote.

3. Z-16-76. P. O. Richardson, Applicant. Rezoning of 22 acres of the Miller Farm fronting on Longhill Road from Limited Residential R-2 to Multi-family Residential R-5.

The Chairman opened the public hearing.

Paul Dresser - Member of the Board of Directors of Windsor Association property owners of Windsor Forest. Concerned as to what is happening on Longhill Road. Asked that no more multi-family projects be approved by the County on Longhill Road until Route 199 placement is finalized. Questioned whether there was a need for this many apartments so soon in this area. Asked that rezoning be deferred until the Planning Board knows the placement of Rt. 199.

George Douglas - Concerned about what this development will do to the school system.

Thomas Sutton - Asked that the Board of Supervisors and Planners spend 1/2-hour of their time on Longhill Road between the hours of 7:00 A.M. - 7:30 A.M. and 2:00 P.M. - 2:30 P.M. to see traffic conditions for themselves. Longhill Road does not need any more traffic.

William T. O'Neal - Windsor Forest - Reiterated what had been said - Objects to rezoning being done in such a hasty manner and requests review.

P. O. Richardson - Opposed to development that would be detrimental to his development also. Mortgage Company and Aetna study indicated there is a need for his multi-family development.

John Moneymaker - Expressed belief there would not be any trouble to convert R-2 and R-3 to R-5 zoning. Indicated that it was unfortunate that the Highway Department's philosophy is never to consider upgrading a road until it is overloaded.

Mr. Dresser again requested deferral of the matter until the placement of Rt. 199.

There being no further discussion, the Chairman closed the public hearing.

Mr. Donaldson indicated that he supported rezoning of this matter as a member of the Planning Commission. He indicated that automatic rezoning from R-3 to R-5 was clearly not the Board's intent; that the Board cannot agree to anything prior to a public hearing. Mr. Donaldson moved to defer consideration until the next regular meeting of the Board, November 22, 1976. The motion carried by a unanimous roll call vote.

November 10, 1976

4. An Ordinance to amend Chapter 20, Zoning of the Code of the County of James City by amending the following Divisions of Article IV, Districts; Division 2, Agricultural, General, District A-1.

AND

5. An Ordinance to amend Chapter 20, Zoning of the Code of the County of James City by amending the following Divisions of Article IV, Districts; Division 3, Agricultural, Limited, District A-2.

Mr. Brown, Director of Planning, made a presentation to the Board which described the changes made to the A-1 and A-2 Ordinances.

The Chairman opened the public hearing.

Mr. Ralph Gilly - Against all of it. Read from Real Estate Appraisers book.

Mrs. Robert Jones - Absolutely against.

There being no further discussion the Chairman closed the public hearing.

The Board requested the deletion of "small" when referring to boat docks in the ordinances.

Mr. Taylor indicated his opposition to the ordinances, indicating they destroy free enterprise.

Deacon Enos Smith read a verse from the Bible.

Mr. Frink moved to defer these ordinances until the Board's next night meeting, December 13, 1976. The motion carried by a unanimous roll call vote.

D. BOARD CONSIDERATIONS

6. Airport Study Report.

Mr. R. E. Bowyer, member of the Planning Commission and Board of Supervisors of New Kent County, indicated that citizen complaints had been received regarding the proposed airport site adjacent to his district. Requested to be kept informed as to what is going on so close to his County line. He indicated the airport would affect growth and their County's comprehensive plan. This matter is to be brought up at the New Kent Board meeting the following Monday night.

Mr. Brown, Director of Planning, read a resolution from the Planning Commission which indicated that the Commission is not disposed to act favorably upon any presently proposed site selections in James City County.

Discussion followed and the Board indicated its desire for a resolution to be prepared which would be simpler and more concise in communicating its unfavorable feelings about not wanting the facility at the locations proposed.

Mr. Edwards moved to table this matter until the Board's next regular meeting on November 22, 1976. The motion carried by a unanimous roll call vote.

7. Addition and Abandonment - Public Rights of Way (Rt. 645 and Rt. 708).

The Board reviewed the material presented. Mr. Ware moved the approval of the resolution as presented. The motion carried by a unanimous roll call vote.

November 10, 1976

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County held this 10th day of November, 1976, it was duly moved and seconded that:

WHEREAS, Secondary Route 708 from Route 60 to York County line, a distance of .08 mile, has been altered, and a new road has been constructed and approved by the State Highway and Transportation Commission, which new road serves the same citizens as the road so altered; and

WHEREAS, the section of new road follows a new location, as shown on the attached sketch titled "Changes in Secondary System Due to Relocation and Construction on Route 645, Project 0645-047-123, M-501 dated at Richmond, Virginia 9-8-76."

NOW, BE IT RESOLVED: That Section 1, shown in red on the sketch titled "Changes in Secondary System Due to Relocation and Construction on Route 645, Project 0645-047-123, M-501 dated at Richmond, Virginia 9-8-76," a total distance of 0.14 mile be, and hereby is added to the Secondary System of the State Highways pursuant to Section 33.1-229 of the Code of Virginia of 1950, as amended; and

BE IT FURTHER RESOLVED, that Route 708, Section 2, shown in blue on the aforementioned sketch, a total distance of 0.08 mile, 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.

This resolution will be in full force and effect from the date of its adoption.

8. Amendment to Kingsmill Master Plan.

The Board reviewed a memorandum from the Planning Director of November 3, which requested that the Master Plan for Kingsmill be amended by reclassifying one 8.5 acre parcel from Residential "A" to Residential "B" and indicated that the Planning Commission unanimously recommends approval.

Mr. Frink moved the approval of the revised Master Plan for Kingsmill. The motion carried by a unanimous roll call vote.

9. Resolution to close School Construction Account.

Mr. Ware moved the approval of the resolution to close the School Construction Fund account. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County by resolution made effective March 1, 1972, established the Williamsburg National Bank of Williamsburg, Virginia as its designated depository for the James City County School Construction Bond Issue of March 1, 1972; and

WHEREAS, the Lafayette High School Construction Project has been completed, and the need for which this account was established no longer exists;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that Frances B. Whitaker, Treasurer, is hereby authorized and directed to close that account known as the James City County School Construction Bond Issue and deposit any remaining funds in the General Fund for James City County.

This resolution shall be in effect from the 10th day of November, 1976.

10. Resolution - Sanitary District #1 Liens.

Mr. Frink moved the approval of the resolution as presented. 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 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:

LIEN LIST		JAMES CITY COUNTY SANITARY DIST. #1		SEPTEMBER 30, 1976	
A/C #.	Name & Address of Property	Description of Property	Amount	Fee	Total
109	Leslie L. Chalkley & Eileen J. Chalkley Lot 11, Sec. 9, James Terrace husband & wife 706 Coleman Dr.	D. B. 51, P. 362, Map Bk. 7, P. 64	\$103.75	\$1.00	\$104.75
157	Herbert Paul Linton & Carol J. Linton 914 Foley Dr.	Lot 28, Sec. 8, James Terrace	103.75	1.00	104.75
167	Randall Russell Warburton & Bruce Commer Warburton 10 Magruder Heights	Lot 10, Magruder Heights	78.75	1.00	79.75
171	Roland E. Michelli 918 Coleman Dr.	Lot 1, Sec. 8, James Terrace D. B. 109, P. 398, P. B. 14, P. 108	103.75	1.00	104.75
190	Winfrey L. Fowler & Minnie Fowler husband & wife 23 Wallace Rd.	Solomon Orange Subdivision D. B. 73, P. 330, P. B. 7, P. 16 Lot 50 ft. X 100 ft.	103.75	1.00	104.75
224	William E. Hitchens 909 Jackson Dr.	Lot 55, Sec. 6, James Terrace D. B. 98, P. 32	77.50	1.00	78.50
277	Arthur C. Develletian & Meredith A. Develletian 703 Penniman Rd.	Lot 1, James Terrace D. B. 114, P. 628, P. B. 12, P. 16	103.75	1.00	104.75
310	Whiting R. Willaver & Basil E. Hagemanole T/AS Junction East	Lot 21, Magruder View D. B. 122, P. 65, P. B. 12, P. 24 P. B. 11, P. 16	26.25	1.00	27.25
330	Ronald L. Lassiter & Geraldine M. Lassiter 1367 Merrimac Trail	All that parcel of land adjacent to lot C Solomon Orange Subdivision D. B. 130, P. 138, with plat in D. B. 55, P. 364	103.75	1.00	104.75
336	James E. Davis & Eva Mae Davis 1237 Oak Drive	Lot 1 & 2 Old Penniman Rd. Estate of Thomas Kearney D. B. 56, P. 110	102.50	1.00	103.50
373	Donald Irvin Heath & Mary L. Heath 909 Coleman Dr.	Lot 40, Sec. 8, James Terrace	103.75	1.00	104.75

November 10, 1976

11. Peninsulas Emergency Medical Services Council contribution.

The Board reviewed a memorandum from the County Administrator which indicated that the organization was seriously threatened because a federal grant was not renewed. The County Administrator requested that \$500 be transferred from Contingency to this Council so that it could continue to provide regional planning and coordination of emergency services. The Board indicated no objection.

12. Rebate of Permit Fee - Building Permit No. 73-747B.

The Board reviewed the request of Mr. Carter Chinnis for a building permit refund #73-747B for Lafayette Manor Apartments, in the amount of \$6,689.28.

Mr. Donaldson moved that the recommendation of the County Administrator to approve the refund be accepted. The motion carried by a unanimous roll call vote.

13. Date for public hearing:

- a. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City; Article IV, Districts, Division 7, Residential Planned Community, District R-4; Sec. 20-72, Final Plans - Review; Board of Supervisors Action; recording.

Mr. Donaldson moved to set the above captioned ordinance for public hearing on December 13, 1976, at 7:30 P.M., in the Courthouse, Virginia. The motion carried by a unanimous roll call vote.

14. Certification of Warrants

Mr. Frink moved the approval of the following warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #1890 thru #2020 Totalling \$366,902.44
General Fund Payroll	Checks #6054 thru #6355 Totalling \$85,749.46
Sanitary District #1	Checks #19 and #20 Totalling \$2,639.12
Sanitary District #2	Checks #147 thru #151 Totalling \$1,606.30
Sanitary District #3	Checks #281 thru #295 Totalling \$206,549.79
Revenue Sharing Account	Checks #246 thru #271 Totalling \$124,729.96
James City Subdivision Escrow Account	Check #127 Totalling \$1,500.00
Toano Water Construction	Checks #6 thru #7 Totalling \$8,162.01
James City County School Construction Acct.	Check #125 Totalling \$35,379.25

- E. MATTERS OF SPECIAL PRIVILEGE

(None.)

- F. REPORTS OF THE COUNTY ADMINISTRATOR

1. Temporary Loan to Sanitary District #3.

The Board reviewed a memorandum from the County

November 22, 1976
November 10, 1976

Administrator which requested a temporary loan of \$50,000 from the Contingency account to meet commitments to contractors until grant payments are received. Mr. Edwards moved the approval of the transfer of funds in the amount of \$50,000 from the Contingency account to Sanitary District #3, with the request that a report on this matter be available at the next meeting. The motion carried by a unanimous roll call vote.

2. Architectural Services Resolution.

Mr. Donaldson moved the adoption of the resolution which amends the County's contract by designating the location of the County Services Complex on the Kingsmill site rather than the Croffton site. The motion carried by a unanimous roll call vote.

RESOLUTION


WHEREAS, the County of James City and William H. Phillips, Jr., AIA, did enter into a Standard Form Agreement and a Supplemental Agreement, both dated May 1, 1974, providing for certain architectural services relating to the construction of a County Services Building and School Administration Building on a 40-acre tract of land known and designated as the Croffton Planned Community, and

WHEREAS, it is the desire of the parties thereto to amend the aforesaid agreement to provide for the construction of improvements on that certain 60-acre tract land adjacent to that certain subdivision known as Kingsmill on the James, said property fronting on Route 199;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that Abram Frink, Jr., Chairman, and James B. Oliver, Jr., Clerk, be authorized and directed to enter into a Supplemental Agreement amending the aforesaid agreements dated May 1, 1974, to provide for the designation of the location of the County Services Complex on the Kingsmill rather than the Croffton site.

Mr. Edwards moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 10:05 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SIX.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

November 22, 1976

B. PRESENTATION OF SERVICE CERTIFICATES

Jerald R. Lapham - Fire Department - 3 years
 Michael E. Tompkins - Office of Planning & Development -
 3 years
 William F. Brown - Office of Planning & Development -
 3 years

C. HIGHWAY MATTERS

1. Interim Report - VDH&T.

Mr. Oliver presented the Board with an interim progress report regarding certain road concerns which had previously been presented to the Board on October 11th, and referred to VDH&T for follow-up.

D. PUBLIC HEARINGS

2. An Ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," and more particularly described as those lot lines dividing Lots 1 & 2, Lots 2 & 3, Lots 3 & 4 and Lots 4 & 5, Block 6.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Donaldson moved the approval of the Ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 97

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT OF COLONIAL TERRACE, JAMES CITY DISTRICT, JAMES CITY COUNTY, VIRGINIA," AND MORE PARTICULARLY DESCRIBED AS THOSE LOT LINES DIVIDING LOTS 1 & 2, LOTS 2 & 3, LOTS 3 & 4 AND LOTS 4 & 5, BLOCK 6.

WHEREAS, application has been made by Woodson, Littlepage & DeYoung, Inc., Engineers on behalf of Roland W. Walker, owner of Lots 1, 2, 3, 4 and 5, Block 6, Colonial Terrace, to vacate certain property lines, as more particularly described below, the result of which will leave one lot to be designated Lot 1; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 22nd day of November, 1976, pursuant to such notice and were 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:

1. That those lot lines dividing Lots 1 & 2, Lots 2 & 3, Lots 3 & 4 and Lots 4 & 5, Block 6, as shown on that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Virginia," dated September 18, 1931, and prepared by J. M. Coehlan, Certified Engineer, and recorded in Plat Book 5, page 27, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.
2. That a new plat entitled, "A Survey for Vacation of Lot Lines Between Lots 1 & 2, 2 & 3, 3 & 4, and 4 & 5, Colonial Terrace, James City County, Virginia," be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

3. An Ordinance to vacate that certain plat entitled, "North County Subdivision, revised plat of North County Subdivision by William F. Pettengill, Stonehouse District, James City County, Virginia."

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Taylor moved the approval of the Ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 98

AN ORDINANCE TO VACATE THAT CERTAIN PLAT ENTITLED, "NORTH COUNTY SUBDIVISION, REVISED PLAT OF NORTH COUNTY SUBDIVISION BY WILLIAM F. PETTENGILL, STONEHOUSE DISTRICT, JAMES CITY COUNTY, VIRGINIA."

November 22, 1976

WHEREAS, discrepancies have arisen in the property lines necessitating the adjustment of such lines; and

WHEREAS, application has been made by Stuart D. Spirn, Esquire, on behalf of William F. Pettingill, developer of North County Subdivision, to vacate that certain plat entitled, "North County Subdivision"; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application for vacation has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors of James City County did consider such application on the 22nd day of November, 1976, pursuant to such notice and were 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:

1. That that certain plat entitled, "North County Subdivision, Revised Plat of North County Subdivision By William F. Pettengill, Stonehouse District, James City County, Virginia", recorded in Plat Book 33, page 80 in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City be and the same is, hereby, vacated.
2. That that certain plat entitled, "Second Revision of North County Subdivision By William F. Pettengill, Stonehouse District, James City County, Virginia", dated August 7, 1976, and drawn by R. H. Highland, CLE, be put to record in the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James City.

This ordinance shall be in full force and effect from the day of its adoption.

4. An Ordinance to vacate a portion of that certain plat entitled, "Littleton Quarter Subdivision of Property of Busch Properties, Inc., James City County, Virginia" dated May 30, 1974, and revised December 11, 1974.

The Chairman opened the public hearing. There being no discussion, the Chairman closed the public hearing.

Mr. Donaldson moved the approval of the Ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 99

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "LITTLETOWN QUARTER, SUBDIVISION OF PROPERTY OF BUSCH PROPERTIES, INC., JAMES CITY COUNTY, VIRGINIA," DATED MAY 30, 1974, AND REVISED DECEMBER 11, 1974.

WHEREAS, Busch Properties, Inc. has previously made application to the Board of Supervisors of James City County and received approval to amend the final plan for the undeveloped portion of Littleton Quarter; and

WHEREAS, application has been made by David W. Otey on behalf of Busch Properties, Inc., owners of the property described herein to vacate the undeveloped portion of that certain plat entitled, "Littleton Quarter", such area being more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application for vacation has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Va., 1950, as amended; and

WHEREAS, the Board of Supervisors of James City County did consider such application on the 22nd day of November, 1976, pursuant to such notice and were 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:

1. That the following portion of that certain plat entitled, "Littleton Quarter, Subdivision of Property of Busch Properties, Inc., James City County, Virginia", be and the same is hereby, vacated:

Beginning at point J on said plat and continuing along a line having a bearing of N 56° 39' 30" E a distance of 46.00 feet to a point; thence along a line having a bearing of S 33° 20' 30" E a distance of 238.00 feet to a point; thence along a line having a bearing of S 37° 20' 30" E a distance of 116.50 feet to a point; thence along a line having a bearing of S 70° 05' 30" E a distance of 31 feet to a point; thence along a line having a bearing of S 3° 16' 56" W a distance of 35.24 feet to a point; thence along a line having a bearing of S 28° 41' 27" W a distance of 115.53 feet to a point; thence along a line having a bearing of S 16° 39' 56" W a distance of 294.33 feet to a point; thence along a line having a bearing of S 51° 22' 29" W a distance of 247.75 feet to a point; thence along a line having a bearing of S 64° 59' 56" W a distance of 190.91 feet to a point; thence along a line having a bearing of N 25° 00' 04" W a distance of 195.88 feet to a point; thence along a line having a bearing of N 09° 05' 54" E a distance of 142.29 feet to a point; thence along a line having a bearing of S 81° 17' 55" E a distance of 100.20 feet to a point; thence along a line having a

November 22, 1976

bearing of N 54° 05' 44" E a distance of 256.50 feet to a point; thence along a line having a bearing of N 35° 54' 16" W a distance of 124.50 feet to a point; thence along a line having a bearing of N 53° 09' 40" E a distance of 193.20 feet to a point; thence along a line having a bearing of N 36° 50' 20" W a distance of 177.50 feet to a point; thence along a line having a bearing of N 08° 29' 23" E a distance of 119.84 feet to the point of beginning.

2. That the following plat be put to record in the Clerk's Office of the Circuit for the City of Williamsburg and County of James City:

"Littleton Quarter, Phase II, Subdivision of Property of Busch Properties, Inc., James City County."

This ordinance shall be in full force and effect from the date of its adoption.

E. BOARD CONSIDERATIONS

5. Airport Study Report.

At the Board's request of November 10, 1976, a resolution was prepared regarding the Airport Study.

Mr. Donaldson stated that all Board members indicated concern with respect to the appropriateness and justification of several sites selected by the Peninsula Airport Commission if such a need for a reliever airport did exist.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

AIRPORT STUDY RESOLUTION

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

1. The need for a new reliever airport in this area has not been substantiated, and
2. Until the need is demonstrated, the general public and this Board are opposed to the construction of such a facility at the sites proposed within James City County.

6. Case File No. Z-16-76, P. O. Richardson, Applicant. Rezoning of 22 acres of Miller Farm from R-2 to R-5.

The Board had been given the applicant's request for rezoning and building and traffic counts for Longhill Road.

Mr. Taylor moved the approval of the rezoning.

Mr. Edwards noted from the memorandum regarding traffic counts that when traffic trips per day reached 6,000 VDH&T would four-lane the road, but Mr. Edwards felt that this did not appear to be in the near future.

Thomas Sutton a resident from Windsor Forest stated he had investigated the property for the proposed development and that the plans indicated an entrance from the development to Route 199 which would alleviate traffic on Longhill Road.

Mr. Brown, Planning Director, noted that the development is not contingent upon the Route 199 location.

Mr. Edwards indicated that due to the numerous housing projects on Longhill Road this matter is of serious concern, yet the Board has no method of determining when or how to stop approving rezonings. Mr. Edwards further stated that he did not feel the community had been successfully convinced that Longhill Road is not heavily utilized and if the rezoning is approved the highway will not become anymore dangerous. Mr. Edwards indicated he was reluctant to approve the rezoning at this time due to highway conditions on Longhill Road and the uncertain Route 199 predictions.

Mr. Taylor's motion was approved by a majority roll call

November 22, 1976

vote. Mr. Edwards voted no.

7. Report on Bicentennial Commission.

Mr. Ross Weeks gave a brief progress report on the Bicentennial Commission. He stated that during the past year 2,500 to 3,000 people had been directly involved in activities that the Bicentennial Commission had organized and sponsored. He then introduced Ms. Madaline Gee, Chairwoman of the Folk Festival Committee.

Ms. Gee stated that the final presentation to be sponsored by the Commission will be December 11th, at Matthew Whaley Elementary School. This Folk Festival will consist of different feature activities of the communities within Williamsburg and James City County. Ms. Gee thanked the Board for their cooperation and invited them to the Folk Festival.

Mr. Weeks stated that the Bicentennial Commission is proposing to create and place a tablet of James City County history at the new County government site. Mr. Weeks also indicated that the Commission has agreed that Williamsburg and James City County has no further need of the Bicentennial Commission and, therefore, asked the Board of Supervisors to abolish the Bicentennial Commission at the next Board meeting. Mr. Weeks then presented the Board with bronze medallions and a Bicentennial Message signed by President Ford.

8. Resolution - Crossroads Community Youth Home Program.

Mr. Oliver stated that in our current budget an appropriation has been made for the Crossroads Community Youth Home. Mr. Pattis, Home Director, is asking the Board for its formal endorsement of the program.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

CROSSROAD COMMUNITY YOUTH HOME

WHEREAS, the Crossroads Community Youth Home is capable of providing needed day care and outreach programs for young people in James City County, and

WHEREAS, the Board of Supervisors of James City County appropriated funds for this program on May 27, 1975,

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the Director of the Crossroads Community Youth Home be and is hereby authorized to recruit and appoint qualified persons to fill the following positions:

Counselor II
Counselor III

AND BE IT FURTHER RESOLVED, that the Director be and is hereby authorized to provide Community Youth Home services on behalf of the citizens of James City County.

9. Industrial Development Sites Reports.

Mr. Oliver stated that this report had been prepared by the Economic Development Advisory Committee in conjunction with the Planning Department. Mr. Oliver indicated that this report would be made available to potential corporations interested in industrial development within the County.

Mr. Donaldson moved to concur in the proposed use of the report. The motion carried by a unanimous roll call vote.

10. Proposed Operating Policies and Fee Schedules for Sanitary District #3.

November 22, 1976

Mr. Frink moved that the date of December 13, 1976, at 7:30 p.m., in the Courthouse, Williamsburg, Va., be set for an Ordinance to establish a user charge system for sewer services for Sanitary District #3 and an Operating Policy Resolution. The motion carried by a unanimous roll call vote.

11. Public Works Title II Funds - Bank Resolution - UVB of Williamsburg.

Mr. Oliver pointed out the need for a separate bank account for funds received under Title II of the new Public Works Employment Act. Due to strict accounting requirements of the State, this account would provide a proper audit trail of all expenditures.

Mr. Donaldson moved approval of the resolution. The motion 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 Anti-Recession Fund 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, notes or orders drawn against said account be signed by three of the following:

Abram Frink, Jr. Chairman

OR

Stewart U. Taylor Vice-Chairman

James B. Oliver, Jr. County Administrator

OR

John W. Watkins Assistant County Administrator

Frances B. Whitaker Treasurer

OR

Eunice P. Stewart Deputy Treasurer

OR

Betty S. Pettengill 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 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 folders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary or Assistance 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.

F. MATTERS OF SPECIAL PRIVILEGE

None.

G. REPORTS OF THE COUNTY ADMINISTRATOR

13. Current Status of the Advance Made to Sanitary District #3

It was noted that on November 26th the advance of \$48,100 from the General Fund to Sanitary District #3 would be repaid and the remainder of the \$411,600, which we received from EPA, will be used to reduce the outstanding balance on the bank note at United Virginia.

November 22, 1976

14. Christmas Holiday Information.

The Christmas Holiday schedule relating to State offices was given to the Board. It was noted that the County offices would be closed on December 24 and 31 for the holidays.

15. Public Transit Report.

The Board received a progress report regarding the public transit program.

16. Proposed Legislative Program - 1976-77.

Mr. Morton, County Attorney, briefly reviewed the proposed amendments to the State Code. It was noted that these amendments, if the Board concurred, would be offered by our local legislators for consideration at the upcoming General Assembly. The Board requested Mr. Oliver to set up a special meeting with Delegate Grayson for presentation of these amendments.

Mr. Ware asked if an amusement tax amendment would be included in this legislative package.

Mr. Donaldson indicated that Hanover County was in the process of considering such a tax and the Board should give thought to offering support to the County in this regard.

Mr. Oliver indicated it was a little too early in the budget process to realize whether or not the County needs to enact such a tax. Mr. Oliver suggested that until such time that the staff could analyze our budgetary needs perhaps the Board should consider seeking the authority to exercise such a tax.

E-12. APPOINTMENTSa. Deputy Animal Control Officer.


It was noted that the Animal Control Officer and Deputy Animal Control Officer serve at the pleasure of the Board. The CETA Title II program guarantees funding of the Deputy Animal Control Officer position until June, 1977, at which time we would reapply for funding.

Mr. Edwards moved to approve the appointment of Mr. Paul J. Anderson as Deputy Animal Control Officer. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED

AT 4:15 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

December 13, 1976

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE FORT MAGRUDER QUALITY INN, JAMES CITY COUNTY, VIRGINIA, ON THE THIRTEENTH DAY OF DECEMBER, 1976, AT 5:30 P.M.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. John E. Donaldson, Jamestown District
 Mr. David W. Ware, Jr., Powhatan District

 Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. INTRODUCTION OF CONGRESSMAN PAUL TRIBLE

The Chairman introduced Congressman Paul Tribble. The meeting was a small get-acquainted dinner for the Board of Supervisors to meet newly-elected Congressman Tribble.

C. ADJOURNMENT

The meeting adjourned at 6:50 p.m., to reconvene at 7:00 p.m., in the Council Chambers at the Courthouse, Williamsburg, Virginia.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE THIRTEENTH DAY OF DECEMBER, 1976, AT 7:00 P.M.

A. ROLL CALL

As noted above.

B. DISCUSSION OF PROPOSED LEGISLATIVE PROGRAM FOR 1977

Mr. Frank Morton, County Attorney, introduced Delegate Grayson who was present to review with the Board the Legislative Program for 1977.

Mr. Morton briefly outlined the proposed amendments to the State Code. It was noted that these amendments would be offered by Delegate Grayson and other local legislators for consideration at the upcoming General Assembly.

Mr. Oliver referred to a memorandum to the Board regarding an admissions tax amendment. It was noted that the Board of Supervisors would be seeking the authority to levy the tax. Actual imposition would be considered during the County's budget process when all budget needs are known. The tax would not become effective before January 1, 1978, so that anyone affected would have adequate planning time. The County would pledge to simplify all collection procedures so that the tax was not administratively burdensome.

Mr. John Edgerton, President of the Williamsburg-James City County Chamber of Commerce, stated that the Chamber of Commerce is opposed to the levying of an entertainment admissions tax. The Chamber of Commerce feels that such a tax would have a detrimental effect on tourism.

Mr. Donaldson moved the approval of the Resolution requesting Amendment of Section 14.1-7, Traveling Expenses on Business of Town, City or County, of the Code of the State of Virginia. The motion carried by a unanimous

December 13, 1976

roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 14.1-7, TRAVELING EXPENSES ON BUSINESS OF TOWN, CITY OR COUNTY, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 14.1-7, Traveling Expenses On Business of Town, City or County, be amended by the General Assembly to permit local governing bodies to set their own rate of reimbursement.

Mr. Edwards moved the approval of the Resolution requesting Amendment of Section 14.1-141, Deputies, Office Expenses, Premiums on Bonds, etc., of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 14.1-141, DEPUTIES, OFFICE EXPENSES, PREMIUMS ON BONDS, ETC., OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 14.1-141, Deputies, Office Expenses, Premiums On Bonds, etc., be amended by the General Assembly to provide that counties shall be entitled to a minimum of one (1) deputy per 2,000 population, and further, that counties which experience a high rate of tourism shall be entitled to additional deputies at the rate of one (1) per 500,000 tourists per year based on the tourism figures of the immediately preceding year as released by the Department of Commerce and Economic Development.

Mr. Edwards moved the approval of the Resolution requesting Amendment of Section 21-118, Powers and Duties of Governing Body, of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 21-118, POWERS AND DUTIES OF GOVERNING BODY, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 21-118, Powers and Duties of Governing Body, be amended by the General Assembly to permit sanitary districts to sell, lease as lessor, transfer or dispose of all or any part of any property, real, personal or mixed, or interest therein at any time acquired by it.

Mr. Donaldson moved the approval of the Resolution requesting Amendment of Section 21-118.4, Certain Additional Powers of Governing Body, of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 21-118.4, CERTAIN ADDITIONAL POWERS OF GOVERNING BODY, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 21-118.4, Certain Additional Powers of Governing Body, be amended by the General Assembly to provide that counties be permitted to suspend services upon non-payment of rates, fees, or charges for the use of and for the services furnished by the sanitary district upon the terms and conditions as set forth in the proposed amendment.

Mr. Donaldson moved the approval of the Resolution requesting Amendment of Section 21-118.4, (new subsection k), Certain Additional Powers of Governing Body, of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 21-118.4, CERTAIN ADDITIONAL POWERS OF GOVERNING BODY, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 21-118.4, Certain Additional Powers of Governing Body, be amended by the General Assembly to permit governing bodies to borrow not earlier than January 1 of any year for the purpose of meeting casual deficits in revenue, or creating a debt in anticipation of revenue of the sanitary district, a sum of money not to exceed one half of the amount reasonably anticipated to be produced by the Sanitary district in such district for the year in which the loan is negotiated.

December 13, 1976

Mr. Edwards moved the approval of the Resolution requesting Amendment of Section 58-764, Change When Easement Acquired, of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 58-764, CHANGE WHEN EASEMENT ACQUIRED, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 58-764, Change When Easement Acquired, be amended by the General Assembly to add "or other assessing official".

Mr. Donaldson moved the approval of the Resolution requesting Amendment of Section 58.1152.1, Refunds of Local Levies Erroneously Paid, of the Code of the State of Virginia. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING AMENDMENT OF SECTION 58-1152.1, REFUNDS OF LOCAL LEVIES ERRONEOUSLY PAID, OF THE CODE OF THE STATE OF VIRGINIA.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 58-1152.1, Refunds of Local Levies Erroneously Paid, be amended by the General Assembly to add "or other assessing official".

Mr. Edwards moved the approval of the Resolution requesting Amendment of Section 58-404.2, Admissions Tax in Certain Counties, of the Code of the State of Virginia to James City County. The motion carried by a unanimous roll call vote.

RESOLUTION

RESOLUTION REQUESTING STATE LEGISLATION TO EXTEND THE PROVISIONS OF SECTION 58-404.2, ADMISSIONS TAX IN CERTAIN COUNTIES, OF THE CODE OF THE STATE OF VIRGINIA TO JAMES CITY COUNTY.

BE IT RESOLVED, by the Board of Supervisors of James City County that Section 58.404.2, Admissions Tax in Certain Counties, be amended by the General Assembly to include the County of James City.

Delegate Grayson stated his desire to work with the Board. He mentioned his office on Duke of Gloucester Street was open from 10:00 a.m. to noon Monday through Friday.

C. MINUTES

Mr. Ware corrected the minutes of November 10, page 3, to reflect Deacon Enos Smith read a verse from the Bible. With the correction noted, the minutes of November 10 and November 22, 1976, were approved as printed.

D. PUBLIC HEARINGS

1. Resolution to adopt Operating Policy for Sanitary District #3, James City County, Virginia.
2. An Ordinance to Establish a Connection Policy for Sanitary District #3, James City County, Virginia.
3. An Ordinance to Establish a User Charge System for Sewer Services, Sanitary District #3, James City County, Virginia.

Mr. Wayland Bass, Director of Public Works, made a presentation regarding the Operating Policy, Connection Policy, and the User Charge System for Sanitary District #3.

December 13, 1976

The Chairman opened the public hearing.

Mr. Daniel, Berkeley District, compared the rates given to the rates which were listed in the January handout relating to Sanitary District #3 indicating HRSD fees had already jumped one dollar. He asked how firm were the rates given at this time.

Mr. Oliver stated that the District must remain self-supporting. He indicated that the staff had projected the rates as accurately as possible, and the rates will not rise unless necessitated by a change in the economy or other uncontrollable circumstance.

Mr. Wallace Glisson asked if the rates were adjusted according to the different districts.

Mr. Bass stated each district is based upon the number of customers.

Mr. Patrick Genzler asked why couldn't the Birchwood system be upgraded and why couldn't the County figure the fees according to and without Birchwood.

Mr. Bass indicated Birchwood was experiencing a high number of septic tank failures and the Birchwood system no longer meets the State Water Control Board's standards.

Mr. Genzler stated he had paid one connection fee when he bought his home in Birchwood. He asked if the Birchwood system couldn't be tied from Birchwood into main system and not share the costs of the new system with the other citizens in the district.

Mr. Conrad Shumadine, Attorney, representing Conway Garden Apartment owners, stressed the fact that connection fees add to the costs of apartments and that additional costs would be passed on to tenants. He stated it would cost Conway Garden Apartments \$60,000 for tap fees. He referred to the January handout mentioning that Birchwood residents had already paid for several items mentioned on the handout and, in essence, the residents are being asked to pay for the same services/system twice. He further stated that Birchwood residents had asked for an abbreviated system due to the fact that it was known that the sewer system was coming. The request was denied.

Mr. Merv Jones, a Birchwood resident, asked when the Birchwood system became below substantial level.

Mr. Bass stated that the system was constructed in 1966. Since that time the Environmental Protection Agency and the State Water Control Board have changed water stream standards and the system is now classified as overloaded.

Mr. Joe Wilson asked why there wasn't one basic fee for toilets and asked how the charge per toilet was derived.

Mr. Bass stated that the rates are based on a maximum of two toilets per home. Referring back to the rate structure, the \$17.50 per quarter is the basic rate it takes to capitalize the system. The federal government directs us to charge for operation and maintenance on a consumption basis, therefore, we computed rates on a consumption basis. We monitored various subdivisions and found that homes with more than one toilet utilized more water. It was estimated that 17,000 gallons of water is used per quarter for a one-bath residence and 24,000

December 13, 1976

gallons for a two-bath residence. The staff feels it is fair to capitalize the system equally and to distribute the operation and maintenance fees according to usage.

Another Birchwood resident stated the Birchwood system was already in existence and the residents were still being asked to capitalize the system.

Mr. Oliver acknowledged the fact that the system is existing but stated Birchwood Utilities, Incorporated is under pressure by the State Water Control Board to upgrade the system. Mr. Oliver stated that the County would be taking over the liabilities of the system.

Mr. Merle Bounds stated the County would be acquiring a poor system and the approximate cost of upgrading the system is \$200,000.

Mr. Oliver stated that if the County doesn't acquire the system the residents or owners of the system would have to bear the cost of upgrading the system, and that cost would be greater than what the County is asking.

The Chairman closed the public hearing.

Mr. Ware moved to table action on this matter until further staff review.

Mr. Donaldson requested the staff to re-evaluate the Birchwood area proposal.

Mr. Ware requested the staff to define bath and possibly determine another method of charges.

Mr. Edwards stated he and Mr. Waltrip have been Service Authority Board members for a few years and that the present user charge proposal has been the best.

Mr. Frink suggested the citizens contact the staff for any additional comments they may have.

Mr. Ware's motion was approved by a unanimous roll call vote.

4. An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City; Article IV, Districts, Division 7, Residential Planned Community, District R-4; Section 20-72, Final Plans - Review; Board of Supervisors Action; Recording.

The Chairman opened the public hearing.

Mr. Oliver read the Board's memorandum of December 3, 1976, from the Planning Director.

No one spoke for or against the proposed ordinance. The Chairman closed the public hearing.

Mr. Edwards recognized the fact that the present process is time consuming for the applicant and Board but since there is no urgency regarding this item moved that the Board postpone this matter until the Board's next meeting.

Frank Morton, County Attorney, stated that the staff felt this process could be competently handled through the Planning Commission and not burden the Board. He stated that if the Board desires to retain the present process within their domain, this was quite satisfactory.

Mr. Edward's motion was approved by a unanimous roll call vote.

December 13, 1976

E. BOARD CONSIDERATIONS1. Presentation of Petition - Robert Gilley.

Mr. Robert Gilley presented petitions with approximately 150 signatures of property owners against the proposed amendments to the A-1 District.

2. An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City by amending the following Divisions of Article IV, Districts: Division 2, Agricultural, General, District A-1.

Mr. Frink stated a public hearing had already been held on the proposed ordinance amendments, but before Board action on this matter, asked Mr. Anderson to make his presentation.

3. Presentation by Alvin P. Anderson - RE: Proposed A-2 Amendments.

Mr. Anderson, Attorney, stated he represented Messrs. Joseph S. Terrell and Leonard Legum, property owners in an A-2 zone. Mr. Anderson submitted his findings to the Board and stated that not only were the proposed amendments to the A-2 District conflicting with Section 15.1-490 of the 1950 Code of Virginia, as amended, but were also in conflict with the principles of implementation of the Land Development Concept adopted by the Board of Supervisors on February 24, 1975.

Mr. Donaldson stated that Mr. Anderson had brought attention to some valid points and suggested the County Attorney investigate these points.

Mr. Edwards moved to defer action on the amendments until the Board's next meeting. The motion carried by a unanimous roll call vote.

4. An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City by amending the following Divisions of Article IV, Districts: Division 3, Agricultural, Limited District A-2.

Mr. Taylor stated that due to several telephone calls from concerned citizens, two property owners hiring an attorney, and the petitions received, the Board should seriously consider these proposed amendments.

Mr. Frink indicated his concern relating to various comments he had received regarding the enlargement of lot sizes and septic tank requirements.

Mr. Donaldson moved to defer this matter for consideration at the Board's next meeting. The motion carried by a unanimous roll call vote.

Mr. Oliver restated the Board's directives regarding the proposed A-1 and A-2 District Amendments as being: 1) a written legal opinion, 2) investigation into lot size enlargement, and 3) staff to review the proposed uses within these districts.

5. Report on Croffton Planned Community - Lawrence Beamer.

Powhatan Enterprises, owned by Beamer Construction Company has acquired the 530-acre Croffton Planned Community. Mr. Beamer presented a short report on the Planned Community indicating Beamer Construction Company's intention to commence development on the property as soon as possible.

December 13, 1976

6. Appeal to the Board regarding Land Use Tax - Mrs. C. N. Dozier.

Mrs. Carolyn Dozier appealed to the Board of Supervisors for relief regarding her delinquent agricultural land use tax. Mrs. Dozier stated she never received the tax notice.

Mrs. Frances Waltrip, Commissioner of the Revenue, stated the tax notice had been mailed, a notice of the taxation was published in the newspaper twice and Mrs. Waltrip had personally telephoned Mrs. Dozier, but she could not be reached. Mrs. Waltrip stated that Delegate Grayson had contacted the Department of Taxation but an extension was denied.

Mr. Donaldson stated that the Board does not have the authority to render any land use tax relief due to the fact that the official authorities are the Attorney General and the Department of Taxation.

7. Request from the Bicentennial Commission to be Dissolved.

Mr. Oliver noted that at the Board's last meeting Mr. Ross Weeks, Chairman of the Bicentennial Commission, asked the Board of Supervisors to formally dissolve the Commission.

Mr. Ware moved the dissolution of the Bicentennial Commission. The motion carried by a unanimous roll call vote.

8. Revenue Sharing Appropriation Requests.

Mr. Oliver asked the Board to act on two appropriation changes. The first was based on a preliminary report by the State auditors indicating that Revenue Sharing reimbursements of General Fund expenditures for the Norge Tennis Courts exceeded the actual expenditures. The second appropriation change required was needed to cover previously unappropriated expenditures in the Revenue Sharing Accounts.

Mr. Oliver recommended the following transfers: Budget adjustment from Account #06-00110, Water Services Extension - \$64,437.89 and from Account #06-00110, Dirt Street Improvements - \$764.85 to Account #06-00110, Commercial Development-Mapping - \$8,431.25, Account #06-00110, Refuse Collection - \$40,359.99 and Account #06-00110, Tennis Courts-Norge - \$16,411.50.

Mr. Donaldson moved to accept the above recommendation. The motion carried by a unanimous roll call vote.

9. Resolution - Erection of "No Wake" Markers on Shipyard Creek.

Mr. Oliver stated the resolution is authorizing approval of the erection of "No Wake" markers on Shipyard Creek. He indicated this is a result of the presentation made by Charles L. Bowman at the Board's meeting of September 13.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County has received a request from Charles L. Bowman for authorization to place "No Wake" markers in Shipyard Creek, 300 yards from each side of the Wright's Island Game Association Club House located on his property, and

WHEREAS, Mr. Bowman advises that these markers are necessary for the protection of

December 13, 1976

the wildlife on his property and to stop erosion to the shoreline caused by the wake of passing boats, and

WHEREAS, Captain James N. Kerrick, Safety Officer, Commission of Games and Inland Fisheries, has confirmed that the above conditions are caused by passing boats;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the Commission of Game and Inland Fisheries is, hereby, requested to approve the erection by Mr. Charles L. Bowman of "No Wake" markers in Shipyard Creek, James City County, Virginia, 300 yards from each side of the club house located on his property, and

BE IT FURTHER RESOLVED, that the Commission provide for the enforcement thereof.

Adopted by the Board of Supervisors of James City County, Virginia, on the 13th day of December, 1976.

10. Update of Resolution Authorizing Retention of Inspectors for S. D. #3.

Mr. Oliver stated the proposed amendment to the resolution of September 22, 1975, is authorizing the retention of inspectors in Sanitary District #3. He stated this is an update of the original resolution reflecting a change in personnel.

Mr. Donaldson moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City has awarded contracts for construction of Sanitary District No. 3, Project No. C510-52801, and

WHEREAS, on the 22nd day of September, 1975, pursuant to EPA regulations the Board of Supervisors of James City County adopted a Resolution authorizing the retention of inspectors for the project as well as their duties, costs and hours in order that the charges may be substantiated, and

WHEREAS, due to turnover on the part of such inspectors and adjustments made to the personnel associated with the projects, the Resolution of September 22, 1975, is no longer entirely accurate;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the following personnel are authorized for resident inspection and project administration for construction of Sanitary District No. 3, Project No. C510-52801, and that their proposed duties, approximate costs and approximate hours of service are set forth as follows:

1. Project Administration

One current employee of the Department of Public Works is assigned to this project for administration on a part-time basis.

Wallace C. Johnson	\$14,180 per annum
Construction Supervisor	
30 hours per week	
(30 hrs/wk @ \$16,544 per annum - 9.09/hr)	

Plus 13% fringe benefits	<u>1,843</u>
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Total: Project Administration	\$16,023 per annum
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2. Resident Supervision

Three new employees are assigned to this project for resident supervision on a full time basis.

Kinlock M. Wilkinson	9,901 per annum
Construction Inspector	
40 hours per week	

Royal E. Goodman	9,901 per annum
Construction Inspector	
40 hours per week	

Henry V. Harlow, Jr.	<u>9,443 per annum</u>
Construction Inspector	
40 hours per week	

Subtotal Salaries: Resident Supervision	29,245 per annum
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Plus 13% fringe benefits	<u>3,802 per annum</u>
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Total Annual Personnel costs Resident Supervision	33,047 per annum
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Mileage and protective clothing	<u>1,500</u>
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Total: Resident Supervision	<u>\$34,547 per annum</u>
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December 13, 1976

3. Duties of Inspectors

- a. Inspect materials, workmanship and installation of sewerage facilities for compliance with plans and specifications.
- b. Notify contractor and Project Engineer of all instances of non-compliance with plans and specifications.
- c. Keep the Project Engineer advised regarding progress of work.
- d. Keep the following records:
 - Daily report
 - Monthly progress report
 - As built data

4. Duties of Construction Supervisor

- a. Assign and supervise the work of all inspectors
- b. Investigate and answer complaints from citizens
- c. Review and approve:
 - Shop drawings
 - Progress payments
 - Change orders
 - Inspectors reports
- d. Represent the owner and provide liaison between the Consulting Engineer, the contractor and the public, the Virginia Department of Highways and Transportation and all other local agencies.

11-A. Date for a Public Hearing. Case No. SUP-6-76 - F. D. Taliaferro.

Mr. Donaldson moved to conduct a public hearing on January 10, 1977, at 7:30 p.m., to consider application of F. D. Taliaferro for a special use permit to allow for the placement and occupancy of a mobile home in a B-1 zone. The motion carried by a unanimous roll call vote.

12. Proposed Water Agreement - Poplar Hall Plantation.

Mr. Oliver noted from Frank Morton's memorandum to the Board that the Department of Public Works had notified him indicating the water currently being provided to the residents of Poplar Hall is not up to Health Department standards, and little possibility exists for improving the quality by attempting to upgrade the wells. The only apparent solution is to connect the existing lines to the Newport News water system.

The water agreement would require Poplar Hall to deed the facilities to Sanitary District #2 and the Sanitary District would in turn convey the facilities to the City of Newport News.

Mr. Donaldson moved that the Chairman and County Administrator be authorized to execute the water agreement. The motion carried by a unanimous roll call vote.

13. Certification of Warrants.

Mr. Frink moved the approval of the following warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #2021 thru #2207 Totalling \$1,137,519.76
General Fund Payroll	Checks #6356 thru #6695 Totalling \$87,992.61
Sanitary District #1	Check #21 Totalling \$3.56
Sanitary District #2	Checks #152-158 Totalling \$1,371.00

January 4, 1977
December 13, 1976

Sanitary District #3

Checks #296-310 = Void
Checks #311 thru 322
Totalling \$411,814.22

Revenue Sharing Account

Checks #272 thru 280
Totalling \$95,965.66

James City Subdivision Escrow Account

Checks #128 thru #132
Totalling \$11,840.50

Toano Water Construction

- 0 -

James City County School Construction Account

Check #126
Totalling \$459.48

14. Appointments.

Mr. Donaldson requested the staff to prepare a resolution of appreciation to the Bicentennial Commission for their outstanding contribution.

Mr. Edwards moved the approval of the appointments of Messrs. Donald Bentley and Harold Poulson to the Citizens Advisory Committee on Public Transit. The motion carried by a unanimous roll vote.

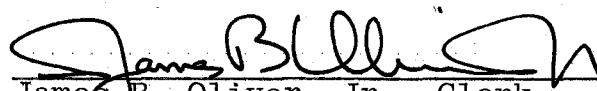
After discussion, the Board tabled the remaining Board/Commission appointments until it's next meeting.

Mr. Edwards moved to abolish the Tie Breaker to the Board position effective December 31, 1976. The motion carried by a unanimous roll call vote.

Mr. Ware moved to cancel the Board's next meeting of December 27, 1976. The motion carried by a unanimous roll call vote.

Mr. Ware moved to adjourn the meeting to reconvene January 10, 1977, at 7:30 p.m., in the Council Chambers at the Courthouse, Williamsburg, Virginia. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED AT 10:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FOURTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. Abram Frink, Jr., Chairman, Roberts District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. John E. Donaldson, Jamestown District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney

January 4, 1977

B. ORGANIZATIONAL MEETING OF THE BOARD1(a). Election of Officers - Chairman.

Mr. Oliver opened the floor for nominations for the office of Chairman.

Mr. Ware moved the nomination of Mr. Stewart U. Taylor.

Mr. Edwards moved the nomination of Mr. John E. Donaldson.

Mr. Frink moved that the nominations be closed.

A brief discussion followed. Messrs. Ware and Taylor expressed their wishes of alternating the Chairmanship to give every Board member an opportunity to serve as Chairman. Messrs. Edwards and Frink indicated their feeling was that the Chairman needed the support of the majority of the Board.

The following roll call vote was recorded:

<u>Board Member</u>	<u>Nominee Voted For</u>
Mr. Ware	Stewart U. Taylor
Mr. Donaldson	John E. Donaldson
Mr. Edwards	John E. Donaldson
Mr. Taylor	Stewart U. Taylor
Mr. Frink	John E. Donaldson

Mr. Donaldson by the majority roll call vote of three to two was elected Chairman of the Board for a one-year term.

1(b). Election of Officers - Vice-Chairman.

Mr. Donaldson opened the floor for nominations for the office of Vice-Chairman.

Mr. Taylor moved nomination of Mr. Ware to serve as Vice-Chairman. Mr. Ware declined the nomination.

Mr. Frink moved the nomination of Mr. Stewart U. Taylor for a one-year term to serve as Vice-Chairman of the Board.

Mr. Donaldson moved that the nominations be closed.

Mr. Stewart U. Taylor was elected Vice-Chairman of the Board for a period of one year by a majority roll call vote. Mr. Taylor abstained.

2. Commission/Committee Assignments.

Mr. Donaldson moved the approval of the following appointments:

Advisory Council - 9th Judicial Services
 Unit
 Chamber of Commerce
 Civil Defense Board
 Community Action Agency
 Courthouse Committee

Highway Safety Commission
 Peninsula Planning District Commission

Planning Commission
 Price & Stabilization Committee
 Sanitary District #1 Board

Mr. Taylor
 Mr. Ware
 Mr. Ware
 Mr. Donaldson
 Messrs. Donaldson & Frink
 Mr. Raylor
 Messrs. Donaldson & Edwards
 Mr. Ware
 Mr. Taylor
 Messrs. Donaldson & Frink

The motion carried by a unanimous roll call vote with the exception of the appointment of Mr. Ware to the Planning Commission. Mr. Ware abstained from voting.

3. Meeting Dates and Place.

Mr. Taylor moved that the current policy of holding the

January 10, 1977
January 4, 1977

meetings of the Board of Supervisors on the second Monday at 7:30 p.m., and the fourth Monday at 3:00 p.m., in the Council Chambers of the Williamsburg-James City County Courthouse be continued. The motion carried by a unanimous roll call vote.

The meeting recessed at 5:25 p.m., to reconvene after conducting a Service Authority meeting.

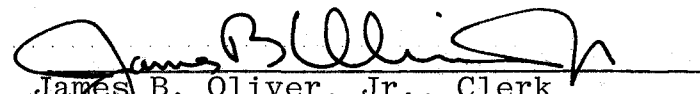
AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE FOURTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

As noted above.

Mr. Taylor moved to adjourn the meeting until the Board's next regular meeting on January 10, 1977. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 8:51 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 JANUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of December 13, 1976. The motion carried by a unanimous vote.

Mr. Ware moved the approval of the minutes of January 4, 1977, with a correction in Item 2-Commission/Committee Assignments. All appointments carried by a unanimous roll call vote except the appointment of Mr. Ware to the Planning Commission. Mr. Ware abstained from voting.

C. PUBLIC HEARINGS:

1. Pre-Budget Hearing RE: County's Projected Revenues and Expenditures for 1977-78 Fiscal Year.

The Chairman opened the public hearing.

January 10, 1977

Ms. Elise Emanuel, President of the Williamsburg-James City Educational Association, requested the County to build the budget positively and aggressively with quality education within this scope. She asked the Board to urge the General Assembly to fully fund school budget.

Mrs. Edna Roberts, Grove Community Organization, and Mr. William J. Bull spoke in favor of the admissions tax.

Messrs. John D. Edgerton, President of the Williamsburg-James City County Chamber of Commerce, John Roberts, General Manager of Busch Gardens, Joe Abdelnour, Chamber of Commerce member, George F. Wright, Colonial Williamsburg representative, and Bill Devereaux, Williamsburg Hotel and Motel Association representative, all spoke in opposition to the proposed admissions tax legislation indicating the tax is selective and discriminatory.

Messrs. William J. Bull, David W. Ware, Jr., Joe Abdelnour, and C. E. Douglas all requested the construction of the County government center be delayed.

Mr. David W. Ware, Jr. and Mr. C. E. Douglas both mentioned possible reduction of current County staff personnel.

Mr. David W. Ware, Jr. requested the staff to investigate the possibility of semi-annual taxation. He also asked that the Board request its representatives to the General Assembly to amend state statutes to require that consolidated school systems be funded on the basis of taxable wealth.

Mrs. Eleanor Davidson, representing the Mental Health-Mental Retardation Services Board, asked the Board to consider human service needs with a high priority and not to overlook these needs in pursuit of capital improvements.

The Chairman closed the public hearing.

2. Case No. SUP-6-76 -- F. D. Taliaferro, Applicant.

The Chairman opened the public hearing.

Mr. V. M. Geddy, Attorney, representing the applicant, stated the applicant's request for a special use permit to allow Mr. Taliaferro to retain a mobil home as a residence for a manager/night watchman on the Peanut Shop property on Route 60W in Lightfoot.

It was noted that the applicant would be required to screen the mobile home from Route 60 view and the mobile home would be placed on a block foundation.

The Chairman closed the public hearing.

Mr. Ware moved the approval of the special use permit request without any conditions being required by the Planning Commission. The motion was defeated by a three to two roll call vote. Messrs. Donaldson, Edwards and Frink voted no.

Mr. Edwards moved the approval of the special use permit with the conditions as outlined by the Planning Commission. The motion carried by a unanimous roll call vote.

JAN 10 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-39

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING THE FOLLOWING DIVISIONS OF ARTICLE IV, DISTRICTS: DIVISION 2, AGRICULTURAL, GENERAL, DISTRICT A-1.

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 be and the same is, hereby, amended by amending Article IV, Districts: Division 2, Agricultural, General, District A-1.

CHAPTER 20

ZONING

Article IV. Districts

Division 2. Agricultural, General, District A-1.

Section 20-28. Statement of intent.

The agricultural, general, district A-1 covers the more rural areas of the County farthest removed from the influence of urban development. The purpose of the district is to permit nearly all activities to continue as they are and to allow development to occur with minimum regulation.

Section 20-29. Permitted uses.

In the agricultural, general, district A-1, structures to be erected or land to be used shall be for one or more of the following uses:

Single-family and two-family dwellings.

Mobile homes, in accordance with a conditional use permit and other provisions contained herein meeting the requirements of sections 20-30, 20-31 and 20-32.

Mobile home park, in accordance with a conditional use permit and other provisions contained herein.

Group quarters for agricultural workers, with a conditional use permit.

Agricultural, dairying, forestry, general farming, and specialized farming.

Commercial poultry or livestock feeding operations containing 1,000 animal units or more (as defined in 1976 by the U. S. Environmental Protection Agency), with a conditional use permit.

Horse and pony farms, riding stables, horse show areas, horse racing tracks and polo fields.

Animal hospitals, veterinary offices, kennels.

Food processing and storage.

Preserves and conservation areas.

Wayside stands for sale of agricultural products.

Schools, churches, seminaries, libraries, cemeteries, and memorial gardens.

Fire stations.

Hospitals, nursing homes, sanatoria, and rest homes.

Public and private recreation areas, lodges, hunting clubs, golf courses, country clubs, parks, playgrounds, and yacht clubs.

Campgrounds, with a conditional use permit.

Waterfront business activities: Wholesale and retail marine interests, such as boat docks, piers, yacht clubs and servicing facilities therefor; docks and areas for the receipt, storage, and transshipment of waterborne commerce; seafood and shellfish receiving, packing and shipping plants; and recreational activities primarily conducted on or about a waterfront. All such uses shall be contiguous to a waterfront.

Theaters, dinner theaters, outdoor theaters and dance halls.

Motels, restaurants, tea rooms and taverns.

Tourist homes.

Banks and professional offices.

General stores, retail stores, wholesale stores, and upholstery shops.

Farm supplies, equipment sales and service.

Home occupations.

Beauty shops and barber shops.

Gift shops and antique shops.

Gasoline service stations.

Automobile sales, repair, and service.

Lumber and building supply stores.

Storage and repair of heavy equipment.

Contractor's warehouses and sheds.

Manufacture and sale of wood products.

Sand and gravel operations, with a conditional use permit.

Airports, with a conditional use permit.

Automobile graveyards, with a conditional use permit.

Bulk oil storage, with a conditional use permit.

Sanitary landfills, with a conditional use permit.

Public utility generating, booster, or relay stations, transformer substations, transmission lines and towers, pipes, meters, and other facilities for the provision and maintenance of public utilities, including railroads, and facilities, and water and sewerage installations, in accordance with a conditional use permit.

Off-street parking as required by this chapter.

Accessory uses as defined; however, garages or other accessory structures such as carports, porches, and stoops attached to the main building shall be considered part of the main building. No accessory building may be closer than five feet to any party line.

Section 20-30. Area requirements.

Lots served by public water distribution and sewage disposal systems shall have a minimum area of seventeen thousand five hundred square feet.

Lots served by a public water distribution system or a public sewage disposal system but not both shall have a minimum area of twenty thousand square feet.

Lots served by individual water distribution and sewage disposal systems shall have a minimum area of twenty thousand square feet.

These minimum sizes shall not apply to lots recorded or legally in existence prior to January 10, 1977, the date of adoption of this article.

Section 20-31. Setback requirements.

Structures shall be located a minimum of thirty-five feet from any street right-of-way which is fifty feet or greater in width. If the street right-of-way is less than fifty feet in width, structures shall be located a minimum of sixty feet from the center line of the street. Signs advertising sale or rent of the premises may be erected up to the property line. This shall be known as the "setback line", except that in subdivisions the following shall apply:

(a) Where forty percent or more of frontage on one side of street within same block is improved with buildings, no building shall project beyond the average front yard so established.

(b) No building shall be required to have a front yard greater than that of one of two existing buildings on immediate adjoining lot on each side, whichever is the farthest removed from the street.

(c) All subdivisions platted and recorded prior to March 1, 1969, with building setback lines shown on their recorded plat, will be allowed to adhere to these established setback lines.

Section 20-32. Minimum frontage.

Lots of less than twenty thousand square feet shall have a minimum width at the setback line of one hundred feet.

Lots of twenty thousand square feet to forty-three thousand five hundred and sixty square feet shall have a minimum width at the setback line of one hundred and twenty-five feet.

Lots of more than forty-three thousand five hundred and sixty square feet shall have a minimum width at the setback line of one hundred and fifty feet.

Section 20-33. Yard regulations.

(a) Side. The minimum side yard for each main structure shall be fifteen feet and the total width of the two required side yards shall be thirty-five feet or more.

(b) Rear. Each main structure shall have a rear yard of thirty-five feet or more.

Section 20-34. Special provisions for corner lots.

Of the two sides of a corner lot the front shall be deemed to be the shortest of the two sides fronting on streets.

The minimum side yard on the side facing the side street shall be thirty-five feet or more for both main and accessory building.

For subdivisions platted after March 1, 1969, each corner lot shall have a minimum width at the setback line of one hundred twenty-five feet or more.

Section 20-34.1. Sign regulations.

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 VIII of this chapter; except, that home occupation signs shall not exceed four 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.

Section 20-34.2. Automotive Service Stations.

The following special requirements shall apply to automotive service stations:

- (1) Minimum lot area shall be twenty thousand square feet.
- (2) Minimum lot width shall be two hundred feet or one hundred fifty feet where self-service gasoline pumps are subordinate to general retail uses and no repair is conducted.
- (3) No gasoline island shall be located closer than fifteen feet to any adjoining road right-of-way.
- (4) The width of curb openings shall not exceed thirty-five feet and where two or more curb openings are proposed, they shall be no closer than twenty-five feet apart.
- (5) Curb openings shall be no closer than ten feet from an adjoining property line and no closer than twenty-five feet to a street intersection.
- (6) Two off-street parking spaces shall be provided for each service bay plus a total of three spaces for employee parking.

January 10, 1977

D. BOARD CONSIDERATIONS:

1. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following divisions of Article IV, Districts: Division 2, Agricultural, General, District A-1.

Mr. William F. Brown, Planning Director, presented the Board with a map which outlined the properties in the A-1 district.

Mr. Ware moved that the Board not accept any alterations to the A-1 District Ordinance. The motion failed by a roll call vote of three to two. Messrs. Donaldson, Edwards and Frink voted no.

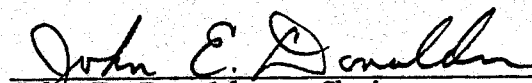
Mr. Jack Scruggs, Chairman of the Planning Commission, stated that the Commission had worked on these amendments for several months and the Commission genuinely feels that the amended requirements of the Ordinance are justified.

Mr. Edwards moved the approval of the proposed amendments to the A-1 District Ordinance as recommended by the Planning Commission. The motion failed by a vote of three to two. Messrs. Frink, Taylor and Ware voted no.

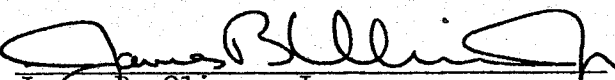
Mr. Edwards moved the approval of the Ordinance amendments with the exception of the newly proposed lot size requirements. The motion carried by a majority roll call vote of three to two. Messrs. Ware and Taylor voted no.

ORDINANCE NO. 31A-39

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia,
on this 10th day of January, 1977.

JAN 10 1977

ORDINANCE NO. 31A-40

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING THE FOLLOWING DIVISIONS OF ARTICLE IV, DISTRICTS: DIVISION 3, AGRICULTURAL, LIMITED, DISTRICT A-2.

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 be and the same is, hereby, amended by amending Article IV, Districts: Division 3, Agricultural, Limited, District A-2.

CHAPTER 20

ZONING

Article IV. Districts

Division 3. Agricultural, Limited, District A-2.

Section 20-35. Statement of intent.

Generally, the agricultural, limited, district A-2, covers the portion of the County now occupied by various open uses such as forests, parks, farms or lakes, into which urban-type development could logically expand as the need occurs. This district is established to protect existing and future farming operations, conservation of water and other natural resources and protecting watersheds. This zoning district is established for the specific purpose of (1) providing for the orderly expansion of urban development into territory surrounding incorporated areas within or adjacent to the County, and (2) discouraging the random scattering of residential, commercial, and industrial uses into the area.

Section 20-36. Permitted uses.

In the agricultural, limited, district A-2, structures to be erected or land to be used shall be for one or more of the following uses:

Single-family and two-family dwellings.

Mobile home park, in accordance with a conditional use permit and other provisions contained herein.

Group quarters for agricultural workers with a conditional use permit.

Agriculture, dairying, forestry, general farming and specialized farming.

Commercial poultry or livestock feeding operations containing 1,000 animal units or more (as defined in 1976 by the U. S. Environmental Protection Agency), with a conditional use permit.

Food processing and storage.
 Feed, seed, and farm supplies.
 Schools, churches, libraries, and cemeteries.
 Fire stations.
 Hospitals, nursing homes, sanatoria, and rest homes.
 Public and private recreation areas, parks and playgrounds, lodges, riding clubs and horses for hire, hunting clubs, yacht clubs, preserves and conservation areas, golf courses, swimming facilities, tennis facilities, boating facilities.
 Wayside stands for sale of agricultural products.
 Beauty shops and barber shops.
 Gift shops, antique shops, dinner theaters, or restaurants, with a conditional use permit; provided that such use fronts upon a State Primary Highway and that the use is buffered by a visual screen of landscaping or fencing from any adjoining residential use.
 Professional or business offices, with a conditional use permit, provided that such use is within 800 feet of road frontage from property zoned B-1 forming a transitional use buffer thereto, and provided that such use will be buffered by a visual screen of landscaping or fencing from any adjoining residential use.
 Tourist homes.
 House museums.
 Home occupations, as defined, conducted by the occupant.
 Manufacture and sale of wood products.
 Airports, with a conditional use permit.
 Campgrounds, with a conditional use permit.
 Sanitary landfills, with a conditional use permit.
 Boat docks (with repair).
 Public utility generating, booster, or relay stations, transformer substations, transmission lines, and towers, pipes, meters and other facilities for the provision and maintenance of public utilities, including railroads and facilities, and water and sewerage installations, in accordance with a conditional use permit.
 Off-street parking as required by this chapter.
 Accessory uses as defined; however, garages or other accessory structures, such as carports, porches, and stoops, attached to the main building shall be considered part of the main building. No accessory building may be closer than five feet to any property line.

Section 20-37. Area requirements.

Lots served by public water distribution and sewage disposal systems shall have a minimum area of seventeen thousand five hundred square feet.

Lots served by a public water distribution system or a public sewage disposal system but not both shall have a minimum area of twenty thousand square feet.

Lots served by individual water distribution and sewage disposal systems shall have a minimum area of thirty thousand square feet.

These minimum sizes shall not apply to lots recorded or legally

in existence prior to January 10, 1977, the date of adoption of this article.

Section 20-38. Setback requirements.

Structures shall be located a minimum of thirty-five feet from any street right-of-way which is fifty feet or greater in width. If the street right-of-way is less than fifty feet in width, structures shall be located a minimum of sixty feet from the center line of the street. Signs advertising sale or rent of the premises may be erected up to the property line. This shall be known as the "setback line", except that in subdivisions the following shall apply:

(a) Where forty percent or more of frontage on one side of street within same block is improved with buildings, no building shall project beyond the average front yard so established.

(b) No building shall be required to have a front yard greater than that of one of two existing buildings on immediate adjoining lot on each side, whichever is the farthest removed from the street.

(c) All subdivisions platted and recorded prior to March 1, 1969, with building setback lines shown on their recorded plat will be allowed to adhere to these established setback lines.

Section 20-39. Minimum frontage.

Lots of less than twenty thousand square feet shall have a minimum width at the setback line of one hundred feet.

Lots of twenty thousand square feet to forty-three thousand five hundred and sixty square feet shall have a minimum width at the setback line of one hundred and twenty-five feet.

Lots of more than forty-three thousand five hundred and sixty square feet shall have a minimum width at the setback line of one hundred and fifty feet.

Section 20-40. Yard regulations.

(a) Side. The minimum side yard for each main structure shall be fifteen feet and the total width of the two required side yards shall be thirty-five feet or more.

(b) Rear. Each main structure shall have a rear yard of thirty-five feet or more.

Section 20-41. Special provisions for corner lots.

Of the two sides of a corner lot the front shall be deemed to be the shortest of the two sides fronting on streets.

January 10, 1977

2. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending the following divisions of Article IV, Districts: Division 3, Agricultural, Limited, District A-2.

Mr. Ware moved that the Board not approve any alterations to the A-2 District Ordinance. The motion failed by a vote of three to two. Messrs. Donaldson, Frink and Edwards voted no.

Mr. Edwards moved the approval of the Ordinance amendments as proposed to the Board at its December 13, 1976 meeting. The motion failed by a vote of four to one. Messrs. Donaldson, Frink, Taylor and Ware voted no.

Mr. Frink moved the approval of the presently proposed Ordinance amendments in the A-2 District with the exception of the newly proposed lot size requirements. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

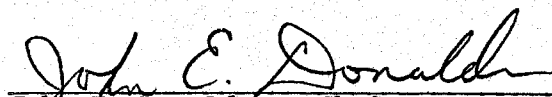
ORDINANCE NO. 31A-40

The minimum side yard on the side facing the side street shall be thirty-five feet or more for both main and accessory building.
For subdivisions platted after March 1, 1969, each corner lot shall have a minimum width at the setback line of one hundred twenty-five feet or more.

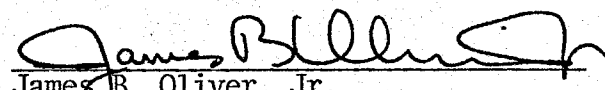
Section 20-41.1. Sign regulations.

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 VIII of this chapter; except, that home occupation signs shall not exceed four 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.

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia,
on this 10th day of January, 1977.

January 10, 1977

3. Final Plans in Kingsmill Planned Community:

- a. Quarterpath Trace (cluster homes)
- b. Tiberly Run (townhouses)
- c. Kingsmill Golf Club Addition

Mr. Brown, Planning Director, presented to the Board a map of the Kingsmaill Planned Community and asked for approval of the above plans.

Mr. Donaldson asked if the Kingsmill Planned Community's rate of development was in accordance with the time frame reflected by their master plan. Mr. Brown indicated yes, it was in the proper phase of growth.

Mr. Taylor moved the approval of the plans for Case File No. SP-41-76 -- Tiberly Run, Case No. SP-42-76 -- Quarterpath Trace Village and Case No. SP-43-76 -- Kingsmill Golf Club Addition. The motion carried by a unanimous foll call vote.

15. Adoption of Sanitary District #3 Ordinances and Operating Policy.

At the December 13, 1976 meeting, the Board requested the staff to review the proposed fees and rates for the residents presently served by Birchwood Utilities, Inc. The staff recommended amending the connection fees proposed for users of the Birchwood Utilities, Inc. system based upon the recognition of an existing asset that is being acquired and recognition that users of the system contributed to this asset.

Mr. Edwards moved the approval of the Ordinance to Establish a User Charge System for Sewer Services for Sanitary District #3. The motion carried by a unanimous roll call vote.

Mr. Edwards moved the approval of the Ordinance to Establish a Connection Policy for Sanitary District #3. The motion carried by a unanimous roll call vote.

Mr. Frink moved the approval of the Resolution adopting an Operating Policy for Sanitary District #3. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 100

(next page)

AN ORDINANCE TO ESTABLISH A USER CHARGE SYSTEM
 FOR SEWER SERVICES
 SANITARY DISTRICT NO. 3
 JAMES CITY COUNTY, VIRGINIA

SECTION I

FEES

1-1 Sewer Service Charges

1-1-1 Hampton Roads Sanitation District (H.R.S.D.C.) Service Charges

All users of the District sewer system shall pay sewer service charges to the Hampton Roads Sanitation District at their established rates. In addition, Sanitary District #3 of James City County shall levy a quarterly charge to each user of the District sewer system adequate to pay all expenses of the District in connection with the sewer system, including the cost of amortizing any capital expenditures by the District for sewerage facilities.

The quarterly charge by the District shall be in addition to and separate from the sewer charges by the Hampton Roads Sanitation District. The District charges shall be called an "Amortization Charge" to distinguish this charge from that of the Hampton Roads Sanitation District.

The District users will be required to make direct payment to the Hampton Roads Sanitation District at their prevailing rates at all times. A copy of the Hampton Roads Sanitation District current rate structure is attached to and hereby made a part of the Sanitary District No. 3 Operating Policy.

1-1-2 District Service Charges

The District Sewer System bills (called, "Amortization Charge") shall be rendered by the Sanitary District to each sewer user quarterly. The initial District minimum quarterly charges for sewer service shall be as follows:

	<u>Quarterly Charge</u>	<u>Unit</u>
Residences - One bath	\$22.50	ea.
Residences - Added toilets	3.00	toilet
Mobile Homes - one toilet	22.50	ea.
Apartments & Townhouse - same as residence		
Schools - \$50 minimum +	.90	pupil

	<u>Quarterly Charge</u>	<u>Unit</u>
Motels & Hotels - \$100 or	\$12.00	room
Commercial - \$22.50 minimum or	22.50	Msf
Restaurants - \$25.50 minimum or	4.50	seat
Service Stations - \$25.50 minimum +	3.00	toilet
Camping Facilities	9.00	space
All others to be established when needed		

1-2 Sewer Connection Charges

1-2-1 Hampton Roads Sanitation District Connection Charges

All users of the Sanitary District No. 3 sewer system shall pay sewer connection charges to the Hampton Roads Sanitation District in accordance with their established policies. In addition, Sanitary District #3 of James City County shall collect a connection fee from each user of the Sanitary District sewer system.

The connection charge by the Sanitary District shall be in addition to and separate from the sewer connection charge by the Hampton Roads Sanitation District. The Sanitary District charges shall be called an "Availability Charge" to distinguish this charge from that of the Hampton Roads Sanitation District.

1-2-2 Sewer Availability Charges

- a) Existing structures - There shall be a sewer availability charge. The charges shall be payable to the District at the time application is made for connection to the District sewerage system.
- b) Proposed structures - The charges shall be payable to the District prior to a building permit being issued except as noted below.

The Availability Charges shall be as follows:

<u>Description</u>	<u>Avail. Charge</u>	<u>Unit</u>
Single Family Residence	\$ 500	each
Apartments and Townhouses	400	unit
Trailers in Pre-piped parks	400	each
Motels, Hotels etc. \$1,000 min. +	200	room
Restaurants - \$1,000 +	15	seat
Service Stations \$1,000 +	250	toilet
Small Commercial (2,000 sf or less)	1,000	
Large Commercial (2,000 sf +)	500	M sf
Schools \$2,000 +	20	pupil
Camping Facilities \$700 +	100	space

Subdivision Developments - all interior piping by developer shall be paid as follows:

- a) \$400 per unit if developer pays for all lots within subdivision at time connection is made to the District's facilities, or
- b) \$500 per unit prior to obtaining a building permit if connection fee is to be paid on a lot-by-lot approach.

All other categories to be established when needed.

The following connection charges shall apply to residents formerly served by Birchwood Utilities, Inc.

Single Family Residence	\$ 200	each
Apartments	150	unit
Rawls Byrd School	5,000	

All availability charges noted above shall be increased after the end of one year of operation of the sewer system and shall be as follows:

<u>Description</u>	<u>Charge</u>	<u>Unit</u>
Single Family Residence	\$ 700	each
Apartments and Townhouses	500	unit
Trailers in Pre-piped Parks	500	each
Motels, Hotels, etc. \$1,000 minimum +	300	room
Restaurants - \$1,000 minimum +	20	seat
Service Stations \$1,000 minimum +	400	toilet
Small Commercial (2,000 sf or less)	1,200	
Large Commercial (2,000 sf +)	600	M sf
Schools \$2,000+	30	pupil
Camping Facilities \$1,000 +	200	space
Subdivision Developments - all interior piping by developer	500	unit

All other categories to be established when needed.

1-3 Billing, Penalty, and Pro Rata Bills

1-3-1 Billing

All bills shall be due and payable on the 20th of the month following the billing period. At the expiration of this time, a penalty of ten (10) percent of the total bill may be incurred. Sewer service shall be disconnected if District bills are past due over 15 days.

In all cases where there are delinquent charges, including disconnection and/or reconnection costs, due the District, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

The property owner remains responsible for all the service line from the street right-of-way to the premises; any leak, break or stoppage occurring at any point on the service line shall be repaired immediately.

January 10, 1977

- 4 -

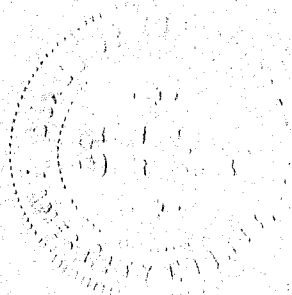
1-3-2 Penalty

All unpaid sewer charges shall become a lien on land or property served by the sewer line as provided in the Code of Virginia, Section 21-118.4(e).

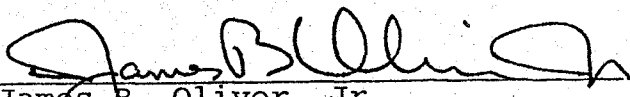
1-3-3 Pro Rata Bills


Customers requesting discontinuance or establishing new accounts for service shall be billed by the District on the number of months or part thereof in the billing period when service was provided.

This ordinance shall be in full force and effect from the date of its adoption.



ATTEST:


James B. Oliver, Jr.
Clerk to the Board


John E. Donaldson, Chairman
Board of Supervisors

Adopted by the Board of Supervisors, James City County,
Virginia, on this 10th day of January, 1977.

ORDINANCE NO. 101

(next page)

AN ORDINANCE TO ESTABLISH A CONNECTION POLICY
FOR
SANITARY DISTRICT NO. 3
JAMES CITY COUNTY, VIRGINIA

SECTION 1

DEFINITIONS

1-0 DEFINITIONS

Unless the context specifically indicates otherwise, the meaning of of terms used herein shall be as follows:

- 1-1 "Administrator" shall mean the Director of Public Works or his duly appointed agent.
- 1-2 "County" shall mean James City County, Virginia.
- 1-3 "Board" shall mean Board of Supervisors, the governing body of James City County, Virginia.
- 1-4 "District" shall mean Sanitary District No. 3, James City County, Virginia.
- 1-5 "Facilities of the District" shall mean any and all component and pertinent parts of the entire systems of the Sanitary Sewer Utilities under jurisdiction of the District, including these items and others now constructed, installed, operated or maintained by the District, or any which may be approved and accepted in the future as additions or extensions of the systems.
- 1-6 "Person" shall mean any individual, firm, corporation, association, society or group.
- 1-7 "Owner or Developer" shall mean any person, firm, corporation or association having an interest, whether legal or equitable, sole or partial, in any premise which is, or may in the future be served by the facilities of the District and which is, or may in the future be responsible for design and construction of facilities to be under the jurisdiction of the Administrator and to become a part of the public utilities system of the District.
- 1-8 "Hampton Roads Sanitation District Commission" is the designation for the Regional Agency which will provide regional sewage transmission and treatment facilities for the Sanitary District.
- 1-9 "Sewage Works System" shall mean all facilities for sewage collection and transmission.
- 1-10 "Sanitary Sewage" shall mean that water carried waste which derives principally from dwellings, business buildings, institutions, industrial establishments and the like, exclusive of any storm and surface waters.

- 1-11 "Public Sewer" shall mean a sewer in which all owners of abutting properties have equal rights, and is controlled by the Sanitary District.
- 1-12 "Shall" is mandatory; "May" is permissive.
- 1-13 "Tenant" shall mean any person, firm, corporation or association who holds or possesses any premises by any kind of right or title whether in fee, for life, for years, at will or otherwise.

SECTION 2
CONNECTION POLICY

2-1 INDIVIDUALLY OWNED STRUCTURES

The owners or tenants of all structures used for human occupancy employment, recreation, or other purposes, constructed subsequent to the passage of these Rules and Regulations and situated within the District at a distance not greater than 250 feet from any street, alley or right-of-way in which there is located a District-owned sanitary sewer, shall be required to install suitable toilet facilities therein, and to connect such facilities to the public sewer.

Structures within the District at a distance not greater than 250 feet from any street, alley or right-of-way in which there is located a District-owned sanitary sewer and completed before the passage of these regulations must comply with the requirements of this Section within one year after service is available.

2-2 SUBDIVISION, COMMERCIAL AND INDUSTRIAL DEVELOPMENTS

Owners/developers shall connect these facilities to the District sewer facilities in accordance with Section 1-4 of the Operating Policy.

2-3 No person shall make connection to the facilities of the Hampton Roads Sanitation Commission without the written approval of the Board. The regulations of the Hampton Roads Sanitation District Commission shall supersede any conflicting provisions of this Ordinance.

SECTION 3
MISCELLANEOUS

3-1 PENALTY FOR VIOLATIONS

Any person failing to comply with the provisions of Section 2-1 or 2-2 shall be guilty of a misdemeanor and shall be subject to a fine not to exceed \$50.00 for each such offense. Each day of such failure shall constitute a separate offense.

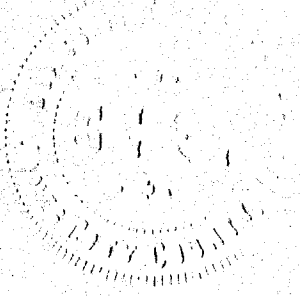
3-2 SEVERABILITY

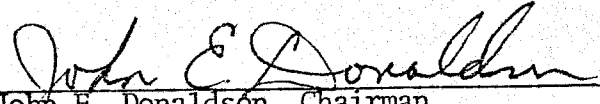
Should any section or provision of this Ordinance be decided by the courts to be unconstitutional or invalid, such decisions shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part so held to be unconstitutional or invalid.

3-3 EFFECTIVE DATE

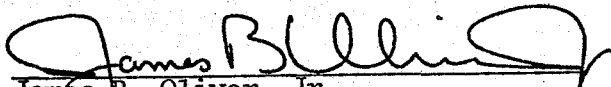
The effective date of this Ordinance shall be January 10, 1977.

January 10, 1977




John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

RESOLUTION

WHEREAS, the James City County Sanitary District #3 is a duly established sanitary district, and

WHEREAS, the Board of Supervisors of James City County is desirous of adopting an operating policy to set the standards and means of operating within said sanitary district;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby adopt that certain policy entitled, "Operating Policy, Sanitary District #3, James City County, Virginia."

Mr. Donaldson thanked and expressed appreciation to Mr. Frink for his performance as Chairman of the Board for the past year.

The Board then recessed for ten minutes. The Chairman called the meeting back to order at 9:50 p.m.

January 10, 1977

4. Adoption of an Emergency Amendment to the Sanitary District #3 Operating Policy and Scheduling a Public Hearing Date to Formally Adopt Same Amendment.

Mr. Oliver stated that the Newport News connection fee is computed into our connection fee and once collected from a customer the Newport News fee is paid by the Sanitary District. To maintain our current Sanitary District #2 fee amount, it is necessary to increase the Sanitary District's fees the amount of the Newport News increase. Due to Newport News' increases being effective January 1, 1977, emergency adoption of the amended schedules is recommended.

Mr. Edwards moved the approval of the adoption of an emergency ordinance to amend the Operating Policy for Sanitary District #2, Section 5.03, Water Availability Charges. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 36A-7

ORDINANCE NO. 36A-7

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, 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"	\$ 345.00
3/4"	450.00
1 "	520.00
1 1/2"	760.00
2 "	945.00
3 "	400.00 + cost
4 "	600.00 + cost
5 "	800.00 + cost
6 "	1,000.00 + cost
8 "	1,200.00 + 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 \$345.00 for the first unit and \$345.00 for the additional unit.

Multi-Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$505.00 for the first dwelling unit and \$280.00 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,

shall be an availability charge of \$505.00 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	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03(a) plus a charge of \$90.00 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 \$545.00 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 \$345.00 for a 5/8" meter and \$450.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$540.00 base charge, plus \$12.00 per seat.

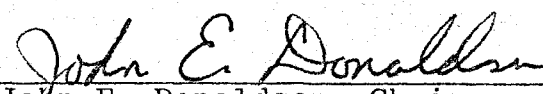
Filling Stations - The availability charge shall be \$540.00 base charge plus \$75.00 per delivery hose.

Schools - The availability charge shall be \$720.00 plus \$18.00 per pupil.


Hospitals and Institutions - The availability charge shall be \$720.00 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. The Administrator, upon completion of his 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 adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, this 10th day of January, 1977.

January 10, 1977

Mr. Edwards moved the approval of a public hearing date of February 14, 1977, at 7:30 p.m. to consider formal adoption of this ordinance. The motion carried by a unanimous roll call vote.

5. Social Services Building Lease Presentation by Attorney Alvin P. Anderson.

After a brief presentation by Alvin P. Anderson, Esquire, Mr. Edwards moved to approve the authorization of the execution of a lease between Paul B. Angel, Axel L. Nixon and James City County for an office building to house the Department of Social Services. The execution of the lease will be within 45 days of the Board's approval and provided the same provisions as originally proposed with the exception of the term of the lease to be five years in lieu of one year. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

6. Hydrology Study for County.

It was noted that the Hydrology Study would provide knowledge of the quality and quantity of the County's ground water resources. This study would be beneficial to the Economic Development Advisory Committee and the Planning Department for information relating to commercial and industrial development.

Mr. Edwards moved to defer the matter until the Board's next meeting. The motion carried unanimously.

7. Toano Sewer Construction Funding.

Mr. Ware moved the approval of a supplemental appropriation to code 01920-6991 from the General Fund in the amount of \$100,000 for Phase 2, Design and Engineering, for the Route 60 West/Toano Sewer Project. The motion carried by a unanimous roll call vote.

Mr. Edwards cautioned the use of General Fund monies to fund utility systems.

8. Setting a Public Hearing Date for Vacation of a Plat.

Mr. Ware moved the approval of February 14, 1977, as a public hearing date for Board consideration of an ordinance to vacate a portion of a plat entitled "A Plat of a Small Tract of Land, Situate Near Toano, James City County, Virginia, on the East Side of the Chickahominy Road, Formerly Owned by R. B. Slater, Now Owned By C. M. Hall, Esquire, of Williamsburg." The motion carried by a unanimous roll call vote.

9. Refund - Sewer Connection Fee, Sanitary District #2.

The Board in their capacity as the governing body of Sanitary District #2 moved the approval of a sewer connection fee refund in the amount of \$150 to Mr. William L. Palmer, Jr., since sanitary sewer is not available at 2733 Pocahontas Trail. The motion carried by a unanimous roll call vote.

10. Planning Commission's Zoning Map Recommendation.

The Board by unanimous vote formally accepted the Planning Commission's recommendation that the current zoning of the County is valid and no changes are warranted at this time.

January 10, 1977

11. Economic Development Advisory Committee's Amusement Tax Recommendation.

Mr. Donaldson indicated that the Board has already acted on this matter by seeking to secure enabling legislation to impose the admissions tax. Mr. Donaldson stated that the Economic Development Advisory Committee's request to increase the scope of its responsibilities is inappropriate.

12. Approval of Depository Resolution.

Mr. Frink moved the approval of the resolution designating United Virginia Bank of Williamsburg as a depository for the James City County General Fund, Sanitary District #1, Sanitary District #2, Sanitary District #3, James City County Bond Issue 1964-B Sinking Fund, James City County Revenue Sharing Fund, James City County Subdivision Escrow Account, Toano Water Construction Account, and the James City County Anti-Recession Fund Account. The motion 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, James City County Bond Issue 1964-B Sinking Fund, James City County Revenue Sharing Fund, James City County Subdivision Escrow Account, Toano Water Construction Account, and the James City County Anti-Recession Fund 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:

John E. Donaldson Chairman

OR

Stewart U. Taylor Vice-Chairman

James B. Oliver, Jr. County Administrator

OR

John W. Watkins Assistant County Administrator

Frances B. Whitaker Treasurer

OR

Eunice P. Stewart Deputy Treasurer

OR

Betty S. Pettengill 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 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 10, 1977.

13. Approval of Bicentennial Committee Resolution of Appreciation.

Mr. Taylor moved the approval of the Williamsburg-James City County Bicentennial Committee's Resolution of Appreciation. The motion car-

January 10, 1977

ried unanimously.

RESOLUTION

WHEREAS, the members of the Williamsburg-James City County Bicentennial Committee have served our community with spirit and unselfish devotion since January 1972; and

WHEREAS, during this remarkable period the Committee contributed to the Bicentennial awareness in all areas of our community, from involvement of local citizens with their heritage to the culminating Bicentennial Yeal Ball sponsored in December 1976; and

WHEREAS, our community does recognize these achievements and desires its appreciation conveyed to the members of our Bicentennial Committee.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, an original shire of this great Country, that the sincere appreciation and gratitude of this Board and the citizenry of James City County is hereby proudly conveyed to each of the members of the Williamsburg-James City County Bicentennial Committee; and

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this meeting and copies be presented to each of the members of the Bicentennial Committee.

14. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants.

The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #2208 thru #2382 Totalling \$647,485.42
General Fund Payroll	Checks #6696 thru #7006 Totalling \$90,350.37
Sanitary District #1	Checks #22 thru #24 Totalling \$5,060.50
Sanitary District #2	Checks #159 thru #165 Totalling \$47,600.43
Sanitary District #3	Checks #323 thru #342 Totalling \$168,921.56
Revenue Sharing	Checks #281 thru #299 Totalling \$22,173.51
Toano Water Construction	Checks #8 thru #11 Totalling \$30,400.22

16. Appointments.

Mr. Edwards moved the approval of the following appointments: Mr. Peter L. Paluzsay was reappointed to serve on the Board of Electrical Examiners for a four-year term. Mr. A. P. Farinholt was appointed to serve on the Board of Electrical Examiners for a three-year term. Mr. Paul J. Post was appointed to serve on the Board of Plumbing Examiners for a three-year term. The motion carried by a unanimous roll call vote.

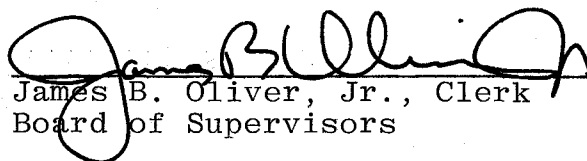
E. BOARD REQUESTS AND DIRECTIVES

Mr. Ware requested the Board to follow-up on the items he had mentioned at the Pre-Budget Hearing earlier in the evening. The subjects mentioned were a semi-annual taxation program and funding consolidated school systems on the basis of taxable wealth.

Mr. Frink moved to adjourn the meeting. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 11:02 P.M.

January 24, 1977
January 10, 1977


James B. Oliver, Jr., Clerk
Board of Supervisors

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-FOURTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

James C. Cashen - Refuse Disposal Department - 3 years
Leonard C. Ford - Office of Commissioner of the Revenue -
3 years
J. Richard Garrett - Fire Department - 10 years
Sharon J. Hatchell - Office of County Administrator - 3
years

C. HIGHWAY MATTERS

Mr. Ware asked Mr. James T. Kelley, Assistant Resident Engineer, if the Highway Department was going to shorten the turn-off from Route 60-W near Mrs. J. I. Levorsen's property.

Mr. Kelley stated that this request had not been forgotten. He indicated construction would begin when weather permitted.

D. APPROVAL OF RESOLUTIONS OF APPRECIATION

Two resolutions of appreciation had been prepared for Board approval. One resolution would be presented to Albert L. White, III, who had served as a member of the Planning Commission since October, 1969. The other resolution would be presented to Arline H. Bowmer, an employee of James City County since May 20, 1965, who has retired.

Mr. Taylor moved the approval of the resolutions. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County appointed ALBERT L. WHITE, III to the James City County Planning Commission in October of 1969; and

WHEREAS, Mr. White served as a member of this vital Commission, until the expiration of his term in January of 1977; and

WHEREAS, during Mr. White's seven-year term on the Commission, James City County began to confront substantial problems coincident with its rapid growth and development; and

WHEREAS, Mr. White consistently participated with distinction in reaching many of those decisions which have helped to preserve and protect our vital natural and historic resources as a community of national significance; and

January 24, 1977

WHEREAS, Mr. White served on the Site Plan Review Committee of the Planning Commission as Chairman, providing energetic, intelligent, and thoughtful leadership resulting in outstanding service to this community;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Board wishes to extend its sincere appreciation and gratitude to ALBERT L. WHITE, III for his outstanding service and unselfish dedication to the County and its citizenry during the past seven years.

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this Board and a copy be presented to ALBERT L. WHITE, III.

RESOLUTION

WHEREAS, ARLINE H. BOWMER served as an employee of James City County from May 20, 1965, until her retirement effective December 1, 1976; and

WHEREAS, throughout this period of service ARLINE H. BOWMER held the position of Accounting Supervisor, which position required that she continue to accept, become familiar with and carry out assignments requiring increasing responsibility and dedication; and

WHEREAS, ARLINE H. BOWMER contributed substantially to the development and implementation of new accounting and budgetary procedures designed to meet the needs of the County during a period of rapid and significant growth; and

WHEREAS, ARLINE H. BOWMER consistently demonstrated those qualities of initiative, perseverance and dedication which have resulted in exceptional service to the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Board does extend its sincere appreciation and gratitude to ARLINE H. BOWMER for her outstanding service and dedication to the County and its citizenry during the past eleven and one-half years.

BE IT FURTHER RESOLVED, that this Resolution be spread on the minutes of this Board and a copy be presented to ARLINE H. BOWMER.

Mr. Donaldson presented Mr. Frink with a plaque in recognition of his tenure as Chairman to the Board of Supervisors.

E. PUBLIC HEARING

1. An application for a Federal Community Development Block Grant from the U. S. Department of Housing and Urban Development under the provisions of the Housing and Community Development Act as amended.

Mr. Olver stated the purpose of this public hearing and the one to be held January 27, 1977, at the EOC Building in Toano would be to give County residents an opportunity to recommend and suggest uses for the available funds. The potential grant amount to be available this coming fiscal year is anticipated to be approximately \$170,000. It was noted that these funds must be requested for uses authorized in the Housing and Community Development Act.

Mr. Covey, Special Projects Coordinator, had written a memorandum to the County Administrator outlining how this grant could be applied to the Toano Sewer Project which could utilize these funds to offset the local costs and thus reduce the connection fees to potential residential customers.

The Chairman opened the public hearing

The following citizens requested that the grant funds be used toward the Toano Sewer Project:

Mr. R. M. Hazelwood, Toano.
 Mr. John F. Moneymaker, Williamsburg.
 Mr. J. A. Mann, Ewell Hall.
 Mr. Wesley Sheldon, Toano.
 Mr. Vinson Sutlive, Ewell Hall Civic Organization.
 Reverend Parker, Mooretown community.
 Mr. S. L. Buckhanon, Centerville.
 Mrs. William H. Beck, Toano.

It was noted by the citizens that this request was not one of want but rather one of need, since the present system had been declared a health hazard by the State Health Department. The Toano Sewer Project is desperately

January 24, 1977

needed and due to the extremely high cost of the project, any supplemental money would help the resident bear the cost of this proposed system.

There was a total of 51 people in attendance for the hearing. No one else wishing to speak, the Chairman closed the public hearing.

F. BOARD CONSIDERATIONS

1. County Government Center Update by Architect.

The Chairman read a letter from William H. Phillips, Jr., architect for the County Government Center, which indicated that the Planning, Public Works and Building Inspections Building would be let for bid on February 8, 1977, the contract awarded on March 7, and completion of the structure in September 1977. The Administration Building would be let for bid on March 8, the contract awarded April 4, and final completion of structure in October 1977.

The Chairman introduced Mr. Phillips who gave a brief progress report on the Government Center.

2. Soil Survey Presentation - R. L. Hodges.

Mr. Oliver presented Mr. R. L. Hodges, Soil Scientist and Survey Party Leader, to the Board. Mr. Hodges indicated that acreage mapped to date represented 17.51 percent of the James City County Survey. The projected completion date of this two County (York & James City) Soil Survey would be July 1979. It was noted that the soil survey information is available at the VPI & SU Extension Office and Health Department.

3. Establishing a Central Absentee Voter Election District.

The State Board of Elections had forwarded a letter to the Board referencing Section 24.1-233.1 of the Code of Virginia which asks the Board if the County wishes to establish a central absentee voter election district. The Board had also been forwarded a memorandum from Mrs. Irene M. Douglas, Secretary of the Electoral Board, which indicated that the Electoral Board did not see a need at the present time for such an absentee voter election district.

Mr. Taylor moved that the County not establish a central absentee voter election district. The motion carried by a unanimous roll call vote.

4. Hydrology Study for County.

It was noted that the U. S. Department of Interior would be conducting the study. Mr. Donaldson stated that the study would give the County a more realistic knowledge of our capability to provide a public water system to the western portion of the County and to maintain that system over a long period of time with underground water sources. He stated that unless we know what our ground water capabilities are throughout the County, we will not be able to make intelligent assessments of water utility services. He further stated that knowing that the water table is falling in the eastern section of the County it is probably only a matter of time before public water will be required for larger portions of the eastern segment of the County. If the County had more defined data relating to our water tables, we would have a more intelligently engineered and more serviceable water system as we make extensions to the Route 199 water system.

January 24, 1977

Mr. Donaldson moved the approval of the hydrology study. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

5. An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City by adding a new article, Article IX, Planned Unit Development Districts.

It was stated that the purpose of the Planned Unit Development District is to promote efficient use of land, allow flexible application of development controls, allow various densities and land uses, protect surrounding property, and protect the natural features and scenic beauty of the land.

Mr. Edwards moved the approval of the ordinance. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

ORDINANCE NO. 31A-41

ADOPTED

JAN 24 1977

ORDINANCE NO. 31A-41

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING CHAPTER 20, BY ADDING A NEW ARTICLE, ARTICLE IX, PLANNED UNIT DEVELOPMENT DISTRICTS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, of the Code of the County of James City be and the same is, hereby, amended by adding a new Article, Article IX, Planned Unit Development Districts, to read as follows:

CHAPTER 20

ZONING

Article IX. Planned Unit Development Districts.

Section 20-139. Statement of Intent.

The purpose of the Planned Unit Development District is to promote efficient use of land, allow flexible application of development controls, allow various densities and land-uses, protect surrounding property, and protect the natural features and scenic beauty of the land. This shall be accomplished by permitting a wider range of densities and uses to be developed in accordance with a master plan which allows for clustering of uses or densities in various areas of the site.

Section 20-140. Designation of zoning district.

Planned Unit Development Districts shall be categorized as either Residential (PUD-R), Commercial (PUD-C), or Light Industrial Park (PUD-I), and upon approval of the master plan by the Board of Supervisors, this designation shall be the zoning district of the parcel.

Section 20-141. Documents required for submission.

The applicant shall submit the following documents to the Zoning Administrator for submission to the Planning Commission:

- (i) Application for rezoning
- (ii) Master Plan (in 10 copies)
- (iii) Community Impact Statement (in 10 copies)

(1) Format of Master Plan.

The Master Plan shall be prepared by a licensed surveyor,

engineer, architect, or planner. A convenient scale may be used so that the entire parcel can be shown on one piece of paper no larger than thirty inches by forty inches. It shall include:

- (a) An insert map at a scale of not less than one inch to one mile, showing the property in relation to surrounding roads, subdivisions, or major landmarks.
 - (b) A north arrow.
 - (c) The approximate location of property lines, watercourses or lakes, wooded areas, and existing roads which are within or adjoin the property.
 - (d) The approximate boundaries of each section, land-use, or density, proposed streets, recreation areas, or public use areas within the project.
 - (e) Each section or area of the master plan shall be designated as follows:
 - "A" areas of detached single-family dwellings
 - "B" areas of townhouses
 - "C" areas of multi-family residential structures of three stories or less
 - "D" areas of multi-family residential structures of more than three stories
 - "E" areas of retail commercial uses
 - "F" areas of wholesale and warehouse commercial uses
 - "G" areas of office uses
 - "H" areas of light industrial uses
 - "I" areas of general industrial uses
 - (f) As marginal data it shall contain a table which shows, for each section or area of different uses or densities indicated in (e) above, the use, approximate phasing, approximate number of dwelling units for residential areas or square feet of floor space for commercial or industrial areas, and their acreage.
- (2) Format of Community Impact Statement.
- The Community Impact Statement is a written document which describes the probable effects of the proposed development upon the community. As a minimum it should briefly address the following topics as they would relate to the project.
- (a) Adequacy of existing public facilities and services. Detailed analysis shall be made of sewer, water, schools, fire stations and other major locally financed facilities.

- (b) Additional on-site and off-site public facilities or services which would be required as a result of the development.
- (c) Traffic to be generated by the project, the capacity of surrounding roads, specific road improvements necessary.
- (d) Fiscal impact of the proposed project; such as estimated tax revenues to be generated versus the cost of public improvements to be financed by the County or the State.
- (e) Impact of construction and permanent changes in land-use upon surrounding property; such as aesthetics, vegetation, storm water drainage, noise, and air or water pollution.
- (f) Employment opportunities to be generated by the project.

Section 20-142. Procedures.

(1) Report of the Zoning Administrator.

The Zoning Administrator may refer copies of the Master Plan and Community Impact Statement to other local public officials for their comments. Within fifteen days of the receipt of the application and accompanying documents, the Zoning Administrator shall prepare a report with recommendations regarding the application. A copy of the report shall be sent to the applicant. The application, master plan, community impact statement and report of the Zoning Administrator shall be placed on the agenda of the Planning Commission at its next regularly scheduled meeting.

The report of the Zoning Administrator shall include, but not necessarily be limited to the following:

- (a) Evaluation of the proposed density and uses at the site in relation to the County's Comprehensive Plan.
- (b) Evaluation and recommended changes in the design of land-use, circulation and densities shown on the Master Plan of the property.
- (c) Impact of the proposal on surrounding property and the environment.
- (d) Evaluation of the fiscal impacts of the proposal and the proposed financing of required improvements.
- (e) Recommendations regarding the dedication of property or facilities for public use.
- (f) Final recommendations regarding approval of the applications or changes which are necessary.

(2) Consideration by the Commission.

The Commission shall, within sixty days of its receipt of the application, master plan, community impact statement and report of the Zoning Administrator, conduct the requisite public hearing and forward its recommendations to the Board of Supervisors at its next regularly scheduled meeting. At the written request of the applicant, the Commission may allow delays in its initial consideration of the application, scheduling of a public hearing, or final consideration of the application to permit the applicant to make revisions. Such applicant initiated delays shall not be considered part of the maximum time allowed for processing the application.

(3) Consideration of the Board of Supervisors.

The Board of Supervisors shall, within sixty days of its receipt of the recommendations, conduct the requisite public hearing and approve or disapprove the master plan. The Board of Supervisors, if it approves the master plan, may impose conditions to such approval. Failure of the Board of Supervisors to approve or disapprove the master plan within sixty days shall be deemed approval of such. Upon approval by the Board of Supervisors, the Planned Unit Development District is deemed established. All development within the district shall be in accord with the master plan and the master plan may not be altered until such changes are reviewed by the Commission and approved by the Board of Supervisors. The master plan shall guide the general location of all features shown therein including land-uses, densities, roads, utilities, public uses and other features. At the written request of the applicant, the Board of Supervisors may allow delays in its initial consideration of the application, to permit the applicant to make revisions. Such applicant initiated delays shall not be considered part of the maximum time allowed for processing the application.

(4) Final plans.

The applicant may, at the time of submission of the master plan or any time thereafter, submit to the Planning Commission final plans for the development of the district, or any part or parts thereof. Where land is to be subdivided within the district, it shall comply with the County's Subdivision Ordinance. Where land is not to be subdivided within the district, final plans shall be prepared in accordance with the site plan review section of this chapter. Final approval shall not be given for any final site plans or final plats until the master plan has been approved by the Board of Supervisors and the district has been established.

Section 20-143. Minimum area of districts.

Planned Unit Development Districts shall be located on a single parcel of land, or separate but contiguous parcels, which are under one ownership or control and which shall total not less than the following area:

- (1) Planned Unit Development-Residential (PUD-R) shall not be less than five acres in size
- (2) Planned Unit Development-Commercial (PUD-C) shall not be less than five acres in size
- (3) Planned Unit Development-Light Industrial Park (PUD-I) shall not be less than fifty acres in size.

Section 20-144. Adequacy of public facilities and roads.

Planned Unit Development Districts shall be so located and developed that they will not exceed the capacity of the adjacent roads which will serve the property or the capacity of public sewer and water systems in the event connections to them are proposed, unless the applicant shall dedicate right-of-way, contribute to the construction of new facilities, or create such facilities to the extent of his fair share of the same as the percentage of his land developed and so served. The rate of development shall not exceed the rate of construction and increasing capacity of the limiting facility.

Section 20-145. Open space.

Thirty-five percent of the gross area of any Planned Unit Development District shall be retained in open space. This may include perimeter buffers, buffers between various uses or densities, public open space, recreation areas, easements, areas of excessive slopes, low lying areas, marsh, or historic sites, or in other ways which will enhance the value of the site, reduce adverse impacts, and otherwise be an asset to the community.

Section 20-146. Public uses.

Subsequent to the establishment of the master plan, the 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 occasioned by the development of the Planned Unit Development. The land 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 one acre per one hundred dwelling units proposed or one acre per thirty acres of industrial or commercial uses proposed. 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 the applicant to comply with these requirements shall be grounds for withholding approval of any pending or future final plan.

Section 20-147. Addition of land to an existing planned unit development.

Additional land area may be added to an existing planned unit development if it is adjacent to (except for public roads), forms a logical addition to, and if it is under the same ownership or control as the original parcel. The procedure for an addition shall be the same as if an original application were filed, and the requirements of this article shall apply except the minimum acreage requirement.

Section 20-148. Height and spacing of buildings.

Buildings may be erected up to sixty feet in height from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank or other accessory functions, but excluding those items listed in (b) below.

(a) A building in excess of sixty feet in height but not in excess of one hundred feet, from grade to the top of the structure, including all penthouse, electrical, plumbing, elevator, water tank or other accessory functions, but excluding those items listed in (b) below, 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:

(1) Such building will not impair property values in the surrounding area; and,

(2) Such building is in accordance with the uses, densities, design, and traffic analysis shown on the original master plan; and,

(3) Such building is adequately designed and served from the standpoint of safety, and that the County Fire Marshal certifies that the fire safety equipment to be installed is adequately designed and that the building is reasonably well located in relation to fire stations and equipment, so as to offer adequate protection to life and property.

(b) Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flag poles, home television antennae and home radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the wall rests.

Section 20-149. Requirements for improvements and design.

(1) Water and Sewer. All structures and uses within a Planned Unit Development District shall be served by central water and central sewerage systems. Septic tanks shall not be permitted.

(2) Recreation Areas. For each area on the master plan designated

as "A" (detached single-family), "B" (townhouses), "C" (multi-family residential structures of three stories or less), or "D" (multi-family residential structures of more than three stories), a recreation area or areas shall be provided. The developer shall provide and install playground equipment prior to the issuance of certificates of occupancy. Such facilities shall be owned and maintained by the developer or a resident's association.

(3) Parking: Off-street parking facilities shall be provided in accordance with the off-street parking requirements of this chapter.

(4) Streets: All streets shall meet the requirements of the Virginia Department of Highways and Transportation or the requirements of the County Subdivision Regulations, whichever is greater. Private streets may be permitted upon the approval of the Commission.

(5) Fire Hydrants: Fire hydrants shall be at locations and of types approved by the County Engineer and County Fire Marshal. No structure within the district shall generally be further than four hundred (400) feet from a hydrant.

(6) Streets Lights: Streets lights shall generally be provided at each intersection and adequately spaced in parking lots and other public areas. The lighting shall be directed so as not to produce objectionable glare on adjacent property or into residences within or near the development. No lighting fixture shall exceed a height of fifteen feet within residential areas of a Planned Unit Development District, nor thirty feet in commercial or industrial areas.

(7) Drainage and Storm Sewer Requirements: Storm sewers shall be required for all Planned Unit Development Districts.

(8) Natural Features and Amenities: Existing features which would add value to the residential development or to the County as a whole, such as trees, watercourses, historic spots and similar irreplaceable assets shall be preserved in design wherever possible.

(9) All signs within a Planned Unit Development District shall comply with Section VIII of this chapter.

Section 20-150. Setback, side and rear yard requirements.

Except for setbacks as required on the perimeter of the district, there shall be no minimum lot size, nor minimum front, side or rear yard requirements for any lot within a Planned Unit Development District except as specified in final plans.

Section 20-151. Planned Unit Development - Residential (PUD-R)

All Planned Unit Development Districts categorized as Residential

(PUD-R) shall comply with the requirements of this section.

(1) Permitted Uses

In the Planned Unit Development District - Residential (PUD-R), all structures to be erected or land to be used shall be for one or more of the following uses held for rent, for sale, for sale by individual unit, or for sale in condominium.

(a) Residential Uses

Single-family attached and detached dwellings
Two-family dwellings
Townhouses and Garden Apartments
Apartments with three or more stories
Accessory structures for maintenance
Parks, playgrounds, swimming pools, recreation buildings, and clubhouses
Churches
Golf courses
Schools, both private and public
Marina, boat docks and waterfront activities
Coin laundries which are accessory to other residential uses and for the primary use of its residents
Restaurants which are accessory to permitted private clubs and marinas
Fire stations
Off-street parking as required by this chapter
Signs as permitted by this chapter

(b) Commercial Uses

Retail food stores, bakeries, fish markets
Dry cleaners and laundries
Department stores, wearing apparel, furniture, carpet, shoe, tailor, dressmaking, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, upholstery, yard goods, toys, music and records, tobacco and pipes, jewelry sales and service, books, greeting cards and sporting goods stores
Drug stores and barber or beauty shops
Restaurants, tea rooms and taverns
Banks and other financial institutions
Plants and garden supply, hardware and paint, and home appliance sales and service (with storage under cover)
Automotive service stations (with major repair under cover) or retail sale of automotive accessory items
Photography studios and sales, artist and sculptor studios, arts and crafts and handicraft shops, antique shops, reproduction and gift shops

Corporate, business, and professional offices
Doctors, dentists and other medical clinics or offices
In-door theaters, museums and public meeting halls
Public billiard parlors, bowling alleys, dance halls,
private clubs, lodges and other forms of amusement
with a conditional use permit
Schools, fire stations, post offices, public utilities,
churches, libraries
Funeral homes
Radio and television stations, with a conditional use
permit required if any antenna or tower is to
exceed sixty feet in height

(2) Requirements for Commercial Uses

If commercial uses specified in (1) (b) above are included within the district, they shall be separated from residential uses, located in well planned commercial areas, and so designated on the master plan. In a PUD-R, the commercial area or areas, with accompanying parking shall not exceed a total of thirty percent of the gross area of the district. The commercial areas shall be located adjacent to a collector street or major thoroughfare so that through traffic is not routed through residential areas of the PUD.

(3) Setback requirements

A landscaped setback of at least seventy-five feet shall be maintained between residential structures and the right-of-way of public roads which abut the site. This may be reduced to fifty feet in the case of commercial structures. No minimum setbacks shall be required from private roads which are internal to the site.

A minimum landscaped setback of at least thirty-five feet shall be maintained from all property lines. Where multi-family, townhouse or commercial structures in a PUD-R adjoin an existing R-1, R-2, R-3, or R-6 District, the minimum setback shall be seventy-five feet.

"Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed, and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required, they shall be of a minimum height of seven feet, with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover, or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking.

(4) Density

The number of dwelling units which may be constructed shall be determined by the number of net developable acres at the site and the use proposed. Net developable acres equal the total gross acres of the site minus stream beds, areas subject to flooding, marsh, and areas with slopes exceeding a twenty-five percent gradient. The number of units which may be constructed are:

<u>Use</u>	<u>Dwelling Units Per Acre</u>
Single-family Detached	5.5
Single-family Attached or Two-family Dwellings	7.5
Townhouses	13.0
Garden Apartments	16.0
Apartments of Three Stories or More	18.0

Section 20-152. Planned Unit Development - Commercial (PUD-C)

All Planned Unit Development Districts categorized as Commercial (PUD-C) shall comply with the requirements of this section.

(1) Permitted Uses

In the Planned Unit Development District-Commercial (PUD-C), all structures to be erected or land to be used shall be for one or more of the following uses:

(a) Commercial Uses

(Same as Section 151 (1) (b))

(b) Light Industrial Uses

Research, design and development and laboratories
Wholesale and warehousing (with storage under cover)
Printing and publishing
Processing, assembly and manufacture of light
industrial products or components; with all
storage, processing, assembly, and manufacture
conducted indoors and under cover; with no
dust, noise, odor or other objectionable effect;
with a conditional use permit

(c) Thematic parks, gardens or amusement parks, with a
conditional use permit

(2) Requirements for Light Industrial Uses

If light industrial uses specified in (1) (b) above are included within the district, they shall be separated from commercial uses, located in well planned light industrial areas, and so designated on the master plan. In a PUD-C, the light industrial area or areas, with accompanying parking shall not exceed a total of fifty percent of the gross area of the district. All light industrial activities shall be of a nature and so conducted that the effects of noise, dust, light, or odor shall not extend beyond the limits of the light industrial area of the district. Where outside storage is proposed on any lot within the district, such areas shall be screened from adjoining lots within or without the district, by natural vegetation, fencing, or a landscaped and planted visual screen.

(3) Setback Requirements

A landscaped setback of at least fifty feet shall be maintained between any commercial structure in a PUD-C, or one hundred feet in the case of industrial structures, and the right-of-way of any street which borders or adjoins the district. No minimum setback shall be required from streets which are internal to the site.

A minimum landscaped setback of at least fifty feet shall be maintained from all property lines. Where commercial structures adjoin an existing R-1, R-2, R-3, or R-6 District, the minimum setback shall be increased to seventy-five feet. Where industrial structures adjoin an existing PUD-R, R-1, R-2, R-3, R-4, R-5 or R-6 District, the minimum setback shall be increased to one hundred and twenty-five feet.

"Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed, and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required, they shall be of a minimum height of seven feet, with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover, or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking, except in the case of a setback for an industrial structure, where the first fifty feet closest to the structure in a setback of more than one hundred feet may be used for parking.

(4) Access Points

All commercial and light industrial areas within the district shall have safe and convenient access onto a collector street or major thoroughfare. Turning lanes of sufficient length may be required, to be built and dedicated by the developer.

Section 20-153. Planned Unit Development - Light Industrial Park
(PUD-I)

All Planned Unit Development Districts categorized as Light Industrial Park (PUD-I) shall comply with the requirements of this section.

(1) Permitted Uses

In the Planned Unit Development District - Light Industrial Park (PUD-I), all structures to be erected or land to be used shall be for one or more of the following uses:

Uses specified in Section 20-152 (1) (b), except that conditional use permits shall not be necessary

Assembly of electrical appliances

Manufacture and fabrication of business equipment

Manufacturing, processing, fabrication, assembly and distribution of products such as: Photographic equipment, drugs, fire extinguishers, sporting and athletic goods, lithographic and printing processes, aircraft, aircraft parts, boats and marine equipment

Manufacturing or assembly of cabinets or furniture, cans or containers, boxes and paper products, canning, bottling, packaging of food, cloth and cloth products and manufacturing from finished leather

Assembly of communications equipment, electric or gas household appliances, office equipment, light or portable household appliances, hand tools, electric motors, musical instruments, optical instruments, recording instruments and machinery.

Manufacturing of coils, condensers, transformers, capacitors

Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products, with conditional use permit

Manufacture, compounding, assembling, or treatment of articles of merchandise from the following previously prepared materials: Bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn, paint and rubber, with conditional use permit

Manufacture of pottery and figurines or other similar ceramic products, using kilns fired only by electricity or gas

Veterinary or dog or cat hospital or kennels

Machinery sales and service

Lumber and building supply with outdoor storage screened

Plumbing and electrical supply with outdoor storage screened

Public Utilities: Public water and sewer transmission mains or trunk lines and treatment facilities, pumping stations; electrical power transmission lines and towers, oil and

gas transmission pipe lines and pumping stations, unmanned telephone exchange centers, microwave and radio wave transmission relay towers and substations

(3) Setback Requirements

A landscaped setback of at least one hundred feet shall be maintained between any industrial structure and the right-of-way of any street which borders or adjoins the District. A minimum setback of fifty feet shall be required from streets which are internal to the site.

A minimum landscaped setback of at least one hundred feet shall be maintained from all property lines. Where industrial structures adjoin an existing PUD-I, M-1 or M-2 District, the setback may be reduced to fifty feet. Where industrial structures adjoin an existing PUD-R, R-1, R-2, R-3, R-5 or R-6 District, the minimum setback shall be increased to one hundred and fifty feet.

"Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed, and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required, they shall be of a minimum height of seven feet, with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover, or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. The first fifty feet of setback closest to an industrial structure, in a setback of more than one hundred feet may be used for parking.

(4) External Effects

All light industrial uses shall be of a nature and so conducted that the effect of noise, vibration, dust, smoke, odor, light, glare, heat, or electrical interference shall not extend beyond the limits of the district. Where outside storage is proposed on any lot within the district, such areas shall be screened from adjoining lots within or without the district by natural vegetation, fencing, or a landscaped and planted visual screen.

(5) Industrial Performance Standards

- (a) Purpose. Each light industrial use which proposes to operate within the district shall submit, at the time of submission of its site plan, a detailed statement of the performance standards that it will meet at the location. This statement shall include but not be

limited to, a clear and concise explanation and comparison of the proposed standards with industry-wide standards, other operations of the company, any applicable Virginia or Federal standards or suggested standards, any other relevant information which would help to clarify, explain or justify the proposed standards. The statement shall include the types of equipment and processes used which may create dust, smoke, odor, noise , or light.

- (b) Subjects Considered. Following the review of these standards, the Zoning Administrator and applicant shall modify or establish these standards, to apply at the property line of the district for:
 - (i) Maximum permissible noise levels
 - (ii) Maximum permissible vibration levels
 - (iii) Maximum permissible smoke discharge
 - (iv) Maximum permissible discharge of other air pollutants such as fly ash, dust, dirt, fumes, vapors, gases or offensive odor
 - (v) Maximum permissible levels of radioactivity
 - (vi) Maximum permissible levels of electrical interference or disturbance
 - (vii) Maximum permissible levels of glare and heat
- (c) Establishment of Standards. The Zoning Administrator shall, in consultation with the applicant, submit a final set of performance standards to the Commission. The Commission shall approve or modify these standards prior to approval of the site plan. The standards for performance and operation, as approved, shall become a part of the controlling zoning requirements for the particular site on which the industrial activity has been approved. No operation of any industry may take place until approval of performance standards. All standards shall be for a specific location and for a specific industrial activity. Any significant change in the industrial activity or any change in location of the industrial activity shall require submission of another statement of proposed performance standards.
- (d) Compliance Test. Any operator of an industrial use within this district shall submit a report to the Planning Commission on the degree of compliance with the performance standards set by the Commission on the thirtieth day of full operation. Such report shall be submitted to the Planning Commission no later than the sixtieth day of operation; and thereafter a brief update report shall be submitted every two years on the continued compliance with the performance standards, due on the anniversary of the original report. The report shall contain detailed information gathered and

January 24, 1977

Mr. Donaldson moved the approval of the hydrology study. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

5.

An Ordinance to Amend Chapter 20, Zoning, of the Code of the County of James City by adding a new article, Article IX, Planned Unit Development Districts.

It was stated that the purpose of the Planned Unit Development District is to promote efficient use of land, allow flexible application of development controls, allow various densities and land uses, protect surrounding property, and protect the natural features and scenic beauty of the land.

Mr. Edwards moved the approval of the ordinance. The motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

ORDINANCE NO. 31A-41

analyzed by experts on the state of compliance of the operation with each element of the approved performance standards. If any segment of the operation is not in full compliance with the approved standards a plan for obtaining full compliance shall be submitted with the report. A report on progress toward reaching full compliance with the performance standards shall be submitted to the Planning Commission thirty days from the last such report until full compliance is reached. All expenses for the preparation of the Compliance Report(s) shall be borne by the applicant.


(e) Changes or Performance Standards.

(i) Any industry or company may petition for a change in the approved standards by submitting a statement of proposed performance standards and a statement of detailed reasons for the change to the Planning Commission.

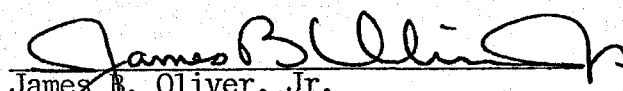
(ii) The Commission may review and change performance standards at their own initiative.

(f) Penalties. Failure to meet the approved performance standards shall be deemed to be a violation of the Zoning Ordinance in accordance with Section 20-15 of this chapter. Each standard not complied with and each day of non-compliance shall be deemed a separate violation.

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

January 24, 1977

6. Request for a Conditional Use Permit - Mr. D's Restaurant.

Mr. Ware moved the approval of the Conditional Use Permit with the following conditions: (1) that the work required by the Fire Marshal is acceptable prior to opening, and (2) that the permit may be terminated at any time by the Board of Supervisors upon request of the Sheriff or Fire Marshal for just cause. The motion carried by a majority roll call vote. Mr. Frink voted no.

7. Old Colony Bank and Trust Company - Water and Sewer Extension.

Mr. Oliver requested the Board of Supervisors to adjourn into executive session following the meeting to discuss this legal matter.

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards stated that the Regional Library Board, a Board that the Supervisors had appointed him to serve on in June 1976, is now proposing a regionalization contract. Mr. Edwards stated that this contract had already been approved by Williamsburg City Council and possibly the Board could consider this regionalization contract at their next meeting.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver presented the following reports which were requested by the Board.

1. Toano Water Works Improvements Status Report.
2. An Analysis of the Finance Function of James City County.
3. Semi-Annual Taxation Program.
4. Tax Exempt Properties Report.

I. PUBLIC WORK SESSION - CAPITAL IMPROVEMENTS

Mr. Brown, Planning Director, presented the Board with a five-year plan of capital improvements with an estimated \$7.9 million cost. The capital improvements will be examined in depth during upcoming work sessions on the proposed budget.

Mr. Edwards moved to recess the Board meeting to convene into executive session to discuss personnel and legal matters after conducting a Service Authority meeting. The motion carried by a majority roll call vote. Mr. Ware voted no. The meeting recessed at 5:15 p.m.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS ON THE TWENTY-FOURTH DAY OF JANUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

As noted above.

B. APPOINTMENTS

Mr. Donaldson moved the appointment of Mr. William E. Held to the Mental Health-Mental Retardation Services Board for a term of three years. The motion carried by a unanimous roll call vote.

Mr. Edwards moved the approval of the appointment of Mrs. Donna M. E. Ware to the Wetlands Board to fill an unexpired term of five years,

February 14, 1977
January 24, 1977

which will expire October 1, 1981. The motion carried by a unanimous roll call vote.

Mr. Edwards moved the approval of the re-appointment of Dr. John Mullaney for a three-year term on the Mental Health-Mental Retardation Services Board. The motion carried by a unanimous roll call vote.

Mr. Edwards moved the approval of the re-appointment of Frederick Belden to the Planning Commission for a term of four years. The motion carried by a unanimous roll call vote.

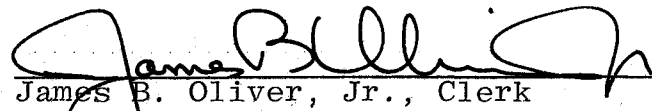
C. Extension of Current Sanitary District No. 3 Bond Anticipation Notes.

Mr. Oliver stated that in recent conversations with FHA regarding the 34-year bonding agreement for Sanitary District No. 3, it had been determined that the County has not yet spent the required construction funds nor has it collected the required local funds to obtain these bonds. Preliminary estimates of the time required to meet the FHA requirements is six months. Mr. Oliver stated that the original bond anticipation notes obtained from UVB in Richmond are due on February 1, 1977. United Virginia Bank in Richmond has offered to extend the notes for six months at a currently undetermined rate, not to exceed four percent. United Virginia Bank in Williamsburg has offered 90-day notes at three and nine-tenths percent, with the option to renew for 90 days at a rate not to exceed four percent.

The Board acting in their capacity as the governing body of Sanitary District No. 3, moved the approval of United Virginia Bank in Williamsburg to extend the current \$2,120,000 in bond anticipation notes. The Board also authorized the Chairman and Clerk to execute any and all documents necessary to effect this note closing. The motion carried unanimously.

Mr. Taylor moved to adjourn the meeting at 5:40 P.M. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney

February 14, 1977

B. MINUTES

Mr. Frink moved the approval of the minutes of January 10 and 24, 1977, as printed. The motion carried unanimously.

C. PUBLIC HEARINGS

1. An ordinance to vacate a portion of a plat entitled "A Plat of a Small Tract of Land, Situate Near Toano, James City County, Va., on the East Side of the Chickahominy Road, Formerly Owner by R. B. Slater, Now Owned by C. M. Hall, Esq., of Williamsburg."

The Chairman opened the public hearing. There being no one present to speak for or against the matter, the Chairman closed the hearing.

Mr. Ware moved the adoption of the ordinance. The motion carried by a unanimous vote.

ORDINANCE NO. 102

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "A PLAT OF A SMALL TRACT OF LAND, SITUATE NEAR TOANO, JAMES CITY COUNTY, VIRGINIA, ON THE EAST SIDE OF THE CHICKAHOMINY ROAD, FORMERLY OWNED BY R. B. SLATER, NOW OWNED BY C. M. HALL, ESQ. OF WILLIAMSBURG," AND MORE PARTICULARLY DESCRIBED AS THAT LOT LINE DIVIDING LOTS 13 AND 14.

WHEREAS, application has been made by Spearman & Associates, Inc., Land Surveying, on behalf of the Noah Wynne Estate, owner of Lots 13 and 14, to vacate a certain property line, as more particularly described below, the result of which will leave one lot to be designated Lot 13; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 14th day of February, 1977, pursuant to such notice and were 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:

1. That the lot line dividing Lots 13 and 14, as shown on that certain plat entitled, "A Plat of a Small Tract of Land, Situate Near Toano, James City County, Virginia, On the East Side of the Chickahominy Road, Formerly Owned By R. B. Slater, Now Owned By C. M. Hall, Esq., of Williamsburg," dated November 18, 1916, and prepared by Sydney Smith, Surveyor of York County, and recorded in Plat Book 2, Page 40, in the Clerk's Office of the Court-house for Williamsburg-James City County, be and the same is hereby vacated.
2. That a new plat entitled, "A Plat of Boundary Survey of Property Standing In the Name of Noah Wynne Estate, being Lots 13 & 14 of C. M. Hall Subdivision, James City County, Virginia," prepared by Spearman and Associates, Inc., Land Surveying, and dated December 6, 1976, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

2. An ordinance to amend and reordain the Operating Policy of James City County Sanitary District #2, by amending Section 5.03, Water Availability Charges.

Mr. Oliver stated that the amendment had been adopted by the Board of Supervisors by emergency ordinance at the January 10th meeting and was now before the Board for formal adoption.

The Chairman opened the public hearing. There being no one wishing to speak, the Chairman closed the public hearing.

Mr. Edwards moved the adoption of the ordinance. The motion carried unanimously.

ORDINANCE NO. 36A-7

(next page)

FEB 14 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 36A-7

AN ORDINANCE TO AMEND AND REORDAIN THE OPERATING POLICY OF JAMES CITY COUNTY SANITARY DISTRICT NO. 2, BY AMENDING SECTION 5.03, WATER AVAILABILITY CHARGES.

BE IT ORDAINED, by the Board of Supervisors of James City County that the operating policy of James City County Sanitary District No. 2, 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"	\$ 345.00
	3/4"	450.00
1	"	520.00
1	1/2"	760.00
2	"	945.00
3	"	400.00 + cost
4	"	600.00 + cost
5	"	800.00 + cost
6	"	1,000.00 + cost
8	"	1,200.00 + 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 \$345.00 for the first unit and \$345.00 for the additional unit.

Multi-Family Dwellings (defined as a dwelling containing three or more units), the availability charge shall be \$505.00 for the first dwelling unit and \$280.00 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,

February 14, 1977

shall be an availability charge of \$505.00 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	\$90.00
For a 51 - 100 Unit Installation	75.00
For an over 100 Unit Installation	65.00

Trailer Parks and Mobile Parks - The availability charge shall be the cost for the meter as shown in 5.03(a) plus a charge of \$90.00 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 \$545.00 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 \$345.00 for a 5/8" meter and \$450.00 for a 3/4" meter.

Restaurants - The availability charge shall be \$540.00 base charge, plus \$12.00 per seat.

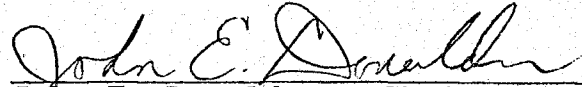
Filling Stations - The availability charge shall be \$540.00 base charge plus \$75.00 per delivery hose.

Schools - The availability charge shall be \$720.00 plus \$18.00 per pupil.

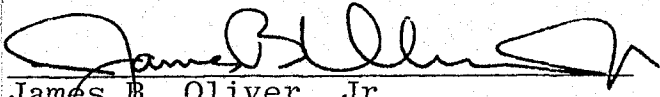
Hospitals and Institutions - The availability charge shall be \$720.00 plus \$18.00 per bed.

- (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. The Administrator, upon completion of his investigation, shall recommend to the Board a fair and equitable availability charge to be assessed to the applicant.

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors James City County, Virginia, on this 14th day of January, 1977.

February 14, 1977

P. BOARD CONSIDERATIONS

1. Approval of Resolution of Appreciation.

A resolution of appreciation had been prepared for Mary Cary Fuqua, Chairman of the Wetlands Board, who had resigned.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous vote.

RESOLUTION

WHEREAS, MARY CARY FUQUA served the citizens of James City County as a member of the Wetlands Board from September, 1972 until her resignation in January, 1977 and

WHEREAS, throughout this period of service MARY CARY FUQUA was instrumental in the establishment and subsequent organization of the James City County Wetlands Board, serving as its chairman since its formation; and

WHEREAS, MARY CARY FUQUA consistently demonstrated those essential qualities of leadership, diplomacy and dedication, in addition to a special concern for environmental quality, which have resulted in exceptional service to the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board wishes to express its sincere appreciation and gratitude to MARY CARY FUQUA for her distinguished service and devotion to the County and its citizenry during the past four and one-half years. The members of the Board wish her every success and happiness in her future endeavors.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to MARY CARY FUQUA and that this resolution be spread upon the minutes of this meeting of the Board of Supervisors to be preserved in perpetuity.

2. Date for a public hearing RE: SUP-7-76 - Marie N. Thompson, applicant. A special use permit request to allow a mobile home on Parcel 80, James City Real Estate Tax Map 25; 1.3 acres zoned A-2 at 1519 Ironbound Road.

Mr. Donaldson moved the approval of March 14, 1977, as a public hearing date of Case No. SUP-7-76. The motion carried unanimously.

3. Date for a public hearing RE: Z-25-76 - BLM, Inc. A request to rezone 3.9 acres of the Williamsburg Motor Court property on Route 60 West from B-1 General Business to R-5 Multi-family Residential for construction of approximately 40 garden apartments for the elderly.

Mr. Donaldson moved the approval of March 14, 1977, as a public hearing date of Case No. Z-25-76. The motion carried unanimously.

4. Bingo Permit - Veterans of Foreign Wars.

Mr. Ware moved the approval of the resolution authorizing the Veterans of Foreign Wars to conduct bingo games for a period of one year in accordance with State statutes noted in the resolution. The motion carried by a unanimous vote.

RESOLUTION

WHEREAS, Veterans of Foreign Wars, Post 8046, Norge, Virginia, appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Veterans of Foreign Wars, Post 8046, Norge, Virginia, has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Veterans of Foreign Wars, Post 8046, Norge, Virginia, is hereby

February 14, 1977

granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

5. Resolution authorizing HUD Community Development Block Grant Pre-application submission.

After brief Board discussion regarding the application, Mr. Frink moved the approval of the resolution authorizing the pre-application and subsequent application submission with the understanding that County staff would review with the HUD representative the project activities and amounts relating to each activity to try to decrease project activities #1 and #2 by a total of \$30,000, which \$30,000 would be added to project activity #3. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County has been made aware of an opportunity to apply for a discretionary Community Development Block Grant from the U. S. Department of Housing and Urban Development, and

WHEREAS, in accordance with the federal guidelines the County has held two public hearings to receive citizens' suggestions for the use of such funds as may be received, and

WHEREAS, the overwhelming citizen support is favoring the submittal of an application for additional funds to support the Toano Sewer Project, and

WHEREAS, the Toano Sewer Project with funds assured from The Environmental Protection Agency will eliminate a serious health hazard, as well as, provide significant benefits to James City County residents and neighboring jurisdictions, specifically including sewer service to 100 minority, low-income residents of York County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that John E. Donaldson, Chairman and James B. Oliver, Jr., Clerk to the Board, be and the same are, hereby, authorized and directed to execute such documents as are necessary for the purpose of filing a preapplication and a subsequent application with the U. S. Department of Housing and Urban Development for a Discretionary Community Development Block Grant under the provisions of the Housing and Community Development Act for use in the Toano Sewer Project.

6. Resolution authorizing execution of well site deed to James City Service Authority.

In order to meet State Health Department requirements to secure a water system construction permit, Mr. Oliver stated that the County must transfer the well site in the area of the Toano Women's Club to the James City Service Authority as the Toano water system is under the jurisdiction of the Service Authority.

Mr. Ware moved the approval of the resolution authorizing execution of the deed which transfers to James City Service Authority the new well site located adjacent to the Toano Women's Club. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City was a recipient of a Community Development Grant administered by the Department of Housing & Urban Development amounting to \$104,000 for purposes of upgrading the Toano Water System, and

WHEREAS, an additional well has been constructed on a certain parcel of property containing approximately 12,533 square feet and owned by the County and located in Project Area 2 of the James City Service Authority, and

WHEREAS, the Board of Supervisors is desirous of conveying the well site to the said Authority;

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

1. That John E. Donaldson, Chairman, and James B. Oliver, Jr., Clerk, be authorized and directed to execute such documents as are necessary to convey the property to the James City Service Authority.

This resolution shall be in full force and effect from the date of its adoption.

February 14, 1977

7. Codification of Code Supplement #3.

Mr. Oliver stated that Code Supplement #2 included those ordinances of a general and permanent nature adopted on or before March 10, 1975. Subsequent to that date twenty-six ordinances have been adopted by the Board. Mr. Oliver indicated it was now advisable to provide a third supplement to the Code.

Mr. Donaldson moved the approval authorizing the printing of the third Code supplement. The motion carried unanimously.

8. Sanitary District #3 Industrial Cost Recovery System.

Mr. Oliver stated that the State Water Control Board had forwarded an Industrial Cost Recovery System form for the County to complete certifying that Sanitary District #3 contains no industrial customers and that if industry locates in the District the District would develop an industrial cost recovery system to recover that portion of grant funds allocable to the handling of industrial wastes.

Mr. Frink moved the approval authorizing the County Administrator to execute the Industrial Cost Recovery System statement on behalf of Sanitary District #3. The motion carried by a unanimous roll call vote.

9. Old Colony Bank and Trust Company - Water and Sewer Extension.

Mr. Edwards moved the approval of the execution of an agreement authorizing a water main extension from State Route 199 to service Old Colony Bank and Trust Company's properties on Jamestown Road. The motion carried by a unanimous roll call vote.

10. Regionalization Contract - Regional Library.

The Board requested that this matter be deferred until the next regular meeting.

11. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #2383 thru #2529 Totalling \$788,608.30
General Fund Payroll	Checks #7007 thru #7303 Totalling \$85,660.87
Sanitary District #1	Checks #25 thru #26 Totalling \$13,930.79
Sanitary District #2	Checks #166 thru #175 Totalling \$6,566.07
Sanitary District #3	Checks #343 thru #360 Totalling \$174,700.57
Revenue Sharing	Checks #300 thru #306 Totalling \$10,647.12
Toano Water Construction	Checks #12 thru #14 Totalling \$12,621.83
James City Subdivision Escrow	Checks #133 thru #135 Totalling \$18,451.79

12. Appointments.

The Board accepted the resignation of Howard C. Sawyer, a

February 28, 1977
February 14, 1977

Board appointed Road Viewer. It was noted that the Road Viewer positions are seldom used and are appointments of indefinite terms. The Board agreed that no new appointment would be made until such time as a need arises.

E. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver stated that a James City County Personnel Report had been prepared and set to the Board in their reading material folders.

Mr. Donaldson moved to recess the Board meeting to convene into executive session to discuss a personnel matter. The motion carried by a majority roll call vote. Mr. Ware voted no. The meeting recessed at 8:25 p.m.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS ON THE FOURTEENTH DAY OF FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

As noted above.

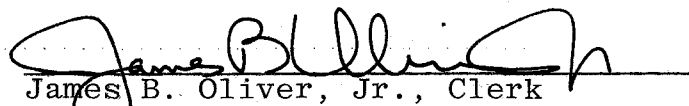
B. APPOINTMENTS

Mr. Edwards moved the approval of the appointment of Mrs. Virginia Carey to serve on the Planning Commission for a four-year term, which term will expire January 15, 1981. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to adjourn the meeting at 8:30 p.m.

The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 FEBRUARY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

February 28, 1977

B. MINUTES

Mr. Ware moved the approval of the minutes of February 14, 1977 as printed. The motion carried unanimously.

C. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Dorene B. Ankrom - County Treasurer - 5 years
Sharon T. Blanton - Department of Social Services - 3 years
Thomas V. Hardin - Sheriff Department - 3 years

D. HIGHWAY MATTERS

Mr. James T. Kelley, Assistant Resident Engineer, advised the Board and County staff of the Department of Highways and Transportation 1977 Pre-Allocation Hearing scheduled for March 23 in the Suffolk District Auditorium. The purpose of the meeting is to obtain advance recommendations prior to preparation of tentative allocations and the final allocation hearing.

Mr. Donaldson stated the County staff should plan to attend the Pre-Allocation Hearing to stress the need for completion of Route 199.

1. Addition of new section-Route 604 to be added to the Secondary System.

Mr. Kelley stated that VDH&T had recently completed a re-alignment project on Route 604 adjacent to Barlow's Pond. The Board had received a resolution which would authorize the new section of Route 604 to be included in the Secondary System of State Highways.

Mr. Fink moved the approval of the resolution. The motion carried unanimously.

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County held this 28th day of February, 1977, it was duly moved and seconded that:

WHEREAS, Secondary Route 604, from York County Line to 0.36 miles North, a distance of 0.36 miles, has been constructed and approved by the State Highway Commissioner, which new road serves to provide a better alignment for Route 604; and

WHEREAS, the section of this new road follows a new location, this being shown on the attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 0604, Project 0604-047-114, C-502, dated at Richmond, Virginia January 31, 1977."

NOW, THEREFORE, BE IT RESOLVED: That the portion of Secondary Route 604, i.e., Section 4, shown in red on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 0604, Project 0604-047-114, C-502, dated at Richmond, Virginia, January 31, 1977," a total distance of 0.36 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.

This Resolution will be in full force and effect from the date of its adoption.

E. BOARD CONSIDERATIONS1. Sanitary District #2 liens for delinquent accounts.

Mr. Oliver stated that Mr. Wayland Bass, Director of Public Works, and Mr. Frank Morton, County Attorney, have requested the Board to adopt a resolution authorizing delinquent charges for use of Sanitary Sewer Systems in James City County Sanitary District #2 be entered in the Judgment Lien Docket of the Clerk's office. It was noted that last year the Board initiated the same action and a significant amount of money from recorded liens in Sanitary District #2 were collected.

February 28, 1977

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous vote.

RESOLUTION

Sanitary District #2 - Liens

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in the James City Sanitary District No. 2 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 attached delinquent charges for use of the Sanitary Sewer Systems in James City County Sanitary District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

JAMES CITY COUNTY - SANITARY DISTRICT #2
February 23, 1977
LIEN LIST

<u>Account Number</u>	<u>Name & Address of Property</u>	<u>Description of Property</u>	<u>Water</u>	<u>Sewer</u>	<u>Penalty</u>	<u>Fee</u>	<u>Total</u>
11-01-277700	Blue Ribbon Properties, George C. Norris 1805 Airline Blvd., Portsmouth, VA 23707 393-1057 (H) 887-2507 (B)	Lot 2777 2777 Pocahontas Trail Deed Book 167, Page 618	\$ 971.75	\$8,100.00	\$403.20	\$1.00	\$9,475.95
11-01-278900	George C. Norris, Blue Ribbon Properties 1805 Airline Blvd., Portsmouth, VA 23707 393-1057 (H) 887-2507 (B)	2789 Pocahontas Trail Deed Book 170, Page 387	\$ 16.75		\$.75	\$1.00	\$ 18.50
11-01-281100	G. & L. Corporation t.a. Hickory Grove Trailer Park Owner: O. M. Hooker 200 Page Street	Lot 2811 Deed Book 100, Page 353	\$1,077.60	\$1,995.25	\$303.57	\$1.00	\$3,377.42
11-05-013600	Leither Wright 1760 Altman Road, Richmond, VA 23228 264-1226	136 Howard Drive, Grove Deed Book 108, Page 236	\$ 32.98	\$ 40.29	\$ 5.84	\$1.00	\$ 80.11
11-05-015000	Nettie T. Halcomb 152 Howard Drive 229-2067	Grove, 150 Howard Drive Deed Book 8	\$ 39.25	\$ 55.25	\$ 8.70	\$1.00	\$ 104.20
11-06-010900	Rosena Cotton 109 Jackson Street 220-1292	Grove, Lot 109, Jackson St. Deed Book 143, Page 584	\$ 84.25		\$ 10.50	\$1.00	\$ 95.75
11-05-010710	Carolyn Reid Harrod a.k.a. Carolyn Reid Wallace 107A Howard Street	107A Howard Street, Grove Deed Book 135, Page 246	\$ 31.75	\$ 44.75	\$ 5.40	\$1.00	\$ 82.90
11-12-012900	George Wallace Box 129 Church Road	Grove, 129 Church Road Deed Book 132, Page 674	\$ 39.25	\$ 44.75	\$ 6.90	\$1.00	\$ 91.90

<u>Account Number</u>	<u>Name & Address of Property</u>	<u>Description of Property</u>	<u>Water</u>	<u>Sewer</u>	<u>Penalty</u>	<u>Fee</u>	<u>Total</u>
11-53-021100	Bernard Parker 211 Tarleton Bivouac 887-9193	Lot 143, Poplar Hall Planta- tion Subdivision Deed Book 160, Page 774	\$ 31.75	\$ 38.02	\$ 4.73	\$1.00	\$ 75.50
11-53-020200	James Gray 202 Tarleton Bivouac	Lot 123, Poplar Hall Planta- tion	\$ 31.75	\$ 34.75	\$ 7.20	\$1.00	\$ 74.70
11-01-252300	Martha Crump Coleman 114 Springfield Drive 229-2497	Lot 2523, Grove 2523 Pocahontas Trail	\$ 39.25	\$ 44.75	\$ 6.90	\$1.00	\$ 91.90
11-12-013000	James H. Jackson Rt. 2, Box 260B	Lot 30, Grove, 130 Church Road, Duplex Deed Book 121, Page 363	\$ 46.75	\$ 74.59	\$ 10.89	\$1.00	\$ 133.23
11-01-238800	Howard Wallace Owner: Harris Lee, Sr. 2390 Pocahontas Trail 229-4533	2388 Pocahontas Trail	\$ 87.29		\$ 4.50	\$1.00	\$ 92.79

February 28, 1977

2. Purchase of Transit Vehicles.

Mr. Oliver stated that the Citizens Advisory Committee on Public Transit has been very active since their organization last spring. The Board had received a memorandum from Mr. William C. Linn, Jr., Chairman of the Advisory Committee, advising the Board that for the last several months the Committee had been involved in evaluating vehicles, writing specifications and soliciting bids. Invitations to bid on four 20-passenger buses and one 15-passenger van were mailed to prospective vendors in January. A public bid opening was held on February 25, 1977 in the courthouse. Dominick Motor Company was the only bus bidder at \$26,840 each. Tidewater Dodge was the lowest of four van bidders at \$7,033. The Citizens Advisory Committee recommended that the Board approve and award the contracts to the lowest bidders.

After brief discussion, Mr. Edwards moved the approval to award the contracts to Dominick Motor Company and Tidewater Dodge, the lowest bidders. The motion carried unanimously.

3. Regionalization Contract - Regional Library.

Mr. Oliver stated Supervisor Edwards, Board appointee to the Regional Library Committee, Richard Bain, York County Administrator and he had met and reviewed the regional library contract on February 25. Mr. Oliver stated that the original contract had been slightly revised at the February 25 meeting. Mr. Oliver indicated the finance formula was the major revision in the contract. The alternative formula was suggested because it recognizes use through the per capita provision and offers less radical financial changes in existing budgets. The revised formula also offers closer relationship to improved benefits.

Mr. Edwards requested the Board to support the regional library concept and to continue communication with Williamsburg and York County. Mr. Edwards moved to approve in principle the County's participation in a regional library in accordance with the terms outlined in the proposed contract.

Mr. Ware questioned the per capita provision stating he would prefer another funding method.

Mr. Oliver stated that the per capita formula would not burden any particular jurisdiction. It was noted that the contract would be effective for five years and after that time every three years the contract would be reconsidered, including a review of the cost of operation and relative usage of facilities to determine whether the ratio of contribution of funds and voting formula remains equitable.

Messrs. Donaldson and Edwards stated that the County now pays the City for library services but the County has no administrative authority regarding the services.

Mr. Edwards' motion carried by a majority roll call vote. Messrs. Taylor and Ware voted no.

The Board directed the staff to forward the proposed regionalization contract to Williamsburg and York County for their consideration.

F. REPORTS OF THE COUNTY ADMINISTRATOR

1. Presentation of Real Estate Assessment Program.

Mr. Rudy Johnston, Director of Real Estate Assessments,

March 14, 1977
February 28, 1977

gave a presentation on real estate assessment practice and procedures.

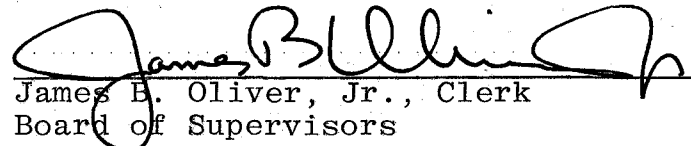
A brief discussion regarding land use taxation for forest land followed. Mr. Johnston stated that James City County is the only County in the state that does not include forestry in its Land Use Ordinance.

Mr. Johnston stated that effective July 1, 1977, the Virginia Code requires the assessments of real estate to be 100 percent of fair market value. Previously, the assessments in the County were based upon 30 percent of the appraised value. Mr. Johnston indicated a Notice of Assessment Change would be sent to all property owners.

Mr. Donaldson requested the County Administrator to invite the School Board to the Board's next meeting scheduled for March 14, at 7:30 p.m., at which time the School Board representatives would present the proposed 1977-78 budget.

Mr. Taylor moved to adjourn the meeting. The motion carried by a unanimous vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 4:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 MARCH, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of February 28, 1977 as printed. The motion carried by a unanimous vote.

C. PUBLIC HEARING

1. Case No. SUP-7-76--Marie N. Thompson, applicant, requesting a Special Use Permit.

Mr. Brown, Planning Director, briefly explained Mrs. Thompson's request to the Board.

March 14, 1977

The Chairman opened the public hearing.

Mrs. Helen Crowell and Mrs. Patricia Sutphin, Mrs. Thompson's daughters, spoke in Mrs. Thompson's behalf requesting the Board to approve the special use.

Mr. David Holland, the applicant's attorney, stated that the case exhibits personal hardship and relief could be offered to Mrs. Thompson by the issuance of a special use permit.

There being no one else wishing to speak, the Chairman closed the public hearing.

Mr. Ware moved the approval of the issuance of the special use permit. The motion carried by a unanimous roll call vote.

Mr. Frink reminded the Board that special use permits are issued in extenuating circumstances and the Board should stand firm and use discretion when granting special use permits.

D. RESOLUTION PRESENTED TO ANHEUSER-BUSCH BREWERY

Mr. Donaldson read a resolution congratulating Anheuser-Busch on the fifth anniversary of the opening of the Brewery in James City County.

Mr. Fink moved the approval of the resolution. The motion carried by a unanimous roll call vote.

Mr. Donaldson presented two resolutions to Richard Heaney, Plant Manager, one for the James City County plant and one to be sent to August Busch, III, in St. Louis.

Mr. Heaney thanked the Board of recognizing the brewery's anniversary.

RESOLUTION

WHEREAS, the ANHEUSER-BUSCH, INCORPORATED BREWERY has now marked its Fifth Anniversary of successful operation in James City County, Virginia; and,

WHEREAS, during these past five years the Brewery has served as a major employer of our people, contributed greatly to the economic well-being of the County, and reflected the highest standards of a good corporate citizen; and,

WHEREAS, the past five years have witnessed mutual benefits for James City County and ANHEUSER-BUSCH, INCORPORATED, as both have prospered as a result of this successful association,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board expresses its sincere congratulations to ANHEUSER-BUSCH, INCORPORATED on the occasion of its Fifth Anniversary of successful operation in James City County.

BE IT FURTHER RESOLVED that this Resolution be spread upon the minutes of the Board of Supervisors and copies presented to the Plant Manager of the Brewery as well as to the President of ANHEUSER-BUSCH, INCORPORATED.

E. PUBLIC HEARING

1. Case No. Z-25-76--BLM, Inc., applicant, requesting rezoning of property from B-1 to R-5.

Mr. Brown, Planning Director, briefed the Board on the rezoning request. He stated the applicant proposes to rezone 3.15 acres from B-1 General Business to R-5 Multi-family Residential for construction of approximately 40 garden apartments for the elderly. Mr. Brown indicated the Planning Commission unanimously recommends approval.

The Chairman opened the public hearing.

Mr. Conway Shield, the applicant's attorney, requested the Board to authorize approval of the project.

March 14, 1977

Mr. John Delos, resident of Skipwith Farms and an adjacent property owner, voiced concern regarding erosion and run-off problems at the rear of the proposed construction site, the area of the culvert, and the creek running between the site and subdivision. Mr. Delos requested the County engineering staff to investigate and prepare a general study of the area to ensure residents of Skipwith Farms that run-off and flooding problems will not occur. The staff directed to investigate the matter.

Mr. Ware moved the approval of the rezoning request of Case No. Z-25-76--BLM, Inc. The motion carried by a unanimous roll call vote.

F. BOARD CONSIDERATIONS

1. Social Services building lease.

Mr. Alvin Anderson, attorney for Paul B. Angel and Axel L. Nixon, informed the Board that the 45-day time period for the execution of the Social Services building lease which the Board approved on January 10, 1977 had expired. Mr. Anderson indicated financing of the project has not been successful. He stated he would continue negotiations and if successful would again request the Board's consideration.

2. Date for a Public Hearing RE: Case No. Z-19-76--Hamlet Townhouses.

Mr. Ware moved the approval of April 11, 1977, at 7:30 p.m., as the public hearing date and time to consider the above case. The motion carried by a unanimous vote.

3. Date for a Public Hearing RE: Case No. Z-24-76--Grinnan property.

Mr. Ware moved the approval of April 11, 1977, at 7:30 p.m. as the public hearing date and time to consider the above case. The motion carried by a unanimous roll call vote.

4. Date for a Public Hearing RE: Case No. Z-27-76--Colonial Village Townhouses.

Mr. Ware moved that Case No. Z-27-76 be set for public hearing on April 11, 1977, at 7:30 p.m., in the courthouse. The motion carried by a unanimous roll call vote.

5. Resolution authorizing execution of well dedication.

As required by the State Health Department, the Board was presented with a well dedication instrument and resolution authorizing the execution of the well dedication for Powhatan Shores water system.

Acting as the governing body of Sanitary District #3, Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the James City County Sanitary District Number 3 has had, or will have conveyed to it, a well site with two wells and pumping station located thereon to become a part of the Powhatan Shores Water System, and

WHEREAS, the Department of Health of the Commonwealth of Virginia requires that such sites be dedicated by formal document;

March 14, 1977

NOW, THEREFORE, BE IT RESOLVED by the James City County Sanitary District Number 3,

1. That John E. Donaldson, Chairman, and James B. Oliver, Jr., Clerk, be and the same are hereby authorized and directed to execute such documents that will accomplish the dedication of the site located in the Powhatan Shores area of James City County, Virginia.

This resolution shall be in full force and effect from the date of its adoption.

6. Appointments.

The Board was advised that two members on the Board of Building Appeals terms had expired and have requested re-appointment.

Mr. Ware moved the approval of the appointments of Messrs. J. E. Wray and William H. Phillips, Jr. to the Board of Building Appeals for a term of four years, expiration date February, 1981.

7. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #2530 thru #2669 Totalling \$1,051,599.70
General Fund Payroll	Checks #7304 thru #7597 Totalling \$83,907.21
Sanitary District #1	Check #27 Totalling \$1,043.19
Sanitary District #2	Checks #176 thru #180 Totalling \$1,604.39
Sanitary District #3	Checks #361 thru #382 Totalling \$316,059.16
Revenue Sharing	Checks #307 thru #314 Totalling \$11,191.67

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Frink asked the status of the roadway lighting study for Route 60 in Grove near Windy Hill Mobile Home Park.

Mr. Watkins informed the Board he had discussed this matter with Mr. Goodloe of the Highway Department in January and is waiting for a report.

Mr. Lang Richardson requested the Board to investigate the possibility of lights for a baseball field. Mr. Richardson stated the Pony League, Little League, American Legion League and probably other civic groups would use the lighted field.

Mr. Ware indicated he and the County staff have been working on this request for the past couple of months and will continue working on this project. The most likely solution appeared to be installing lights at a school baseball field.

Mr. Edwards stated it was hoped that the County would soon organize a recreational committee to consider projects such as this and other community recreational needs. It was mentioned that the Capital Improvements Program suggests a fund be established specifically for recreational projects.

Mr. Edwards moved to adjourn into executive session for the purpose of discussing acquisition. The motion carried by a majority roll call vote. Mr. Ware voted no.

March 21, 1977
March 14, 1977

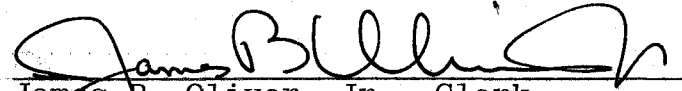
AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD IN THE COURTHOUSE ON THE FOURTEENTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

As noted above.

Mr. Edwards moved to recess the meeting to reconvene Monday, March 21, at 7:30 p.m., in the Courthouse. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING RECESSED AT 9:33 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 MARCH, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

(absent) Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. 1977-78 SCHOOL BUDGET PRESENTATION

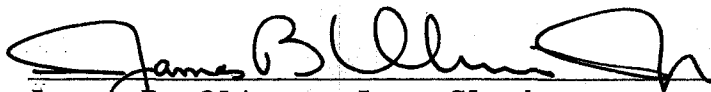
Mr. Donaldson recognized Mr. Albert Letchworth, Chairman of the County School Board. Mr. Letchworth stated that the School Boards had worked diligently on the proposed budget and requested the Board's careful consideration. Mr. Letchworth indicated that Dr. Henry A. Renz, School Superintendent, would present the budget to the Board of Supervisors.

Dr. Renz presented the Board with prepared remarks which outlined those areas of increased costs in the School Boards' budget. These increases were: 1) Expanded programs or extensions of service, 2) New programs, 3) Transfers from federal to local funding, and 4) Inflation. This breakdown represented \$277,401 of a total increase of \$545,993. It was Dr. Renz's opinion that some of the items in the budget were beyond the ability of the School Boards' control.

The Board questioned Dr. Renz on various aspects of the school budget. It was noted that the request for County funds for the 1977-78 school budget, as adopted by the joint School Boards, totals \$4,014,060. This is an increase of \$359,123 or 9.8 percent over the \$3,655,477 approved by the Board of Supervisors for 1976-77. The Board indicated it was not possible to grant approval of the total amount of increase the School Boards have requested. Mr. Frink commended the School Boards on the proposed budget and requested the County Administrator to analyze the budget and bring recommendations back before the Board regarding possible reductions of some items.

Mr. Frink moved to adjourn the meeting at 9:30 P.M. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.


James B. Oliver, Jr., Clerk
Board of Supervisors

March 28, 1977

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 MARCH, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District

It was noted that Mr. Ware had been called out of town, but would try to return in time to attend the meeting.

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the minutes of March 14, 1977 as printed. The motion carried by a unanimous vote.

C. HIGHWAY MATTERS

Mr. Rawley Yeatts, Resident Engineer, complimented the Board of Supervisors and staff on the Route 199 presentation given at the VDH&T Pre-Allocation Hearing on March 23.

Mr. Donaldson stated that South England Street and the end of North Point Road both needed repair due to severe cold weather which caused pot holes and ruts in the pavement.

D. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Iris P. Banks - Department of Social Services - 3 years
Diane F. Clark - Department of Planning & Development - 3 years
Thomas E. Fisher - Sheriff Department - 5 years
Elizabeth L. Johnson - Department of Planning & Development - 5 years

E. BOARD CONSIDERATIONS

1. Sanitary District #1 Liens for Delinquent Accounts.

Mr. Oliver stated that Sanitary District #1 is jointly operated by York and James City Counties, and that York County handles the finances of the James-York Joint Sanitary Board. Mr. Richard Bain, Administrator of York County, had written a letter enclosing a list of liens against properties for delinquent sewer users. Mr. Bain requested the Board to record these liens in the Judgment Lien Docket of the Clerk's office.

Mr. Edwards moved the approval of a resolution which authorizes the 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. The motion carried unanimously.

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

March 28, 1977

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 attached 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.

LIEN LIST		JAMES CITY COUNTY SANITARY DIST. #1		December 9, 1976	
A/C #	Name & Address of Property	Description of Property	Amount	Fee	Total
114	Edwin Neese 712 Adams Rd.	Lot 52, Sec. 2, Colonial Park D. B. 147, P. 555	77.50	1.00	78.50
121	Alease Bankston 1203 Rt. 143	Part of Wm. M. Lee 1/2 Acre and being 56/456 Penniman Rd.	77.50	1.00	78.50
131	Lemuch Redcross 1231 Oak Dr.	D. B. 20, P. 177, P. B. 3, P. 12 D. B. 22, P. 374, P. B. 3, P. 35 Smith Sub. Lot 5	77.50	1.00	78.50
178	Arthur Williams & Rebecca Williams 1343 Merrimac Trail	Lot fronting 60 ft. on Merrimac Trail D. B. 39, P. 320, P. B. 11, P. 4	77.50	1.00	78.50
201	Don Weymouth 1 Magruder Heights	Lot 1, Magruder Heights	130.00	1.00	131.00
376	Walter Walker II 28 Wallace Rd.	Lot 28, Adj. Burkes Estate W. B. 13, P. 34	77.50	1.00	78.50

March 28, 1977

2. Approval of Resolution for Compensation Board Hearing.

Mr. Oliver briefed the Board regarding the up-coming April 14 State Compensation Board Hearing, at which time the Compensation Board would consider the Constitutional Officers' budget requests. Last year two proposals were made to the Compensation Board. One request was to recognize and fund employees in accord with the County pay plan. The second request was to approve the Sheriff's three-year law enforcement plan. The Compensation Board did not fully approve either request. Mr. Oliver stated that in order to address the Compensation Board with these requests again, two resolutions had been prepared for Board approval.

Mr. Frink moved the approval of the resolution addressing the three-year law enforcement improvement plan, first year progress report and plan update. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County is dependent upon the Sheriff's Department for all aspects of law enforcement, and

WHEREAS, this Board of Supervisors adopted a three-year Law Enforcement Improvement Plan in April, 1976; after which the State Compensation Board was requested to acknowledge with funding and staff the recommendations of that Plan but did so only to a limited extent, and

WHEREAS, this Board has received a first year progress report on this Improvement Plan; said report indicating that the need and justification for additional staff in the Sheriff's office has not diminished, and

WHEREAS, the Compensation Board has authority to authorize in excess of one Field Deputy per two thousand population in a county and has indicated a willingness to authorize additional field deputies for jurisdictions experiencing high tourist visitation as James City does due to Busch Gardens, Yorktown, Jamestown and Colonial Williamsburg.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the State Compensation Board is requested and encouraged to approve the James City County Sheriff's Department budget request for FY-78 without exception.

Mr. Frink moved the approval of the resolution requesting the Compensation Board to honor the County pay plan. The motion carried unanimously.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County adopted a comprehensive pay and classification plan effective November 1, 1973, and

WHEREAS, these compensation regulations and benefits include and are applied uniformly to the employees of all James City County Constitutional offices allowing supplemental salary considerations to be granted these employees since the effective date of the plan, and

WHEREAS, the State Compensation Board has advised this Board of Supervisors that it will give consideration to pay plans of local jurisdictions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the State Compensation Board is requested and encouraged to honor the James City County Pay Plan and fully fund those cost-of-living, merit, and promotional increases awarded the employees of James City County Constitutional officers.

3. Approval of Final Site Plans - Phase I of the County Government Center.

In accordance with County Code requirements for developments in the R-4 zoned district, Mr. Brown presented the final site plans for Phase I of the County Government Center. Mr. Brown stated that these plans had been approved by the Planning Commission.

Mr. Edwards moved the approval of the final site plans for Phase I of the County Government Center. The motion carried by a unanimous roll call vote.

March 28, 1977

4. Petition from Residents requesting Norman Davis Drive be included in the Dirt Street Program.

Mr. Taylor stated he was familiar with the citizens request that Norman Davis Drive be improved and he concurred in Mr. Covey's recommendation. Mr. Taylor requested the Board to approve the recommendation.

Mr. Rudy Mendez one of the residents of Norman Davis Drive spoke on behalf of the other residents of that area stating that the road was in very bad condition, and they would appreciate the County staff's assistance to repair the road.

Mr. Taylor moved the acceptance of the petition regarding Norman Davis Drive and directed the staff to include this project for funding consideration in the Capital Improvements Program. The motion carried by a unanimous roll call vote.

5. Authorization for Purchase of Sheriff's Department Vehicles.

Mr. Oliver requested the Board to authorize the issuance of a purchase order for three new Sheriff's vehicles. Mr. Oliver further stated that due to requirements of the State Department of Purchasing and Supply and their contract terms, it is necessary to submit the order now with delivery expected in August. Mr. Oliver indicated these vehicles are replacements with the old cars to be auctioned off.

Mr. Taylor moved the approval of the issuance of a purchase order committing \$15,515.64 in FY 78 for three new Sheriff's vehicles. The motion carried unanimously.

6. Appropriation of Anti-Recession Funds.

Mr. Oliver stated that the Federal Government released funds to selected local governments based on unemployment figures to stimulate local economies. One regulation relating to these funds was the need to formally appropriate the funds within six months. Mr. Oliver requested the Board to commit all the funds received under the Anti-Recession Program, currently \$11,867, plus all accrued interest to the betterment of our real estate assessment effort in this year of State-mandated reassessment. Mr. Oliver further stated that these funds will help to make the reassessment effort as broad and as equitable as possible and will reduce the amount of revenue lost to the County.

Mr. Frink moved the approval of the appropriation of Anti-Recession funds to be used for the betterment of our real estate assessment program. The motion carried by a unanimous vote.

7. Approval of Budget Work Calendar.

Mr. Donaldson moved the approval of the following budget calendar:

1. Tuesday, April 12, 7:30 p.m. -- Revenue Budget and Operating Budget Work Session.
2. Wednesday, April 13, 3:00 p.m. -- Continuation of meeting #1 if necessary.
3. Monday, April 18, 3:00 p.m. -- Capital Budget and Public Works/Service Authority Budget Work Session.
4. Tuesday, April 19, 7:30 p.m. -- Continuation of meeting #3 if necessary.
5. Monday, April 25, 7:30 p.m. -- Public Hearing (regular Board meeting is 3:00 p.m. that day)

The motion carried by a unanimous roll call vote.

April 11, 1977
March 28, 1977

F. MATTERS OF SPECIAL PRIVILEGE

Mrs. Irene Douglas, Secretary to the Electoral Board, made inquiry regarding obtaining election district maps for use by poll workers and election officials. Mrs. Douglas stated that the need for new maps exists due to the redistricting of the County in December 1976.

G. REPORTS OF THE COUNTY ADMINISTRATOR


1. Presentation of 1977-78 Proposed Budget.

Mr. Oliver presented the Board with the proposed 1977-78 budget. Mr. Oliver stated that a limited supply of complete proposed budgets were available in the County Administrator's office but the summaries had been printed in quantity and are available to the public. Mr. Oliver stated that if citizens did want complete proposed budgets, he requested that they telephone in advance so staff would have time to print them.

Mr. Taylor moved to adjourn the meeting at 3:50 p.m.

The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING ADJOURNED.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the minutes of March 28, 1977, as printed. The motion carried by a unanimous vote.

C. PUBLIC HEARINGS

1. Case No. Z-19-76. A. A. Mizell, applicant, requesting rezoning of 59.5 acres from R-3 to R-5.

Mr. William Brown, Planning Director, stated that the applicant, Mr. A. A. Mizell, requests rezoning of 59.9 acres from R-3 General Residential to R-5 Multi-family Residential. Mr. Brown briefed the Board on the history

April 11, 1977

of this case file which dated back to 1970. The Planning Staff recommended to the Planning Commission that the rezoning be denied, but if approved only 33.85 acres should be rezoned not the 59.9 acres requested. This was due to the topography and a VepCo easement running through the land. The Planning Commission voted six to one to recommend denial of the rezoning request to the Board of Supervisors. Mr. Brown presented a petition with approximately 88 signatures from residents of the Ewell Hall and Hamlet subdivisions who objected to the rezoning request.

The Chairman opened the public hearing.

Mr. Charles R. Swartz, counsel for the applicant, stated that Mr. Mizell had recently retained his services and his knowledge of the case was not complete. He requested a continuance of the case.

Mr. Joe Mann, resident of Hamlet subdivision, referenced the petition which Mr. Brown had presented to the Board and stated the following reasons why the residents were against the rezoning: 1) The plan is not consistent with comprehensive planning for the area in terms of population density. 2) Resultant increased traffic flow on Olde Towne Road will exceed safe operating conditions. 3) Such an increase in population would greatly reduce the safety and security of all residents in the area by creating increased demands for police and fire protection. 4) The reliability and dependability of the developer to carry out plans according to promised intent is questionable. 5) Such a development would set undesirable precedents. 6) Rezoning would tend to devalue the single-family property adjacent to the proposed site.

The Chairman recessed the public hearing.

Mr. Edwards moved to continue Case No. Z-19-76 until the Board's next meeting of May 9, 1977, at 7:30 P.M. The motion carried unanimously.

2. Case No. Z-24-76. St. George T. Grinnan, applicant, requesting rezoning of 54 acres from R-2 to R-5.

Mr. William Brown, Planning Director, stated that the applicant, Mr. St. George Grinnan, requests rezoning of 54 acres from R-2 Limited Residential to R-5 Multi-family Residential. Mr. Brown described where the property is located indicating it is adjacent to Berkeley School on the north and the woods belonging to the College of William and Mary on the east and south. Mr. Brown stated that there have been no site plans or development proposals submitted for the property. The Planning Commission voted unanimously to recommend approval of the rezoning to the Board.

The Chairman opened the public hearing.

Mr. Grice Galleher, one of the representatives of the subject property spoke in favor of the rezoning. He stated that any development plan for the property would be scrutinized by the Planning Commission and Planning office. Mr. Galleher further stated that due to the sagging economy at the present time and the weakness of the multi-family market it is economically unfeasible to begin building at this time.

Dr. Murray Loring, speaking on behalf of the College of William and Mary, questioned the applicant's request to rezone due to the fact that the owners of the property do not have plans for future development. Dr. Loring stated that since it was not feasible to build now why rezone the property now. He also objected to the high density which the R-5 zone permits. Dr. Loring requested

April 11, 1977

the proposal be delayed until the County learns of a specific proposal and how the development would affect the adjacent property owners.

Mr. Gerald H. Johnson, Chairman of the Campus Environmental Committee, and MR. Gustar Hall, Botany teacher, spoke against the rezoning expressing concern regarding erosion and sedimentation, pollution, loss of natural resources of animal and plant life as well as trees which would result if development occurred. Messrs. Johnson and Hall were concerned with the problem of encroachment into the College woods if adjacent property were to be developed at the high density which the R-5 zone permits.

Mr. Donaldson acknowledged receipt of a letter dated April 11, 1977, from Mr. Jack D. Van Horn, Chairman of the Environmental Advisory Committee constituted by the Williamsburg Planning Commission. Mr. Van Horn indicated in his letter that the Environmental Advisory Committee unanimously voted opposition to the proposed change of zoning. The adverse impact on the natural environment, especially the watershed and waters of Lake Matoaka which lie in the City of Williamsburg is the reason for the Committee's opposition.

The County Attorney, Mr. Frank Morton, stated he had received correspondence from Mr. William L. Person, Jr., Commonwealth's Attorney, stating that based on the facts involved in the case, Messrs. Donaldson and Edwards are not prohibited from voting on the rezoning of the property pursuant to the conflict of interest law.

The Board was advised that other citizens wished to speak at the hearing but had not arrived. Mr. Edwards moved to continue the hearing until after all Board consideration items on the agenda had been discussed. The motion carried by a unanimous vote.

3. Case No. Z-27-76. Frank Sellers, applicant, requesting rezoning of 10 acres from R-2 to R-5.

Mr. Brown stated that the applicant, Frank Sellers, is requesting rezoning of 10.04 acres from Residential Limited District R-2 to Multi-family Residential District R-5. The Planning Commission voted five to two to recommend approval of the rezoning to the Board. Mr. Brown presented a petition with 92 signatures opposing the rezoning request. Mr. Donaldson acknowledged receipt of a letter dated February 1, 1977, to the Planning Commission from Annette and Jack Gross requesting that the letter be attached to the petition.

The Chairman opened the public hearing.

Mr. Frank Sellers, applicant, stated that the Birchwood subdivision residents main concern is the access to Birchwood subdivision via the proposed Colonial Townhouses project. It was noted that the Planning Commission will only allow access to the proposed project from Jamestown Road.

Mrs. Jackie Donegan, resident of Birchwood subdivision, spoke against the rezoning. She stated that this project would increase congestion in an already congested area. Mrs. Donegan stated that the high density allowed in the R-5 zone would be too great an impact on the surrounding community.

The Chairman closed the public hearing.

Mr. Edwards moved to defer action on Case No. Z-27-76 until the Board's next regular meeting of April 25, 1977. The motion carried by a unanimous roll call vote.

April 11, 1977

D. BOARD CONSIDERATIONS

1. Howard M. Scammon to present petition RE: Civic Auditorium.

Mr. Ed Duncan representing the Williamsburg Players in lieu of Mr. Howard M. Scammon presented the Board with a petition requesting James City County to join with the City of Williamsburg and York County in the coordination of an advisory board to consider the feasibility and practicality of a civic center for the community.

The Chairman acknowledged receipt of the petition and indicated that the staff has proposed a community recreational center in the capital improvements program and further study regarding this center would be initiated.

2. Date for a Public Hearing RE: Case No. Z-20-76--Arthur L. Walters, applicant.

Mr. Ware moved to set a joint public hearing with the Planning Commission on May 9, 1977, at 7:30 P.M., to consider the above case. Mr. Ware further moved that the Board allow the Planning Commission until May 23 to forward its final recommendation on the case to the Board. The motions carried by a unanimous roll call vote.

3. Resolution authorizing execution of Public Transit Operating Contract between James City County and Colonial Virginia Tours.

Mr. Frink moved the approval of the resolution which authorizes the execution of the Public Transit Operating Contract. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County has established a three-year public transit program as a demonstration project funded by the Federal Highway Administration under the authority of the Federal Aid Highway Act of 1973, and

WHEREAS, the program is designed to provide public transportation to rural and semi-urban communities and to consolidate existing programs serving the area, and

WHEREAS, Colonial Virginia Tours, Incorporated operated a public transit system under a certificate of convenience issued by the State Corporation Commission,

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

1. That it hereby approves the agreement by and between James City County and Colonial Virginia Tours, Incorporated under the terms and conditions contained in that certain agreement, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

4. Appointment of Zoning Administrator.

Mr. Edwards moved the approval of the resolution authorizing and designating Henry H. Stephens, Planner, as Zoning Administrator and Subdivision Agent and William F. Brown, Planning Director, as alternate Zoning Administrator and Subdivision Agent. The motion carried by a majority roll call vote.

Mr. Ware voted no.

RESOLUTION

BE IT RESOLVED, by the Board of Supervisors of James City County, that the duties of Zoning Administrator and Subdivision Agent be, and hereby are, assigned to HENRY H. STEPHENS, Planner, Department of Planning, pursuant to Sections 17-6

April 11, 1977

and 20-5 of the Code of the County of James City. WILLIAM F. BROWN, Director of the Department of Planning is authorized to be the alternate Zoning Administrator and Subdivision Agent in Mr. Stephens' absence.

5. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants.
The motion carried by a majority roll call vote. Mr. Ware voted no.

General Fund	Checks #2670 thru #2803 Totalling \$620,454.11
General Fund Payroll	Checks #7598 thru #7915 Totalling \$87,430.80
Sanitary District #1	Check #28 Totalling \$905.85
Sanitary District #2	Checks #181 thru #195 Totalling \$3,494.55
Sanitary District #3	Checks #383 thru #399 Totalling \$216,370.37
Revenue Sharing Account	Checks #315 thru #319 Totalling \$927.83
Subdivision Escrow Account	Checks #136 thru #137 Totalling \$16,975.00

C-2. Case No. Z-27-76. St. George T. Grinnan, applicant, requesting rezoning of 54 acres from R-2 to R-5.

The Chairman continued the public hearing on this case which had been recessed earlier in the meeting.

Mr. Charles Debay and Mrs. Helen Cole, teachers at Lafayette High School, spoke against the rezoning request. Mr. Deagle stated that the College woods had great ecological value. He further stated that this forest was one of the few southern mix hardwood forests left in this area. Students and faculty of the College and nearby schools use the College woods and lake as a study and research area. Development of the surrounding area would endanger aquatic habitat and wild life on the property.

Mr. Grinnan, applicant, stated he was concerned with preserving natural environments. He stated that the property is approximately 40 percent open field and the remainder has been selectively cut for lumber. Mr. Grinnan stated that he had not cut the seed trees. He stated that the topography of the land would discourage encroachment into the College woods. He further stated that some of the environmental apprehensions which the college and school personnel voiced were not valid in his opinion.

The Chairman closed the public hearing.

Mr. Edwards moved to defer Case No. Z-27-76 until the Board's next regular meeting of April 25, 1977, at 3:00 P.M. The motion carried by a unanimous roll call vote.

E. MATTERS OF SPECIAL PRIVILEGE

Mr. Frink requested the staff to investigate the possibility of installing a street light in the vicinity of Windy Hill in Grove.

Mr. Ware requested further investigation regarding the street light installation at the Norge Post Office.

Mr. Taylor requested a status report regarding the installation of a traffic signal in the vicinity of the Williamsburg Pottery.

April 13, 1977
April 11, 1977

F. REPORTS OF THE COUNTY ADMINISTRATOR

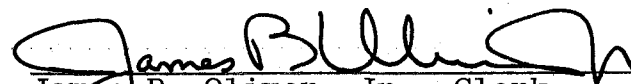
Mr. Oliver informed the Board that the County had received notification from the Department of Housing and Urban Development indicating the County's preapplication for assistance under the Department's Community Development Block Grant Program had been reviewed and grant funds in the amount of \$170,000 for sewage works project has been reserved. Mr. Oliver commended Mr. Craig Covey, Special Projects Coordinator, for the excellent job he had done in regards to this grant.

G. BOARD REQUESTS AND DIRECTIVES

There was a brief discussion regarding the disposition of the Richardson-Meadows tract. The Board requested Mr. Frank Morton, County Attorney, to investigate and report back the Board concerning the legal options which are available to the County regarding the Richardson-Meadows tract.

Mr. Donaldson moved to adjourn the meeting to reconvene Wednesday, April 13, 1977, at 3:00 P.M., for the purpose of a work session to review the proposed budget.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 9:55 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE ON THE THIRTEENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN. THE MEETING WAS A WORK SESSION TO REVIEW THE PROPOSED BUDGET.

ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

REVIEW OF ESTIMATED REVENUES FOR FY 78 AND OPERATING BUDGET

Mr. Oliver stated that this budget reflects a change of pace from past years. He stated that in past years industrial development progressed rapidly and the County's population grew. Mr. Oliver indicated that the County has now slowed down in these areas and it is now time to pause and stabilize our position. Last year's budget contained a gap of almost \$400,000 between our operating revenues and expenses. The gap was met with surplus funds generated over previous years. This year's budget has narrowed that gap to less than \$5,000.

The Board was presented a budget workbook which included additional information regarding revenues and the operating budget. The Board re-

April 13, 1977

viewed the County's projected revenues and proposed operating expenditures for FY78.

Mr. Edwards requested the staff to investigate the possibility of adjusting personal property, machinery and other taxes to true rates such as is being done with the real estate tax this year.

Mr. Donaldson requested the staff to investigate why motor vehicle licenses' revenues had not increased. Mr. Donaldson indicated that if residents were not obtaining licenses for vehicles, this would affect the personal property revenue. It was noted that the Treasurer receives data from the Division of Motor Vehicles. Mr. Donaldson asked if the Treasurer is able to utilize the data provided by the Division of Motor Vehicles.

Mr. Edwards was curious regarding James City County's taxes as a whole. He wondered if the County's taxes make sense as a system of taxes. He was interested in how the burden of taxes is distributed.

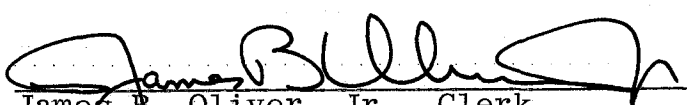
REGIONAL LIBRARY

Mr. Edwards, the Board's regional library representative, had written a letter to the Chairman, Mr. Donaldson, and had sent copies to the other Board members regarding the Regional Library. Mr. Edwards suggested an alternative suggestion in case the three-member (Williamsburg, York and James City Counties) regional library did not materialize. He stated that the library now serves residents of both Williamsburg and James City County and it would be advantageous for the jurisdictions to apply for regional library status. Mr. Edwards proposed the following:

1. The City of Williamsburg and James City County should apply for regional library status for our existing library.
2. The contribution of James City County, as a percentage of local funds provided by both Williamsburg and James City County, increase to 42% in 1978-79, 46% in 1979-80 and 50% thereafter. The precise dollar amounts would be determined each year in the budgetary process.
3. Each jurisdiction appoint three members for three-year terms; initially, one appointment might be for two years and one appointment for one year. Subsequently a three-year appointment would be made each year. The six appointed members might then appoint a seventh member from either the City or the County to provide an uneven number. The Board would also appoint its own chairman.
4. These arrangements need to be reviewed periodically to see if any modification is desirable. The terms and contract should be considered during 1980-81 to see if they should be renewed or modified.

The Board unanimously endorsed Mr. Edwards' proposal.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS RECESSED UNTIL MONDAY, APRIL 18, 1977, AT 3:00 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

April 19, 1977
April 18, 1977

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE EIGHTEENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN. PURPOSE OF THE WORK SESSION WAS TO REVIEW THE CAPITAL IMPROVEMENTS PROGRAM BUDGET.

A. ROLL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dis.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

Mrs. Eleanor Davidson, Chairman of the Mental Health-Mental Retardation Services Board, requested to speak before the Board of Supervisors. The Board granted Mrs. Davidson the opportunity to address them.

Mrs. Davidson stated that the Mental Health-Mental Retardation Services Board had requested County funding of \$93,000 for the Mental Health-Mental Retardation budget. The Board of Supervisors had indicated at a previous budget work session funding of \$76,000. Mrs. Davidson requested the Board of Supervisors to reconsider their contribution and outlined various aspects of the needed increase.

The Board acknowledged Mrs. Davidson's request.

Mr. Oliver requested Mr. William F. Brown, Planning Director, to point out the highlights of the Capital Improvements Budget.

Mr. Brown reviewed the Capital Improvements Budget for 1977-82. After Board discussion of the Capital Improvements Budget the meeting adjourned at 5:10 P.M., to reconvene on April 19, 1977, at 7:30 P.M., for another Budget work session.


James B. Oliver, Jr.
Clerk to the Board

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE NINETEENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

The Chairman advised of a request from the Mayor of the

April 25, 1977

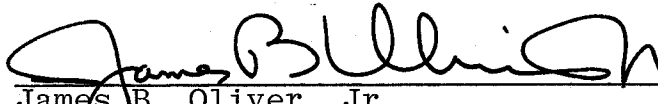
April 19, 1977

City of Williamsburg for the Board of Supervisors to designate two members to meet with the City Council members, Gilbert L. Granger and James N. McCord, Jr. The purpose of the meeting(s) would be discussion of services and other matters shared with and between the two jurisdictions. Messrs. Edwards and Ware accepted appointment by the Chairman for the above outlined purpose and were requested to contact the City Representatives to set the initial meeting.

In response to the Chair's inquiry, the County Attorney advised that in his opinion the Board of Supervisors could legally sit in this meeting as: (1) members of the Board of Supervisors; (2) governing body of the Sanitary Districts; and (3) Board of Directors of the James City Service Authority, all for the purpose of a budget work session.

A work session continued on the proposed FY 78 Budget. During the session staff was directed to calculate the daily cost of landfill operation and study the feasibility of opening additional days (Sundays and holidays).

At the conclusion of the budget work session and upon motion by Mr. Frink and majority roll call vote, Mr. Ware voting nay, the Board adjourned to executive session at 9:55 P.M. for the purpose of personnel considerations.


James B. Oliver, Jr.
Clerk to the Board

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 APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards moved the approval of the minutes of April 11, 1977, as printed. The motion carried by a unanimous vote.

C. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Mr. Donaldson presented the following employees with certificates:

Walter D. Robertson -- Sheriff's Department - 3 years
Harold N. McGlaun - Social Services Department - 3 years

April 25, 1977

D. HIGHWAY MATTERS

The Board requested Mr. Rawley Yeatts, Resident Engineer to give attention to the following items:

Mr. Taylor -- Traffic signal installation at the Williamsburg Pottery Factory.

Mr. Taylor -- Storm drain blockage on Route 610 at Cedar Lane.

Mr. Frink -- Traffic signal at Black's Crossing appears to be malfunctioning. Light seems too long.

Mr. Edwards -- Traffic light at Route 199 and Route 5 flashes too fast.

Mr. Donaldson -- Pavement repairs on the last 500'± of Northpoint Road.

Mrs. Irene Douglas -- Pot-hole repairs at the intersection of Oxford Road and Druid Drive.

E. BOARD CONSIDERATIONS:1. Presentation by Stanley E. Brown - Economic Development Advisory Committee progress report.

Mr. Brown, Chairman of EDAC, presented a brief progress report with twelve recommendations to the Board. Mr. Brown stated the purpose of EDAC is to attract clean, modern industries which would have the following characteristics: 1) Provide a surplus of revenues over cost. 2) Create better jobs for the underemployed who live here. 3) Be clean industries with no adverse environmental effects. He further stated that a sound, focused promotional program requires a great deal of effort over a three to five year period to achieve any meaningful results.

The Board accepted the Economic Development Advisory Committee's report. Mr. Oliver suggested a Board work session on the Committee's recommendations and consideration of employment of an industrial and economic development coordinator.

2. Case No. Z-24-76. St. George T. Grinnan, applicant, requesting rezoning of 54 acres from R-2 to R-5.

Mr. Ware moved the approval of the above rezoning request. The motion carried unanimously.

Mr. Edwards stated that due to the surrounding properties constituting a natural resource he moved approval of a resolution stating:

WHEREAS, consideration has hereto been given to rezoning Case No. Z-24-76; and

WHEREAS, the Board of Supervisors approved the rezoning request, and

WHEREAS, Lake Matoaka and the College Woods, adjacent properties of the subject property, constitute a major natural resource in Williamsburg-James City County area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors strongly urges the Planning Commission and its Site Plan Review Committee to exercise special care when reviewing development plans for this tract to ensure that damage to the environment is kept to a minimum.

The motion carried by a unanimous vote.

3. Case No. Z-27-76. Frank Sellers, applicant, requesting rezoning of 10 acres from R-2 to R-5.

April 25, 1977

Mr. Donaldson moved to deny the rezoning request. A brief discussion followed. The motion was defeated by a vote of three to two. Messrs. Frink, Taylor and Ware voted no.

Mr. Ware moved to grant the rezoning request. The motion carried by a vote of three to two. Messrs. Edwards and Donaldson voted no. The Board moved approval of the following resolution and the motion carried by a unanimous vote.

WHEREAS, consideration has hereto been given to rezoning Case No. Z-27-76, and

WHEREAS, the Board of Supervisors approved the rezoning request, and

WHEREAS, Lake Powell and surrounding woods constitute a major natural resource in the Williamsburg-James City County area.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors strongly urges the Planning Commission and its Site Plan Review Committee to exercise special care when reviewing development plans for this tract to ensure that damage to the environment is kept to a minimum.

BE IT FURTHER RESOLVED, that the Board of Supervisors recommends that the Planning Commission and its Site Plan Review Committee not authorize construction on the proposed site until required improvements to Jamestown Road (Route 31) are complete.

4. Powhatan Creek Flood Plain Study Presentation - U. S. Department of Agriculture, Soil Conservation Service.

Mr. Leonard Harris, Colonial Soil and Water Conservation District Director, introduced Mr. Clarence J. Treumer, Assistant State Conservationist, Soil Conservation Service.

Mr. Treumer stated that in July 1974, the Board of Supervisors approved the initiation of a Flood Hazard Analyses of the Powhatan Creek and certain of its tributaries. The study is now complete. Mr. Treumer stated that the Soil Conservation Service hopes to have put the study into a format which the County will find useful.

Mr. Frink moved to acknowledge receipt of the Flood Hazard Analyses - Powhatan Creek and Tributaries - Prepared by the U. S. Department of Agriculture, Soil Conservation Service, and requested the Planning Commission and planning staff to review the study and prepare a recommendation for incorporating the findings into the comprehensive planning process. The motion carried by a unanimous vote.

5. Request from Mrs. Page W. Laubach for a conditional use permit to allow renting of rooms.

Mr. Donaldson advised the Board of a letter that had been received that afternoon. The letter was from David Otey, attorney. The letter advised the Board that Mrs. Laubach has been hospitalized and will be unable to attend the Board's meeting.

Mr. Donaldson stated that this conditional use permit request would be deferred until the Board meeting scheduled for May 9, 1977, at 7:30 P.M.

6. Resolution authorizing execution of amended Public Transit Operating Contract between James City County and Colonial Virginia Tours.

Mr. Oliver stated that this amendment to the previously approved contract more clearly delineates the control over the system. Mr. Oliver

April 25, 1977

requested the Board to adopt the resolution authorizing the execution of the amended agreement.

Mr. Ware moved to approve the resolution authorizing execution of the amended agreement between James City County and Colonial Virginia Tours. The motion carried by a unanimous roll call vote.

Mr. Oliver invited the Board to the Opening Day Ceremony of the Public Transit Program which is scheduled for April 30, at Norge Elementary School.

7. Recommendations regarding the Coastal Resources Management Act.

Mr. Oliver stated that in 1974, Virginia adopted a program to being planning for coastal resources. The State has begun to develop plans and proposals for State legislation in 1978. Mr. Oliver recommended that Mr. Norman Larson, program director within the Virginia Department of Commerce and Resources, appear before the Board at its meeting on May 9, to present this program to the Board, Planning Commission, Wetlands Board and interested citizens.

Mr. Edwards moved the approval of Mr. Oliver's recommendation to invite Mr. Larson for a presentation on the Coastal Resources Management Act. The motion carried by a unanimous roll call vote.

8. Renewal of Bond Anticipation Note - Sanitary District No. 3.

The Board acting in the capacity of governing body of Sanitary District No. 3 briefly discussed the benefits of extending the short-term bond anticipation note.

Mr. Ware moved the approval of a resolution authorizing the Chairman or Vice-Chairman and County Administrator to renew the current short-term financing of the bond anticipation notes in the amount of \$2,120,000 for Sanitary District No. 3. The motion carried unanimously.

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 25th day of April, 1977, at which the following members were present:

PRESENT

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan

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. Donaldson	Aye
Mr. Taylor	Aye
Mr. Edwards	Aye
Mr. Frink	Aye
Mr. Ware	Aye

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,120,000 BOND ANTICIPATION NOTES OF THE JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3

WHEREAS, the Board of Supervisors on July 28, 1975, adopted a resolution authorizing the issuance and sale of \$2,120,000 Sewer Bonds, Series of 197__, of the James City County Sanitary District Number 3 (the District) which were authorized at an election held in the District on June 6, 1972, and further authorized the Chairman or Vice-Chairman and Clerk to the Board to borrow money in anticipation of the issuance and sale of such bonds; and

April 25, 1977

WHEREAS, pursuant to such resolution the Chairman and Clerk have borrowed \$2,120,000 from the United Virginia Bank evidenced by the District's \$2,120,000 Sewer Bond Anticipation Note No. 25 dated February 1, 1977; and,

WHEREAS, it is now necessary and expedient to issue notes in the authorized amount of \$2,120,000 in anticipation of the issuance and sale of such sewer bonds in order to retire the \$2,120,000 Bond Anticipation Note No. 25 and for the purpose of which such bonds have been authorized; and,

WHEREAS, there has been submitted to this meeting a proposal from the United Virginia Bank, Williamsburg, Virginia, to purchase a \$2,120,000 note to be dated May 2, 1977, to mature August 1, 1977, with right of prior redemption and to bear interest at the rate of 4.03 percent, payable at maturity.

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

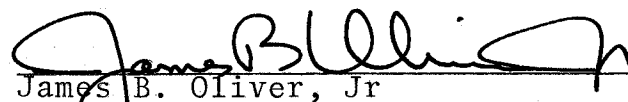
1. It is hereby determined to be in the best interest of James City County Sanitary District Number 3 to accept the aforesaid proposal of the United Virginia Bank and to issue and sell a bond anticipation note in the amount of \$2,120,000 under the terms and conditions set forth in such proposal which proposal is hereby accepted.

2. The Chairman or Vice-Chairman and Clerk are hereby authorized to see to the preparation of such note, to execute and deliver such note to the United Virginia Bank upon receipt of \$2,120,000, and to use the entire proceeds to retire Bond Anticipation Note No. 25.

3. An emergency existing, this resolution shall take effect immediately.

The undersigned Clerk to the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct excerpt from the minutes of a regular meeting of the Board of Supervisors held on the 25th day of April, 1977, and of the whole thereof so far as applicable to the matters referred to in such excerpt.

WITNESS my hand and the seal of the Board of Supervisors of James City County, Virginia, this 25th day of April, 1977.


James B. Oliver, Jr.
Clerk to the Board
James City County, Virginia

9. Proclamation Declaring Senior Citizen Month.

A proclamation recognizing the declaring the month of May as Senior Citizen Month was presented to the Board.

Mrs. Irene Douglas requested the resolution be amended to reflect Older Americans Month in lieu of Senior Citizens Month.

Mr. Edwards moved the approval of the proclamation with the amendment to be incorporated into the proclamation. The motion carried unanimously.

PROCLAMATION

WHEREAS, James City County's greatest assets are her citizens, over 2,100 of whom are sixty years and older, and

WHEREAS, the progress and achievements of James City County are due in large measure to their efforts, and

WHEREAS, the vast majority of persons over age sixty remain vital, versatile, and actively involved in the life of their community, and

WHEREAS, many Older Americans contribute much of their time and energy to volunteer community service which enhances the lives of us all;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it does hereby proclaim the month of May, 1977, as

OLDER AMERICANS MONTH

in James City County and urges all businessmen, leaders of voluntary and private organizations, and residents to join in appropriate recognition of Older Americans by expressing appreciation and concern for our Older Americans during this month and throughout the year.

10. Resolution authorizing conveyance of Poplar Hall Plantation water distribution system.

Mr. Frink moved the approval of a resolution authorizing

April 25, 1977

and directing the execution of a deed conveying the Poplar Hall Plantation water distribution system to the City of Newport News. This action was in accordance with action taken at the December 13, 1976, Board meeting at which time the Board approved the execution of a tri-party agreement regarding this water distribution system. Mr. Hitchens conveyed the Poplar Hall Plantation system to the County at the December 13 meeting. The County is now conveying the system to the City of Newport News. The motion carried unanimously.

RESOLUTION

WHEREAS, the County of James City entered into a tri-party agreement, dated December 14, 1976, to connect the existing water system in the development known as Poplar Hall Plantation, located in James City County Sanitary District No. 2, to the City of Newport News water system; and,

WHEREAS, Mr. M. B. Hitchens, Applicant, has conveyed to James City County the entire Poplar Hall Plantation water distribution system to include pipe, hydrants, meters and appurtenances, except well and pumping equipment, in accordance with the Agreement; and,

WHEREAS, the County agreed to convey the entire Poplar Hall Plantation water distribution system as described above to the City immediately upon receipt of same from Applicant;

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

1. That John E. Donaldson, Chairman, and James B. Oliver, Jr., Clerk, be authorized and directed to execute such documents as are necessary to convey the property to the City of Newport News, Virginia.

This resolution shall be in full force and effect from the date of its adoption.

11. Appropriation to Social Services - Lunacy Commission.

Mr. Oliver requested the Board appropriate \$1,000 to supplement the previous FY 77 appropriation of \$1,200 for fees for professional services under Social Services - Lunacy Commission. Mr. Oliver stated that the request is necessary so that the County may honor payment requests that it has received and expects to receive this fiscal year.

Mr. Edwards moved the approval of a transfer of \$1,000 to Social Services - Lunacy Commission, account number 01-00880-0203 from the contingency account number 01850-9011. The motion carried by a unanimous roll call vote.

F. MATTERS OF SPECIAL PRIVILEGE

1. Presentation by David W. Ware, Jr., RE: Purple Martins. Proclamation declaring recognition of Purple Martins.

Mr. Ware conducted a film presentation on Purple Martins. He advised the Board and citizens that anyone interested in purchasing a Purple Martin home should contact the Ruritan Club. Mr. Ware read the proclamation. Mr. Ware moved the approval of the proclamation. The motion carried unanimously.

PROCLAMATION

WHEREAS, The Purple Martin is the largest and most beautiful bird of the swallow family, and

WHEREAS, The Purple Martin feeds almost entirely on flying insects and is an excellent means of natural insect control as this insect-destroying bird consumes about two thousand mosquitos each day, and

WHEREAS, It is known that the Purple Martin is clean, graceful in flight, sings beautifully, and spring and summer cookouts are much nicer if the Purple Martin is about to free picnic areas and patios of insect pests, and

WHEREAS, It would seem altogether fitting and proper to encourage widespread interest in this most popular bird, the Purple Martin.

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

April 25, 1977

Virginia, that it does hereby proclaim the week of May 1st to May 7th, 1977, to be

PURPLE MARTIN TIME IN JAMES CITY COUNTY,

and request the proper observance of this occasion by interested persons.

G. REPORTS OF THE COUNTY ADMINISTRATOR

1. Resolution granting Fred Miller permission to connect his residence to the City of Williamsburg's water supply.

Mr. Oliver presented a resolution which would grant, under certain conditions, Fred Miller permission to connect his residence at 1403 Jamestown Road to the City of Williamsburg's water supply.

Mr. Donaldson moved the approval of the resolution.

The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Fred Miller has requested the Board of Supervisors of James City County, Virginia, that he be permitted to hook up to water supplied by the City of Williamsburg to serve his residence located at 1403 Jamestown Road until such time as County supplied water shall be available; and,

WHEREAS, said City has a water line running in front of the location at issue; and,

WHEREAS, said County does not have water service available to this area at this time but does intend to extend service to this area in the foreseeable future; and,

WHEREAS, Mr. Miller constructed his dwelling under the presumption that he would be able to be served by said City's water supply.

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

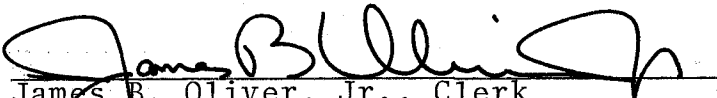
1. That in the interest of cooperation, Mr. Fred Miller is hereby granted permission to connect his residence located at 1403 Jamestown Road located in James City County, Virginia, to the City of Williamsburg's water supply until such time as the County of James City shall have such service available to said location.
2. That available service shall be defined as an operative James City County water line within 250 feet of said dwelling.
3. That the said County and Fred Miller shall enter into an agreement incorporating the terms of the resolution set forth herein, and that such agreement shall be recorded in the Clerk's Office for the City of Williamsburg and County of James City at Mr. Miller's expense.

2. County Government Center progress report.

Mr. Oliver stated that the date and time for receipt of bids is May 3, at 2:00 P.M., in the Council Chambers. Mr. Oliver stated that the bid opening is not a scheduled Board meeting but invited the Board to attend.

Mr. Ware moved to recess the meeting to reconvene at 7:30 P.M., for the FY 78 Budget Public Hearing. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING ADJOURNED AT 5:00 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A PUBLIC HEARING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-FIFTH DAY OF

April 25, 1977

APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN.

ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
 Mr. Jack D. Edwards, Berkeley District
 Mr. Abram Frink, Jr., Roberts District
 Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
 Mr. John W. Watkins, Assistant County Administrator
 Mr. Frank M. Morton, III, County Attorney

The Chairman opened the public hearing.

The following persons spoke at the public hearing:

Robert Covington thanked the Board of Supervisors for no tax increase. He stated he was against the cost of living raise, use of public vehicles for private use, and forced repair of housing. He also questions use of Community Action Agency vans. He also stated that there were problems with the Dog Warden not doing his job.

Irene Douglas, Secretary of the Electoral Board, cited Section 24.1-07 of the Code of Virginia, 1950, as amended, regarding compensation for election officials. She requested approval of the needed increase. She initially requested \$50 per official. The proposed budget set \$35. Mrs. Douglas requested the Board to approve \$40 per day for compensation.

William T. Meshaw representing the residents living on White Oak Drive stated they were against the deletion of the Dirt Street Program. There are serious problems with unimproved roads. Mr. Meshaw requested reconsideration of the Dirt Street Program.

Louis Vosteen, representing the PTA Council, read the following statement to the Board:

"The budget proposed to the supervisors by the county administrator recommends a reduction of about \$118,000 in the county's share of school funding that was proposed by the school boards. Since representatives of the PTA council attended all of the school boards' sessions, we know that the boards reviewed the school superintendent's budget carefully and made numerous cuts. They realized, regretfully, that a major increase in the school budget probably would not be supported by the governing bodies on the heels of the substantial increase that was granted last year. The boards have recommended to you a minimal, but adequate, budget.

"We have resigned ourselves to accept a budget that initiates no new programs, grants the teachers a modest increase, and attempts to maintain adequate support for ongoing programs. The further reduction in funding proposed by the county administrator will affect the ongoing program.

"We have stated to you before that our surveys have shown that a significant segment of the population is sufficiently interested in having a quality educational system to accept an increase in taxes to support the system. The Board of Supervisors should consider increased taxes as a viable alternative to extensive budget cuts.

"We appreciate the consideration and support you have given education in past years and hope you will continue to provide the support our educational system needs."

April 27, 1977
April 25, 1977

Eleanor Davidson requested total funding for the Mental Health-Mental Retardation Services Board. She stated that some items must be in the budget and cannot be cut. She did not know where the cuts will be made until all sources and funds are known.

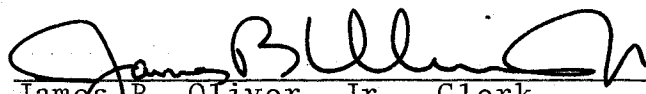
Elise Emanuel, representing Williamsburg-James City County Education Association, stated that the quality and quantity of services may disappear if budgets go on being cut. The County should attempt to broaden their tax base in order to acquire the good schools and services needed to attract new industry to the area, i.e., industrial and admissions tax. Quality education needs to be the top priority.

There being no further discussion, the Chairman closed the public hearing.

The County Administrator advised that some funds were still available for the Dirt Street Program.

Mr. Edwards made the motion to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS, THE MEETING ADJOURNED
AT 8:05 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A BUDGET WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWENTY-SEVENTH DAY OF APRIL, NINETEEN HUNDRED AND SEVENTY-SEVEN.

ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

BOARD DIRECTIVES

Mr. Taylor moved that the staff be directed to delete the proposed new program of abandoned buildings removal from the budget. The motion carried by a unanimous vote.

Mr. Edwards moved that the Administrator be directed to add \$9,000 to the Mental Health and Mental Retardation Services Board. This would bring the County's contribution to the Mental Health and Mental Retardation Services Board to a total of \$85,570. Mr. Edwards further moved that the County request a list of appropriations by category and program. The motion carried unanimously.

It was noted that the revised amount budget to MH-MR Services Board would be sufficient to maintain their current level of services.

May 9, 1977
April 27, 1977

Mr. Edwards moved that the County Administrator suggest the best methods to communicate with the MH-MR Services Board at an earlier point in next year's budgetary process for the purpose of exchanging information, reviewing their budget and to express the difficulties involved with such a substantial increase as was proposed this year. The motion carried unanimously.

Mr. Ware moved to direct the staff to incorporate \$360 into the Electoral Board's budget which would increase per diem compensation for election officials. The motion carried unanimously.

Mr. Ware requested the Board to schedule a work session after the budgetary process for the purpose of reviewing the County Pay Plan. Mr. Donaldson requested that the work session be scheduled within two months after budget adoption. The Board concurred.


The Board requested a comprehensive status report regarding the Dirt Street Program, i.e., what amount of money is available, what streets are included, what are the cost projections for each street, cost benefit basis priority order.

Mr. Oliver briefly reviewed the items which the Board had previously discussed and approved. 1) Williamsburg's share of the Animal Shelter will be reflected in the budget in both the revenues and expenditures. 2) County Attorney budget, as indicated in detail, summary is incorrect and will be corrected. 3) County Administrator receives a six per cent merit increase.

It was noted that this would be the last budget work session. The public hearing on the proposed budget is scheduled for May 9, 1977, at 7:30 p.m.

Mr. Edwards moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:50 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 MAY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of April 19,

May 9, 1977

two sets of April 25, and April 27, 1977. The motion carried by a unanimous vote.

C. PUBLIC HEARINGS

1. Case File No. Z-20-76. Arthur L. Walters, applicant, requesting rezoning of 14.9 acres from R-3 to R-5.

This was to be a joint public hearing with the Board and Planning Commission. The Chairman stated that the applicant has requested to withdraw his case from Board consideration.

Mr. Frink moved to grant the request for withdrawal and moved to cancel the public hearing. The motion carried by a unanimous vote.

2. Case File No. Z-19-76. A. A. Mizell, applicant, requesting rezoning of 59.9 acres from R-3 to R-5.

The Planning Director, William Brown, briefly reviewed the rezoning request to the Board. He stated that the applicant is requesting rezoning of 59.9 acres from R-3 General Residential to R-5 Multi-family Residential. Mr. Brown had briefed the Board of Supervisors at the previous public hearing held on April 11, 1977, regarding the history of this case file which dated back to 1970. Mr. Brown indicated that the staff and Planning Commission had reviewed this case as a new request considering no previous history regarding this property. The Planning Commission voted six to one to recommend denial of this request to the Board of Supervisors.

It was noted that the public hearing had been continued from April 11, 1977. The Chairman opened the public hearing.

Mr. Charles R. Swartz, counsel for the applicant, indicated that if the Board is reviewing the case without acknowledging past history, he felt after his investigation of the case that it still merits approval. He indicated if the Board considered the previous history of the case there would be even more reason to approve the rezoning request. Mr. Swartz briefed the Board of the past history, which had been outlined in Mr. Brown's memorandum to the Board dated March 8.

Mr. Victor Woodson, the consulting engineer for the proposed project, was asked by the applicant to review the site plan and give his opinion regarding the plan's conformance to the Comprehensive Plan. Mr. Woodson stated that the site plan meets the requirements of the Comprehensive Plan. Mr. Woodson indicated contact with the Fire Department revealed that the proposal would not pose a fire hazard to the area, Highway Department contact has revealed that if the project is constructed, traffic on Olde Towne Road would increase but would only amount to a 45 percent utilization of this road. Mr. Woodson stated that the water and sewer service is available and adequate for the proposal. He indicated that proper buffering of the site would protect the adjacent properties.

Mr. Swartz spoke to the Board again indicating that the developer has agreed to increase the buffer between the Hamlet Subdivision and the proposed project from 30 feet to 70 feet. Road access from the project to the subdivision has been eliminated. The initial 339 units has been reduced to 289 townhouses. Mr. Swartz indicated that the rear portion of the property could possibly be dedicated for public use for recreational purposes.

Mr. Joe Mann, resident of Hamlet Subdivision, referenced the petition which the Board had acknowledged receipt of at the public hearing held

May 9, 1977

on April 11, 1977. He requested the Board to carefully consider the items mentioned in the petition prior to the decision of the Board.

Messrs. Vincent H. Sutlive and C. Harr, residents of the Hamlet Subdivision spoke against the rezoning request. The referenced Mr. Brown's statement that the project would at best be marginally consistent with the Comprehensive Plan. The area is within the low density residential category which is intended to be predominately single family. They felt the rezoning would be contrary to the spirit of the Comprehensive Plan. Messrs Sutlive and Harr spoke stating that Mr. Mizell's workmanship was substandard. They stated that there are no definite assurances that the project would be constructed in the competent manner which Mr. Mizell has indicated.

Mr. Frank Morton, County Attorney, stated that there were some documents that Mr. Swartz wished Mr. Morton to review. Mr. Morton requested the Board to defer action on this case until he had an opportunity to review these documents.

Mr. Edwards moved to defer action on Case No. Z-19-76 until the Board's next regular meeting of May 23, 1977. The motion carried by a unanimous roll call vote.

D. BOARD CONSIDERATIONS

1. Coastal Resources Management Program Presentation by Mr. Norman Larsen.

Mr. Larsen, Assistant Commissioner of Environmental Affairs, gave a presentation on the Coastal Resources Management Act. He stated that the Office of the Secretary of Commerce and Resources is developing a Coastal Resources Management Plan in order to conserve natural resources and provide for orderly development in Tidewater Virginia. Mr. Larsen distributed an Executive Summary of Alternatives for Coastal Resources Management in Virginia, March 1977.

The Board deferred action on the appointment of an advisory committee to monitor this program until such time that they had read the information Mr. Larsen provided. The Chairman thanked Mr. Larsen for taking time to present this program to the Board and Planning Commission.

2. Amendment to Personnel Policy.

It was noted that the Personnel Policy now designated Memorial Day as the fourth Monday in May; it should read "last Monday in May".

Mr. Donaldson moved the adoption of a resolution amending Chapter V, Section 1, Holidays, in the Personnel Regulations of James City County to reflect the Memorial Day holiday as authorized on the last Monday in May. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Code of Virginia specifies the Memorial Day Holiday as the last Monday in May, and

WHEREAS, the Personnel Regulations adopted by the James City County Board of Supervisors are in conflict with the State Code;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County approves the amendment of Chapter V, Section 1, Holidays, in the Personnel Regulations of James City County to reflect the Memorial Day holiday as authorized on the last Monday in May.

3. Final Plans for Tutter's Neck Subdivision in Kingsmill.

May 9, 1977

Mr. Henry Stephens, Subdivision Agent, presented the Board with the final plans for Tutter's Neck Subdivision. Mr. Stephens stated that the Planning Commission has reviewed and approved the plans for Tutter's Neck Subdivision and granted an exception from Section 17-34 of the Subdivision Ordinance to allow short cul-de-sacs which provide access to ten lots or less to have forty foot rights-of-way. It was noted that the County's Subdivision Ordinance requires a minimum width of fifty feet for any road. Mr. Stephens stated he has been informed by the Highway Department that they provide for a reduction from fifty feet to forty feet when the ultimate vehicle trips per day on the road will not exceed 250 trips per day. This would qualify most short, residential cul-de-sacs which cannot be extended. The Planning Commission by resolution agreed to consider as a general principle any other requested exceptions for forty foot wide rights-of-way in other subdivisions in the County, when the developer could show that the forty foot width would meet the minimum VDHT standards and could show terrain or other factors which would make a fifty foot width impractical.

Mr. Donaldson indicated that thought should be given to amending the County's Subdivision Ordinance if the County is exceeding State requirements.

Mr. Taylor moved the approval of the final plans for Tutter's Neck Subdivision subject to final plat recordation being contingent upon staff approval of final construction plans for sewer, water, roads and erosion control and also moved to grant an exception from Section 17-34 of the Subdivision Ordinance. The motion carried unanimously.

4. Personal Property Tax Study.

Mr. Oliver presented the Board with a memorandum from Mrs. Frances S. Waltrip, Commissioner of the Revenue, regarding adjusting personal property, machinery and tools to true tax rates. The memorandum indicated that a study of such assessments is being made by a General Assembly Committee and recommendations may be forthcoming in the next General Assembly session. It was noted that uniformity of assessment is one of the problems being considered by the committee. Mrs. Waltrip recommended the Board to delay any consideration of a change in assessing property until a report of this committee is made to the General Assembly.

The Board concurred in Mrs. Waltrip's recommendation.

5. Adoption and Appropriations for FY 78 Budgets.

Mr. Oliver presented the Board with a memorandum outlining expenditure additions, expenditure reductions and revenue adjustments, which were actions taken at the Board's budget work sessions. Mr. Oliver stated that the only change the Board had not previously approved was a \$15,000 addition to the Contingency Account so that funds would be available should the Board desire to hire an Economic-Industrial Development Coordinator. Mr. Oliver said there were three resolutions regarding the budget which required Board adoption.

Mr. Donaldson moved the approval of the resolution approving the Fy 78 Budget. The motion carried by a unanimous roll call vote.

May 9, 1977

RESOLUTION

WHEREAS, Section 15.1-160, Code of Virginia, 1950, as amended requires the governing body to prepare and approve a Budget for information and fiscal planning purposes, and,

WHEREAS, a proposed Budget for fiscal year 1978 has been prepared, publicly reviewed, and is before this Board for approval;

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

1. The proposed FY 78 Annual Budget and 1978-82 Capital Improvement Program as presented by the County Administrator with subsequent amendments is hereby approved by reference and incorporated herein as fully as if set out in length.
2. A certified copy of the approved Budget shall be kept on file in the Office of the County Administrator and shall be available for public review during normal business hours of that office.

Mr. Frink moved the approval of the resolution approving FY 78 appropriations and tax rates. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Administrator has prepared a Proposed Budget for the fiscal year beginning July 1, 1977, and ending June 30, 1978, 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 officer and activities in the amounts as shown below:

00110	Board of Supervisors	21,275
00120	Office of County Administrator	80,500
00130	Office of Finance	77,072
00140	Office of County Attorney	37,217
00160	Office of Planning	77,233
00170	Federal Program Development/Special Projects	32,062
00210	Commissioner of the Revenue	69,843
00250	Office of Real Estate Assessments	57,921
00310	County Treasurer	67,482
00410	Clerk of Circuit Court	15,464
00510	Circuit Court	10,778
00520	General District Court	4,195
00525	Juvenile and Domestic Relations Court	1,253
00530	Commonwealth's Attorney	23,248
00610	Sheriff	318,626
00680	City-County Jail	20,629
00710	Fire	336,108
00720	Emergency Services/Civil Defense	16,396
00810	Social Services - Administration	444,801
00820	Social Services - Assistances	627,324
00880	Social Services - Lunacy Commission	1,500
01010	Public Works - Administration	34,925
01020	Public Works - Water and Sewer Operations	
01050	Building Inspection	66,096
01080	Refuse Disposal	75,611
01090	Mosquito Control	15,414
01110	Extension and Continuing Education	31,011
01210	Animal Shelter	12,272
01310	Office of General Registrar	17,565
01320	Electoral Board	2,875
01330	Elections	4,750
01410	Buildings and Grounds	96,374
01420	Public Grounds - Maintenance	8,050
01510	Public Works - Street Lighting	15,218
01610	Public Works - Road Maintenance	1,200
01710	Public Schools	3,895,397
01820	Employee Benefits	173,700
01830	Contributions and Transfers	185,273
01835	Mental Health-Mental Retardation	85,570
01840	Other Expenditures	125,042
01850	Contingent Account	177,501
01910	Capital Improvements	563,700
02010	Debt Service	761,399

TOTAL GENERAL FUND EXPENDITURES 8,689,870

JAMES CITY COUNTY GENERAL FUND
Expenditures
Income

8,689,870
8,689,870

May 9, 1977

JAMES CITY COUNTY SANITARY DISTRICT #1	
Expenditures	37,256
Income	37,256
JAMES CITY COUNTY SANITARY DISTRICT #2	
Expenditures	70,851
Income	70,851
JAMES CITY COUNTY SANITARY DISTRICT #3	
Expenditures	142,800
Income	142,800
JAMES CITY COUNTY RURAL BUS SYSTEM (General Fund)	
Expenditures	136,097
Income	136,097

(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.....	\$0.92
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.

RESOLVED, this 9th day of May, 1977.

Mr. Edwards moved the approval of the resolution regarding the Revenue Sharing Appropriation. The motion carried by a unanimous roll call vote.

RESOLUTION

REVENUE SHARING APPROPRIATION

WHEREAS, the Administrator has prepared a Proposed Capital Improvements Budget for the fiscal year beginning July 1, 1977, and ending June 30, 1978; and

WHEREAS, it is now necessary to appropriate funds to carry out the activities proposed therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the following amounts are hereby appropriated from the Revenue Sharing Trust Fund for the following purposes as set forth in the FY 78 Capital Improvements Budget.

Fire Protection	25,600
County Government Center	561,500
Regional Vocational Center	86,900
TOTAL REVENUE SHARING EXPENDITURES	474,000

The Board expressed appreciation to the County staff for the find budget they had produced and felt the citizens would be served well by such a budget.

6. Certification of Warrants.

Mr. Donaldson moved the approval of the warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #2804 thru #2954 Totalling \$661,174.41
General Fund Payroll	Checks #7916 thru #8238 Totalling \$88,326.23
Sanitary District #1	Checks #29 thru #30 Totalling \$12.00
Sanitary District #2	Checks #196 thru #202 Totalling \$2,142.04
Sanitary District #3	Checks #400 thru #416 Totalling \$57,605.20
Revenue Sharing	Checks #320 thru #327 Totalling \$119,105.77
Subdivision Escrow	Checks #138 thru #139 Totalling \$358.19

May 23, 1977
May 9, 1977

7. Resolution regarding Federal Unemployment Insurance.


Mr. Frank Morton, County Attorney, briefly reviewed the federal unemployment insurance issue, indicating effective January 1, 1978, federally mandated unemployment taxes on states, cities and counties will go into effect. The National Institute of Municipal Law Officers (NIMLO) has initiated a constitutional challenge on behalf of states, cities and counties to the Federal Unemployment Compensation Amendments of 1976, Pub. L. No. 94-566 (F.R. 10210) and Acts they amend. NIMLO is requesting that James City County contribute \$2,500 to the NIMLO Federal Unemployment Compensation Tax Litigation Trust Fund. A resolution had been prepared for Board approval authorizing the County to enter into this suit.

Mr. Donaldson moved the approval of the resolution authorizing the County to participate in the suit challenging the legality of the federally mandated Unemployment Insurance Taxes. The motion was defeated by a vote of four to one. Messrs. Ware, Frink, Edwards and Taylor voted no.

The Chairman indicated that Case No. CUP-15-77--Page W. Laubach, applicant, would be deferred until the Board's next meeting of May 23, 1977.

Mr. Taylor moved to adjourn the meeting. The motion carried by a unanimous vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 9:45 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 MAY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of April 13 and May 9, 1977 as printed. The motion carried by a unanimous vote.

C. HIGHWAY MATTERS

Mr. Rawley Yeatts, Resident Engineer, stated that the

May 23, 1977

requested traffic light to be located at the Williamsburg Pottery had been approved by VDH&T. Mr. Yeatts stated that installation should occur after July 1977. Mr. Yeatts stated that the remaining portion of South Henry Street would be opened on May 25. Mr. Yeatts indicated that VDH&T budget allocations had been received. He stated that he would report back to the Board after he had reviewed the budget, but he did not say that County funds had not been reduced.

D. PRESENTATION OF CERTIFICATES OF APPRECIATION AND SERVICE

Claudia H. Blake - Circuit Court - 3 years
 Craig G. Covey - Office of County Administrator - 5 yrs.
 Doris F. Davidson - Sheriff's Department - 3 years

E. BOARD CONSIDERATIONS

1. Case File No. Z-19-76. A. A. Mizell, applicant, requesting rezoning of 59.9 acres from R-3 to R-5.

Mr. Ware moved to deny the rezoning request.

Mr. Donaldson stated that since the rezoning would only be marginally consistent with the Comprehensive Plan and the proposed area is within the low density residential category which is predominately single family, therefore, Mr. Donaldson indicated support of Mr. Ware's motion.

It was noted that a public hearing was held regarding this case on April 11 and continued on May 9, 1977.

Mr. Ware's motion to deny the rezoning request of A. A. Mizell to rezone 59.9 acres from R-3 to R-5 carried by a vote of 4 to 1. Mr. Taylor voted no.

2. Creation of Coastal Resources Management Advisory Committee.

Mr. Oliver stated that as Mr. Larsen, Assistant Commissioner of Environmental Affairs, indicated in his presentation to the Board regarding the Coastal Resources Management Program on May 9, the program is very imprecise at this point but could have a significant impact upon James City County due to the fact that the County is within the boundaries which the program proposed to encompass. Mr. Oliver stated that a regional advisory group is meeting periodically and is requesting local input. Mr. Oliver presented a resolution to the Board which would create a County Advisory Committee to monitor the Virginia Coastal Resources Management Program.

There was a brief discussion in regard to establishing this committee.

Mr. Edwards moved the approval of the resolution. The motion failed by a roll call vote of two to three. Messrs. Ware, Frink and Taylor voted no.

Mr. Frink moved to direct the Planning Department to formulate the County's position regarding this program and represent the County on this Coastal Resources Regional Advisory Committee.

Mr. Donaldson requested Mr. William Brown, Planning Director, and Mr. Jack Scruggs, Chairman of the Planning Commission, to speak.

Messrs. Brown and Scruggs requested the Board to reconsider their action. They indicated this program if approved by the General Assembly would involve many regional and State regulations which James City County would be required to adhere to.

May 23, 1977

After Board discussion, the Board resolved that an officially sanctioned committee was needed. This committee would be a representative for the County's interests. This committee would report back to the County with information regarding the progress of this program. The committee would have no official authority. This committee would serve at the pleasure of the Board.

Mr. Frink withdrew his previous motion which directed the Planning Department to formulate the County's position and represent the County on the advisory committee.

Mr. Ware moved to create a County Advisory Committee to monitor the Virginia Coastal Resources Management Program. Mr. Ware further moved that the Committee include a member of the Planning Commission, a member of the Wetlands Board and a member of the Board of Supervisors. The motion carried by a unanimous roll call vote.

Mr. Frink moved to nominate Mr. Donaldson to serve on the advisory committee. Mr. Donaldson declined indicating he would be out of town during July and August.

Mr. Taylor moved to nominate Mr. Ware to the advisory committee. The motion carried by a majority roll call vote. Mr. Ware abstained.

The Board requested the County Administrator to inform the of the Planning Commission and Wetlands Board appointees to the advisory committee.

RESOLUTION

WHEREAS, the Virginia Coastal Resources Management Program is in a formative period of development and is of great significance to James City County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a County Advisory Committee be formed consisting of the following members:

David W. Ware, Jr.
W. Jack Scruggs
Donna M. E. Ware

BE IT FURTHER RESOLVED that this Committee shall have the following duties:

1. To acquaint itself with the various provisions of this program.
2. To attend meetings to be held of the Regional Advisory Committee and attempt to represent the interests of James City County in the development of the program.
3. To report back to this Board and make recommendations as appropriate.

3. Resolution authorizing execution of Regional Library Contract.

Mr. Edwards, Board appointee to the Regional Library Committee, stated that he and Jim McCord, City Councilman, had met several times with City and County officials regarding the regional library contract. Mr. Edwards stated the main benefits of a regional library would be: 1) we would begin receiving additional State aid which would help extend library services throughout the County and 2) the County would immediately appoint representatives to the Library Board.

Mr. Edwards moved the approval of the resolution which authorizes the Chairman and Clerk to the Board to execute the Regional Library contract. The motion carried by a unanimous roll call vote.

May 23, 1977

RESOLUTION

WHEREAS, the City of Williamsburg is the owner in fee simple of certain property situated in the City on which is located the Williamsburg Public Library, and also is the owner of all fixtures, furniture, books, etc. located in said library; and,

WHEREAS, the City of Williamsburg and the Williamsburg Library Board are mutually desirous of extending the full services of said library to the residents of James City County; and that a regional library to be known as "The Williamsburg Regional Library" be created for the purpose in accordance with Title 42.1, Chapter 2 of the Code of Virginia of 1950 as amended; and,

WHEREAS, it is the desire of the Board of Supervisors of James City County to enter into a contract with the City of Williamsburg and the Williamsburg Library Board for the above said purpose;

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

1. That it hereby approves the contract between the City of Williamsburg, the County of James City and the Williamsburg Library Board, under the terms and conditions contained in that certain contract, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

F. MATTERS OF SPECIAL PRIVILEGE

The Board received an information report regarding Tax Exemptions for the Disabled in their reading material file. Mr. Ware requested Mr. Frank Morton, County Attorney, to amend the existing Tax Exemption Ordinance to include relief for the disabled.

The Board recessed for five minutes.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD ON THE TWENTY-THIRD DAY OF MAY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

ROLL CALL

As noted above.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver stated that the County Government Center bid receipts were opened on May 10. The lowest bid on the project was \$881,000. The appropriated funds for the project is \$840,000. The staff, architect, and low bidder had a meeting to bring the project construction into alignment with the appropriated funds. The Board was presented with a summary of changes which would bring the cost of the project to \$840,000.

Mr. William Phillips, architect for the County, presented the final site plan of the County Government Center to the Board and reviewed the summary of changes.

Mr. Edwards moved to authorize the execution of the contract by the Chairman and Clerk to the Board with Heindl-Evans, Incorporated, which will not exceed \$840,000 and within that \$840,000, change orders approved by the County Administrator may be made. The motion carried by a majority roll call vote. Mr. Ware voted no.

1. Rescheduling June Meeting.

It was noted that in past years the Board because of relatively light agendas has given consideration to going to once a month meetings during summer. Mr. Donaldson suggested the next Board meeting be held June 16 at 3:00 P.M. He further indicated Board meetings in July and August should be evening

June 9, 1977
May 23, 1977

meetings with the understanding that special meetings may be called.

Mr. Donaldson moved to set June 16, 1977, at 3:00 P.M., as the Board's next regular meeting. The motion carried by a unanimous roll call vote.

2. Joint Meeting Regarding Jail Expansion.

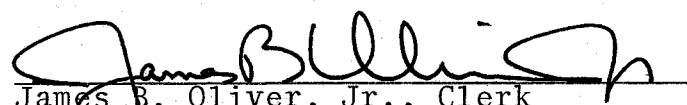
Mr. Oliver stated that City Manager Frank Force, Sheriff William Dorsey, Judge Zepkin, William Moseley, architect, and he had met on May 18, for the purpose of reviewing and determining the status of the jail expansion study. During the meeting Mr. Moseley was asked to make a formal presentation to the Board of Supervisors and City Council at a special meeting. June 9, at 4:00 P.M., in the Council Chambers was the suggested time for the presentation. Mr. Donaldson indicated he could not attend on June 9, but had no objection to the Board meeting with City Council without him.

The Board concurred and agreed to meet on June 9, at 4:00 P.M., for the purpose of a joint meeting with City Council for a formal presentation of the jail expansion study.

Mr. Donaldson stated that Mr. William F. Brown, Planning Director, had resigned from the County. Mr. Donaldson expressed appreciation to Mr. Brown for his service to the County.

Mr. Frink moved to adjourn the meeting to reconvene on June 9, at 4:00 P.M. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING ADJOURNED AT 5:15 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A SPECIAL JOINT MEETING OF THE BOARD OF SUPERVISORS, OF THE COUNTY OF JAMES CITY, VIRGINIA, AND THE CITY COUNCIL, OF THE CITY OF WILLIAMSBURG, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE NINTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SEVEN. PURPOSE OF THE MEETING WAS A FORMAL PRESENTATION OF THE JAIL EXPANSION STUDY.

PRESENT

Board of Supervisors

Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Staff

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney
Mr. John W. Watkins, Assistant County Administrator
Mr. Craig G. Covey, Special Projects Coordinator

City Council

Mr. V. M. Geddy, Jr., Mayor
Mr. Gilbert L. Granger
Mrs. Shirley Low
Mr. Robert Walker

June 9, 1977

Staff

Mr. Frank Force, City Manager
Mr. J. F. Phillips, Jr., City Attorney

Mr. Oliver stated that last year Sheriff Dorsey and Judge Zepkin had requested expansion of the jail. Subsequently, August 1976, Moseley-Hening Associates, Inc. were hired to perform preliminary design work for the City-County jail.

Sheriff Dorsey stated the following reasons for the jail expansion: 1) The present jail is designed for 20 prisoners and had an average daily prisoner count of 35.29 last year. 2) For several years the "double bunking" procedure has been used to increase the capacity of the jail. An anticipated federal court order is expected to forbid such doubling. 3) Prisoners cannot be separated by categories as required by state law, i.e., felons and misdemeanants. 4) The present kitchen is too small and inadequate to serve the jail population properly, and a lack of storage prevents bulk purchasing at lower costs. 5) A processing and temporary holding area is needed. Present system creates a security risk and bad public relations. 6) A medical examinations space is needed. 7) A booking area and record storage space is needed. 8) Attorneys consultation area is needed. 9) Persons arrested and entering jail are mixed with the public and visitors to the jail. Isolation of these two activities is needed for safety and security. 10) The present roof leaks throughout the building.

Sheriff Dorsey introduced Mr. Ed Rice, DJCP Criminal Justice Consultant. Mr. Rice stated he was consulted for the purpose of identifying a real need for the jail expansion. He said that the present facility had been expanded as much as possible utilizing the existing space without any actual construction of an addition. After thorough study of the subject, Mr. Rice in his report Need Assessment: James City County/Williamsburg Jail Expansion Project recommended an additional 26 cells. He indicated this addition would serve adequately until 1985 and possibly longer.

Mr. William Moseley, architect, addressed the Board and Council. He stated Moseley-Hening Associates, Inc. had been hired to project costs, schedules and recommend an adequate addition. Mr. Moseley stated the firm had studied the matter and has recommended 20 cells. The Board and Council were shown slides of the present jail, which emphasized Sheriff Dorsey's previously stated needs. Mr. Moseley then displayed drawings of the proposed addition and explained the cost involved. The total cost of the addition would amount to approximately \$696,000 excluding architectural and engineering fees. It was noted that \$138,000 would be reimbursed by the state. Approximately \$586,000 would be cost of construction. Adding equipment such as TV monitor, kitchen and laundry items would bring the total to \$696,000. These figures were based on bidding the job in mid-fall. It was estimated at 12 to 14 months to build the addition.

Mr. Granger asked why the project was confined to the present property.

Mr. Moseley indicated the present jail, a maximum security facility, is a substantial investment. He also stated that jails should be close to the courts, due to the fact that transporting prisoners is a risk and an expense.

Mr. Granger restated the fact that an additional 20 cells would serve the City and County sufficiently until at least 1985. Messrs.

June 16, 1977
June 9, 1977

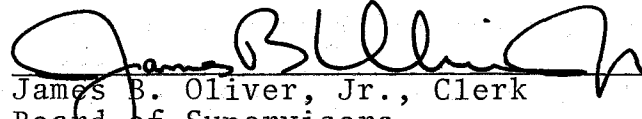
Rice and Moseley confirmed the statement.

It was noted that Craig Covey, Special Projects Coordinator, is working on a DJCP grant of \$300,000. It was also noted that the jail expansion plans must be approved by DJCP prior to receiving any grant money.

The Board concurred to table the matter and requested the County Administrator to place this item on the Board's June 16 agenda.

City Council authorized the City Manager to proceed with the project not to exceed the City's share of \$300,000. In addition, the City Council requested the Manager to study the steps necessary and the costs to allow for a future third floor expansion.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD AND COUNCIL, THE MEETING WAS ADJOURNED AT 5:30 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse District
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware corrected the minutes of May 23, 1977, Agenda Item E-1 to reflect Mr. Taylor voting no on this item. With the correction noted the minutes of May 23, and June 9, 1977, were approved as printed by a unanimous vote.

C. HIGHWAY MATTERS

1. Resolution to include Tewning Road into the State Secondary System.

Mr. Frink moved the approval of a resolution recommending VDH&T to accept Tewning Road into the State Secondary System. The motion carried unanimously.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County desires Tewning Road to be included in the State Secondary Highway System, providing this road meets with the requirements of the Virginia Department of Highways and Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

June 16, 1977

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

Description:

Tewning Road 50' R/W

From: Route 615
To: 0.19 Mile in length

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled "PLAT OF PROPERTY STANDING IN THE NAMES OF ROBERT T. CASEY, CARLTON D. CASEY, CALVIN L. CASEY", Plat Book 32, Page 8.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the office of the Resident Engineer of the Department of Highways and Transportation.

D. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Frederick Scherberger, III - Department of Social Services - 6 yrs.

E. PRESENTATION OF RESOLUTIONS OF APPRECIATION

Mr. Donaldson read and presented a resolution of appreciation to Miriam Puster, who was retiring from the County's employment.

RESOLUTION

WHEREAS, MIRIAM M. PUSTER served as an employee of James City County from February 1, 1947, until her retirement effective June 1, 1977; and

WHEREAS, throughout this period of service MIRIAM M. PUSTER held the position of Extension Agent, which position required that she continue to accept, become familiar with and carry out assignments requiring increasing responsibility and dedication; and

WHEREAS, MIRIAM M. PUSTER contributed substantially to the development and implementation of educational programs designed to meet the needs of the County during a period of rapid and significant growth; and

WHEREAS, MIRIAM M. PUSTER consistently demonstrated those qualities of initiative, perseverance and dedication which have resulted in exceptional service to the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Board does extend its sincere appreciation and gratitude to MIRIAM M. PUSTER for her outstanding service and dedication to the County and its citizenry during the past thirty years.

BE IT FURTHER RESOLVED that this Resolution be spread on the minutes of this Board and a copy be presented to MIRIAM M. PUSTER.

Mr. Donaldson read and presented Linda C. Allen a resolution of appreciation for discovering and returning a sum of money to its rightful owner.

RESOLUTION

WHEREAS, LINDA C. ALLEN performs her duties as a bus driver for James City County Transit in a safe, courteous and dependable manner; and

WHEREAS, a visitor to the area left personal property and cash in excess of \$600 on the bus driven by LINDA C. ALLEN on the morning of May 23, 1977; and

WHEREAS, LINDA C. ALLEN found said lost property and while on break from her driving duties returned to where she discharged the visitor, found her and returned the lost property; and

WHEREAS, this action exemplifies the personal honesty and integrity of LINDA C. ALLEN and reflects favorable upon James City County and James City County Transit;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County that the Board wishes to extend its sincere appreciation and thanks to LINDA C. ALLEN for acting in such a forthright and responsible manner.

BE IT FURTHER RESOLVED that this Resolution be spread on the minutes of this Board and a copy be presented to LINDA C. ALLEN.

June 16, 1977

F. BOARD CONSIDERATIONS

1. Rescheduling July Meeting.

Mr. Taylor moved to cancel the June 27, 1977, meeting and scheduled the next Board of Supervisors meeting for July 11, at 7:30 P.M., which is the regular evening meeting date and time. The motion carried by a unanimous vote.

2. Setting a date for Public Hearing.

- a. Vacation of a Plat - Winston Terrace, Section 2.
- b. Vacation of a Plat - Poplar Hall Plantation, Section 1.
- c. An Ordinance to amend and reordain the Code of the County of James City by amending Chapter 18, entitled, Taxation, Article II. Exemption of certain persons from real estate taxes.
- d. Resolution expanding boundaries of Project Area No. 2/ Taono-Route 60 West sewer project.
- e. An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by amending Article I, Section 20-12, Minimum Off-Street Parking.
- f. Case File No. Z-3-77. Messrs. Holt and Hitchens request rezoning of properties from R-2 to B-1.
- g. Case File No. Z-2-77. Mr. Bowman requests rezoning of property from A-1 to B-1.

Mr. Edwards moved to schedule the above matters for public hearing on July 11, 1977, at 7:30 P.M., in the Courthouse. The motion carried by a unanimous roll call vote.

3. Emergency Adoption of an Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by adding the following article: Article IX, Floodplain Area Regulations.

Mr. Oliver stated that emergency adoption of the Floodplain Area Regulations Ordinance was necessary due to federal guidelines requiring County adoption of these regulations prior to July 1, in order for residents to be eligible to purchase flood insurance at federally subsidized rates.

Mr. Frink moved the adoption of the Emergency Ordinance and directed that this Ordinance be referred to the Planning Commission for its consideration and recommendation. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-43

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF THE COUNTY OF JAMES CITY BY ADDING FOLLOWING ARTICLE: ARTICLE IX, FLOODPLAIN AREA REGULATIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 20, Zoning, of the Code of the County of James City is, hereby amended by adding Article IX, Floodplain Area Regulations.

CHAPTER 20

ZONING

Article IX. Floodplain Area Regulations.

Section 20-139. Statement of Intent.

These regulations shall apply to all property located within an area designated as a Floodplain Area, and as such shall supplement the regulations of the zoning district within which such property is located. These regulations are intended to insure the health, safety and general welfare of the public by insuring that inhabitants and property within a designated Floodplain Area are safe from damage due to flooding and will not endanger others. This article complies with the requirements of the National Flood Insurance Program (42 U.S.C. 4001-4128) of the Federal Insurance Administration. These regulations are necessary in order for all property owners within the County to be eligible for the National Flood Insurance Program and thereby purchase such insurance at nominal rates. Where these regulations are at variance with the general regulations of this Chapter, it is intended that these regulations shall apply.

June 16, 1977

Section 20-140. Applicability.

This article shall only apply to property which is designated as being within a Floodplain Area.

Section 20-141. Designation of Floodplain Areas.

The following areas are hereby designated as Floodplain Areas:

- (1) Property within Zone A of a Flood Hazard Boundary Map (FHBM) published by the Federal Insurance Administrator; or
- (2) Property within Zones A1-30 of a Flood Insurance Rate Map (FIRM) published by the Federal Insurance Administrator.

Such maps shall be available for inspection in the Department of Planning and Development, Department of Public Works and Department of Building Inspections.

Section 20-142. Permits.

No special permits shall be required by this article. An application for subdivision, site plan, rezoning, building permit, conditional use permit, special use permit, sediment and erosion control permit, wetlands permit or other local development permit shall be considered an application for development under this article. The applicant shall be informed of the provisions of this article as they may apply to the property, and no permit shall be issued until the applicant has complied with such provisions.

Section 20-143. Regulations for Construction.

In Floodplain Areas new structures or additions to any existing structure shall have the lowest floor, including the basement, elevated to or above the base flood level (100 Year Floodplain, or the flood having one percent chance of being equalled or exceeded in any given year). This section shall be administered by the Building Official. It shall be the responsibility of the applicant to provide this data, certified by a licensed surveyor or engineer or other source acceptable to the Building Official.

Section 20-144. Regulations for Mobile Homes.

In Floodplain Areas, mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in either of the following arrangements:

- (1) Over-the-top ties at each corner plus one frame tie at the middle of each side; or
- (2) Frame ties at each corner plus no less than five evenly spaced additional frame ties per side.

All ties to the ground shall be able to carry a force of 4,800 pounds.

This section shall be administered by the Building Official. The Zoning Administrator shall not issue a Conditional Use Permit for any mobile home in a Floodplain Area until the applicant has complied with these provisions.

Section 20-145. Regulations for Subdivisions and Site Plans.

The applicant of any subdivision of land with more than 50 lots or an area greater than 5 acres or site plan within the County shall submit with his application a statement by a licensed surveyor or engineer as to whether or not any property shown on the plat or plan is at an elevation lower than the base flood level (100 Year Floodplain or the flood having one percent chance of being exceeded in any given year). Where a base flood level exists the extent of this area shall be shown on the plat or plan. Further, the elevation of the finished surface of the ground at each building location shall be shown. This section shall be administered by the Subdivision Agent.

Section 20-146. Regulations for Mobile Home Parks or Mobile Home Subdivisions.

In all Floodplain Areas, all new mobile home parks or mobile home subdivisions shall have an alternate vehicular access and escape route approved by the Zoning Administrator prior to approval of any Conditional Use Permit or occupancy of the site.

Section 20-147. Regulations for Public Utilities.

Nonessential or improper installation of public utilities and public facilities in Floodplain Areas shall be prohibited.

- (1) Water Supply Systems - New or replacement water supply systems in a Floodplain Area shall be designed to minimize or eliminate infiltration of flood waters.
- (2) Sanitary Sewerage Systems - New or replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters or discharge of effluents into flood waters.
- (3) Septic Tanks - New or replacement septic tank drain fields shall be placed where they shall not be impaired or contaminated by a base flood.

This section shall be administered by the Director of Public Works or Health Official where applicable.

June 16, 1977

Section 20-148. Regulations for Filling of Floodplain Areas.

Filling of land which has an elevation lower than the elevation of a base flood (100 Year Floodplain or the flood having one percent chance of being exceeded in any given year) shall be prohibited unless:

- (1) Such fill will not increase the level of flooding on any other property; or
- (2) The cubic area of the base floodplain to be filled is equally by additional cubic area to be added to the base floodplain via dredging or removal of earth.

These requirements are essential to prohibit increased flood hazard to other property and life as a result of such filling. These section shall be administered by the Director of Public Works. The applicant shall provide whatever date is necessary to make such determinations, as certified by a licensed surveyor or engineer.

Section 20-149. Watercourse Modification.

The Federal Insurance Administrator, adjacent jurisdiction and State Coordinating Office shall be notified prior to the alteration or relocation of the main channel of any watercourse. The flood carrying capacity of such watercourse shall be maintained. This section shall be administered by the Director of Public Works.

Section 20-150. Nonconforming Structures.

Any existing structure not in conformity with the floor elevation requirements of this article which is hereafter damaged by flooding to an extent of 50 percent of replacement cost at time of damage may not thereafter be restored except with floor elevations as required herein. This section shall be administered by the Building Official.

Section 20-151. Designated Official.

The Zoning Administrator is designated to coordinate the implementation of this article and to submit an annual report to the Administrator of the National Flood Insurance Program concerning such implementation.

Section 20-152. Amendment.

This article shall be amended upon receipt of Flood Insurance Rate Maps from the Flood Insurance Administrator, to include Zones A1-30, A0 or A99; and upon receipt of final base flood elevations within these zones.

An emergency is hereby declared to exist and this ordinance shall be in effect from the date of its adoption.

4. An Ordinance to amend and reordain the Code of the County of James City by amending Chapter 5A, entitled, Erosion and Sedimentation Control Ordinance, Section 5A-4, Non-Controlled Activities.

Mr. Frank Morton, County Attorney, stated that this amendment is necessitated by a legislative change during the 1977 General Assembly. Mr. Morton noted that the Attorney General's office has indicated it is not necessary to hold a public hearing on this proposed change.

Mr. Donaldson moved the adoption of the Erosion and Sedimentation Control Ordinance Amendment. The motion carried unanimously.

ORDINANCE NO. 85A-1

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING CHAPTER 5A, ENTITLED EROSION AND SEDIMENTATION CONTROL ORDINANCE, SECTION 5A-4, NON-CONTROLLED ACTIVITIES.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County that the Code of the County of James City be and the same is, hereby, amended and reordained by amending Chapter 5A, entitled, "Erosion and Sedimentation Control Ordinance, Section 5A-4, Non-Controlled Activities".

CHAPTER 5A

EROSION AND SEDIMENTATION CONTROL ORDINANCE

Section 5A-4. Non-Controlled Activities.

In no instance shall the provisions of this Ordinance be construed to apply to the following:

- (a) such minor land disturbing activities as home gardens and individual home landscaping, repairs and maintenance work;
- (b) individual service connections;
- (c) construction, installation, or maintenance of electric and telephone utility lines;

June 16, 1977

- (d) installation, maintenance, or repair of any underground public utility lines when such activity occurs on an existing hard surfaced road, street or sidewalk provided such land disturbing activity is confined to the area of the road, street or sidewalk which is hard surfaced;
- (e) septic tank lines or drainage fields unless included in an overall plan for land disturbing activity relating to construction of the building to be served by the septic tank system;
- (f) surface or deep mining;
- (g) construction, repair, or rebuilding of the tracks, right-of-way bridges, communication facilities and other related structures and facilities of a railroad company;
- (h) preparation for single-family residences separately built, unless in conjunction with multiple construction in subdivision development;
- (i) disturbed land areas for commercial and noncommercial uses of less than ten thousand square feet in size;
- (j) installation of fence and sign posts or telephone and electric poles and other kinds of posts or poles;
- (k) emergency work to protect life, limb or property, and emergency repairs; provided that if the land disturbing activity would have required an approved erosion and sediment control plan, if the activity were not an emergency, then the land area disturbed shall be shaped and stabilized in accordance with the requirement of the local plan approving authority;
- (l) agricultural, horticultural or forestry activity or such activities as are essentially related thereto when such operations are carried on as a part of a program of continuing such agricultural, horticultural or forestry operations or represent a conversion from one such activity to another specified in this paragraph;
- (m) engineering operations recommended or approved by the soil and water conservation districts on privately owned, occupied or operated agricultural, horticultural or forest lands such as the construction of terraces, terrace outlets, check dams, desilting basins, floodwater retarding structures, channel improvements, floodways, dikes, ponds, ditches, and the like; the utilization of strip cropping, lister furrowing, contour cultivating, contour furrowing; land drainage; land irrigation; seeding and planting of waste, sloping, abandoned, or eroded land to water-conserving and erosion-preventing plants, trees and grasses; forestation and reforestation, rotation of crops, soil stabilization with trees, grasses, legumes, and other thick growing, soil holding crops; retardation of runoff by increasing absorption of rainfall; and retirement from cultivation of steep, highly erosive areas and areas now badly gulled or otherwise eroded;
- (n) shore erosion control projects on tidal waters recommended by the soil and water conservation districts in which the projects are located or approved by the Marine Resources Commission.

5. Request by Mrs. Page W. Laubach, applicant, to withdraw application seeking Conditional Use Permit.

Mr. Oliver stated that Mrs. Laubach had contacted the staff requesting withdrawal of her application.

Mr. Taylor moved to concur with the applicant's request to withdraw Case File No. CUP-15-77 from Board consideration. The motion carried unanimously.

6. Request of Bicentennial Committee to invest funds.

Mr. Donaldson read a letter from Mr. Ross Weeks, Chairman of the Bicentennial Committee. The Committee presented a silver medallion to the Board. Mr. Donaldson directed the County Administrator to safeguard the medallion until such time as the County Government Center is constructed and an appropriate place for the medallion is designated within the County Complex.

Mr. Oliver indicated the County had received a check in the amount of \$1,500 from the Bicentennial Committee. It is the Committee's wish that the money be placed in a special savings account with the expressed purpose of attempting to hold the funds until the Tri-centennial.

Mr. Frink moved the approval of a resolution authorizing the creation of a special savings account for purposes of depositing the funds.

June 16, 1977

The motion carried unanimously.

RESOLUTION

OLD COLONY BANK AND TRUST COMPANY OF WILLIAMSBURG

WHEREAS, the Williamsburg-James City County Bicentennial Committee has returned the sum of FIFTEEN HUNDRED DOLLARS (\$1,500.00) to the County with a request that such funds be deposited with the goal of holding such funds and interest therein until the Tricentennial celebration;

NOW, THEREFORE, BE IT RESOLVED that Old Colony Bank and Trust Company of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County Bicentennial Fund Account, and that funds so deposited may be withdrawn solely upon order of the Board of Supervisors.

BE IT FURTHER RESOLVED that all checks, drafts, notes or orders drawn against said account be signed by three of the following:

John E. Donaldson

Chairman

OR

Stewart U. Taylor

Vice-Chairman

James B. Oliver, Jr.

County Administrator

OR

John W. Watkins

Assistant County Administrator

Frances B. Whitaker

Treasurer

OR

Betty S. Pettengill

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.

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.

7. Request for re-appropriation to purchase Sheriff's cars cars this fiscal year.

Mr. Oliver requested the Board to amend its action of March 28, 1977, which action approved and formally appropriated FY 78 funds for the purchase of three Sheriff's patrol cars. Mr. Oliver stated that the patrol cars had arrived early and were in Richmond. He requested the Board to amend the appropriated revenues and expenditures as follows: FY 77 -- Revenue-Miscellaneous Revenues \$15,546 Expenditures-Sheriff-Vehicles-Replacement \$15,546 from FY 78 -- Revenue-Funds carried forward (\$15,546) and Expenditures-Capital Improvements-Sheriff's Equipment (\$15,546).

Mr. Edwards moved the approval of the appropriated revenues and expenditures for the purchase of Sheriff Department patrol cars. The motion carried unanimously.

8. Resolutions to authorize condemnation proceedings-- Easement for Toano Water Improvements and Selby Drive/ Dirt Street Improvements.

Mr. Frink moved the approval of two resolutions authorizing William R. Bland, Esquire, to proceed with condemnation proceedings. One parcel is associated with the Toano Water Improvements project and another parcel on Selby Drive is part of the Dirt Street Improvements program. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Toano Water Improvement System is nearly completed; and

June 16, 1977

WHEREAS, in order to extend the lines and improve quality and quantity, it is necessary to acquire certain easements; and

WHEREAS, the County of James City has been successful in acquiring all easements with the exception of that easement situate on Lot 29, Toano Terrace and as shown on a plat entitled, "Plat of Proposed Utility Easement, Toano, Virginia", owned by the estate of Bessie Jones and/or John Taylor, which said plat is attached hereto; the said parcel has been estimated to have a value of \$200;

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

1. That William R. Bland, Esquire, be and he is, hereby, authorized to act as the agent of said County for purposes of instituting condemnation proceedings against those certain permanent and temporary construction easements as shown on a plat entitled, "Plat of Proposed Utility Easement, Toano, Virginia", owned by the estate of Bessie Jones and/or John Taylor, which said plat is attached hereto.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County authorized condemnation of a certain parcel of property on Selby Drive owned by Irene Armistead and Ernest Wallace as a part of the Dirt Street Improvement Program; and

WHEREAS, the property is more particularly defined as that certain ten feet located on the front of Lot 11 of the Yearda Lee Smith Subdivision (27c(9)11) as shown on the plat attached hereto; and

WHEREAS, the said parcel has been estimated to have a value of \$250.00 and such sum has been duly offered the owners of such property; and

WHEREAS, it is deemed to be in the best interest of the health, safety and welfare of James City County that such parcel of property be condemned;

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

1. That William R. Bland, Esquire, be and he is, hereby, authorized to act as the agent of the County for purposes of instituting condemnation proceedings against that parcel of property known as Lot 11, Yearda Lee Smith Subdivision (27c(9)11), being more particularly described as that certain ten-foot strip along the front of the lot as shown on the plat attached hereto.

9. Formation of County Recreation Advisory Committee.

Mr. Oliver presented the Board with a resolution creating a County Recreation Advisory Committee for purposes of researching recreation programs and facilities and recommending policies and actions.

Mr. Edwards moved the approval of the County Recreation Advisory Committee resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County deems it appropriate to create a County Recreation Advisory Committee for purposes of researching recreation programs and facilities and recommending policies and actions;

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

1. That a County Recreation Advisory Committee be formed.
2. That it hereby authorizes and directs James B. Oliver, Jr., County Administrator, to appoint such members to the County Recreation Advisory Committee.

10. Emergency Operations Plan.

Mr. Ware moved the approval of the resolution which adopts the County of James City Emergency Operations Plan as the necessary basic plan for County emergency services. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, there exist many dangers of many types including man-made disasters, natural disasters, and possible hostile actions of an unknown enemy; and

WHEREAS, the safety and protection of the citizens and property is of foremost concern to the Board of Supervisors of the County of James City; and

June 16, 1977

WHEREAS, the Board of Supervisors desires and Commonwealth of Virginia statutes require the adoption of appropriate planned protective measures; therefore be it

RESOLVED that the Board of Supervisors hereby adopts the County of James City Emergency Operations Plan as the necessary basic plan for County emergency services.

11. Bingo Permit renewal for James City-Bruton Volunteer Fire Department.

Mr. Ware moved the approval of the resolution renewing the Bingo Permit for the Volunteer Fire Department. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City-Bruton Vol. Fire Dept. and the James City Rescue Squad appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said James City-Bruton Vol. Fire Dept. and James City Rescue Squad has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the James City-Bruton Vol. Fire Dept. and James City Rescue Squad is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

12. Social Services office space.

The Board was presented with criteria to assist them in the selection of the Social Services building site.

Mr. Oliver briefly reviewed previous background regarding the Social Services building lease. Mr. Alvin Anderson, representing Leonard Legum, and Henry Branscome were recognized as potential lessors. Mr. Scherberger, Director of Social Services, addressed the Board and requested the Board's favorable consideration of Leonard Legum's site.

Mr. Frink noted that the Social Services Board had voted acceptance of the Legum site.

Mr. Frink moved to direct the staff to negotiate lease arrangements utilizing the Legum site. The motion carried by a majority roll call vote. Mr. Taylor voted no. Mr. Taylor felt that the Legum site was not advantageous to constituents in his District.

13. Resolution for State/local hospitalization for indigents.

Mr. Frink moved to adopt a resolution authorizing the County Administrator to enter into contracts with hospitals for purposes of participating in the State-Local Hospitalization Program. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Section 63.1-134, et. seq., of the Code of Virginia, 1950, as amended, provides that the County of James City and the State Board of Welfare and

June 16, 1977

Institutions may enter into a program to provide for hospitalization and outpatient treatment and care for indigent persons residing within the County; and

WHEREAS, the Board of Supervisors recognizes a need to provide such assistance to the medically indigent; and

WHEREAS, the 1977=78 Annual Budget for James City County allocates \$5,000.00 as the County's share for participation in such a program;

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

1. That it authorizes James B. Oliver, Jr., County Administrator, to enter into contracts with those hospitals approved by the State Board of Welfare and Institutions.
2. That it authorizes and appoints Frederick Scherberger, III, Director of Social Services, as its authorizing agent, pursuant to Section 63.1-139 of the Code of Virginia, 1950, as amended, for purposes of determining the eligibility of such persons for hospitalization.

14. Mandated Federal Unemployment Insurance.

Mr. Morton, County Attorney, indicated that this item had been presented at the Board meeting of May 9, 1977. At that time a resolution had been prepared indicating our participation in the NIMLO suit challenging the legality of the federally mandated unemployment insurance taxes, but the resolution was defeated on May 9. Mr. Morton requested the Board to reconsider the County's participation in the NIMLO Federal Unemployment Compensation Tax Litigation Trust Fund.

Mr. Taylor moved that the Board reconsider the Board's previous action of May 9. The motion carried by a majority roll call vote. Mr. Edwards voted no.

Mr. Ware moved the approval of the resolution authorizing our participation in litigation involving the constitutional challenge of the Unemployment Act of 1976. The motion carried by a majority roll call vote. Mr. Edwards voted no.

RESOLUTION

WHEREAS, federally mandated Unemployment Insurance Taxes will be extended to include local jurisdictions effective January 1, 1978; and

WHEREAS, the Board of Supervisors of James City County is of the opinion that the participation in such a program should be discretionary; and

WHEREAS, the National Institute of Municipal Law Officers (NIMLO) is preparing to institute a suit challenging the validity of such mandated participation;

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

1. That it deems it in the best interest of the County to participate in the suit challenging the legality of the federally mandated Unemployment Insurance Taxes.
2. That John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, be and the same are hereby authorized and directed to execute the agreement with NIMLO to participate in said suit and such other documents as may be required.
3. That the amount of \$900.00 is appropriated for purposes of participation in said suit pursuant to the terms of the agreement.

This resolution shall be in full force and effect from the date of its adoption.

15. Authorization to enter into an agreement with Moseley-Hening Associates, Inc. for the design of the proposed jail expansion.

Mr. Donaldson stated that the Board held a special joint meeting on June 9, 1977, with Williamsburg City Council for the purpose of a formal presentation of the jail expansion study. At that meeting City Council authorized the City Manager to proceed with the project not to exceed the City's share of \$300,000.

June 16, 1977

Mr. Oliver requested the Board of Supervisors to authorize the architectural firm to engage in work not to exceed \$50,000, half of which is to be paid by the City. This will allow development of architectural plans and cost estimates for a jail expansion. Mr. Oliver requested the Board to adopt a resolution which authorizes the County to enter into an agreement with Moseley-Hening Associates, Inc. for purposes of developing architectural plans and cost estimates for a jail expansion.

Mr. Frink moved the adoption of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

A RESOLUTION TO ENTER INTO AN AGREEMENT WITH MOSELEY-HENING ASSOCIATES, INC. IN AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR PURPOSES OF DEVELOPING ARCHITECTURAL PLANS AND COST ESTIMATES FOR A JAIL EXPANSION.

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

1. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to enter into an agreement with Moseley-Hening Associates, Inc. in an amount not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for purposes of developing architectural plans and cost estimates for a jail expansion.
2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same and such other documents as may be required on behalf of James City County for the purpose state above.

16. Fire Station site acquisition.

Mr. Oliver requested the Board to adjourn into executive session at the end of the meeting for discussion of this matter. The Board concurred.

17. Dirt street improvements.

Mr. Oliver indicated that the County had a little over \$48,000 in funds to continue the Dirt Street Program, but stated there was approximately twelve streets awaiting needed construction.

Mr. Taylor mentioned the possibility of a road crew to provide minimum maintenance on these roads, perhaps putting gravel on these streets and filling pot holes and ruts. Mr. Oliver stated he, Mr. Bass, Public Works Director, and Mr. Rawley Yeatts, VDH&T Resident Engineer, had met and discussed alternatives and solutions regarding these streets. It was determined that more than minimum maintenance would be needed and that minimum maintenance would only delay what the County would like to accomplish, which would be to improve these roads enough to be accepted into the State Secondary System by VDH&T. Mr. Oliver proposed an arrangement whereby Mr. Bass and he would explore possibilities for having the County handle the purchase of materials for the program and assembling a road crew to do the work directly for the County or through contract arrangement.

Mr. Donaldson requested the County staff to explore all viable alternatives relating to this program, i.e., cost data per unit served, as well as accessibility of emergency vehicles to the areas, and minimum maintenance possibilities.

Mr. Donaldson moved to table this item. The motion carried by a unanimous roll call vote.

June 16, 1977

18. York River Wastewater Treatment Plant.

Mr. Oliver had prepared a memorandum regarding this subject informing the Board that this plant is necessary for the Peninsula's well-being. The recommendation before the Board is confined to our technical review of this project which staff believe is vital to the regional sewage treatment system. Mr. Oliver requested the Board to authorize staff to indicate James City County's technical endorsement of this proposal.

Mr. Frink felt that the County should remain silent in this issue, due to the fact that the proposed location of this facility is in our neighboring locality, York County.

Mr. Taylor moved to authorize the County Administrator to forward the County's technical endorsement of this facility to the Environmental Protection Agency with the understanding that James City County is in support of expanding sewerage treatment capacity on the Peninsula, the County senses this facility is advantageous to residents of our locality, and also realizes a real need exists for such a plant. The motion carried by a majority roll call vote. Messrs. Edwards and Frink voted no.

19. Appointment to Social Services Board.

It was noted that this item would be deferred until executive session at the end of the meeting.

20. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #2955 thru #3108 Totalling \$478,175.96
General Fund Payroll	Checks #8239 thru #8545 Totalling \$87,720.54
Sanitary District No. 1	Checks #31 Totalling \$1,280.77
Sanitary District No. 2	Checks #203 thru #210 Totalling \$1,202.64
Sanitary District No. 3	Checks #417 thru #434 Totalling \$70,150.30
Revenue Sharing	Checks #328 thru #332 Totalling \$2,848.55
Subdivision Escrow	Checks #140 thru #142 Totalling \$13,050.90
Anti-Recession	Checks #101 thru #105 Totalling \$642.41

21. Bingo Permit for Epsilon Gamma Chapter of Beta Sigma Phi.

Mr. Edwards moved the approval of the resolution authorizing the issuance of a Bingo Permit to the Epsilon Gamma Chapter of Beta Sigma Phi. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Epsilon Gamma Chapter of Beta Sigma Phi, Hampton, Virginia, appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Epsilon Gamma Chapter of Beta Sigma Phi, Hampton, Virginia, has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is

June 16, 1977

an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Epsilon Gamma Chapter of Beta Sigma Phi, Hampton, Virginia, is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution be a matter of public record within the County.

22. Appointments to Regional Library Board.

The Board agreed that this personnel matter should be discussed in executive session following the meeting.

G. REPORTS OF THE COUNTY ADMINISTRATOR

1. Refuse Disposal Report.

Mr. Oliver presented the Board with a Landfill Report which was in response to a request by the Board to review the refuse disposal program and to specifically consider keeping the landfill open on holidays. The report justified and recommended keeping the landfill open on Sundays.

Mr. Edwards moved to receive the report. The motion carried by a majority roll call vote. Mr. Taylor voted no.

2. VDH&T acceptance of Brook Haven Drive, Section II, into the State Secondary System.

Mr. Oliver stated that there was one remaining portion of Brook Haven Drive to be included in the State Secondary System and a resolution requesting VDH&T to accept this road into their system had been prepared.

Mr. Ware moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of Brookhaven, Section II 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Brookhaven Subdivision, Sec. II, James City County in the State Secondary Highway System.

Description: Brookhaven Drive

FROM: Route 1430

TO: 0.17 mile South to Route 1430

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Brookhaven Subdivision, Plat Book 33, Page 71.

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

June 16, 1977

3. Salary and Fringe Benefit Adjustments.

Mr. Oliver stated that for formal documentation purposes the Board is requested to appropriate \$38,900 to various department accounts to cover salaries and fringe benefits, thus reducing the Contingency Account for salaries and fringe benefits.

Mr. Edwards moved to authorize the formal appropriation of \$38,900 from the Salary Contingency Account to be transferred to various department salary accounts to cover salaries and fringe benefits. It was noted that this appropriation was included in the adopted budget but is being considered at this time to formalize records for the auditors. The motion carried by a unanimous roll call vote.

Mr. Frink moved to adjourn into executive session. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING HELD ON THE SIXTEENTH DAY OF JUNE, NINETEEN HUNDRED AND SEVENTY-SEVEN AT 6:05 P.M.

ROLL CALL

As noted above.

Fire Station site acquisition.

Mr. Edwards moved to authorize the County Administrator to negotiate the acquisition of one and one-half acres on Olde Towne Road for a fire station site, which negotiation shall include acquiring an option on the property not to exceed \$1,000 and length of option not to exceed 90 days. The motion carried unanimously.

Appointment to Social Services Board.

Mr. Frink moved to re-appoint Mr. Thomas W. Hale to the Social Services Board for a four year term to expire on June 30, 1981. The motion carried by a unanimous roll call vote.

Appointments to Regional Library Board.

Mr. Oliver stated that with the creation of the Williamsburg Regional Library on May 23, 1977, the Board of Supervisors now needed to appoint three representatives to the Board of Trustees of the Williamsburg Regional Library to represent James City County.

Mr. Ware moved to appoint Mr. Stanley B. Williams for a one-year term to the Board of Trustees. The motion carried unanimously.


Mr. Taylor moved to appoint Mrs. Stella Earman for a two-year term to the Board of Trustees. The motion carried unanimously.

Mr. Edwards moved to appoint Mr. Louis F. Vosteen for a four-year term to the Board of Trustees of the Williamsburg Regional Library. The motion carried by a unanimous vote.

Mr. Donaldson moved to adjourn the meeting. The motion carried unanimously.

July 11, 1977
June 16, 1977

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING ADJOURNED AT 6:10 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 JULY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Edwards moved the approval of worksession minutes of March 21, and Minutes of April 18, 1977. The motion carried unanimously.

C. HIGHWAY MATTERS

1. Abandonment of portions of Routes 616 and 619.

Mr. Taylor moved the approval of a resolution which records that a portion of Route 619 has been replaced by Route 199 and a portion of Route 616 has had access at one end terminated. The motion carried by a unanimous roll call vote.

RESOLUTION

Road Abandonments and Addition

At a regular meeting of the Board of Supervisors of James City County held this 11th day of July, 1977, it was duly moved and seconded that:

WHEREAS, Secondary Route 616, from Route 5 to 0.09 M SE to CL Williamsburg, a distance of 0.09 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, Secondary Route 619, from 0.10 M N Route 199 to 0.16 MS Route 199, a distance of 0.26 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 these new roads follow new locations, these being shown on the attached sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 199, Project 0199-047-101, C501; 0199-137-101-C501, dated at Richmond, Virginia January 31, 1975.

NOW, THEREFORE, BE IT RESOLVED: That the portions of Secondary Route 619, i.e., Section 5, shown in brown on the sketch titled, "Changes in Secondary System Due to Relocation and Construction on Route 199, Project 0199-047-101, C501; 0199-137-101, C501, dated at Richmond, Virginia January 31, 1975", 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 further, that the section of old location, i.e., Sections 3 and 4, shown in green on the afore-mentioned sketch, a total distance of 0.26 mile, 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;

And further, that the section of old location, i.e., Sections 1 and 2, of Route 616, shown in green on the afore-mentioned sketch, a total distance of 0.09

July 11, 1977

mile, 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;

This Resolution will be in full force and effect from the date of its adoption.

2. Resolution to include remaining portion of Brook Haven Drive, Section I, into State Secondary System.

Mr. Frink moved the approval of the resolution which requests the Highway Department to accept Brook Haven Drive, Section I, into the State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of Brook Haven 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 with the requirements of the Virginia Department of Highways and Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Brook Haven Drive, Section I Subdivision, Berkeley Magisterial District, James City County in the State Secondary Highway System.

Description:

Brook Haven Drive - From: Route 1430
To: 0.05 mi. E. to 0.05 mi.
Brook Haven Drive 50' R/W

A right-of-way of 50 feet is guaranteed as evidenced by plat of record, entitled Brook Haven Subdivision, Section I, Plat Book 27, Page 11.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to the developer of Brook Haven Section I Subdivision and the Resident Engineer of the Department of Highways and Transportation.

D. BOARD CONSIDERATIONS:

1. Rescheduling August meeting.

Mr. Edwards moved to cancel the July 25, 3:00 P.M., meeting. The motion carried unanimously. The Board would then meet at 7:30 P.M., on Monday, August 8, their next regularly evening meeting date.

2. Public Hearings:

- a. Vacation of a Plat - Winston Terrace, Section 2, Lots 41 & 42.

Mr. Taylor, Vice-Chairman, declared the public hearing open. There being no one wishing to speak, the Vice-Chairman closed the public hearing.

Mr. Ware moved the approval of the Ordinance to vacate a certain portion of Winston Terrace, Section 2, Lots 41 and 42.

ORDINANCE NO. 103

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "WINSTON TERRACE, SECTION 2, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT LOT LINE DIVIDING LOTS 41 AND 42.

WHEREAS, application has been made by W. L. Person, Jr., Esquire, on behalf of Raymond and Gloria Jean Birringer, owners of Lots 41 and 42, to vacate a certain property line, as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 11th day of July, 1977, pursuant to such notice and were of the opinion that such vacation would

July 11, 1977

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:

1. That the lot line dividing Lots 41 and 42, as shown on that certain plat entitled, "Winston Terrace, Section 2, James City County, Virginia", dated January 19, 1959, and recorded in the Clerk's Office of the Circuit Court for the City of Williamsburg and the County of James City, Virginia, be and the same are hereby vacated.
2. That a new plat entitled, "A Plat Showing Resubdivision of Lot 41 and Lot 42, and Vacation of the Original Lot Line Between Lots 41 and 42, Winston Terrace, Section 2, James City County, Virginia", prepared by Spearman & Associates, Inc., Land Surveyors, and dated May 19, 1977, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

- b. Vacation of a Plat - Poplar Hall Plantation, Section 1, Lots 113 & 114.

Mr. Taylor, Vice-Chairman, opened the public hearing.

There being no one wishing to speak, Mr. Taylor closed the public hearing.

Mr. Frink moved the approval of Ordinance No. 104 which vacates a portion of property in Poplar Hall Plantation. The motion carried unanimously.

ORDINANCE NO. 104

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "SUBDIVISION PLAT, POPLAR HALL PLANTATION, SECTION NO. 1, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT LOT LINE DIVIDING LOTS 113 AND 114.

WHEREAS, application has been made by Harrell F. and Jean M. Morris, owners of Lot 114, and Neftali and Georgina Irizarry Irizarry, owners of Lot 113, to vacate a certain property line, as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 11th day of July, 1977, pursuant to such notice and were 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:

1. That the lot line dividing Lots 113 and 144, as shown on that certain plat entitled, "Subdivision Plat, Poplar Hall Plantation, Section No. 1, James City County, Virginia", dated May 21, 1958, and prepared by Glass-Thomas and Associates, Engineers and Surveyors, and recorded in Plat Book 17, Page 1, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same is hereby vacated.
2. That a new plat entitled, "Plat Showing Vacation and Relocation of Lot Line Between Lots 113 and 114, Section 1, Poplar Hall Plantation, Being Located on Tarleton Bivouac, James City County, Virginia", prepared by S. J. Glass & Associates, Engineering Services, and dated April 28, 1977, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

- c. An ordinance to amend and reordain the Code of the County of James City by amending Chapter 18, entitled, Taxation, Article II. Exemption of certain persons from real estate taxes. Exempting those totally and permanently disabled.

Mr. Oliver explained that the ordinance provided for the maximum limits of exemption based on salary as determined by State law. Mr. Taylor opened the public hearing. There being no one wishing to speak, Mr. Taylor closed the public hearing.

Mr. Ware moved the approval of the ordinance.

Mr. Edwards questioned if the County should let all eligible qualify for the maximum exemption, without determining exemption by income. Mr. Edwards requested the staff to review the matter as it would relate to loss of revenue.

July 11, 1977

Mr. Ware withdrew his motion to approve the ordinance and tabled this matter until the Board's next meeting. The motion carried by a unanimous roll call vote.

- d. Route 60-West-Toano Sewer Project--A resolution expanding and establishing the boundaries of Project Area No. 2 pursuant to Section 15.101247 of the Code of Virginia, 1950, as amended.

Mr. Taylor, Vice Chairman, opened the public hearing. There being no one present to speak for or against the resolution, the Vice-Chairman closed the hearing.

Mr. Frink moved the adoption of the resolution which expands Project Area No. 2 to encompass the area to be serviced by the Toano-Route 60-West sewer project. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County by Resolution adopted April 23, 1971, created Project Area No. 2, the boundaries of which are set forth in said Resolution; and

WHEREAS, the said Board is desirous of expanding the boundaries of Project Area No. 2 pursuant to Section 15.1-1247 of the Code of Virginia, 1950, as amended; and

WHEREAS, the said Board held a public hearing on the 11th day of July, 1977, in accordance with the above section;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it hereby establishes the following as the revised boundary description of Project Area No. 2:

Beginning at the intersection of U. S. Route 60 and State Route 614; thence southwest along State Route 614 to State Route 611; thence northwest along State Route 611 to State Route 632; thence northwest along State Route 632 to State Route 631; thence northwest along State Route 631 to State Route 610; thence northeast along State Route 610 to the VEPCO transmission easement; thence northward 5,300 feet more or less to Mill Creek; thence northeast along Mill Creek crossing U. S. Route 60 to a point on State Route 645; thence southeast along State Route 645 to State Route 168-Y; thence southeast along State Route 168-Y to State Route 168; thence southeast along State Route 168 to the James City County/York County boundary line; thence southwest along said boundary line to the point of beginning.

- e. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, by amending Article I, Section 20-2, Minimum Off-Street Parking.

Mr. Henry Stephens, Acting Planning Director, briefed the Board regarding the amendment to off-street parking indicating the proposed amendment was relaxing the existing ordinance. Messrs. Stephens and Morton requested the Board to determine it appropriate to delete a phrase from the amendment.

Mr. Taylor declared the public hearing open. There being no one to speak for or against the ordinance amendment, Mr. Taylor closed the public hearing.

Mr. Edwards moved to delete the phrase "and landscaping acceptable to the Commission shall be provided." from Section A.1.(b) of the ordinance. The motion carried unanimously.

Mr. Edwards moved the approval of the ordinance amendment. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 31A-42

(see next page)

ADOPTED

JUL 11 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-42

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE I, SECTION 20-12, MINIMUM OFF-STREET PARKING.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, of the Code of the County of James City be and the same is, hereby, amended by amending Article I, Section 20-12, Minimum off-street parking, to read as follows:

CHAPTER 20

ZONING

Article I. In General

Section 20-12. Minimum off-street parking.

There shall be provided at the time of erection of any main building or at the time any main building is enlarged, minimum off-street parking with adequate landscaping and provision for entrance and exit by standard-sized automobiles, as follows:

A. General provisions.

1. No certificate of occupancy shall be issued for any structure which does not comply with these requirements; however, structures already in use or those which have already received site plan approval are exempted, provided that:

- (a) exempted buildings remain in continuous use and at no time remain vacant or unused for a continuous period of one year.
- (b) no parking lot for any excepted property is enlarged or materially altered. In the event an existing parking lot is to be enlarged or materially altered, the existing parking area as well as the new parking area shall be brought into conformance with this chapter; provided however, the Commission may waive the requirements for revised setbacks and geometric design standards found in B 1, 2 and 5 below as they apply to existing parking areas with cement, asphalt, or hard surface pavement; provided further, that prior to such waiver being granted, the applicant shall demonstrate the costs of complying with these standards would

impose a severe hardship, or that insufficient area exists to allow such revision.

2. Required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification.

3. Required off-street parking spaces may be provided jointly for two or more uses, subject to permanent easements that will assure access and availability. The number of such combined parking spaces to be required shall equal eighty percent of the sum of the amounts which would be required for each of the separate uses. Where such joint parking lots are proposed, they shall have one common point of ingress and egress, shall be designed as one parking lot, and shall have both properties shown on the site plan.

4. Off-street parking spaces shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory. Permanent storage of vehicles shall not be allowed. Storage of vehicles for sale shall not be allowed.

5. Site plans, in accordance with Article II of this Chapter, shall be submitted for all new off-street parking areas with four or more spaces, or for any additions to existing off-street parking areas.

6. Parking areas required by this section are intended to accommodate the off-street parking needs of the customers and employees of commercial, institutional, industrial, and residential uses. They are specifically intended to eliminate the need for parking along adjoining streets and roads. As such, all required parking areas shall be generally accessible and free of charge to the customers and employees they are designed to serve. Separate lots for employees and customers may be permitted; but parking for a fee, meter or rent of the minimum number of spaces required by this section shall be by conditional use permit only.

B. Landscaping.

Parking areas shall be arranged for functional efficiency and convenience and shall be designed to be amenable to surrounding property. Parking areas accessory or otherwise, containing more than ten parking spaces shall comply with the following:

1. The parking area shall be separated from the street right-of-way and property lines by a landscaped strip at least ten feet in width. Ingress and egress shall be provided through driveway openings only. In the event a joint parking lot is proposed, the required landscaped strip along the common property line shall be waived. Dimension, location, and construction of driveway openings shall be subject to approval by the Commission.

2. The parking area shall be constructed so that spaces are grouped into bays, generally consisting of eight to twelve parking spaces. Bays shall be separated by a landscaped median strip along one of its longer dimensions. Where the parking spaces are 10' x 20' and concrete or wooden bumpers are used to prevent vehicle overhang into the landscaped median strip, the landscaped median strip shall be at least four feet in width. As an alternative, parking spaces of 10' x 17' may be used with overhang into the landscaped strip permitted if the width of the landscaped strip is increased to at least eight feet. On each of its other two shorter dimensions, a landscaped strip of at least four feet in width and fifteen feet in length shall be built to separate the bays from each other or from traffic lanes.

3. "Landscaped area", "landscaped setback", "landscaped strip", or "perimeter open space area" as herein used are defined as areas containing shrubs, trees, flowers, grass, mulch, etc. Such areas shall be shown on the site plan or a separate landscaping plan for the site which shows the size and type of existing trees, trees to be cleared or removed and new trees or vegetation to be planted. Such plan is subject to approval of the Site Plan Review Committee. In general, where trees are required they shall be of a minimum height of seven feet with one tree per thirty linear feet of landscaped area, and more or less evenly distributed. Where approved, hedges, shrubs, ground cover or flower beds may substitute in part for the planting of trees. Existing trees and natural vegetation shall be retained wherever possible, particularly where they border adjacent property. Setbacks may not be used for parking.

4. Adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce objectionable glare on adjacent property or streets, and no lighting fixture shall exceed a height of fifteen feet in a residential district or thirty feet in any other district.

5. The design of the lot shall meet the minimum geometric standards presented in the following table:

MINIMUM OFF-STREET PARKING AREA DIMENSIONS

Angle of Parking (degrees)	Direction of Traffic	Dimensions of Stall (ft)	Width of Aisle (ft)	Width of Aisle Plus Two Stalls (ft)
30	One-way	10 x 20	10	34.0
45	One-way	10 x 20	11	39.8
60	One-way	10 x 20	18	60.6
90	Two-way	10 x 20	22	62.0

6. As specified in (2) above, the dimensions of the stall may be reduced to 10' x 17' if additional landscaped median strip is provided.

7. Where the required number of parking spaces is not set forth for a particular use in the following sections, where the applicant is uncertain as to final use or size of the structure or where there is no similar general type of use listed, the Commission shall determine the number of spaces to be provided.

8. Parking areas shall be surfaced with gravel, stone, asphalt or concrete. Adequate drainage shall be provided for the removal of storm water and a drainage plan shall be submitted with the site plan and approved by the County Engineer.

9. Separate parking lots, with ten or more spaces designated solely for use by employees may utilize a stall width of nine feet per parking space.

C. Minimum off-street parking requirements.

1. Residential uses: The minimum number of off-street parking shall be one space per single-family residential unit. Other residential uses shall provide one and one-half spaces per residential unit.

2. Commercial uses: Commercial and institutional uses shall be divided into various categories according to the parking demand which they generate, as follows:

Category A. High Parking Demand Generators shall provide one parking space per two hundred square feet of retail floor area, to include:

General retail stores.

Retail food stores, bakeries, and fish markets.

Laundries and dry cleaners.

Wearing apparel, shoes, yard goods, toys, music and records, tailors, dressmakers, candy, ice cream, florist, furrier, locksmith, pet, picture framing, stamp and coin, travel bureau, tobacco and pipes, jewelry sales and service, books, greeting cards, and sporting goods stores.

Drug stores.

Plants and garden supply, hardware and paint, and home appliance sales and service.

Antique, novelty, arts and crafts, and gift shops.

Libraries and post offices.

Lodges, civic clubs, fraternal organizations, service clubs, public billiard parlors, arcades, pool rooms, dance halls, and private clubs.

All other commercial uses not specified in Category B or C below.

Category B. Moderate Parking Demand Generators shall provide one parking space per two hundred and fifty square feet of retail floor area, to include:

- Banks and financial institutions.
- Corporate, business and professional offices.
- Lumber and building supply.
- Plumbing and electrical supply.
- Tire, transmission, glass, body and fender, and other automotive product sales and service.
- Machinery sales and service.
- Photography studios and sales and artist and sculptor studios.

Category C. Uses with unique requirements:

(a) Motels, hotels and tourist homes shall have one parking space per rental unit plus one parking space for every two hundred square feet of accessory, retail or business use.

(b) Theaters, auditoriums and places of public assembly shall have one parking space per five seats based upon the planned seating capacity.

(c) Hospitals, nursing homes or convalescent facilities shall provide one parking space for every three patients or beds, plus one parking space for each employee on the largest shift.

(d) Outdoor retail sales/display areas shall provide at least one parking space per five hundred square feet of area.

(e) Bowling alleys shall have three parking spaces per alley plus one space for every two hundred square feet of accessory business use.

(f) Barber shops and beauty shops shall have at least three spaces plus two spaces for every barber or beautician chair.

(g) Planned shopping centers, with four or more stores using a common parking lot, which contain from twenty thousand square feet to sixty thousand square feet of retail floor area shall provide at least one parking space for every two hundred and fifty square feet of retail floor area. Planned shopping centers which contain sixty thousand square feet or more of retail floor area shall provide at least one parking space for every three hundred square feet of retail floor area. Where a theater is proposed in conjunction with any shopping center which contains at least sixty thousand square feet of retail floor area the number of parking spaces required for the theater may be reduced by twenty-five percent of what would have been required under (b) above. All shopping centers utilizing the provisions of this paragraph shall have a minimum landscaped strip along street rights-of-way of twenty feet and the landscaped strip along all other property lines shall be a minimum width of fifteen feet.

(h) Medical and dental clinics shall provide at least three parking spaces for each doctor or dentist having offices in such clinic.

(i) Mortuaries and funeral homes shall provide at least thirty parking spaces.

(j) Furniture stores, carpet show rooms and indoor vehicular sales show rooms shall have one parking space for every four hundred square feet of retail floor area.

(k) Restaurants shall have one parking space for every four seats based upon the maximum seating capacity allowed.

3. Industrial uses: Industries, warehouses and wholesale establishments not selling directly to the public shall provide a minimum of one parking space per two employees on the largest shift.

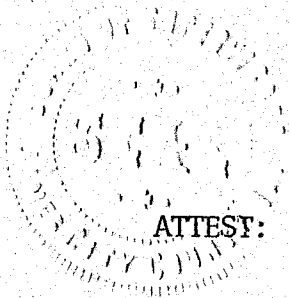
4. Appeals, Variances, Special Exceptions.

(a) Appeals. The Commission shall determine the category and the number of spaces required for each use. A property owner may appeal for a change of a commercial use from Category A to Category B or a less restrictive requirement within Category C, however, the burden of proof shall be upon the applicant to show that the particular activity will not reasonably generate parking demand sufficient to justify the parking requirement of its present classification. Appeals for changes to different parking classifications shall be made to the Board of Supervisors.

(b) Variances. A property owner may be granted a variance by the Board of Zoning Appeals from the minimum off-street parking requirements if it can be shown that due to unique circumstances, a particular activity would not reasonably be expected to generate parking demand sufficient to justify the parking requirement. Any variance granted by the Board of Zoning Appeals shall not allow a greater building area than would have been possible had the original parking requirement been enforced. The Board of Zoning Appeals may place conditions upon the granting of a variance, and may require that the parking area not required upon the granting of the variance be landscaped in addition to the minimum landscaping requirements.

July 11, 1977

This ordinance shall be in full force and effect from the date of its adoption.



Stewart U. Taylor
Stewart U. Taylor, Vice-Chairman
Board of Supervisors

James B. Oliver, Jr.
James B. Oliver, Jr.
Clerk to the Board

- 7 -

- f. Case No. Z-3-77. Joyce and James Holt and George Hitchens, applicants, requesting rezoning of two parcels fronting on Route 60-W between the Norge Elementary School and Powhatan Motel from R-2 Limited Residential to B-1 General Business.

Mr. Taylor, Vice Chairman, declared the public hearing open.

Mr. Taylor recognized Messrs. Hitchens and Holt. Mr. Hitchens stated that the Comprehensive Plan designates this area as commercial and requested approval of the rezoning. It was noted that the adjacent property owners had no objections.

The Vice Chairman closed the public hearing.

Mr. Ware moved to grant the rezoning request. The motion carried unanimously by a roll call vote.

July 11, 1977

- g. Case No. Z-2-77. Jesse and Elizabeth Bowman, applicants, requesting rezoning of .93 acres fronting on Route 60-W in Lightfoot next to the Smith Memorial Baptist Church from A-1 General Agriculture to B-1 General Business.

Mr. Taylor opened the public hearing. Mr. Bowman stated that the area surrounding the subject property is zoned M-1. It was noted that if rezoned the subject property would be an extension of a developing commercial strip. Mr. Taylor closed the public hearing.

Mr. Ware moved the approval of rezoning Case No. Z-2-77. The motion carried by a unanimous roll call vote.

3. Setting a date for public hearings:

- a. An ordinance to amend Chapter 20, of the Code of the County of James City by amending the following article: Article IX, Floodplain Area Regulations. It was noted that this would be a joint public hearing with the Planning Commission.
- b. Case No. Z-5-77. John C. Stephens, applicant, requesting rezoning of 1.25 acres fronting on Jamestown Road in the Rosa Armistead Subdivision from B-1 General Business to R-3 General Residential.
- d. An ordinance to establish a User Charge System for ground water surface for Sanitary District No. 3.

Mr. Frink moved to set the date of August 8, 1977, at 7:30 P.M. as the public hearing date for the above cases. The motion carried unanimously.

- c. An ordinance to establish a User Charge System for surface water service for Sanitary District No. 3.

Mr. Oliver requested the Board to withdraw this item from public hearing date consideration until further staff review of the matter. The Board concurred.

4. Resolution authorizing Comprehensive Study of School Division.

Mr. Oliver introduced Mrs. Frances White, Chairman of the Planning Committee for the Comprehensive Study. Mrs. White indicated that the Board of Supervisors approved this study in concept early in 1976 and earmarked \$10,000 in the FY 77 budget for consulting fees for its accomplishment.

Mr. Oliver recognized Dr. Renz, School Superintendent, and Mr. Letchworth, Chairman of the School Board.

Dr. Renz indicated that this is the first study since 1967 to be performed by a private consulting firm. He stated that the study would analyze the total school program with emphasis on the quality of education being provided and if the County is receiving value for the dollar.

Mrs. White stated that the study would be concluded in December 1977, with a final report completed by the next budget season.

Mr. Edwards moved the approval of a resolution which approved funding of a comprehensive study of the school division to be conducted by Cresap, McCormick and Paget, Inc. It was noted that the total cost of the study would be \$25,500 and the County's share would be \$12,750. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Williamsburg-James City County School Board at their meeting of June 21, 1977, selected the firm of Cresap, McCormick and Paget, Inc. to conduct a comprehensive study of the school division; and

July 11, 1977

WHEREAS, the Superintendent of Schools advised that the projected cost of the study is \$25,500; and

WHEREAS, the Board of Supervisors approved in concept this same study in early 1976 and appropriated \$10,000 in the FY 77 budget for consulting fees for its accomplishment.

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

1. That it hereby approves funding of the comprehensive study of the school division to be conducted by Cresap, McCormick and Paget, Inc. for James City County's share as follows:

FY 77 Consulting Fees	
(now encumbered)	\$10,000
FY 78 Consulting Fees	<u>2,750</u>
	\$12,750

5. Resolution authorizing execution of vendor agreement between the County and Virginia Department of Welfare.

The Board has been presented with information regarding the County's Public Transit System providing transportation services to the local Welfare Departments. It was noted that in order for the local Welfare Departments to authorize payments to the County, we must execute a vendor agreement between the Williamsburg-James City County Welfare Agencies and the County.

Mr. Frink moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Transportation is a major need of clients of the Williamsburg and James City County Welfare Agencies; and

WHEREAS, the State of Virginia Department of Welfare is authorized to contract for Transportation Services; and

WHEREAS, James City County Transit applied for vendor status with the State Welfare Department to provide these services;

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

1. That it hereby approves the agreement by and between James City County and Virginia Department of Welfare under the terms of the agreement, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs Stewart U. Taylor, Vice-Chairman, of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

6. Resolution authorizing execution of agreement with William C. Overman Associates.

Mr. Oliver requested the Board to consider contracting services with William C. Overman Associates, a professional engineering firm who would furnish consultative and engineering services to assist the County in various utility projects with a mind to effecting the most cost effective consolidation.

Mr. Edwards moved the approval of a resolution authorizing the Vice Chairman and Clerk to enter into an agreement with William C. Overman Associates. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County, Virginia, is desirous of entering into an agreement with William C. Overman Associates to furnish consultative and engineering services to assist the County in various matters of planning and engineering;

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

1. That it hereby approves the agreement by and between James City County and William C. Overman Associates under the terms and conditions contained in that certain agreement, attached hereto and made a part of this resolution.

July 11, 1977

2. That it hereby authorizes and directs Stewart U. Taylor, Vice-Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

7. Resolution authorizing execution of lease for Social Services building.

It was noted that at the June 16, 1977, meeting the Board approved a site for the Social Services building. Mr. Morton, County Attorney, had since that time prepared a lease between Leonard and Beatrice Legum and the County providing for the leasing of offices by the Department of Social Services in the building to be constructed and located on the Legum property on Strawberry Plains Road.

Mr. Frink moved the adoption of the resolution authorizing execution of the Social Services lease agreement. The motion carried by a majority roll call vote. Mr. Ware voted no.

RESOLUTION

A RESOLUTION to authorize STEWART U. TAYLOR, Vice Chairman of the Board of Supervisors, and JAMES B. OLIVER, JR., Clerk, to execute that certain lease by and between Leonard Legum and Beatrice Legum and the County of James City, providing for the leasing of offices by the Department of Social Services of James City County in the building to be constructed and located on the Legum property on Strawberry Plains Road.

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

1. That it hereby approves the lease providing for the occupation of offices by the Department of Social Services of James City County in the building to be constructed and located on the Legum property on Strawberry Plains Road, under the terms and conditions contained in that certain lease, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs Stewart U. Taylor, Vice-Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, to execute same on behalf of James City County.

8. Resolution to be presented to VDH&T regarding Longhill Road safety regulations.

The Planning Commission had prepared a resolution regarding traffic problems and the dangerous situation which exists on Longhill Road. The Planning Commission recommended that the Board of Supervisors adopt the resolution and forward it to the Highway Department for their information and follow-up.

Mr. Ware directed the County Administrator to contact the Sheriff's Department requesting them to monitor Longhill Road for speeding violations.

Mr. Edwards moved the adoption of the resolution and directed the County Administrator to forward this resolution to the Highway Department. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, development along Longhill Road has greatly increased; and

WHEREAS, Longhill Road contains numerous curves; and

WHEREAS, this road presently has a 55 mile per hour speed limit; and

WHEREAS, Longhill Road is becoming increasingly more dangerous and the scene of numerous accidents, some of which have been fatal;

NOW, THEREFORE, BE IT RESOLVED, that the James City County Board of Supervisors recommends that the Virginia Department of Highways and Transportation take whatever action is necessary to immediately:

- (1) Lower the speed limit along Longhill Road to 45 miles per hour, and
- (2) Establish a No-passing zone to extend along Longhill Road between the intersections with Olde Towne Road and Centerville Road.

July 11, 1977

9. Resolution authorizing execution of Deed of Easement between County and Birchwood Utilities.

Mr. Oliver stated that after lengthy negotiations the County was able to acquire the Birchwood Utility lines and customers. The connection of these lines to Sanitary District No. 3 has been accomplished and it is necessary to have a Deed of Easement recorded.

Mr. Taylor moved the adoption of a resolution authorizing execution of a Deed of Easement conveying easements for necessary sewer lines. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City and Birchwood Utilities, Inc. have previously reached an agreement with respect to the responsibilities of Sanitary District #3 at such time as the sewer lines are operative; and

WHEREAS, James City County Sanitary District #3 is receiving the affluent of those properties formerly served by Birchwood Utilities, Inc.

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

1. That it hereby authorizes and directs Stewart U. Taylor, Vice-Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute the Deed of Easement conveying easements for necessary sewer lines, attached hereto and made a part of this resolution.

10. Board acceptance of Flood Hazard Analyses - Powhatan Creek and Tributaries, James City County, prepared by U. S. Department of Agriculture, Soil Conservation Service.

A presentation of this study was made May 9, 1977, at a joint meeting of the Board of Supervisors and Planning Commission. The Board requested the Planning Commission to review the study and report back to the Board. The Planning Commission, after review of the report, forwarded a copy to its Subdivision Review Committee for its use in evaluation of subdivisions. The Planning Commission recommended the report be accepted by the Board.

Mr. Taylor moved to accept the report. The motion carried unanimously.

11. Resolution declaring emergency situation exists due to drought conditions.

Mr. Taylor recognized Mr. Mel Bryant, Agricultural Agent, and Mr. George Perry, President of the James City County Board of Agriculture. Messrs. Bryant and Perry addressed the Board indicating that the local farming economy has been greatly hurt by the drought.

A resolution requesting the Governor of Virginia to declare that a state of emergency exists within the County and to notify the President of the United States who may make federal funds through appropriate programs available to the farmers of the County. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, agriculture is a vital element of the economic base of James City County; and

WHEREAS, the County has suffered through one of the worst winters on record which greatly stressed the local farming economy; and

WHEREAS, the County is currently enduring a severe drought; and

WHEREAS, there is little possibility of further harvest of hay and grazing this season; and

WHEREAS, the County's corn and soybean crops in many areas have been seriously damaged; and

July 11, 1977

WHEREAS, these conditions are wide-spread throughout the County, a report having been made to the Board of Supervisors by the President of the James City County Board of Agriculture documenting these conditions; and

WHEREAS, the drought conditions have created an emergency in the County and the available resources of the County are insufficient to cope with the effects of the drought;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a state of emergency is declared to exist in the County and the Honorable Mills E. Godwin, Governor of the Commonwealth, is petitioned by the Board of Supervisors to determine that the County of James City is a disaster area and the Governor is further petitioned to request the President of the United States to declare said County a disaster area so that the Secretary of Agriculture may make federal funds available through the Emergency Funds Program, the Hay Transportation Program, the Farmers' Home Administration Emergency Loan Program, or any other appropriate program to the citizens of the County of James City, Virginia.

12. Renewal of Bingo Permit for Williamsburg Lions Club.

Mr. Oliver stated that Mr. Channing M. Hall, Jr., Commissioner of Accounts, had notified us that the Williamsburg Lions Club had complied with and had met the State Code requirements for the operation of bingo and raffle games.

Mr. Frink moved the adoption of a resolution renewing the Williamsburg Lions Club Bingo Permit. The motion carried by a unanimous vote.

RESOLUTION

WHEREAS, Williamsburg Lions Club appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and,

WHEREAS, it appears to the James City County Board of Supervisors that said Williamsburg Lions Club has met the requirements of Section 18.2-335 of the Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Williamsburg Lions Club is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County.

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution be a matter of public record within the County.

13. Request from Probation Department for additional office space.

Mr. Oliver stated that we are obligated by law to provide adequate space for the Probation Department. Mr. Oliver proposed that the County lease a 700 square foot area in the basement of the Fidelity American Bank building until the County buildings are complete. The Office of Real Estate Assessments would move from the Courthouse basement to the Fidelity American Bank basement, thus giving the Probation Department the entire Courthouse basement. It was noted that Anti-Recession Funds would be used for this project.

Mr. Edwards moved to grant the County Administrator the authority to enter into a lease with Fidelity American Bank. The motion carried by a unanimous roll call vote.

14. Appointee endorsement for State Commission on Mental Health and Mental Retardation.

The Mental Health and Mental Retardation Services Board

July 11, 1977

had sent a formal request for the Board of Supervisors' endorsement of Mrs. Ruth L. Kernodle for appointment to the State Commission on Mental Health and Mental Retardation.

Mr. Frink moved to adopt the resolution endorsing the appointment of Mrs. Ruth L. Kernodle. The motion carried unanimously.

RESOLUTION

WHEREAS, the Virginia General Assembly has created a State Commission on Mental Health and Mental Retardation, and

WHEREAS, the Honorable Mills E. Godwin and the Virginia General Assembly are considering appointments to this committee;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia does hereby encourage and endorse the appointment of Mrs. Ruth L. Kernodle, a member of the Mental Health and Mental Retardation Services Board serving James City County, and

BE IT FURTHER RESOLVED that a copy of this resolution be made available to the Virginia General Assembly and the Honorable Mills E. Godwin, Governor of the Commonwealth of Virginia.

15. Appointments to the Service Authority Board of Directors.

Mr. Taylor moved to re-appoint Messrs. John E. Donaldson and Abram Frink, Jr. to the Board of Directors of the James City Service Authority for a three-year term. The motion carried by a unanimous roll call vote.

16. Certification of Warrants.

Mr. Taylor moved the approval of the following warrants. The motion carried by a unanimous vote.

General Fund	Checks #3109 thru #3308 Totalling \$1,047,503.62
General Fund Payroll	Checks #8546 thru #8847 Totalling \$93,373.85
Sanitary District No. 1	Checks #32 Totalling \$2,513.51
Sanitary District No. 2	Checks #211 thru #215 Totalling \$2,853.71
Sanitary District No. 3	Checks #435 thru #455 Totalling \$92,033.54
Subdivision Escrow	Checks #143 Totalling \$12,428.92
Revenue Sharing	Checks #333 Totalling \$144.50
Anti-Recession Funds	Checks #106 thru #108 Totalling \$3,407.56

F. MATTERS OF SPECIAL PRIVILEGE

Supervisor Ware indicated he had received complaints regarding the chartreuse color of the fire trucks. He indicated he was inclined to agree that red has been the color for many years in the past, so why change now.

Mr. Oliver stated that the chartreuse color was becoming more and more popular due to the fact that many people have difficulty seeing red, especially at night. He stated he would provide the Board with material regarding fire equipment color.

Mr. Edwards moved to adjourn into executive session to discuss matters of litigation. The motion carried by a majority roll call vote. Mr. Ware voted no.

August 8, 1977
July 11, 1977

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD ON THE ELEVENTH DAY OF JULY, NINETEEN HUNDRED AND SEVENTY-SEVEN.

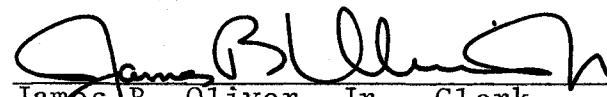
ROLL CALL

As noted above.

Mr. Edwards moved to authorize the County Attorney to file suit against the U. S. Department of Commerce in regard to the Public Works Funds if in his judgment he deems this action appropriate. The motion carried unanimously.

Mr. Edwards moved to adjourn the meeting at 9:42 P.M.
The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 AUGUST, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the minutes of June 16 and July 11, 1977, as printed. The motion carried by a unanimous roll call vote.

C. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Betty S. Pettengill, Treasurer's Office - 15 years
Rosemary L. Randall, Social Services - 5 years
Sylvia J. Hertzler, Social Services - 5 years
Junie L. Clough, Social Services - 5 years
Wayland N. Bass, Public Works - 3 years
James A. Berkley, Public Works - 3 years
Emil J. Kish, Public Works - 3 years
Loretta B. Garrett, Social Services - 3 years

D. PUBLIC HEARINGS:

1. Case No. Z-5-77--John C. Stephens, applicant. An application to rezone 1.25 acres (parcels 1 & 2, Sec. 31-A) fronting on Jamestown Road in the Rosa Armistead Subdivision from B-1 General Business to R-3 General Residential.

August 8, 1977

Mr. Henry Stephens, Acting Planning Director, stated the purpose of the request is to allow the construction of three four-family residences. It was noted that R-3 requirements allow four-family residences with a Conditional Use Permit. The Planning Commission unanimously recommended approval of the rezoning application.

Mr. Donaldson, Chairman, declared the public hearing open. There being no one present to speak for or against the request, the public hearing was closed.

Mr. Ware moved the approval of the rezoning Case No. Z-5-77. The motion carried by a unanimous roll call vote.

Mr. Taylor moved the approval of the issuance of a Conditional Use Permit to John C. Stephens to allow the proposed construction in the R-3 zone. The motion carried by a unanimous roll call vote.

2. Joint Public Hearing with Planning Commission--An Ordinance to amend Chapter 20, Zoning, of the Code of the County of James City by adding the following article: Article IX, Floodplain Area Regulations.

Mr. Donaldson recognized Mr. Jack Scruggs, Chairman of the Planning Commission. Mr. Scruggs called the Planning Commission meeting to order, called the roll, and advised Mr. Donaldson a quorum was present.

Mr. Donaldson declared the public hearing open.

Mr. Henry Stephens stated that this Floodplain Zoning Ordinance had been adopted by the Board as an Emergency Ordinance on June 16, 1977. It was noted that the emergency adoption of this ordinance was required in order for the County to continue our eligibility in the Federal Flood Insurance Program.

A resident of 106 Saber Drive, St. George's Hundred Subdivision expressed concern regarding the minimum elevation requirements.

Mr. Stephens stated that the minimum elevation regulations are already contained in our BOCA Code and will remain the same.

Mr. Gerald Otey, a resident of Chickahominy Haven, stated he and his ancestors had lived in James City County all their lives and he could not recollect anyone in the County ever experiencing flooding problems. Mr. Otey felt that if the Floodplain Zoning Regulations were approved the restrictions which the regulations carry would eliminate prime water-front property construction.

Mr. Donaldson closed the public hearing.

Mr. Scruggs directed the Planning Commission to recess outside the Council Chambers and discuss this Floodplain Zoning Ordinance.

Mr. Donaldson stated that this item would be deferred until after the Planning Commission returned to the Council Chambers.

3. An Ordinance to Establish a User Charge System for Ground Water Service for Sanitary District No. 3, James City County, Virginia.

The Chairman opened the public hearing. There was no one present wishing to speak for or against the ordinance.

Mr. Oliver stated that Sanitary District No. 3 does not have a ground water policy and this policy is needed to manage ground water systems dedicated to the Sanitary District by developers. Mr. Oliver stated that the ordinance provides for an improvement fund consisting of revenues in excess of operation

August 8, 1977

and maintenance costs.

Mr. Donaldson closed the public hearing.

Mr. Edwards questioned the word "Next" in the chart in Section 1-1 of the ordinance and asked if it should not read "Over". With this correction noted, Mr. Edwards moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 108

ADOPTED

ORDINANCE NO. 108

AN ORDINANCE TO ESTABLISH A USER CHARGE SYSTEM AUG 8 1977

FOR GROUND WATER SERVICE
SANITARY DISTRICT NO. 3
JAMES CITY COUNTY, VIRGINIA

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

1-1 District Service Charges

The District Water System bills shall be rendered by the Sanitary District to each water user quarterly. The District quarterly charges for water service shall be as follows:

<u>Water Use/quarter</u>	<u>Price/100 CF</u>	
First 1500	\$1.20	\$18.00/qtr. minimum bill
Next 3600	1.10	
Next 12900	0.98	
Over 18000	0.80	

1-2 Water Availability Charges - There shall be a water availability charge. The charge shall be payable to the District at the time application is made for connection to the District water system or for new construction.

The Availability Charges shall be:

<u>Description</u>	<u>Avail. Charge</u>	<u>Unit</u>
Single Family Residence	\$400	each
Apartments and Townhouses	400	each

All other categories to be established when needed.

2 Uses of Revenue

District service charges and availability charges shall be deposited in a separate account. Operating and maintenance expenses shall be paid from this account. Account balances in excess of O & M costs shall be held in reserve for future water works improvement projects approved by the Board of Supervisors.

3 Billing, Penalty, and Pro Rata Bills

3-1 Billing

All bills shall be due and payable on the 20th of the month following the billing period. At the expiration of this time, a penalty of ten (10) percent of the total bill may be incurred. Water service shall be disconnected if District bills are past due over 15 days.

F. BOARD CONSIDERATIONS

1. Cancellation of August 22 meeting.

Mr. Taylor moved to cancel the August 22, 1977, Board of Supervisors meeting. The motion carried unanimously by a roll call vote. It was noted that the next regularly scheduled meeting of the Board of Supervisors would be September 12, at 7:30 P.M.

August 8, 1977

and maintenance costs.

Mr. Donaldson closed the public hearing.

Mr. Edwards questioned the word "Next" in the chart in Section 1-1 of the ordinance and asked if it should not read "Over". With this correction noted, Mr. Edwards moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 108

- 2 -

In all cases where there are delinquent charges, including disconnection and/or reconnection costs, due the District, the owner of record of the property shall be held responsible or liable for payment of these outstanding accounts.

The property owner remains responsible for all the service line from the street right-of-way to the premises; any leak, break or stoppage occurring at any point on the service line shall be repaired immediately.

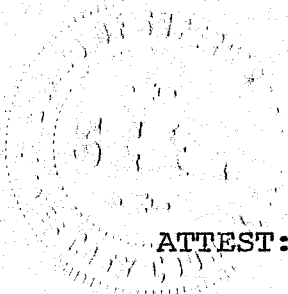
3-2 Penalty

All unpaid water charges shall become a lien on land or property served by the water line as provided in the Code of Virginia, Section 21-118.4 (e).

3-3 Pro Rata Bills

Customers requesting discontinuance or establishing new accounts for service shall be billed by the District on the number of months or part thereof in the billing period when service was provided.

This ordinance shall be in full force and effect from the date of its adoption.



John E. Donaldson
John E. Donaldson, Chairman
Board of Supervisors

ATTEST:

James B. Oliver, Jr.
James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, on this 8th day of August, 1977.

F. BOARD CONSIDERATIONS

1. Cancellation of August 22 meeting.

Mr. Taylor moved to cancel the August 22, 1977, Board of Supervisors meeting. The motion carried unanimously by a roll call vote. It was noted that the next regularly scheduled meeting of the Board of Supervisors would be September 12, at 7:30 P.M.

August 8, 1977

2. An Ordinance to amend and reordain the Code of the County of James City by amending Chapter 18, entitled, Taxation, Article II. Exemption of Certain Persons from Real Estate Taxes.

The Board discussed the proposed ordinance. Mr. Edwards moved to change Section 18-11, Amount of Exemption, to read "Any person qualifying under Section 18-10 shall be exempt from real estate taxes; however, that no such exemption shall exceed \$300." The motion carried by a unanimous roll call vote.

Mr. Frink moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 70A-1

ADOPTED

AUG 8 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 70A-1

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING CHAPTER 18, ENTITLED, TAXATION, ARTICLE II. EXEMPTION OF CERTAIN PERSONS FROM REAL ESTATE TAXES.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County that the Code of the County of James City be and the same is, hereby, amended and reordained by amending Chapter 18, entitled, "Taxation, Article II. Exemption of Certain Persons from Real Estate Taxes."

CHAPTER 18.

TAXATION.

ARTICLE II.

EXEMPTION OF CERTAIN PERSONS FROM REAL ESTATE TAXES.

Section 18-8. Age limit.

Real estate, or any portion thereof, owned by and occupied as the sole dwelling of a person or persons not less than sixty-five years of age or a person who is determined to be permanently and totally disabled as provided herein shall be exempt from real estate taxes in the amounts as set forth elsewhere in this article.

Section 18-9. Definitions.

The following words and phrases when used in this article shall, for the purposes of this article, have the following respective meanings, except where the context clearly indicates a different meaning:

Income. 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 state supplemental retirement system.

3. Appropriation of Anti-Recession Funds.

Mr. Oliver stated the County had received \$10,516 in Anti-Recession Funds and recommended the unappropriated funds be used to create an engineer position, which position would focus on utility integration and consolidation.

Net combined financial worth. 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 18-10 hereof. Such term includes, but is not limited to, the cash surrender value of any life insurance policy owned by such person or persons.

Permanently and totally disabled. A person shall be deemed permanently and totally disabled if he is so certified as required in section 18-12 and is found by the commissioner of revenue to be unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment or deformity which can be expected to result in death or can be expected to last for the duration of such person's life.

Section 18-10. Qualifications for exemption.

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 and in addition:

(a) 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' relatives living in the dwelling does not exceed ten thousand dollars; provided, that the first four thousand 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.

(b) 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 thirty-five thousand dollars.

Section 18-11. Amount of exemption.

Any person or persons qualifying under section 18-10 shall be exempt from real estate taxes; provided, however, that no such exemption shall exceed \$300.00.

Section 18-12. Application.

Any person or persons claiming such exemption shall file annually with the commissioner of revenue of the county, on forms to be supplied by the county, an affidavit setting forth the names of the related persons occupying such real estate; provided, that the total combined net worth, including equitable interests and the combined income from all sources, of the person or persons as specified in section 18-10 does not exceed the limits prescribed in this article.

If such person is under sixty-five years of age such form shall have attached thereto a certification by the Social Security Administration, or if such person is not eligible for social security, a sworn affidavit by two medical doctors licensed to practice medicine in the Commonwealth, to the effect that such person is permanently and totally disabled, as defined in section 18-9.

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.

The commissioner of revenue shall also make such further inquiry of persons seeking such exemption, requiring answers under oath, as may be reasonably necessary to determine qualifications therefor as specified in this article. In addition, certified tax returns shall be produced by the applicant to establish income or financial worth.

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.

August 8, 1977

2.


An Ordinance to amend and reordain the Code of the County of James City by amending Chapter 18, entitled, Taxation, Article II. Exemption of Certain Persons from Real Estate Taxes.

The Board discussed the proposed ordinance. Mr. Edwards moved to change Section 18-11, Amount of Exemption, to read "Any person qualifying under Section 18-10 shall be exempt from real estate taxes; however, that no such exemption shall exceed \$300." The motion carried by a unanimous roll call vote.

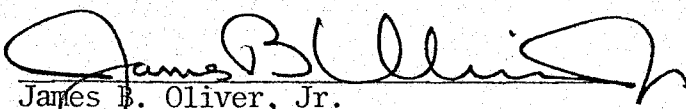
Mr. Frink moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 70A-1

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors
James City County, Virginia

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia,
on the 8th day of August, 1977.

3.

Appropriation of Anti-Recession Funds.

Mr. Oliver stated the County had received \$10,516 in Anti-Recession Funds and recommended the unappropriated funds be used to create an engineer position, which position would focus on utility integration and consolidation.

August 8, 1977

Mr. Oliver requested the Board to appropriate \$1,500 in order to complete the tax mapping program, which program originated through Anti-Recession Funds. Mr. Oliver also requested the Board to appropriate \$8,017.53 for the creation of a Civil Engineer I position.

Mr. Ware mentioned that the County had hired a Civil Engineer a few months ago.

Mr. Oliver indicated that the engineer hired in March of this year is managing the four-million dollar Toano-Route 60 West Sewer Project.

Mr. Taylor asked how long these Anti-Recession Funds would continue.

Mr. Oliver stated that as long as the County's unemployment remained above six percent the County would continue receiving funds from the federal government.

Mr. Edwards felt it important to employ technical staff who would improve the County's various water and utility systems.

Mr. Edwards moved the approval of a resolution which appropriates \$1,500 to the County Assessment Mapping Program and \$8,017.53 towards the establishment of the position of Civil Engineer I. The motion carried by a majority vote of three to two. Messrs. Taylor and Ware voted no.

RESOLUTION

WHEREAS, James City County has recently received \$10,516.00 under the Anti-Recession Fiscal Aid Program;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that \$1,500.00 be appropriated to the James City County Assessment Mapping Program; and

BE IT FURTHER RESOLVED that \$8,017.53 be appropriated towards the establishment of the position of Civil Engineer I.

E-1.

Continued joint public hearing with Planning Commission
RE: Floodplain Area Regulations Ordinance.

Mr. Donaldson requested Mr. Scruggs, Chairman of the Planning Commission, to announce the Planning Commission decision regarding the Floodplain Area Regulations Ordinance. Mr. Scruggs stated that the Planning Commission by a vote of four to one recommends approval of the ordinance.

Mr. Edwards moved the adoption of the ordinance. The motion carried by a unanimous roll call vote. It was noted that Supervisor Ware is a member of the Planning Commission and was marked present during the Planning Commission's roll call.

ORDINANCE NO. 31A-43

(see next page)

AUG 8 1977

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-43

AN ORDINANCE TO AMEND CHAPTER 20 OF THE CODE OF THE COUNTY OF JAMES CITY BY ADDING THE FOLLOWING ARTICLE: ARTICLE X, FLOODPLAIN AREA REGULATIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City that Chapter 20, Zoning, of the Code of the County of James City is, hereby amended by adding Article X, Floodplain Area Regulations.

CHAPTER 20

ZONING

Article X. Floodplain Area Regulations.

Section 20-139. Statement of Intent.

These regulations shall apply to all property located within an area designated as a Floodplain Area, and as such shall supplement the regulations of the zoning district within which such property is located. These regulations are intended to insure the health, safety and general welfare of the public by insuring that inhabitants and property within a designated Floodplain Area are safe from damage due to flooding and will not endanger others. This article complies with the requirements of the National Flood Insurance Program (42 U.S.C. 4001-4128) of the Federal Insurance Administration. These regulations are necessary in order for all property owners within the County to be eligible for the National Flood Insurance Program and thereby purchase such insurance at nominal rates. Where these regulations are at variance with the general regulations of this Chapter, it is intended that these regulations shall apply.

Section 20-140. Applicability.

This article shall only apply to property which is designated as being within a Floodplain Area.

Section 20-141. Designation of Floodplain Areas.

The following areas are hereby designated as Floodplain Areas:

- (1) Property within Zone A of a Flood Hazard Boundary Map (FHBM) published by the Federal Insurance Administrator; or
- (2) Property within Zones A1-30 of a Flood Insurance Rate Map (FIRM) published by the Federal Insurance Administrator.

Such maps shall be available for inspection in the Department of Planning and Development, Department of Public Works and Department of Building Inspections.

Section 20-142. Permits.

No special permits shall be required by this article. An application for subdivision, site plan, rezoning, building permit, conditional use permit, special use permit, sediment and erosion control permit, wetlands permit or other local development permit shall be considered an application for development under this article. The applicant shall be informed of the provisions of this article as they may apply to the property, and no permit shall be issued until the applicant has complied with such provisions.

Section 20-143. Regulations for Construction.

In Floodplain Areas new structures or additions to any existing structure shall have the lowest floor, including the basement, elevated to or above the base flood level (100 Year Floodplain, or the flood having one percent chance of being equalled or exceeded in any given year). This section shall be administered by the Building Official. It shall be the responsibility of the applicant to provide this data, certified by a licensed surveyor or engineer or other source acceptable to the Building Official.

Section 20-144. Regulations for Mobile Homes.

In Floodplain Areas, mobile homes shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in either of the following arrangements:

- (1) Over-the-top ties at each corner plus one frame tie at the middle of each side; or
- (2) Frame ties at each corner plus no less than five evenly spaced additional frame ties per side.

All ties to the ground shall be able to carry a force of 4,800 pounds.

This section shall be administered by the Building Official. The Zoning Administrator shall not issue a Conditional Use Permit for any mobile home in a Floodplain Area until the applicant has complied with these provisions.

Section 20-145. Regulations for Subdivisions and Site Plans.

The applicant of any subdivision of land with more than 50 lots or an area greater than 5 acres or site plan within the County shall submit with his application a statement by a licensed surveyor or engineer as to whether or not any property shown on the plat or plan is at an elevation lower than the base flood level (100 Year Floodplain or the flood having one percent chance of being exceeded in any given year). Where a base flood level exists the extent of this area shall be shown on the plat or plan. Further, the elevation of the finished surface of the ground at each building location shall be shown. This section shall be administered by the Subdivision Agent.

Section 20-146. Regulations for Mobile Home Parks or Mobile Home Subdivisions.

In all Floodplain Areas, all new mobile home parks or mobile home subdivisions shall have an alternate vehicular access and escape route approved by the Zoning Administrator prior to approval of any Conditional Use Permit or occupancy of the site.

Section 20-147. Regulations for Public Utilities.

Nonessential or improper installation of public utilities and public facilities in Floodplain Areas shall be prohibited.

- (1) Water Supply Systems - New or replacement water supply systems in a Floodplain Area shall be designed to minimize or eliminate infiltration of flood waters.
- (2) Sanitary Sewerage Systems - New or replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters or discharge of effluents into flood waters.
- (3) Septic Tanks - New or replacement septic tank drain fields shall be placed where they shall not be impaired or contaminated by a base flood.

This section shall be administered by the Director of Public Works or Health Official where applicable.

Section 20-148. Regulations for Filling of Floodplain Areas.

Filling of land which has an elevation lower than the elevation of a base flood (100 Year Floodplain or the flood having one percent chance of being exceeded in any given year) shall be prohibited unless:

- (1) Such fill will not increase the level of flooding on any other property; or
- (2) The cubic area of the base floodplain to be filled is equalled by additional cubic area to be added to the base floodplain via dredging or removal of earth.

These requirements are essential to prohibit increased flood hazard to other property and life as a result of such filling. This section shall be administered by the Director of Public Works. The applicant shall provide whatever data is necessary to make such determinations, as certified by a licensed surveyor or engineer.

August 8, 1977

Section 20-149. Watercourse Modification.

The Federal Insurance Administrator, adjacent jurisdiction and State Coordinating Office shall be notified prior to the alteration or relocation of the main channel of any watercourse. The flood carrying capacity to such watercourse shall be maintained. This section shall be administered by the Director of Public Works.

Section 20-150. Nonconforming Structures.

Any existing structure not in conformity with the floor elevation requirements of this article which is hereafter damaged by flooding to an extent of 50 percent of replacement cost at time of damage may not thereafter be restored except with floor elevations as required herein. This section shall be administered by the Building Official.

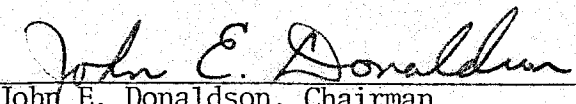
Section 20-151. Designated Official.

The Zoning Administrator is designated to coordinate the implementation of this article and to submit an annual report to the Administrator of the National Flood Insurance Program concerning such implementation.

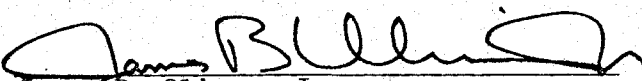
Section 20-152. Amendment.

This article shall be amended upon receipt of Flood Insurance Rate Maps from the Flood Insurance Administrator, to include Zones A1-30, A0 or A99; and upon receipt of final base flood elevations within these zones.

This ordinance shall be in full force and effect from the date of its adoption.


John E. Donaldson, Chairman
Board of Supervisors

ATTEST:


James B. Oliver, Jr.
Clerk to the Board

Adopted by the Board of Supervisors, James City County, Virginia, on this 8th day of August, 1977.

F-4. Citizens Bi-Monthly Publication.

Mr. Oliver stated that during a staff conference public relations were discussed and considered a high priority. He stated he had discussed public relations with some of the Supervisors also.

Mr. Oliver requested the Board to transfer \$2,000 from the Contingency Fund for the purpose of publishing a newsletter six time in the coming fiscal year on an experimental basis to see if it fills a public relations need.

Mr. Donaldson asked the Supervisors if they wished to undertake this experiment, if they wanted to appropriate \$2,000 for this project, and if alternative number three in the memorandum suggesting a newsletter is the direction to take.

After Board discussion, Mr. Donaldson moved to authorize the expenditure of \$2,000 for the purpose of a County newsletter to be published six time in the coming year. The motion carried by a unanimous roll call vote.

August 8, 1977

5. Conditional Use Permit for Jamestown Waterslide.

Mr. Henry Stephens stated that Mr. T. Robert Vermillion has applied for a Conditional Use Permit to allow the construction of a waterslide. The waterslide will be located on Route 31 across from Jamestown Campgrounds and adjacent to the Jamestown Festival Park parking lot. Mr. Stephens stated the staff has reviewed and approved the project contingent upon several conditions.

Mr. Parke Rouse, Jr., stated that the executive committee of the Jamestown Foundation had requested him to appear before the Board and voice objection to the proposed project. Mr. Rouse stated that the executive committee views this project as an intrusion which would reflect a carnival type atmosphere to the surrounding historical area.

Mr. A. B. Smith, Jr., attorney for the applicant, introduced Messrs. Robert Vermillion, applicant of the project, and Victor Woodson, engineer for the project. Messrs. Smith, Vermillion and Woodson addressed the conditions which were to be placed upon the project. It was noted that the proposed use is permissible in the B-1 zone and the project is an extension of the existing campground.

After Board discussion and review of this project, Mr. Ware moved the approval of the issuance of a Conditional Use Permit for Case No. SP-19-77, contingent upon the following: 1) Approval of a final site plan by the Site Plan Review Committee of the Planning Commission. This plan should include a landscaping plan. 2) The developer shall install or cause to have installed on Route 31 in the vicinity of the Jamestown Campground and proposed waterslide a crosswalk, signage and lighting according to VDHT standards unless said VDHT shall not permit such improvements to be made to Jamestown Road. 3) The height of the waterslide shall be limited to a maximum of 20 feet above the existing grade. All street lights on the site and in the parking lot shall be limited to a height of the slide itself, and their height shall be limited to a maximum of 25 feet. 4) A minimum of 50 parking spaces shall be provided and the developer shall install or cause to have installed such additional spaces as the Board of Supervisors shall from time-to-time deem necessary. 5) Should the developer cease to operate the waterslide for a period of two years, the permit shall become void and the developer shall remove the slide, signage and lights from the property and the site shall be restored within reason to its original contours. The motion carried by a majority roll call vote. Mr. Edwards voted no.

6. Jamestown Lions Club Raffle Permit.

Mr. Donaldson moved the approval of a resolution authorizing the issuance of a Raffle Permit to the Jamestown Lions Club. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Jamestown Lions Club, James City County, Virginia, appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and

WHEREAS, it appears to the James City County Board of Supervisors that said Jamestown Lions Club, James City County, Virginia, has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities

August 8, 1977

shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Jamestown Lions Club, James City County, Virginia, is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County;

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

7. Approval of FY 78 Criminal Justice Plan- Phase I.

Mr. Oliver stated that the 1978 Criminal Justice Plan is consistent with the County's Law Enforcement Plan adopted by the Board on April 12, 1976. The plan focuses and gives the highest priority to the City-County jail expansion need.

Mr. Edwards moved the approval of a resolution which endorses and approves the 1978 Criminal Justice Plan as it relates to James City County. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County recognizes the critical need for improved training of law enforcement personnel, the need to consider alternatives to incarceration, and the improvement and coordination of youth detention services; and

WHEREAS, the County recognizes the immediacy of the problem of overcrowding in the City-County jail; and

WHEREAS, the Board of Supervisors of James City County supports the application for a joint grant with the City of Williamsburg in the amount of \$300,000, which funds would apply to the expansion of the current jail;

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

1. That it hereby approves and endorses the 1978 Criminal Justice Plan as it relates to James City County.

8. Resolution authorizing execution of addendum to Transit agreement.

Mr. Oliver stated that the Board had approved an agreement between James City County and Colonial Virginia Tours, Inc. regarding the operation of the County Transit System. Mr. Oliver stated that a dispute had arisen regarding the method of reimbursement between the parties. Mr. Oliver stated that negotiations had taken place and requested the Board to adopt a resolution authorizing execution of the addendum.

Mr. Frink moved to adopt the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County and Colonial Virginia Tours, Incorporated, entered into an agreement dated April 26, 1977; and

WHEREAS, it is the desire of the parties hereto to amend that agreement;

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

1. That it hereby approves the addendum to the agreement dated April 26, 1977, by and between James City County and Colonial Virginia Tours, Incorporated under the terms and conditions contained in that certain addendum, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

August 8, 1977

9. Fowl Claim- Margaret Clark.

Mr. Donaldson moved the approval of the issuance of a check in the amount of \$51 to Mrs. Margaret Clark for reimbursement of fowl killed by a dog. The motion carried by a unanimous roll call vote.

10. Resolution authorizing exeuction of deed conveying lift station previously acquired to R. D. Mahone from Sanitary District No. 3.

It was explained that due to an error in the working drawings, lift station #2 was not built on the site acquired for that purpose. Mr. Oliver requested the Board's approval of a resolution returning to the grantor, R. D. Mahone, the original site in exchange for a revised site.

Mr. Frink moved the approval of the resolution. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, R. D. Mahone conveyed a certain parcel of property to James City County Sanitary District #3 for purposes of locating thereon a lift station; and

WHEREAS, the property described in the deed attached hereto is no longer needed for the purposes for which said property was conveyed;

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

1. That it hereby approves the deed conveying that certain property described therein by and between James City County Sanitary District #3, James City County Board of Supervisors and R. D. Mahone dated August 1, 1977, attached hereto and made a part of this resolution.
2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk to the Board, to execute same on behalf of James City County.

11. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #3309 thru #3483 Totalling \$296,812.75
General Fund Payroll	Checks #8858 thru #9167 Totalling \$94,722.33
Sanitary District #1	Checks #33 thru #34 Totalling \$8,650.01
Sanitary District #2	Checks #216 thru #218 Totalling \$2,447.01
Sanitary District #3	Checks #456 thru #466 Totalling \$118,292.06
Subdivision Escrow	Check #144 Totalling \$247.19
Revenue Sharing	Checks #334 thru #340 Totalling \$54,921.50
Anti-Recession	-0-

G. MATTERS OF SPECIAL PRIVILEGE

Mr. Taylor requested Mr. Morton, County Attorney, to prepare an ordinance for Board consideration regarding tax exemption for farm machinery and livestock.

H. REPORTS OF THE COUNTY ADMINISTRATOR1. Revenue Sharing Final Reports.

Mr. Oliver presented the Board with Completed Revenue

August 8, 1977

Sharing Project Reports which included: Grove Fire Station, Water Services, Refuse Collection, Mapping Program, Mini-Parks, and Tennis Courts.

Mr. Edwards moved to formally acknowledge receipt of the reports. The motion carried unanimously by a roll call vote.

2. Regional Solid Waste Disposal Alternatives.

Mr. Oliver stated that the Peninsula Planning District Commission has taken the Metcalf and Eddy Solid Waste Management Plan and approached the member jurisdictions with three alternatives which are: continue with individual systems, create a Peninsula Authority, or participate in Southeastern Authority.

After Board discussion of the alternatives, Mr. Edwards moved to authorize our participation in the organizational stages of establishing a Peninsula regional authority. The County's cost for participation would be a \$4,000 commitment for the first year. Mr. Oliver indicated after the first year the Board could re-evaluate our position in this program and decide if it would be advantageous for the County to continue participation. The motion carried by a unanimous roll call vote.

Mr. Frink requested the staff to review our present landfill status, i.e., what is the life expectancy, will our refuse disposal demands increase and any other points of importance regarding the landfill.

3. Federal and State Programs in James City County.

Mr. Oliver presented the Board with a list of federal and state programs in James City County. The list displayed the diversity of the number of agencies the County is working with and the monies involved in each project. It was noted that Mr. Craig G. Covey, Special Projects Coordinator, has been handling these federal and state programs and grants. Mr. Oliver stated Mr. Covey would be leaving the County's employment on September 9.

4. Delinquent Taxes Assessed in James City County.

It was brought to the Board's attention that the Treasurer had provided the Board with a list of delinquent taxes assessed in the County. Mr. Taylor requested the staff to investigate and report back to the Board regarding the cost of publishing the delinquent tax list.

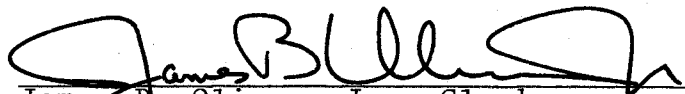
5. Scheduling a date for a public hearing of Case No. SUP-1-77. An application of Paul Falk for a Special Use Permit to allow a warehouse for the storage of merchandise.

Mr. Taylor moved to set September 12, at 7:30 P.M., as a public hearing date for the above case. The motion carried by a unanimous roll call vote.

Mr. Edwards moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 10:45 P.M.

September 12, 1977
August 8, 1977


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWELFTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the minutes of August 8, 1977, as printed. The motion carried by a unanimous vote.

C. HIGHWAY MATTERS

Mr. Rawley Yeatts, Resident Engineer, stated he was being transferred from the Williamsburg-James City County area to the Hampton Roads area to become Assistant District Engineer for Tunnel and Toll Facilities and Mr. James T. Kelley, Assistant Resident Engineer, would be Acting Resident Engineer until a replacement arrived. Messrs. J. S. Hodge, District Engineer, and C. M. Clarke, Assistant District Engineer for Maintenance, were introduced to the Board.

Mr. Hodge stated that the County and VDH&T needs to work together in the development of the Six Year Highway Improvement Plan. Mr. Hodge asked if the Board would like formal participation into the Six Year Improvement Plan and requested the Board to notify the Highway Department of the appointment of liaison officials to work with the Highway Department.

The Board concurred with Mr. Hodge's suggestion to participate in the Plan and requested Mr. Oliver to appoint appropriate staff as liaison officers.

D. INTRODUCTION OF MARGARET MONTGOMERY

Mr. M. W. Bryant, VPI-SU Extension Agent introduced Margaret Montgomery, Extension Home Economist, who had recently been hired to replace Miriam Puster who had retired.

E. PUBLIC HEARING

1. Case No. SUP-1-77. Paul Falk, applicant. An application to allow a warehouse for storage of merchandise.

Mr. William C. Porter, Planning Director, stated that

September 12, 1977

the issuance of the Special Use Permit would allow the expansion of an existing warehouse. Mr. Porter stated that the Site Plan Review Committee has given preliminary approval to the site plan for the addition subject to final approval of the Special Use Permit.

Mr. Donaldson, Chairman, opened the public hearing. There being no one present to speak for or against the request, the Chairman closed the hearing.

Mr. Ware moved to approve the issuance of a Special Use Permit which would add to the property a permitted use of a general merchandise warehouse. The motion carried by a unanimous roll call vote.

F. BOARD CONSIDERATIONS

Setting a date for public hearings:

1. An Ordinance to amend and reordain Chapter 18, Taxation, of the Code of the County of James City, by adding a new article: Article III, Exemption of Certain Farm Animals, Grains, Farm Machinery and Farm Implements from Personal Property.

Mr. Taylor moved to establish October 10, 1977, at 7:30 P.M. as the public hearing date for the above captioned item.

Mr. Donaldson moved to amend Mr. Taylor's motion to schedule a public hearing on October 10, 1977, to include the following for public hearing at the same time:

2. Vacation of a Plat - First Colony Subdivision, Section 2, Lots 160, 161, 162 and 163.
3. Vacation of an Easement - Kristiansand Subdivision, Section IV, Lots 93 and 94.
4. Vacation of a Plat - St. George's Hundred, Section II, Lot 18.

Mr. Donaldson's motion carried by a unanimous roll call vote.

5. Agreement between James City Service Authority and Board of Supervisors - Board of Supervisors' Minutes of June 14, 1976.

It was explained that at the Board meeting of June 14, 1976, the Board of Supervisors entered into an agreement with the James City Service Authority for purposes of funding the original costs for the Toano Sewer Construction Project. The June 14, 1976, minutes of the Service Authority reflect the adoption of the Memorandum of Agreement between the Board and Service Authority. The Board recollected the action of that meeting and Mr. Donaldson gave notice that at the next meeting he would move to amend the previously adopted minutes of June 14, 1976, to reflect the adoption by the Board of the Memorandum of Agreement between the James City Service Authority and the County under which funding of the original costs for the Route 60-W Toano Sewer Project was outlined.

6. Delinquent Real Estate Taxes.

Mr. John E. McDonald, Assistant to County Administrator/Finance, indicated there were 1,082 parcels of land in the County which have delinquent taxes for the years 1974, 1975 and 1976.

Mr. Donaldson moved the approval of publishing one announcement in the Virginia Gazette at a cost not to exceed \$700 and that sufficient

September 12, 1977

funds be transferred from the Contingency Account to the Board of Supervisors Advertising Account for this purpose.

The Board discussed publishing delinquent taxes more than three years old. The Board directed the staff to research and collect data regarding real estate taxes that are more than three years delinquent and suggest an appropriate procedure regarding collection of these delinquencies.

Mr. Donaldson's motion carried by a unanimous roll call vote.

7. Request for Change of Corporate Structure - Tidewater Water Company.

Mr. Frank M. Morton, County Attorney, introduced Mr. Archer L. Jones, counsel for Tidewater Water Company. Mr. Jones stated that for income tax reasons it is advantageous for the Company to be broken into five different public service corporations. It was noted that citizens of Riverview Plantation are serviced by the Tidewater Water Company.

Mr. Taylor moved the approval of the resolution which indicated no objection to the change of corporate structure of the Tidewater Water Company to Tidewater Water Company - James City subject to such approvals as are required by the State Corporation Commission.

Mr. Edwards asked if the residents had been informed of this proposed change in corporate structure.

Mr. Jones stated no they had not but when the approvals from the other jurisdictions are secured, the matter would be forwarded to the State Corporation Commission for their approval. At that time the residents being served by the Company would be notified of the proposal.

Mr. Taylor's motion to approve the resolution carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Tidewater Water Company, a public service corporation operating under the auspices of the State Corporation Commission, provides water service to the residents of that area of James City County known as Riverview Plantation; and

WHEREAS, Tidewater Water Company also provides water service to several other jurisdictions in the Tidewater area; and

WHEREAS, Tidewater Water Company is desirous of changing their corporate structure so as to provide for service by different public service corporations for each jurisdiction, based upon approval by the State Corporation Commission; and

WHEREAS, if approval is secured, Tidewater Water Company will hereinafter be known in this County as Tidewater Water Company-James City;

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

1. That said governing body interjects no objection to the change of corporate structure of that utility operating in James City County from the current name of Tidewater Water Company to Tidewater Water Company-James City, subject to such approvals as are required by the State Corporation Commission.

8. Authorization to Transfer Funds.

Mr. Oliver requested the Board to adopt two resolutions authorizing the transfer of surplus funds from the James City County Virginia Public Assistance Fund and the Sinking Fund for the School Bond Series of 1964-B to the General Fund.

September 12, 1977

Mr. Edwards moved the adoption of the resolution authorizing the transfer of all surplus of the James City County Virginia Public Assistance Fund to the General Fund. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the James City County Virginia Public Assistance Fund is created through local appropriations by the James City County Board of Supervisors; and

WHEREAS, the Fund has accumulated a surplus of approximately \$89,700 as of June 30, 1977; and

WHEREAS, these funds are in excess of expenditures for the fiscal year ending June 30, 1977;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of James City County is hereby authorized to transfer all surplus funds of the James City County Virginia Public Assistance Fund to the General Fund; and

BE IT FURTHER RESOLVED, that these funds be recorded as Miscellaneous Revenues in the books of account of the General Fund.

Mr. Frink moved the adoption of a resolution authorizing the transfer of funds in excess of the Sinking Fund requirements to the General Fund. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, the Sinking Fund for the School Bond Series of 1964-B was created in order to accumulate \$800,000 to allow for the repayment of principal on those bonds; and

WHEREAS, due to continued investment of these funds by the Treasurer, the total funds accumulated will exceed the Sinking Fund requirements prior to the dates of payment;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of James City County is hereby authorized to transfer all funds in excess of the Sinking Fund requirements to the General Fund; and

BE IT FURTHER RESOLVED, that these funds be recorded as Interest on Short-Term Investments in the books of account of the General Fund.

9. Resolution for Approval of an LEAA Grant Application for the First Phase of the City-County Jail Expansion Project.

Mr. Donaldson moved the approval of a resolution which authorizes and directs the Chairman and Clerk to the Board to execute such documents as are necessary for the purpose of properly administering a Law Enforcement Assistance Grant for use in the City-County Jail Expansion Project. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County recognizes the immediate need for improving and expanding the existing City-County jail; and

WHEREAS, James City County has been made aware of an opportunity to apply for a Law Enforcement Assistance Grant; and

WHEREAS, the Board of Supervisors of James City County supports the proposed construction program which will improve detention services and safety;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that John E. Donaldson, Chairman and James B. Oliver, Jr., Clerk to the Board, be and the same are, hereby, authorized and directed to execute such documents as are necessary for the purpose of properly administering a Law Enforcement Assistance Grant for use in the City/County Jail Expansion Project.

10. Sanitary District #2 - Sanitary Sewer Connection for Stadium Oil Sales, Inc.

It was explained that Stadium Oil Sales, Inc. has requested a sewer service connection in Sanitary District #2 and that York County does not now provide sewer service in this area. York County Board of Supervisors

September 12, 1977

authorized Stadium Oil Sales, Inc. to contact James City County for the required sewer service.

Mr. Donaldson moved to approve Stadium Oil Sales, Inc. request for a sewer service connection in Sanitary District #2. The motion carried unanimously by a roll call vote.

11. Renewal of Lease - EOC Building.

Mr. Taylor moved the approval of a resolution authorizing the Chairman and Clerk to the Board to execute a lease between James City County Board of Supervisors, lessor, and the James City County ASC Committee, lessee, providing for the rental of office space in the EOC Building. The motion carried by a unanimous roll call vote.

RESOLUTION

A RESOLUTION to authorize JOHN E. DONALDSON, Chairman of the Board of Supervisors, and JAMES B. OLIVER, JR., Clerk, to execute that certain lease dated September 1, 1977, by and between the James City County Board of Supervisors, Lessor, and the James City County ASC Committee, Lessee, providing for the rental of office space in the EOC Building on Forge Road in Toano.

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

1. That it hereby approves the lease providing for the occupation of office space by the James City County ASC Committee in the EOC Building on Forge Road in Toano, under the terms and conditions contained in that certain lease dated September 1, 1977, attached hereto and made a part of this resolution.

2. That it hereby authorizes and directs John E. Donaldson, Chairman of the Board of Supervisors, and James B. Oliver, Jr., Clerk, to execute same on behalf of James City County.

12. Resolution authorizing Northgate Associates to connect their proposed laundry facility (Howard Johnson's) to the City of Williamsburg's water system.

Mr. Frink moved the approval of a resolution granting permission to Northgate Associates to seek its water supply from the City of Williamsburg due to the fact that the County does not have water service available to this area. It was noted that the motel and restaurant are tied into the City's system. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Northgate Associates has requested the Board of Supervisors of James City County, Virginia, that it be permitted to hook up to water supplied by the City of Williamsburg to serve a portion of their property at the Howard Johnsons site on Route 60 West for purposes of serving a laundry facility; and

WHEREAS, said City has a water line running in front of the location which currently serves other improvements located on said property; and

WHEREAS, said County does not have water service available to this area;

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

1. That Northgate Associates is hereby given permission to seek its water supply from the City of Williamsburg to serve a laundry facility to be located adjacent to Howard Johnsons on Route 60 West.

13. Emergency Services Mutual Aid Agreement.

The Board was provided with a draft Emergency Services Mutual Aid Agreement between the City of Newport News, City of Hampton, City of Poquoson, City of Williamsburg and the Counties of James City and York.

The Board requested that this agreement be brought back to the Board's attention when it is in final form. The Board indicated its desire

September 12, 1977

to pursue the general concept and requested the staff to continue processing the matter.

14. Proposed Independent Audit of County.

Messrs. Oliver, County Administrator, and McDonald, Assistant to the Administrator/Finance, requested the Board's approval for staff to solicit for an independent audit.

Mr. Ware moved to concur in the recommendation of Messrs. Oliver and McDonald to solicit for an independent audit. It was noted that the staff would analyze the replies of the proposed independent audit and report back to the Board. The motion carried by a unanimous roll call vote.

15. Public Hearing Scheduling Procedures.

Mr. William C. Porter, Planning Director, presented the Board with a revised public hearing scheduling procedure. It was explained that scheduling and advertising public hearings now take 74 days. It was noted that the Board would be setting a date for public hearing before the Planning Commission holds its public hearing if the proposed schedule is approved.

Mr. Taylor moved to approve the procedure for scheduling public hearings of applications forwarded to the Board from the Planning Commission. The motion carried by a unanimous roll call vote.

16. Construction Budget - Sanitary District #3.

The Board was presented with a revised construction budget for Sanitary District #3.

Mr. Edwards moved the approval of the resolution which outlines revisions of revenues and expenditures in the Sanitary District #3 budget. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the sewer utility projects within Sanitary District No. 3 are substantially complete; and

WHEREAS, adjustments in previously appropriated funds are required to terminate short term financing, to obligate previously unappropriated funds, to allocate construction contingency funds and to reclassify grant-eligible and nongrant-eligible expenditures;

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

The following amounts are hereby appropriated for the activities listed below:

REVENUES

Connection Fees	\$ 584,400
Interest on Investments	75,700
Federal Grant	2,468,560
State Grant	162,980
FmHA Bonds	2,120,000
Miscellaneous	7,200
	<hr/>
	\$5,418,840
Bond Anticipation Notes	\$2,120,000
Construction Loan	500,000
	<hr/>
	\$2,620,000

\$8,038,840

September 12, 1977

EXPENDITURES

Grant Eligible

Administration	\$ 110,000
Equipment	5,500
Basic Engineering	257,540
Other Arch/Engineering	160,000
Resident Supervisor	51,000
Fiscal Services	400
Contingencies	
Legal Services	1,000

\$ 557,440

Construction - I	\$1,150,900
Construction - II	768,900
Construction - III	406,400
Construction - VI	850,800
Other Construction	52,400

\$3,229,400

Total Eligible Costs \$3,814,840

Grant Ineligible

Administration	\$ 15,000
Land-Rights of Way	70,000
Basic Engineering	6,000
Other Arch/Engineer Costs	5,000
VDHT Inspection	35,000
Fiscal Services	3,000
Legal Services	25,000
Interest	300,000

\$ 459,000

Construction - IV	\$ 285,400
Construction - V	386,100
Construction - VII	459,900
Other Construction	13,600

\$1,145,000

Total Ineligible Costs \$1,604,000

\$5,418,840

Bond Anticipation Notes	\$2,120,000
Construction Loan	500,000

Total Expenditures \$8,038,840

This ordinance shall be in full force and effect from the date of its adoption.

17. Resolution authorizing condemnation proceedings on White Oak Drive.

Mr. Oliver stated that in order to proceed with improving White Oak Drive an acquisition of a ten foot easement is necessitated by VDH&T requirements for drainage easements. Supervisor Taylor indicated he and County staff had been involved in negotiations regarding the easement but Willard and Elaine Evans refused to consider a number of solutions offered by the County.

Mr. Donaldson moved the adoption of a resolution authorizing the County Attorney to proceed with condemnation proceedings of the easement on White Oak Drive. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the County of James City operates a Dirt Street Improvement Program for purposes of upgrading certain designated streets in the County to permit their acceptance into the State's system; and

WHEREAS, White Oak Drive is one of those streets so designated; and

WHEREAS, it is necessary to obtain a ten foot drainage easement across Lots 32 and 33, White Oak Drive, as shown on a plat attached hereto and made a part hereof entitled, "A Plat for Drainage Easement to James City County, Va. from Willard M. & Elaine Evans", dated August 18, 1977;

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

September 12, 1977

1. That Frank M. Morton, III, County Attorney, is authorized and directed to offer the amount of FIFTY-ONE DOLLARS (\$51.00) to Willard M. and Elaine Evans for the easement described herein and if such offer is not accepted, he is further authorized and directed to institute condemnation proceedings against that certain ten foot easement as shown on a plat entitled, "A Plat for Drainage Easement to James City County, Va. from Willard M. & Elaine Evans", dated August 18, 1977.

18. Sanitary District #2 - Liens for Delinquent Bills.

Mr. Donaldson moved the approval of a resolution authorizing delinquent charges for use of the Sanitary Sewer Systems in James City County Sanitary District #2 be entered in the Judgment Lien Docket of the Clerk's Office. The motion carried unanimously by a roll call vote.

RESOLUTION

Sanitary District #2 - Liens

WHEREAS, the Department of Public Works has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in the James City Sanitary District No. 2 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 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 Systems in James City County Sanitary District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number 11-01-281100	G & L Corporation T/A Hickory Grove Trailer Park 200 Page Street Williamsburg, VA 23185
Description of Property:	2811 Pocahontas Trail Williamsburg, VA 23185 Lot 2811
Amount Due:	\$7,899.40

19. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #3484 thru 3634 Totalling \$324,407.79
General Fund Payroll	Checks #9168 thru 9486 Totalling \$99,117.84
Sanitary District #1	Check #35 Totalling \$429.30
Sanitary District #2	Checks #219 thru 221 Totalling \$698.51
Sanitary District #3	Checks #467 thru 477 Totalling \$25,915.72
Subdivision Escrow	Checks #145 thru 149 Totalling \$21,884.97
Revenue Sharing	Checks #341 thru 345 Totalling \$80,914.10
Anti-Recession	Checks #109 thru 112 Totalling \$2,660.55

20. Raffle Permit - Hellenic Parent's Association.

Mr. Edwards moved the approval of the issuance of a raffle permit to the Hellenic Parent's Association. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, Hellenic Parent's Association appeared before the Board of Supervisors of the County of James City, Virginia, and presented a Petition for a permit for the operation of bingo games and raffles by said Association for a period of one year; and

September 12, 1977

WHEREAS, it appears to the James City County Board of Supervisors that said Hellenic Parent's Association has met the requirements of Section 18.2-335 of the 1950 Code of Virginia, as amended, and that it is an organization organized in the United States of America; and, that it operates without profit; and, that it has been in existence continuously for a period of two years immediately prior to its Petition; and, that no part of the gross receipts derived from any of the aforesaid activities shall inure directly or indirectly to the benefit of any private shareholder, member, agent or employee of said organization; and, that it, through its agent, certifies to abide by all the law of the Commonwealth of Virginia pertaining to bingo games and raffles.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of James City that the Hellenic Parent's Association is hereby granted a permit for a period of one year commencing with the date of this Resolution for the operation of bingo games and raffles within said County;

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this meeting in order that this Resolution shall be a matter of public record within the County.

G. MATTERS OF SPECIAL PRIVILEGE

1. Presentation of a resolution regarding fire equipment by the James City-Bruton Volunteer Fire Department.

Mr. Ralph W. Hoar, President of the Volunteer Fire Department presented and read a letter to the Board of Supervisors which stated that the James City-Bruton Volunteer Fire Department had passed a resolution at its September monthly meeting to request the Board of Supervisors to support the position that County fire equipment be red.

The Board thanked Mr. Hoar and agreed to consider this item at the next meeting.

2. Emergency Drought Assistance Program - Livestock Feed Program.

Mr. M. W. Bryant, VPI-SU Extension Agent, stated that the County had not qualified for the Livestock Feed Assistance Program. Mr. Donaldson moved to direct the staff to prepare a resolution expressing the Board's concern regarding the failure of the County to be entitled to the livestock feed assistance program and that the County Administrator take appropriate steps to reverse the initial decision. The motion carried by a unanimous roll call vote.

H. REPORTS OF THE COUNTY ADMINISTRATOR

1. Scheduling Meetings with Various Boards and Commissions.

Mr. Oliver suggested that the Board plan a series of meetings with various Boards and Commissions. This suggestion was partly an outgrowth of suggestions made during the budget process as well as a feeling that several County Boards and Commissions are desirous of presenting to the Board of Supervisors presentations involving their programs and projects.

The Board concurred in the idea and requested the County Administrator to invite the School Board on October 3, 1977, at 7:30 P.M.; and the Welfare Board, Library Board and Mental Health-Mental Retardation Services Board to be invited November 7, at 7:00 P.M.

2. Budget Submission for FY79.

The Board was presented with budget submission requirements which would be adhered to by each and every agency requesting local funding. The Board concurred in the budget submission requirements for FY79.

September 26, 1977
September 12, 1977

3. Landfill Study.

The Board was informed that a study of landfill operations will be conducted during the next 60 days and findings of the study will be released at the Board's meeting in November.

4. Dirt Street Improvements Program.

The Board received a status report on the Dirt Street Improvements Program which indicated by using a combination of County forces, private contractor/supervisor and rental equipment with and without operators the work on White Oak Drive is approximately half complete and the budget is not to exceed \$22,000 as opposed to \$45,000 under the initial Dirt Street Improvement Program approach.

5. Fire Equipment Color.

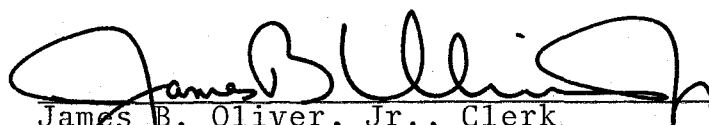
Mr. Oliver presented the Board with informational reading material regarding the color of fire equipment.

6. Six Year Highway Improvement Plan.

Mr. Oliver referred to the Six Year Highway Improvement Plan which had been mentioned earlier in the meeting by the Highway Department officials. Mr. Oliver requested that William C. Porter, Planning Director, Wayland N. Bass, Public Works Director, and he be appointed liaison officers to work with the Highway Department in the development of the Six Year Highway Improvement Plan. The Board agreed to the appointments.

Mr. Edwards moved to adjourn the meeting. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 10:45 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

September 26, 1977

B. MINUTES

Mr. Frink moved the approval of the minutes of September 12, 1977, as printed. The motion carried by a unanimous roll call vote.

C. HIGHWAY MATTERS

Acting Resident Engineer, James T. Kelley, stated that a resident engineer had been selected and would begin work shortly. Mr. Kelley stated he could not release the resident engineer's name.

Mr. Taylor stated citizens living on and near Route 665, the highway now under construction, have been complaining of the red clay which the highway equipment and machinery have spread to other roads near the construction.

Mr. Donaldson mentioned that a crack in South Henry Street had developed. Mr. Kelley stated this was expected due to the swampy terrain which the street had been constructed over. Mr. Kelley stated that re-surfacing would not take place until full settlement of the pavement occurs.

D. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Carolyn N. Stout - Department of Social Services - 5 yrs.

E. BOARD CONSIDERATIONS1. Motion to amend minutes of June 14, 1976.

Mr. Donaldson moved to amend the June 14, 1976 minutes previously adopted to reflect the adoption by the Board of Supervisors of a Memorandum of Agreement between the James City Service Authority and the County under which funding of the original costs for the Route 60-West Toano Sewer Project was set forth. The motion carried by a unanimous roll call vote.

2. Contingency transfer for Treasurer's filing system.

Mr. Oliver stated that the Treasurer and Finance Director have been looking at ways to improve the billing process in the Treasurer's office. The Board had previously appropriated funds for the purchase of an automated filing system. Now after looking at the budget detail we find that the estimated cost would not be sufficient for the purchase of the filing system even with the State's contribution of \$446.51.

Mr. Edwards moved to transfer \$1,145.01 from the Contingency Fund Account 01-01850-9011 to Account 01-01910-6995 to provide for the automated filing system in the Treasurer's office. The motion carried by a unanimous roll call vote.

3. Contingency transfer for Dirt Street Program.

Mr. Oliver stated that White Oak Drive was near completion. Norman-Davis Drive in Temple Hall Estates is the next street slated for improvement under the Dirt Street Program. Mr. Oliver recommended a transfer from the Contingency Fund to the Dirt Street Program to allow completion of Norman Davis Drive before bad weather.

Mr. Taylor moved the authorization of a Contingency Account transfer not to exceed \$3,500 for the purpose of completing the road improvement in Temple Hall Estates. The motion carried by a unanimous roll call vote.

September 26, 1977

4. Resolution regarding the Emergency Livestock Feed Program and creation of a Farmers Advisory Committee.

At the Board meeting of September 12, the Board directed that a resolution expressing its concern regarding the failure of the County to be entitled to the livestock feed assistance program be forwarded to the Governor. A resolution had been forwarded and correspondence from the Governor suggested that the Board create and appoint a Farmers Advisory Committee.

Mr. Donaldson moved to ratify the resolution which had been prepared and forwarded to the Governor as directed by the Board at its September 12 meeting. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County has requested and been denied federal assistance for participation in the USDA Emergency Livestock Feed Program, and,

WHEREAS, the farmers of James City County contend that there is new evidence to support approval of the Livestock Feed Program, and

WHEREAS, this Board has been requested by the farmers of James City County to submit an appeal for reconsideration and approval by USDA of the Emergency Livestock Feed Program in James City County

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Honorable Mills E. Godwin, Governor of the Commonwealth of Virginia, is hereby petitioned to request the Secretary of Agriculture to reconsider James City County's request for approval of the applicability of the Emergency Livestock Feed Program in James City County.

Mr. Taylor moved to create and appoint a Farmers Advisory Committee. The motion carried unanimously.

Mr. Taylor volunteered to be on the committee and also suggested the following: Messrs. George A. Marston, Jr., Albert L. White, III, Louis Nice, and Ryland Hazelwood. Mr. Oliver recommended that Mr. M. W. Bryant, VPI-SU Extension Agent for the County, be appointed as ex officio member and staff for the committee.

Mr. Frink moved to appoint the following to the Farmers Advisory Committee who would serve at the pleasure of the Board:

Mr. George A. Marston, Jr.
Mr. Albert L. White, III
Mr. Louis Nice
Mr. Ryland C. Hazelwood
Mr. Stewart U. Taylor

The appointments were unanimously approved by a roll call vote.

5. Return of Board of Zoning Appeals application fee.

Messrs. Oliver and Morton explained that Mrs. Via had been issued a building permit erroneously which made it necessary that she obtain a variance from the Board of Zoning Appeals. The Board of Zoning Appeals and Planning office feel that Mrs. Via should be reimbursed the application fee because the building permit was erroneously issued.

Mr. Ware moved to approve the remittance of \$50 to Mrs. Doris Via. The motion carried by a unanimous roll call vote.

6. Setting a date for a public hearing for an ordinance to vacate that certain plat entitled "A Plat for vacation of lot lines between Lots 6, 7, 8, 9, & 10, Colonial Terrace and a 50-foot right-of-way".

Mr. Taylor moved to set the above matter for public hearing on October 24, 1977, at 3:00 P.M., in the Courthouse. The motion carried by a unanimous roll call vote.

September 26, 1977

7. Conditional Use Permit - Social Services office building.

Mr. William C. Porter, Jr., Planning Director, stated that on July 11, 1977, the Board had selected the property of Mr. Leonard Legum as the site of the new Social Services office building. At that time the Board did not issue the required conditional use permit for offices in the A-2 Zoning District. Mr. Porter requested the Board to approve the issuance of a conditional use permit with three conditions:

Mr. Frink moved to approve the issuance of a conditional use permit with the following conditions: 1) The conditional use permit be limited to the construction of the building to house the Social Services offices. Any future development, which would normally require a conditional use permit, should be reviewed at such time it is proposed. 2) The applicant obtain final site plan approval for the Social Services Building's site plan. 3) The Board of Supervisors, through the Planning Commission, retain the option to require the access road into the property be brought up to State standards and taken into the State highway system if future development should merit such action. The motion carried by a unanimous roll call vote.

8. Appointment to Peninsula Agency on Aging.

Mr. Edwards moved to re-appoint Mrs. Laura Rhyne for a three year term to the Board of Directors of the Peninsula Agency on Aging. The motion carried unanimously by a roll call vote.

9. Authorization for Fire Station site acquisition.

Mr. Oliver stated that in last year's budget and this year's budget the Board appropriated funds for land acquisition, development and construction of two fire stations. It was noted that future delays are to no advantage and improved fire protection is basic to central areas of the County. Mr. Oliver requested Board authorization to purchase for \$35,000 a 1.5 acre site on Route 5 from property known as the Pilot Life Tract; purchase for \$15,000 a 1.5 acre site on Olde Towne Road (the County already has an option on this land); and authorization to employ appropriate architects and engineer to begin design development.

Mr. Donaldson recommended proceeding as Mr. Oliver had indicated if after having another meeting with City officials the alternative site which the County had originally selected would not be available for the County's use.

Mr. Edwards expressed reservations regarding such large expenditures in one division of public services. Mr. Edwards questioned the County's need for two additional fire stations and also wondered how much money was going toward other public services such as police protection in contrast to fire protection. Mr. Edwards moved to table action on this matter until the Board's next meeting.

Mr. Ware stated he shared Mr. Edwards' concern regarding the expenses of the program but based on the County's assessed personal property which is increasing every year we must be able to adequately protect it as our tax base is basically derived from such facilities as the Brewery, Gardens, Pottery, Soap and Candle Factory, campgrounds and other tourist related businesses.

September 26, 1977

Mr. Frink stated that the Board could authorize site acquisition and if at a later date the Board thought it appropriate then construction could be deferred.

The Board voted on Mr. Edwards motion to table action of this matter until the next Board meeting. The motion failed by a vote of one to four. Messrs. Ware, Frink, Taylor and Donaldson voted no.

Mr. Ware moved to grant authorization to purchase a 1.5 acre site for \$35,000 on Route 5 from property known as the Pilot Life Tract, to purchase for \$15,000 a 1.5 acre site on Olde Towne Road, and authorization to employ appropriate architects and engineers to begin design development for two fire stations. The motion carried by a unanimous roll call vote.

The Board requested staff that they be kept up-to-date and included in the early stages of architectural and engineering development.

10. Renewal of Sanitary District No. 3 Bond Anticipation Note.

Mr. Frink moved the approval of a resolution which authorizes the execution of a Bond Anticipation Note for Sanitary District No. 3 in the amount of \$500,000. 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 26th day of September, 1977, at which the following members were present and absent:

PRESENT: Mr. John E. Donaldson, Chairman
Mr. Stewart U. Taylor, Vice-Chairman
Mr. Jack D. Edwards
Mr. Abram Frink, Jr.
Mr. David W. Ware, Jr.

ABSENT: None

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. Donaldson	Aye
Mr. Taylor	Aye
Mr. Edwards	Aye
Mr. Frink	Aye
Mr. Ware	Aye

RESOLUTION AUTHORIZING RENEWAL OF A LOAN TO BE MADE BY JAMES CITY COUNTY IN THE MAXIMUM AMOUNT OF \$500,000.00 FOR JAMES CITY COUNTY SANITARY DISTRICT #3.

WHEREAS, the Board of Supervisors of James City County by resolution adopted September 23, 1976, authorized a loan in the maximum amount of \$500,000.00 for James City County Sanitary District #3 in anticipation of the payment of federal and state grants to said District and the collection of connection fees and other income by said District; and

WHEREAS, this loan matured on September 24, 1977; and

WHEREAS, United Virginia Bank of Williamsburg, Williamsburg, Virginia, is prepared to renew the note in the maximum amount of \$500,000.00 by promissory note to be dated September 24, 1977 and to mature September 23, 1978, to bear interest at the rate of 4% per annum on the amounts so drawn and paid to the County within the period of one year.

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

1. That it is hereby determined to be in the best interests of James City County and James City County Sanitary District #3 to accept the aforesaid proposal of United Virginia Bank of Williamsburg and to renew said loan and issue the promissory note in the amount of \$500,000.00 under the terms and conditions set forth in such proposal.

2. The Chairman or Vice-Chairman and Clerk or Assistant County Administrator are hereby authorized to execute and deliver such note to the United Virginia Bank of Williamsburg.

3. All resolutions or parts thereof in conflict herewith are hereby repealed.

September 26, 1977

4. An emergency existing, this resolution shall take effect immediately.

The undersigned Clerk to the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct excerpt from the minutes of a regular meeting of the Board of Supervisors held on the 26th day of September, 1977, and of the whole thereof so far as applicable to the matters referred to in such excerpt.

WITNESS my hand and seal of the Board of Supervisors of James City County, Virginia, this 26th day of September, 1977.

James B. Oliver, Jr.
Clerk to the Board of Supervisors
James City County, Virginia

F. REPORTS OF THE COUNTY ADMINISTRATOR

1. Color of County-owned fire equipment.

At the September 12 meeting the Board requested that this subject be deferred until this meeting.

Messrs. Donaldson and Edwards felt that based on information they had read that equipment colored lime-yellow would have more safety advantages than the traditional red color.

Mr. Frink reminded the Board that the James City-Bruton Fire Department had requested the Board to keep the County equipment the same color as the James City-Bruton Volunteer Fire Department's equipment. Mr. Frink stated that the morale of the fire service should be considered when deciding on this issue. Messrs. Taylor and Ware agreed with Mr. Frink stating that the volunteers had provided the County with a service that had saved numerous lives and great amounts of personal property.

Mr. Ware moved to designate red as the color of County-owned fire equipment. The motion carried by a vote of three to two. Messrs. Donaldson and Edwards voted no.

Mr. Edwards moved to adjourn to executive session to discuss a legal matter. The motion carried by a majority vote. Mr. Ware voted no.

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-SIXTH DAY OF SEPTEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

As indicated above.

B. Transit System - Notification by Colonial Virginia Tours of intent to terminate agreement.

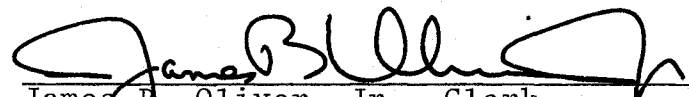
It was noted that Colonial Virginia Tours had entered into a contract to provide the bus drivers and maintenance of the buses for the bus system. Now after five months Mrs. Johnson, President of Colonial Virginia Tours, has advised Anthony Conyers, Jr., Transit Director, that it was no longer feasible to continue this arrangement with the County. Mr. Conyers stated that if the Board would create six driver positions the bus system could continue operating. He also stated that under the CETA Title VI program he would be able to employ drivers for the system.

October 3, 1977
September 26, 1977

Mr. Edwards moved to create six Driver I positions for the County Transit System. The motion carried by a unanimous roll call vote.

Mr. Taylor moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 5:25 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 OCTOBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

County School Board Members Present

Mr. Albert Letchworth, Chairman
Ms. Alleyne H. Blayton
Dr. Robert Hanny

Henry A. Renz, School Superintendent
Stephen A. Turner, Director of Finance

The joint meeting of the Board of Supervisors and County School Board covered a wide range of subjects including the following:

The Upcoming Budget Period -- Chairman Donaldson indicated that current bottom line estimates indicate the County's natural growth of total general fund revenue will approximate six to seven percent this year.

Dr. Renz gave an over-view of the School Board's financial condition indicating that the State equalization formula for James City County was climbing from .89 to approximately .98 and that this will mean that the County will be receiving less State basic aid funds in the future, if the enrollment remains the same. He also pointed out that there are a number of built-in costs already in the current budget that will expand next year and with the prospect of little or no additional State or Federal funds that the principal burden will fall to the County and City.

Education Philosophy -- There was considerable discussion regarding changes taking place in public school curriculums throughout the nation as educators seek to balance academic offerings with increased emphasis on vocational programs, so that students not appropriate for continued higher education will be

October 3, 1977

given adequate skills to provide for self-sufficiency.

School Administration Building -- Chairman Donaldson asked the School Board representatives if any additional discussions had taken place among the joint School Boards as to a site for the proposed school administration building. It was indicated that the County School Board continued to prefer the Kingsmill site, but that no additional discussions had taken place. The School Boards were waiting for the County and City to settle their political differences. Mr. Donaldson indicated that the last reported position of the City Council of Williamsburg was that City Council would agree to "whatever the City School Board wishes". Dr. Hanny indicated he had also heard that position but that the two School Boards did not "feel" that that was the case. He thought it was a smoke screen and a political issue basically.

The School Board asked if there were any neutral sites available. Mr. Donaldson indicated the Board of Supervisors position had been essentially that they preferred the Kingsmill site, but they had not eliminated any other site from consideration other than the Richardson-Meadows site. Mr. Donaldson indicated that the County government felt that to use the Richardson-Meadows tract for public facilities was not the highest and best use of that property.

Program Budgeting -- Supervisor Edwards indicated that he was repeating a request that attempts be made to make the School Board's budget more readable and understandable this year. Dr. Renz indicated he would attempt to do so, that he had some reservations about certain requests County staff had made recently, and that he thought he had attempted to answer most of Mr. Edwards requests for information in the past, but would also try again in the future.

School Census -- Dr. Renz indicated that the census had been completed and that certain information was being provided to the Planning Department of the County but certain information could not be made available because of the privacy act.

School Board Voting Procedures -- Chairman Donaldson indicated that he thought a majority of the Board of Supervisors would agree to a contract amendment that would allow a simple majority of the two Boards meeting to rule on any decision. Several School Board members indicated they thought the voting procedure should either remain as it is or be changed according to the one man one vote principle, but that it would not be a good idea to go to the so-called Williamsburg proposal to allow one man one vote on certain issues and the present procedure on other issues. They felt that such a proposal would constantly involve interpretation and that the best approach would be to allow a simple majority to rule as had been the case in practice over the past years, until the vote last winter on the school administration building that caused the City of Williamsburg to raise the issue of voting procedure.

Just prior to the conclusion of the meeting School Board members and Supervisors each expressed the opinion that they felt the joint meeting had been helpful and looked forward to such meetings in the future.

A motion to adjourn the meeting was made by Mr. Taylor and the motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD,
THE MEETING WAS ADJOURNED AT 9:40 P.M.

October 10, 1977
October 3, 1977


James B. Oliver, Jr., Clerk
Board of Supervisors

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 OCTOBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the September 26, 1977 minutes as printed. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. An Ordinance to vacate a portion of that certain plat entitled, "A Plat of Lots 160, 161, 162 & 163, First Colony Subdivision, showing vacation of lot lines of Lots 161, 162 & 163 from Lot 160, lying in Berkeley District, James City County, Virginia."

Mr. Donaldson, Chairman, declared the public hearing open. Mr. William Porter, Planning Director, briefly explained that the owners of lots 160, 161 and 163 are purchasing lot 162 to be divided among them and vacation of existing lot lines is necessary. There being no one else wishing to speak for or against the vacation, the Chairman closed the public hearing.

Mr. Edwards moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 106

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "A PLAT OF LOTS 160, 161, 162 & 163, FIRST COLONY SUBDIVISION, SHOWING VACATION OF LOT LINES OF LOTS 161, 162, 163 FROM LOT 160, LYING IN BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT COMMON LOT LINE DIVIDING LOTS 161 AND 162 FROM LOT 160, AND THOSE COMMON LOT LINES DIVIDING LOTS 161 AND 162 AND LOTS 162 AND 163, AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Spearman & Associates, Inc., Land Surveying, on behalf of Clyde E. Baker and Janet W. Baker, owners of Lot 160, D. W. Garrett and Helen B. Garrett, owners of Lot 161, and Robert E. Noonan and Deborah S. Noonan, owners of Lot 163, to vacate certain property lines, as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 10th day of October, 1977, pursuant to such notice and were 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:

1. That the common lot line dividing Lots 161 and 162 from Lot 160, and those common lot lines dividing Lots 161 and 162 and Lots 162 and 163, as shown on that certain plat entitled, "A Plat of Lots 160, 161, 162 & 163, First

October 10, 1977

Colony Subdivision, Showing Vacation of Lot Lines of Lots 161, 162, 163 from Lot 160, Lying in Berkeley District, James City County, Virginia", dated April 27, 1976, and prepared by Woodson, Littlepage and DeYoung, Inc., Engineers, Surveyors and Planners, and recorded in Plat Book 34, Page 2, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.

2. That a new plat entitled, "A Plat Showing Proposed Resubdivision of Lots 160, 161, 162 & 163 and Vacation of Previous Lot Lines between Lots 160, 161, 162 & 163, First Colony Subdivision, Section 2, James City County, Virginia", prepared by Spearmen & Associates, Inc., Land Surveying, and dated May 19, 1977, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

2. An Ordinance to vacate a portion of that certain plat entitled "Record Plat, Saint George's Hundred, Section II, Berkeley Magisterial District, James City County, Virginia".

Chairman Donaldson opened the public hearing. Planning Director Porter explained that the vacation is necessitated because the dwelling on the lot violates the building setback line. There being no one else wishing to speak, Mr. Donaldson closed the public hearing.

Mr. Frink moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 105

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "RECORD PLAT, SAINT GEORGE'S HUNDRED, SECTION II, BERKELEY MAGISTERIAL DISTRICT, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT THIRTY-FIVE FOOT SIDE SETBACK ALONG THE NORTHERLY LINE OF LOT 18, AS SHOWN ON SAID PLAT.

WHEREAS, application has been made by Stephen D. Harris, counsel for St. George Corporation, owner of Lot 18, St. George's Hundred Subdivision, to vacated a certain setback, as more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 10th day of October, 1977, pursuant to such notice and were 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:

1. That the thirty-five foot side setback along the northerly line of Lot 18, as shown on that certain plat entitled, "Record Plat, Saint George's Hundred, Section II, Berkeley Magisterial District, James City County, Virginia", dated June, 1973, and prepared by Deward M. Martin & Associates, Inc., Engineers, Planners & Surveyors, and recorded in Plat Book 32, Page 89, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and same is hereby vacated.
2. That a new plat entitled, "A Survey for Conveyance to John A. & Barbara J. Murphy, Lot 18, Section 2, St. George's Hundred, and Improvements Lying in James City County, Virginia", prepared by Architects and Engineers, Inc., Architects, Engineers, Surveyors and Planners, and dated August 22, 1977, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

3. An Ordinance to vacate a certain easement shown on a plat entitled, "Kristiansand, Section IV, Powhatan District, James City County, Virginia".

Chairman Donaldson declared the public hearing open. Planning Director, William Porter, stated that this vacation would eliminate means of ingress and egress to the area designated "Recreation Area". Mr. Porter requested the Board to defer this item until such time as staff discusses this vacation with the applicant and another plat in the Kristiansand Subdivision is recorded which provides for an easement for the recreation area.

Mr. Ware moved to defer action on this matter until the next meeting. The motion carried unanimously by a roll call vote.

October 10, 1977

4. An Ordinance to amend and reordain Chapter 18, Taxation, of the Code of the County of James City by adding a new article: Article III, Exemption of Certain Farm Animals, Grains, Farm Machinery and Farm Implements from Personal Property Taxes.

Mr. Donaldson, Chairman, declared the public hearing open. Mr. George A. Peary, member of the James City County Board of Agriculture, stated that farmers do not use their machinery year round. He indicated some farmers use their machinery in various counties. He also stated that the revenue loss would be nominal.

Mr. Charles Dozier stated he was in favor of the ordinance and requested the Board to approve its adoption. He stated that inflationary trends have greatly hurt the farmers. Mr. Dozier stated that contractors have utilization of their machinery year round where as farming machinery sits in the barn or shed many months out of the year. He stated that farmers are victims of circumstance due to the fact that they may not want large machinery, but if they are to survive they must purchase the equipment necessary for the job. He also mentioned the depreciation factors involved with owning the machinery and equipment.

There being no one else wishing to address the Board, Mr. Donaldson closed the public hearing.

Board discussion followed the public hearing. Messrs. Taylor and Ware indicated their support of the ordinance. Mr. Taylor said that James City County is the only county in the State that has a land use tax on farm land and not on forestry. Mr. Taylor indicated that we should do all we can to preserve green areas of the County.

Mr. Donaldson expressed his desire to approve the ordinance with the deletion of Section 18-13(g) which stated that farm machinery and implements shall be exempt from personal property taxes. Mr. Donaldson felt that there is a capital investment in machinery not unlike other capital investments and as such should be taxed.

Mr. Taylor moved to adopt the ordinance as presented. The motion carried by a majority roll call vote. Mr. Donaldson voted no.

ORDINANCE NO. 107

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 18, TAXATION, OF THE CODE OF THE COUNTY OF JAMES CITY BY ADDING A NEW ARTICLE: ARTICLE III, EXEMPTION OF CERTAIN FARM ANIMALS, GRAINS, FARM MACHINERY AND FARM IMPLEMENTS FROM PERSONAL PROPERTY TAXES.

NOW, THEREFORE, 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 be amended by adding a new article: Article III, Exemption of Certain Farm Animals, Grains, Farm Machinery and Farm Implements from Personal Property Taxes.

CHAPTER 18.

TAXATION.

ARTICLE III.

EXEMPTION OF CERTAIN FARM ANIMALS, GRAINS, FARM MACHINERY AND FARM IMPLEMENTS FROM PERSONAL PROPERTY TAXES

Section 18-13.

The following farm animals, grains and other feeds used for the nurture of farm animals, farm machinery and farm implements shall be exempt from taxation:

- (a) Horses, mules and other kindred animals.
- (b) Cattle.
- (c) Sheep and goats.
- (d) Hogs.

October 10, 1977

- (e) Poultry.
- (f) Grains and other feeds used for the nurture of farm animals.
- (g) All farm machinery and farm implements; provided, however, that the exemption shall not include any vehicles licensed under Title 46 of the Code of Virginia, 1950, as amended.

This ordinance shall be in full force and effect on and after January 1, 1978.

E. BOARD CONSIDERATIONS

1. Setting a date for public hearing:

- a. Case No. SUP-2-77. An application of Mr. George D. Woodson for a special use permit to allow the placement of an individual mobile home on his property on Route 5 near Five Forks.
- b. Case No. SUP-3-77. An application of Ms. Margaret K. Kirby for a special use permit to allow placement of an individual mobile home on her property located at 2745 Pocahontas Trail.
- c. Case No. Z-7-77. An application of Mr. William J. Bull to rezone approximately five acres on Route 616 adjacent to Berkeley School from R-5 Multifamily Residential to B-1 General Business.
- d. Case No. Z-8-77. An application of Mr. Howard C. Sawyer to rezone the frontage of his property located on Route 60 between Route 631 and Route 649 in Toano from A-1 General Agriculture to B-1 General Business.
- e. Case No. Z-9-77. An application of Mr. R. M. Hazelwood, Jr. and Dr. George S. Hankins, Sr., et al, to rezone approximately 300 acres located on Route 60 adjacent to the C & O Railroad line west of Toano from M-1 Limited Industrial to M-2 General Industrial.
- f. Case No. SP-21-A-74. An application of Busch Properties, Inc. to revise and amend the Master Plan of Kingsmill-on-the-James.

Mr. Ware moved to set the above matters for public hearing on November 14, 1977, at 7:30 P.M., in the Courthouse. The motion carried by a unanimous roll call vote.

- g. An ordinance to vacate a certain right-of-way shown on a plat entitled, "Subdivision Plat, First Colony, Section 4-A, Owners and Developers, First Land Corporation, located in Jamestown District, James City County, Virginia".

Mr. Edwards moved to set the above item for public hearing on November 14, 1977, at 7:30 P.M. The motion carried unanimously.

2. Request to include Selby Drive into the State Secondary Highway System.

Mr. John Watkins, Assistant County Administrator, stated that this road was included in the Rural Addition Program, but Selby Drive has been pending inclusion to the Highway Secondary System since 1974 due to acquiring the necessary rights-of-way needed for construction of the road. Mr. Watkins stated that all was in order now and requested the Board to adopt a resolution requesting the Virginia Department of Highways and Transportation to construct and include Selby Drive into the State Secondary Highway System.

Mr. Edwards moved the approval of the resolution. The motion carried by a unanimous roll call vote.

RESOLUTION

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 Reviewers to inspect certain unimproved roads in James City County, Virginia; and

October 10, 1977

WHEREAS, the Board of Road Viewers has recommended that a certain road known as "Selby Drive" be constructed and included as a rural addition in the State Secondary Highway 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 and Transportation is hereby requested to construct and include the following road in the State Secondary Highway System by rural addition:

Selby Drive

From: State Route 642
To: End of cul de sac
Distance: 0.13 mile

A right-of-way of 40 feet is guaranteed as evidenced by Deeds of Record, recorded in Deed Book 156, Page 605, Dated 10-2-74; and Deed Book , Page , Dated 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 and Transportation.

3. Resolution authorizing the issuance and sale of Bond Anticipation Notes for James City County Sanitary District No. 3.

Mr. Oliver explained that before the Farmers Home Administration will substitute revenue bonds for the general obligation bonds the Farmers Home Administration needs to be assured of the annual revenue flow necessary to pay the principal and interest on the bonds. Under this requirement the County will not be able to transfer the debt financing from United Virginia Bank to Farmers Home Administration until June 1978. Mr. Oliver requested the Board to approve a resolution authorizing extending the Bond Anticipation Notes until June 30, 1978, at the present interest rate of 4.03% with no penalty for early retirement of the notes.

Mr. Edwards moved the approval of the resolution. The motion carried unanimously by a roll call vote.

RESOLUTION

At a regular meeting of the Board of Supervisors of James City County, Virginia, held on the 10th day of October, 1977, at which the following members were present:

PRESENT:

Mr. John E. Donaldson, Chairman
Mr. Stewart U. Taylor, Vice-Chairman
Mr. Jack D. Edwards
Mr. Abram Frink, Jr.
Mr. David W. Ware, Jr.

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. Donaldson	Aye
Mr. Taylor	Aye
Mr. Edwards	Aye
Mr. Frink	Aye
Mr. Ware	Aye

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$2,120,000 BOND ANTICIPATION NOTES OF THE JAMES CITY COUNTY SANITARY DISTRICT NUMBER 3

WHEREAS, the Board of Supervisors on July 28, 1975, adopted a resolution authorizing the issuance and sale of \$2,120,000 Sewer Bonds, Series of 197__, of the James City County Sanitary District Number 3 (the District) which were authorized at an election held in the District on June 6, 1972, and further authorized the Chairman or Vice Chairman and Clerk to the Board to borrow money in anticipation of the issuance and sale of such bonds; and

WHEREAS, pursuant to such resolution the Chairman and Clerk have borrowed \$2,120,000 from the United Virginia Bank evidenced by the District's \$2,120,000 Sewer Bond Anticipation Note No. 27 dated August 1, 1977; and

WHEREAS, it is now necessary and expedient to issue notes in the authorized amount of \$2,120,000 in anticipation of the issuance and sale of such sewer

October 10, 1977

bonds in order to retire the \$2,120,000 Bond Anticipation Note No. 27 and for the purpose for which such bonds have been authorized; and

WHEREAS, there has been submitted to this meeting a proposal from the United Virginia Bank, Williamsburg, Virginia, to purchase a \$2,120,000 note to be dated October 31, 1977, to mature July 31, 1978, with right of prior redemption and to bear interest at the rate of 4.03 percent, payable at maturity.

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

1. It is hereby determined to be in the best interest of James City County Sanitary District Number 3 to accept the aforesaid proposal of the United Virginia Bank and to issue and sell a bond anticipation note in the amount of \$2,120,000 under the terms and conditions set forth in such proposal which proposal is hereby accepted.

2. The Chairman or Vice Chairman and Clerk are hereby authorized to see to the preparation of such note, to execute and deliver such note to the United Virginia Bank upon receipt of \$2,120,000, and to use the entire proceeds to retire Bond Anticipation Note No. 27.

The undersigned Clerk to the Board of Supervisors of James City County, Virginia, hereby certifies that the foregoing constitutes a true and correct excerpt from the minutes of a regular meeting of the Board of Supervisors held on the 10th day of October, 1977, and of the whole thereof so far as applicable to the matters referred to in such excerpt.

WITNESS my hand and seal of the Board of Supervisors of James City County, Virginia, this 10th day of October, 1977.

s/a James B. Oliver, Jr.
Clerk to the Board
James City County, Virginia

4. Comprehensive County-wide water and sewer rate and management study.

Mr. Donaldson stated that the County staff is requesting the authority to solicit proposals for a comprehensive County-wide water and sewer rate and management study which would include not only the sanitary districts but also the James City Service Authority's four project areas.

Mr. Edwards moved the approval of the resolution authorizing and directing the County Administrator to obtain proposals for a comprehensive County-wide water and sewer rate and management study.

RESOLUTION

WHEREAS, the County of James City and the James City Service Authority recognizes the need to provide effective and efficient utilities management services; and

WHEREAS, the existing financial and institutional arrangements are exceedingly complex; and

WHEREAS, the purpose of a water and sewer rate and management study will be to provide a basis for simplifying and otherwise improving the management of the systems while assuring sufficient revenues to support utilities systems.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County and by the Board of Directors of the James City Service Authority that James B. Oliver, Jr., County Administrator of James City County, be authorized and directed to obtain proposals for a Comprehensive County-wide Water and Sewer Rate and Management Study.

5. Sanitary District No. 3 Operating Personnel.

Mr. Bass stated that the Sanitary District No. 3 operating budget contains \$17,000 for personnel services but at budget time Sanitary District No. 3 was still under construction and Mr. Bass did not request specific personnel positions. It was noted that Sanitary District No. 3 is now operational and Mr. Bass requested Board approval of one Equipment Operator I position to operate and maintain the 20 sewage pumping stations in Sanitary District No. 3.

Mr. Frink moved the approval of an Equipment Operator I position to operate and maintain sewage pumping stations within Sanitary District

October 10, 1977

No. 3. The motion carried by a unanimous roll call vote.

6. Proposal to authorize Emergency Medical Services Program.

Mr. Oliver introduced Mr. Russell L. Lowry, Jr., the Emergency Services Coordinator for the County.

Mr. Lowry gave a presentation on Emergency Medical Services which included initial authorization of an emergency medical service in James City County. Mr. Lowry proposed a program to begin full-time professional operations of an ambulance at Grove Fire Station. Mr. Lowry requested Board authorization of the purchase of a used van for \$12,000, use of federal manpower funds (CETA on-the-job training program) to finance three positions, and one full-time County position.

Dr. James Barton, doctor at the Williamsburg Community Hospital Emergency Room, addressed the Board and stated the importance of the program. He emphasized the need for the County to upgrade the rescue service.

After Board discussion, Mr. Frink moved the approval of the transfer of \$25,000 from Contingency Funds to purchase a van (\$12,000), equipment (\$6,000), and one full time position (\$9,000). The motion carried by a majority roll call vote. Mr. Edwards voted no.

It was noted for the record that Mr. Donaldson is a member of the Board of Directors of the hospital, but Mr. Frank M. Morton, County Attorney, had advised Mr. Donaldson at an earlier date that this would not be a conflict of interest.

7. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #3635 thru #3819 Totalling \$495,730.69
General Fund Payroll	Checks #9487 thru #9814 Totalling \$102,553.67
Sanitary District No. 1	Checks - 0 - Totalling - 0 -
Sanitary District No. 2	Checks #222 thru #223 Totalling \$941.35
Sanitary District No. 3	Checks #478 thru #489 Totalling \$92,041.36
Subdivision Escrow	Check #150 Totalling \$18,600.00
Revenue Sharing	Checks #346 thru #353 Totalling \$115,908.78
Anti-Recession	Checks #113 thru #115 Totalling \$3,952.29

Mr. Donaldson moved to adjourn into executive session to discuss matters of land transactions. The motion carried by a majority roll call vote. Mr. Ware voted no.


AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TENTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

October 24, 1977
October 10, 1977

A. ROLL CALL

As noted above.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING ADJOURNED AT 10:59 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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-FOURTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the October 3 and 10, 1977 minutes as printed. The motion carried by a unanimous vote.

C. HIGHWAY MATTERS

Mr. Franklin Hall, Resident Engineer, was recognized. He stated he was glad to be in the Williamsburg area. Mr. Hall stated he hoped the Highway Department and Board could have an effective relationship.

Mr. Taylor requested Mr. Hall to investigate the signal lights at the Williamsburg Pottery to see if the lights could remain green to the oncoming traffic after the Potter had closed in the evenings. Mr. Hall indicated he would check into the matter.

Mr. Ware stated he had received several complaints regarding litter on Colby Drive. Mr. Ware also stated he had received a request for a "Children at Play" sign to be installed within the Forest Glen subdivision. Mr. Hall indicated that the Highway Department is discouraging the use of this particular sign as it seems to give a false sense of safety to parents and children.

D. PRESENTATION OF CERTIFICATES OF SERVICE AND APPRECIATION

Wallace C. Johnson - Department of Public Works - 5 yrs.
Martha L. Smith - Department of Social Services - 3 yrs.
Daniel Walker, Jr. - Department of Public Works - 3 yrs.

October 24, 1977

E. PUBLIC HEARING

1. An Ordinance to vacate a portion of that certain plat entitled, "Plat of Colonial Terrace, James City County, VA", and more particularly described as that certain fifty foot strip of land designated as "Possible Street", lying in a southwesterly direction from lots 6, 7, 8, 9, and 10.

Mr. William C. Porter, Planning Director, briefed the Board regarding the vacation. It was noted that a sewer line presently runs through the property. Mr. Porter stated that the applicant has agreed to relocate the sewer at his expense.

Mr. Donaldson, Chairman, opened the public hearing. Mr. Donaldson asked if the ordinance vacating the lot lines including assurances that the applicant would relocate the sewer line.

Mr. Frank Morton, County Attorney, stated that the ordinance had been prepared prior to knowledge of the existing sewer line.

Mr. Williams, applicant, came before the Board and indicated his desire to relocate the sewer line to a more strategic location.

Mr. Taylor moved the adoption of the ordinance. The motion carried by a unanimous vote.

ORDINANCE NO. 109

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN PLAT ENTITLED, "PLAT OF COLONIAL TERRACE, JAMES CITY DISTRICT, JAMES CITY COUNTY, VA.", AND MORE PARTICULARLY DESCRIBED AS THAT CERTAIN FIFTY FOOT STRIP OF LAND DESIGNATED AS "POSSIBLE STREET", LYING IN A SOUTHWESTERLY DIRECTION FROM LOTS 6, 7, 8, 9 AND 10, AND THOSE PROPERTY LINES DIVIDING LOT 6 AND LOT 7, LOT 7 AND LOT 8, LOT 8 AND LOT 9, AND LOT 9 AND LOT 10, AS SHOWN ON SAID PLAT.

WHEREAS, application has been given by V. M. Geddy, Jr., counsel for Lee E. Williams, owner of Lots 6, 7, 8, 9 and 10 and other property located in the Colonial Terrace subdivision designated as Possible Street, to vacate certain property lines located therein, more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the Board of Supervisors did consider such application on the 24th day of October, 1977, pursuant to such notice and were 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:

1. That the certain fifty foot strip of land designated as "Possible Street", lying in a southwesterly direction from Lots 6, 7, 8, 9 and 10, as shown on that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Va.", dated September 18, 1931, and prepared by Chesapeake Engineering Co., and recorded in Plat Book 5, Page 27, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same is hereby vacated.
2. That those property lines dividing Lot 6 and Lot 7, Lot 7 and Lot 8, Lot 8 and Lot 9, and Lot 9 and Lot 10, as shown on that certain plat entitled, "Plat of Colonial Terrace, James City District, James City County, Va.", dated September 18, 1931, and prepared by Chesapeake Engineering Co., and recorded in Plat Book 5, Page 27, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same are hereby vacated.
3. That a new plat entitled, "A Plat for Vacation of Lot Lines between Lots 6, 7, 8, 9 and 10, Colonial Terrace and a 50' Right-of-Way prepared for Lee E. Williams", dated September 9, 1977, and prepared by Spearman and Associates, Inc., Land Surveying, be put to record in the Clerk's Office of the Courthouse for Williamsburg-James City County.

This ordinance shall be in full force and effect from the date of its adoption.

F. BOARD CONSIDERATIONS

1. An Ordinance to vacate a certain easement shown on a plat entitled, "Kristiansand, Section IV, Powhatan District, James City County, Virginia", and more particularly described as that certain fifteen foot easement or portion thereof to be vacated as shown on a newly drawn plat entitled, "Resubdivision of 15-foot pedestrian R/W, lot 93 and lot 94, Section IV, Kristiansand Subdivision, lying in James City County, VA.

October 24, 1977

Mr. Donaldson stated that the public hearing of this item had previously been held at the Board meeting of October 10.

Mr. William Porter, Planning Director, addressed the Board indicating that the vacation would be eliminating means of ingress and egress to the recreation area. Mr. Porter stated that the applicant would be recording another plat of a lot dedicating a fifteen-foot easement to provide access to the recreation area in lieu of the existing lots providing access.

Mr. Edwards moved the approval of the vacation. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 110

AN ORDINANCE TO VACATE A CERTAIN EASEMENT SHOWN ON A PLAT ENTITLED, "KRISTIANSAND, SECTION IV, POWHATAN DISTRICT, JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT CERTAIN FIFTEEN FOOT EASEMENT OR PORTION THEREOF TO BE VACATED AS SHOWN ON A NEWLY DRAWN PLAT ENTITLED, "RESUBDIVISION OF 15' PEDESTRIAN R/W, LOT 93, & LOT 94, SECTION IV, KRISTIANSAND SUBDIVISION, LYING IN JAMES CITY COUNTY, VIRGINIA".

WHEREAS, application has been made by John F. Moneymaker on behalf of Kristiansand, Ltd., Kristiansand Home Owners Assoc., Inc., James W. Stone and Sandra F. Stone, owners of Lot 93, and William C. Lycke and Ann M. Lycke, owners of Lot 94, to vacate a certain easement shown on a plat entitled, "Kristiansand, Section IV, Powhatan District, James City County, Virginia", and more particularly described as that certain fifteen foot easement or portion thereof to be vacated as shown on a newly drawn plat entitled, "Resubdivision of 15' Pedestrian R/W, Lot 93, & Lot 94, Section IV, Kristiansand Subdivision, Lying in James City County, Virginia"; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.1-482 and 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the said Board of Supervisors did consider said application on the 24th day of October, 1977, pursuant to such notice and were of the opinion that such vacation would not result in any inconvenience to the property owners shown on that plat entitled, "Kristiansand, Section IV, Powhatan District, James City County, Virginia", recorded in Plat Book 32, Page 69 in the Circuit Court Clerk's Office for Williamsburg and James City County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That those certain easements shown on a plat entitled, "Kristiansand, Section IV, Powhatan District, James City County, Virginia", and more particularly described as that certain fifteen foot easement or portion thereof to be vacated as shown on a newly drawn plat entitled, "Resubdivision of 15' Pedestrian R/W, Lot 93, & Lot 94, Section IV, Kristiansand Subdivision, Lying in James City County, Virginia".
2. That the newly drawn plat entitled, "Resubdivision of 15' Pedestrian R/W, Lot 93, & Lot 94, Section IV, Kristiansand Subdivision, Lying in James City County, Virginia", prepared by Architects and Engineers, Inc., Architects, Engineers, Surveyors and Planners, and dated August 19, 1977, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

2. Lien for mowing costs - 703 Mosby Drive.

Mr. Oliver stated that in accordance with state law the Public Works Department had the property at 703 Mosby Drive mowed on September 22, with a cost to the County of \$14.97. Mr. Oliver requested the Board to enter that amount in the Judgment Lien Docket of the Clerk's office.

Mr. Edwards moved to adopt a resolution which authorizes the amount of \$14.97 to be entered in the Judgment Lien Docket of the Clerk's office against Delaware Valley Consumer Credit Corporation. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, Section 15.1-11 of the Code of Virginia, 1950, as amended, permits political jurisdictions to cut or have cut after reasonable notice grass, weeds, etc. and other foreign growth which might endanger the health of other residents of the County; and

October 24, 1977

WHEREAS, Delaware Valley Consumer Credit Corporation, the owners of the property known as 703 Mosby Drive, were mailed a letter at their last known address giving reasonable notice and failed to have such grass, weeds or other foreign growth removed; and

WHEREAS, the County of James City caused such lot to be mowed on September 22, 1977, at a total cost to said County of \$14.97;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that in accordance with Section 15.1-11 of the Code of Virginia, 1950, as amended, the amount of \$14.97 for mowing operations be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

Name & Address of Owner: Delaware Valley Consumer
Credit Corporation
11048 Warwick Boulevard
Newport News, VA 23601

Description of Property: 703 Mosby Drive
Williamsburg, VA 23185

3. Appointment of attorney for searching and approving titles of proposed fire station sites.

Mr. Donaldson stated that state law requires the Judge of the Circuit Court to appoint an attorney for purposes of searching and approving the titles for the two parcels of property to be used as sites for the construction of fire stations.

Mr. Donaldson moved the approval of a resolution appointing Frank Morton, County Attorney, for the purpose of searching and approving titles for the fire station sites. The resolution will be forwarded to Judge Carneal requesting him to formally appoint Mr. Morton. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County deems it necessary to acquire two locations for purposes of constructing fire stations; and

WHEREAS, the Code of Virginia, 1950, as amended, Section 15.1-285 requires the Judge of the Circuit Court to appoint an attorney for purposes of approving the title;

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

1. That the James City County Attorney, Frank M. Morton, III, be and he is now hereby appointed the attorney for purposes of searching and approving the title for two parcels of property to be used as sites for the construction of fire stations. The property is described as:

Site #1---A 1.5 acre parcel located on State Route 5 and being a part of a larger parcel owned by Pilot Life Insurance Company and being adjacent to properties owned by J. P. Yancey and W. E. Ripley.

Site #2---A 1.5 acre parcel located on State Route 658 and being a part of a larger parcel owned by P. O. Richardson and being adjacent to property owned by Robert S. Hornsby.

2. That this resolution shall be presented to the Judge of the Circuit Court for the City of Williamsburg-County of James City.

4. Emergency adoption of an Ordinance to amend and reordain a User Charge System for sewer services, Sanitary District No. 3, James City County, Virginia, Section 1, Fees, 1-1-2, District Service Charges. Setting a public hearing date for same.

Mr. Oliver explained that when this ordinance was adopted the language was not as precise as the staff had intended it to be, and as such, the rates were misinterpreted when the first quarterly billing was mailed out. The staff now requests the Board to amend the ordinance for clarification to reflect a quarterly charge of \$22.50 for a residence with one bath and \$25.50 for a residence with more than one bath. At the present time the Finance Department is billing residents \$25.50 for a residence with two baths plus \$3.00 for each additional bath.

October 24, 1977

Mr. Oliver recommended that an emergency ordinance be adopted with an effective date of August 1, 1977, so as to reflect the change in the November billing.

Mr. Frink moved the adoption of the emergency ordinance. The motion carried unanimously by a roll call vote.

ORDINANCE NO. 100A-1

AN ORDINANCE TO AMEND AND REORDAIN A USER CHARGE SYSTEM
FOR SEWER SERVICES
SANITARY DISTRICT NO. 3
JAMES CITY COUNTY, VIRGINIA

SECTION I

FEES

1-1-2 District Service Charges

The District Sewer System bills (called, "Amortization Charge") shall be rendered by the Sanitary District to each sewer user quarterly. The initial District minimum quarterly charges for sewer service shall be as follows:

	Quarterly Charge	Unit
Residences - One bath	\$22.50	ea.
Residences - More than one bath	25.50	
Mobile Homes - One toilet	22.50	ea.
Apartments & Townhouse - same as residence		
Schools - \$50 minimum +	.90	pupil
Motels & Hotels - \$100 or	12.00	room
Commercial - \$22.50 minimum or	22.50	Msf
Restaurants - \$25.50 minimum or	4.50	seat
Service Stations - \$25.50 minimum +	3.00	toilet
Camping Facilities	9.00	space
All others to be established when needed		

An emergency is hereby declared to exist and this ordinance shall be in effect from August 1, 1977.

Mr. Taylor moved to set the public hearing date and time as December 12, at 7:30 P.M., to consider this ordinance for formal adoption. The motion carried by a unanimous roll call vote.

5. Rescheduling November 14 Board meeting.

It was noted that James City County would be hosting the Virginia Association of Counties Annual Convention on November 13, 14 and 15 with functions planned for Monday evening.

Mr. Edwards moved to reschedule the Board's regular meeting to November 16, 1977, at 7:30 P.M., and the Service Authority meeting to be held the same evening beginning at 7:00 P.M. The motion carried by a unanimous roll call vote.

6. Adoption of FY 79 budget calendar.

Mr. Oliver presented the budget calendar to the Board. He stated that the staff is seeking formal sanction of the FY 79 budget calendar. Mr. Oliver stated that the schedule does not have any significant changes from last year. January 9, 1978, would be the date for the pre-budget public hearing for County General Fund and Revenue Sharing monies. April 26, 1978, would be the date of the budget public hearing and proposed tax rate.

Mr. Ware moved the approval of the budget calendar for FY 79. The motion carried unanimously by a roll call vote.

7. Appointment to the James City County Wetlands Board.

Mr. Donaldson indicated that it would be appropriate

October 24, 1977

for the Board to convene into executive session to discuss personnel matters after the remaining items on the Board's agenda were completed.

G.

MATTERS OF SPECIAL PRIVILEGE

Mr. Donaldson asked the public if anyone wished to address the Board.

Mr. Jay Garrison, Chairman of the citizens committee in opposition to the Williamsburg-James City County School Board resolution on religious observances in schools, addressed the Board stating a petition with over 1,500 signatures is still being circulated throughout the City and County. The petition will be presented to the school board and it states in part "We, the undersigned, demand that the school boards of James City County and Williamsburg rescind its resolution concerning religious observance in our public schools."

Mrs. Ella Mae Priester questioned the Board regarding compensation for the four bus drivers who had been fired by the school board last month due to a conflict of interest.

Mr. Frank Morton, County Attorney, stated a ruling from the Commonwealth's Attorney finds that the supervisors would not be prohibited from considering a claim from the school bus drivers. Mr. Morton requested Mrs. Priester to discuss this with him following the meeting.

Mr. Robert Jones, Reverend Jay B. Tabb, Mrs. Charles Carneal and Mrs. Alexander all spoke in opposition to the recently adopted school policy regarding religious observance in the public schools.

Mr. Albert Letchworth, Chairman of the James City County School Board, indicated that the adopted policy of religious observance had been before the school boards for the past three months. He stated that during that time he and other members of the school board did not receive any comments regarding the policy. Mr. Letchworth stated that it was not too late to change the policy indicating any matter not State mandated could be changed.

Mrs. Redcross, a retired teacher, Mrs. Ellen Jensen, Pastor Jim Parker, Reverend Douglas N. Johnston and Mr. P. M. Griesnauer all spoke against the school board's adoption of the policy regarding religious observances in the schools.

Mr. Taylor stated that Christ is a part of our history. He stated that we cannot deny that Christ was born and our calendar is based upon his life. Mr. Taylor said that our children should know of Christ whether they believe in religion or not.

Mr. Ware read a resolution and moved adoption of the resolution.

Board discussion followed regarding the resolution. Mr. Ware stated that the Board would be requesting the school board to reverse its decision and the Board would not be judging if the school board is right or wrong.

Mr. Donaldson indicated he did not know if the policy goes farther than the law or not far enough. He stated this is a difficult area of constitutional interpretation. He indicated that he felt it inappropriate for the Board of Supervisors to involve itself in the school board's matters. Mr. Donaldson stated that under our statutory system this authority is given to the school boards,

October 24, 1977

and the school board should act without pressure from the governing body.

Mr. Frink felt that this matter should be left to the discretion of the school board. He stated that the school board is an elected body. He also stated he had not seen the written policy that the school board had adopted. Mr. Frink also stated that Mr. Letchworth said he would bring this matter back before the school board.

Mr. Ware stated that the school board had in the past made requests to this Board and he felt it appropriate at this time to request them to reconsider their previous action.

Mr. Frink stated he would vote for adoption of Mr. Ware's resolution if the word "reverse" were changed to "reconsider" in the third paragraph.

Mr. Ware stated that would be agreeable to him.

Mr. Edwards requested Mr. Ware to delete the second paragraph. Mr. Ware agreed to Mr. Edwards suggested deletion of the second paragraph.

Mr. Edwards indicated he did not want the school board to have the impression that the Board was second guessing them or their authority, but Mr. Edwards stated that the school board should realize as is obvious to this Board with as many citizens present today these people are very concerned about the policy. Mr. Edwards asked if the Chairman would convey to the school board that the policy is not wrong but that the public wishes input into the matter.

Mr. Taylor stated he did not wish to dictate to the school board. Mr. Taylor did not think this Board should run the schools, but he felt that the majority of the public believes the policy should be rescinded. Mr. Ware agreed with Mr. Taylor.

Mr. Donaldson indicated he would be willing to try to convey the individual opinions of the Supervisors to the school board if it was desired.

Mr. Ware moved the adoption of the following resolution. The motion carried by a majority roll call vote. Mr. Donaldson vote no.

RESOLUTION

WHEREAS, the Board of Supervisors of James City County is concerned about the recent decision of the James City County-Williamsburg School Board concerning religious practices in the schools; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby ask and encourage the School Board of James City County and Williamsburg to reconsider its decision on religious policies in the public schools.

The Board moved to adjourn to executive session to discuss land transactions and personnel matters. The motion carried by a majority roll call vote. Mr. Ware voted no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS HELD ON THE TWENTY-FOURTH DAY OF OCTOBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Same as above.

November 7, 1977
October 24, 1977

Mr. Taylor moved to adjourn the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING ADJOURNED AT 5:57 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. Frank M. Morton, III, County Attorney

B. PRESENTATIONS:

1. Mental Health-Mental Retardation Services Board.

Mr. William Held, Mental Health-Mental Retardation Services Board member, introduced the other members of the Services Board and Mr. Bradford Hammer, Executive Director of the Mental Health-Mental Retardation Program.

The Services Board showed a film on the services which the Mental Health-Mental Retardation Program provides. Such programs include: 1) The Aftercare Program which consists of a variety of services offered to former State mental hospital patients who currently reside in our area. 2) Bacon Street which provides counseling situations for young people having problems at home, with their own peers, or with drugs. 3) Community Opportunity Shop is a sheltered workshop established to serve the developmentally disabled residents of our area. 4) Day Center provides occupational therapy, woodworking, auto mechanics, remedial education, home training, bachelor training, job readiness and other vocation training programs. 5) Middleground East-West are two halfway houses designed to be a temporary training residence for individuals leaving Eastern State Hospital.

Mr. Donaldson asked the Services Board if any extraordinary budget requests would be proposed to the Board in February.

Mrs. Davidson stated that the Tidewater Mental Health Clinic must be localized which means transferring personnel from State payrolls and records to the Mental Health-Mental Retardation records. It was noted that the State will still support this program but will only pay one-half of the fringe benefits which are provided to employees with the localities picking up the remaining portion.

Mr. Hammer stated that the State Department of Mental Health-Mental Retardation feels that the community should have most of the control over this progra and, therefore, recommended localization of the clinic. Mr. Hammer

November 7, 1977

stated that thirty-eight outpatient clinics have been localized with only five clinics in the State pending localization.

The Mental Health-Mental Retardation Board thanked the Supervisors for the opportunity to address them.

2. Welfare Board.

Mr. Frederick Scherberger, Director of the Welfare Department, introduced Mr. Brady Graham, Chairman of the Welfare Board, and Mr. William Pettengill, member of the Welfare Board.

Mr. Scherberger stated that at the present time the Social Services work load was at a low point but he indicated it would be increasing in the winter months. Mr. Scherberger stated that Washington had approved issuance of free food stamps and implementation of such would probably be in July. Mr. Scherberger indicated that the Aid to Department Children Program was low in participation by 30. Mr. Scherberger stated that he expects the program to level off to 220 cases. Mr. Scherberger stated that the Work Incentive Program began in May and at the present time the Social Services Department has registered 66 people into the program and 11 people have gone to work. The Welfare Department arranges daycare for children whose parents are involved in the program. The Foster Care Program has 36 children involved and 10 are institutionalized. Mr. Scherberger stated there are 55 children in custody. He indicated that the Welfare Department works with the natural parents in hopes of bringing the home together. Mr. Scherberger stated that at the present time 19 children are in their own homes.

Mr. Scherberger informed the Board that under the Title XX Program the Welfare Department enters into contracts with Bacon Street, Chapter 10 Board, 4-H Club, Sarah Bonwell Regional Center and Community Action Agency to provide various services to welfare recipients.

Mr. Scherberger stated that the Social Services building is well underway and the department hopes to move into the building in March, 1978.

Mr. Donaldson asked what the Social Services budget would look like in the upcoming budget session. Mr. Scherberger indicated it would remain basically the same with the exception of three or four additional staff members which would be based on 20-80% funding.

3. Williamsburg Regional Library Board.

Mrs. Martha Vazquez, Director of the Library, introduced Mrs. Mary Darling, Chairman of the Library Board of Trustees, Messrs. Vosteen and Williams, members of the Library Board.

The Library Board presented the Board with a booklet entitled "Overview of the Library in 1977" prepared for the Board's information. The booklet listed the 1976-77 Operational Income and the 1976-77 Operational Budget. The per capita funding was displayed as: Williamsburg-\$8.80, James City County-\$2.17, and York County (Bruton)-\$1.50.

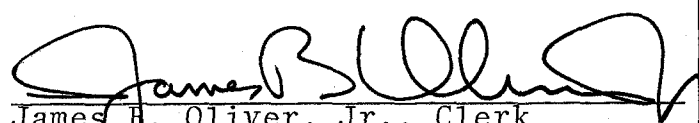
Mrs. Vazquez stated that 61% of the budget is used toward staff funding, materials are estimated at 20% and operations utilize the remaining 19%. She indicated the American Library Association recommends budget

November 7, 1977

percentages as follows: staff-65%, materials-23%, and operations-12%. Mrs. Vazquez stated that some of the programs which the Library provides are regular Wednesday night films, calligraphy, black heritage, a program to assist families in crisis and change in cooperation with the Tidewater Mental Health Agency, vegetable gardening workshop, needlework, sign language course, art and photography exhibits, weekly visits to the jail and others. The Library has a children's department which provides many programs including outreach programs to community schools.

Mrs. Darling informed the Board that the City of Williamsburg has requested the Library Board to conduct a feasibility study for expanding the existing library. The Library Board is also working toward a proper use of the organizational grant which was in the amount of approximately \$20,000 to extend library services to the County. Mrs. Vazquez stated she would like a branch library in Norge or Toano with books geared to the residents of that area.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE
BOARD OF SUPERVISORS, THE MEETING WAS ADJOURNED AT 10:22 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

ABSTRACT OF VOTES cast in the County/City of JAMES CITY, Virginia, at
the General Election held on the eighth day of November, 1977, for

GOVERNOR OF VIRGINIA

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
ALAN R. OGDEN	Thirty two	32	-0-
HENRY HOWELL	Two thousand two hundred sixty nine	2,269	-0-
JOHN N. DALTON	Two thousand nine hundred thirty two	2,932	-0-
W. E. D. Diggs	One	1	-0-

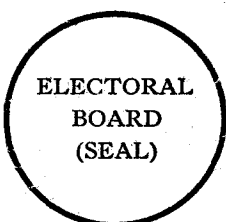
LIEUTENANT GOVERNOR OF VIRGINIA

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
CHARLES S. "CHUCK" ROBB	Two thousand eight hundred twenty eight	2,828	-0-
A. J. "JOE" CANADA, JR.	Two thousand one hundred forty three	2,143	-0-
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We, the undersigned Electoral Board, upon examination of the official records deposited in the office of the Clerk of the Circuit Court of the election held on November 8, 1977, do hereby certify that the above is a true and correct Abstract of Votes cast at said General Election for Governor and Lieutenant Governor of Virginia.

Given under our hands this tenth day of November, 1977.

A copy teste:



<i>Sheldon</i>	<i>Chairman</i>
<i>Charles E. Gary</i>	<i>Member</i>
<i>Jesse M. Douglas</i>	<i>Secretary</i>

Irene M. Douglas Secretary, Electoral Board



ABSTRACT OF VOTES cast in the County ~~of~~ of JAMES CITY, Virginia, at the General Election held on the eighth day of November, 1977, for

ATTORNEY GENERAL OF VIRGINIA

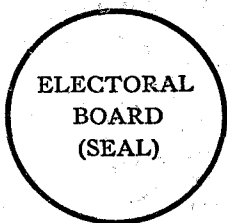
Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of
			Challenged Votes Included In Total
EDWARD E. LANE	Two thousand and forty two	2,042	-0-
J. MARSHALL COLEMAN	Two thousand six hundred sixty nine	2,669	-0-
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We, the undersigned Electoral Board, upon examination of the official records deposited in the office of the Clerk of the Circuit Court of the election held on November 8, 1977, do hereby certify that the above is a true and correct Abstract of Votes cast at said General Election for Attorney General of Virginia.

Given under our hands this tenth day of November, 1977.

Shirley Green Chairman
Charles E. Gary Member
Irene M. Douglas Secretary

A copy teste:



Irene M. Douglas Secretary, Electoral Board

ABSTRACT OF VOTES cast in the County/CITY of JAMES CITY, Virginia,
at the General Election held the first Tuesday after the first Monday in November, 1977, for

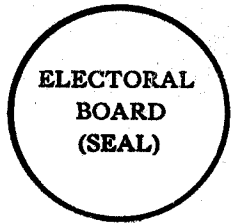
Member(s) of the House of Delegates

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
GEORGE W. GRAYSON	Three thousand one hundred fifty	(3,159)	-0-
DAVID W. WARE, JR.	One thousand seven hundred ninety ^{nine}	(1,790)	-0-
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November eighth, 1977, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Member(s) of the House of Delegates from the 51st District.

Given under our hands this tenth day of November, 1977

A copy teste:



[Signature] Chairman
[Signature] Member
[Signature] Secretary

[Signature] Secretary, Electoral Board

ABSTRACT OF VOTES cast in the County/~~City~~ of JAMES CITY, Virginia,
at the General Election held the first Tuesday after the first Monday in November, 19 77, for

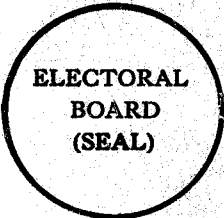
Member(s) of the House of Delegates

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
<u>S. WALLACE STIEFFEN</u>	<u>One thousand eight hundred seventy</u>	<u>1,870</u>	<u>-0-</u>
<u>Dudley B. LEWIS, JR.</u>	<u>Two thousand one hundred twenty five</u>	<u>2,125</u>	<u>-0-</u>
<u>JACK EDWARDS</u>	<u>One</u>	<u>1</u>	<u>-0-</u>
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We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November eighth, 19 77, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for Member(s) of the House of Delegates from the 52nd District.

Given under our hands this tenth day of November, 19 77.

A copy teste:



Shirley Steffen Chairman
Charles E. Henry Member
James M. Douglas Secretary
James M. Douglas Secretary, Electoral Board

ABSTRACT OF VOTES cast in the County/~~City~~ of JAMES CITY, Virginia,
at the election held the first Tuesday after the first Monday in November, 1977, for

Directors of COLONIAL Soil and Water Conservation District

Names of Candidates	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
Robert B. Berrisford	One thousand six hundred and fifty one	(1,651)	-0-
Craig Lea	Ten	(10)	-0-
W.E.D. Diggs	Ten	(10)	-0-
William Wiegand, Jr.	Two	(2)	-0-
Marshall Taylor	One	(1)	-0-
Daphne Katron	One	(1)	-0-

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November tenth, 1977, do hereby certify that the above is a true and correct Abstract of Votes cast at said election and do therefore determine and declare that the following received the greatest number of votes cast in said election:

Robert B. Berrisford
Craig Lea

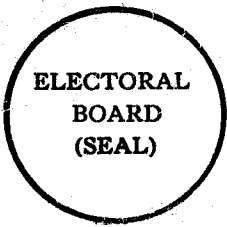
for Directors of Colonial Soil and Water Conservation District.

Given under our hands this tenth day of November, 1977.

Shirley S. Sleen Chairman
Charles E. Gary Member

Secretary

A copy teste:



June M. Douglas Secretary, Electoral Board

at the Special Election held on the eighth day of November, 1977, for

PROPOSED BOND ISSUES

QUESTION: Shall Chapter 650, Acts of the General Assembly of 1977, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$86,475,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for **EDUCATIONAL INSTITUTIONS**, take effect?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Three thousand two hundred twenty three	(3,223)	-0-
AGAINST (No)	Seven hundred and three	(703)	-0-

QUESTION: Shall Chapter 651, Acts of the General Assembly of 1977, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$21,525,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for **CORRECTIONAL FACILITIES**, take effect?

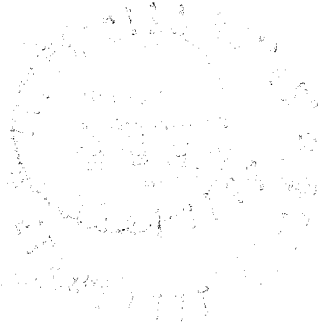
	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Three thousand and seventeen	(3,017)	-0-
AGAINST (No)	Seven hundred and seventy one	(771)	-0-

QUESTION: Shall Chapter 652, Acts of the General Assembly of 1977, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$4,000,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for **MENTAL HEALTH FACILITIES**, take effect?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Three thousand two hundred and forty eight	(3,248)	-0-
AGAINST (No)	Five hundred and eighty two	(582)	-0-

QUESTION: Shall Chapter 653, Acts of the General Assembly of 1977, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$5,000,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for **PARK AND RECREATIONAL FACILITIES**, take effect?

	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	Two thousand nine hundred and forty eight	(2,948)	-0-
AGAINST (No)	Eight hundred and eleven	(811)	-0-



QUESTION: Shall Chapter 654, Acts of the General Assembly of 1977, authorizing the issuance of general obligation bonds of the Commonwealth of Virginia in the maximum amount of \$8,000,000 pursuant to Article X, Section 9(b) of the Constitution of Virginia for **PORT FACILITIES**, take effect?

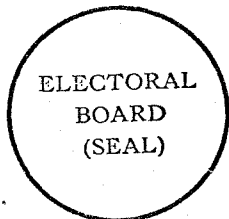
	Total Votes Received (In Writing)	Total Votes Received (In Figures)	Number of Challenged Votes Included In Total
FOR (Yes)	<u>Two thousand eight hundred and fifty seven</u>	(<u>2,857</u>)	<u>-0-</u>
AGAINST (No)	<u>Eight hundred and sixty five</u>	(<u>865</u>)	<u>-0-</u>

We, the undersigned Electoral Board, upon examination of the official records deposited in the office of the Clerk of the Circuit Court of the election held on November 8, 1977, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for and against the proposed \$125,000,000 General Obligation Bond Issues.

Given under our hands this tenth day of November, 1977.

James S. Spear Chairman
Charles E. Wynn Member
James M. Sawyer Secretary

A copy teste:



James M. Sawyer Secretary, Electoral Board

November 16, 1977

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE SIXTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
 Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
 Mr. Jack D. Edwards, Berkeley District
 Mr. Abram Frink, Jr., Roberts District
 Mr. David W. Ware, Jr., Powhatan District

 Mr. James B. Oliver, Jr., County Administrator
 Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the October 24, 1977, minutes as printed. The motion carried by a unanimous vote.

C. JAIL PRESENTATION - MOSELEY-HENING ASSOCIATES

Mr. James H. Hening, architect for Moseley-Hening Associates, gave a brief presentation on the proposed jail addition. Mr. Hening stated that the site plans have been approved by the regional DJCP clearinghouse, the State and the City of Williamsburg. The Board indicated no objection with the architectural firm continuing the project. Mr. Hening indicated that bids for the jail addition would be solicited March 1, 1978.

D. PUBLIC HEARINGS:

1. Case No. SUP-3-77. An application of Ms. Margaret K. Kirby for a special use permit to allow the placement of an individual mobile home on her property located at 2745 Pocahontas Trail.

Mr. Donaldson, Chairman, declared the public hearing open. Mr. William Porter, Planning Director, stated that there are two non-conforming mobile homes on the property at the present time. It was noted that the County has designated adequate areas for free-standing mobile homes in the A-1 zone and that the business zone should be protected. There being no one else wishing to speak, Mr. Donaldson closed the public hearing.

Mr. Frink stated that the County does have a Mobile Home Ordinance and felt that the ordinance governs mobile home location.

Mr. Donaldson asked Mr. Porter if an element of hardship existed in this particular case. Mr. Porter stated that the applicant had not indicated a hardship factor.

Mr. Ware moved the approval of the issuance of a special use permit to Otis C. and Margaret K. Kirby. The motion failed by a vote of three to two. Messrs. Frink, Edwards and Donaldson voted no.

2. Case No. Z-7-77. An application of Mr. William J. Bull to rezone approximately 5 acres on Route 616 adjacent to Berkeley School from R-5 Multifamily Residential to B-1 General Business.

Mr. Donaldson, Chairman, opened the public hearing. Mr. William Porter, Planning Director, briefed the Board regarding the rezoning request.

Mr. Steve Harris, counsel for the applicant, stated Dr. Richard Bunting, an optometrist practicing in Williamsburg, wished to relocate his

November 16, 1977

office on the subject property. Mr. Harris stated that an optometrist's office would be compatible to the surrounding area and would not interfere with the adjacent property, Berkeley High School. Mr. Harris stated that the area is conducive to the use proposed.

Mr. Howard C. Sawyer stated he felt that having an optometrist's office so close to the school would be beneficial in case of accidents occurring at school.

Mr. Donaldson stated that the area is generally envisioned as a residential district and rezoning the property to B-1 would open the site to many types of development which would not be compatible with the school and residential area.

There being no one else wishing to speak Mr. Donaldson closed the public hearing.

Mr. Ware moved the approval of the rezoning request of Case No. Z-7-77. The motion failed by a vote of three to two. Messrs. Frink, Edwards and Donaldson voted no.

3. Case No. Z-8-77. An application of Mr. Howard C. Sawyer to rezone the frontage of his property located on Route 60 between 631 and Route 649 in Toano from A-1 General Agriculture to B-1 General Business.

Chairman Donaldson opened the public hearing. Mr. William Porter, Planning Director, briefed the Board on the rezoning request recommending approval.

Mr. Howard C. Sawyer, applicant, agreed with the points Mr. Porter mentioned to the Board and requested approval of the rezoning request.

Mr. Donaldson, Chairman, declared the public hearing closed.

Mr. Edwards moved to grant the rezoning of Case No. Z-8-77 from A-1 General Agriculture to B-1 General Business. The motion carried by a unanimous roll call vote.

4. Case No. Z-9-77. An application of Mr. R. M. Hazelwood, Jr., and Dr. George Hankins, Sr., et al. to rezone approximately 300 acres located on Route 50 adjacent to the C & O railroad line west of Toano from M-1 Limited Industrial to M-2 General Industrial.

Chairman Donaldson declared the public hearing open. Mr. Porter, Planning Director, briefed the Board on this matter.

Messrs. Donald Patton, counsel for Dr. Hankins, and R. M. Hazelwood stated they would answer any questions the Board might have regarding this rezoning.

The Board reviewed the permitted uses in the M-1 Limited Industrial and M-2 General Industrial zones. Mr. Edwards expressed concern relating to an industry locating on the property. He thought it would be beneficial to know how great an impact this industry will cause on our economy, County facilities and other related items.

Mr. Taylor felt that the Board tries to regulate free enterprise too much and that the Board did not need to know every detail regarding an industry possibly locating in the County.

Mr. Ware moved the approval of the rezoning Case No.

November 16, 1977

Z-9-77. The motion carried by a majority roll call vote. Mr. Edwards voted no.

5. Case No. SP-21A-74. An application of Busch Properties, Inc. to revise and amend the Master Plan of Kingsmill-on-the-James. The amendment would change the classification of the area at the intersection of Southall Road and Mounts Bay Road, known as Quarterpath Trace Village, from Residential A to Residential B.

Chairman Donaldson opened the public hearing. Mr. Porter, Planning Director, briefed the Board regarding the proposed amendment to the master plan.

Mr. Jim Franklin, a Kingsmill representative, stated he was prepared to answer any questions the Board might have regarding the master plan.

Mr. Donaldson, Chairman, closed the public hearing.

Mr. Taylor moved to approve the amendment to the Kingsmill-on-the-James master plan thereby changing 45.9 acres from Residential A to Residential B subject to the condition that the total number of units in the entire 72.7 acre development shall not exceed 327 units. The motion carried by a unanimous roll call vote.

6. An ordinance to vacate a certain right-of-way shown on a plat entitled, "Subdivision Plat, First Colony, Section 4-A, Owners and Developers, First Land Corporation, located in Jamestown District, James City County, VA".

Mr. Donaldson, Chairman, declared the public hearing open. Mr. Porter, Planning Director, briefed the Board on the proposed vacation.

Mr. Taylor moved to adopt the ordinance vacating a portion of Lot 272, Section 4A, First Colony.

Mr. Edwards moved to table this ordinance until the Board's next regular meeting. After brief discussion, Mr. Edwards withdrew his motion.

Mr. Taylor's motion to adopt the ordinance carried by a unanimous roll call vote.

ORDINANCE NO. 111

AN ORDINANCE TO VACATE A CERTAIN RIGHT-OF-WAY SHOWN ON A PLAT ENTITLED, "SUBDIVISION PLAT, FIRST COLONY, SECTION 4-A, OWNERS AND DEVELOPERS, FIRST LAND CORPORATION, LOCATED IN JAMESTOWN DIST., JAMES CITY COUNTY, VIRGINIA", AND MORE PARTICULARLY DESCRIBED AS THAT CERTAIN SHADED AREA AS SHOWN ON A NEWLY DRAWN PLAT ENTITLED, "PLAT SHOWING RIGHT-OF-WAY AREA TO BE VACATED - 3524' - ADJACENT TO LOT 272, FIRST COLONY, SECTION 4-A, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA".

WHEREAS, application has been made by Thomas W. Meehan on behalf of Newport News Service Corporation, owner of Lot 272, to vacate a certain right-of-way shown on a plat entitled, "Subdivision Plat, First Colony, Section 4-A, Owners and Developers, First Land Corporation, Located in Jamestown Dist., James City County, Virginia", and more particularly described as that certain shaded area as shown on a newly drawn plat entitled, "Plat Showing Right-of-Way Area to Be Vacated - 3524' - Adjacent to Lot 272, First Colony, Section 4-A, Berkeley District, James City County, Virginia"; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Section 15.1-482 and Section 15.1-431 of the Code of Virginia, 1950, as amended; and

WHEREAS, the said Board of Supervisors did consider said application on the day of _____, 1977, pursuant to such notice and were 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:

1. That the right-of-way shown on a plat entitled, "Subdivision Plat, First Colony, Section 4-A, Owners and Developers, First Land Corporation, Located in Jamestown Dist., James City County, Virginia", dated January 21, 1966, and prepared by S. V. Camp III & Associates, Certified Land Surveyor, and recorded in Plat Book 23, Page 44, in the Clerk's Office of the Courthouse for Williamsburg-James City County, be and the same is hereby vacated.

November 16, 1977

2. That a new plat entitled, "Plat Showing Right-of-Way Area to Be Vacated - 3524 ' - Adjacent to Lot 272, First Colony, Section 4-A, Berkeley District, James City County, Virginia", dated August 25, 1977 and prepared by E. E. Paine, Inc., Engineering & Surveying, be put to record in the Clerk's Office of the Circuit Court for James City County, Virginia.

This ordinance shall be in full force and effect from the date of its adoption.

E. BOARD CONSIDERATIONS:

1. Case File No. SP-49-73 -- Littleton Quarter, Phase III.

Mr. William Porter, Planning Director, indicated that in accordance with the R-4 zoning requirements Case SP-49-73--Littleton Quarter, Phase III required Board approval. It was noted that Phase III consists of 47 units on 9.5 acres between the existing Phase II and Wareham's Pond Road.

Mr. Edwards moved the approval of Case No. SP-49-73. The motion carried unanimously by a roll call vote.

2. Livestock Claim - Mr. H. M. Hazelwood.

Mr. Oliver stated that Mr. H. M. Hazelwood had submitted a claim for five shoats which were destroyed by a St. Bernard dog.

After Board discussion, Mr. Taylor moved to award Mr. H. M. Hazelwood \$200 for the five shoats which had been killed. The motion carried by a unanimous roll call vote.

3. Claim for payment to bus drivers for services rendered the School Board.

The Board had received correspondence which represented a claim for services rendered to the School Board. It was noted that the four ladies requesting payment were related to one of the school board members and as such have been prevented by the State Code from being reimbursed due to conflict of interest.

Mr. Taylor moved to approve a resolution authorizing a total payment of \$733.54 to persons involved in the claim. The motion carried unanimously by a roll call vote.

RESOLUTION

WHEREAS, the School Board of James City County is prohibited by law from paying Margaret J. Hill, Mary L. Letchworth, Ella Mae Priester and Fannie L. Trull; and

WHEREAS, these individuals have submitted pursuant to Section 15.1-547 of the Code of Virginia, 1950, as amended, a claim against the County for services rendered;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct that the total sum of \$733.54 shall be paid to the below individuals in the following manner:

Margaret J. Hill	\$181.26
Mary L. Letchworth	\$ 60.42
Ella Mae Priester	\$206.54
Fannie L. Trull	\$285.29

BE IT FURTHER RESOLVED that such payments are pursuant to Section 15.1-547 of the Code of Virginia, 1950, as amended, and a claim duly filed thereunder.

4. Appointments.

Mr. Donaldson requested the Board to convene into executive session following the meeting to discuss personnel matters. The Board concurred.

November 16, 1977

5. Certification of Warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #3820 thru 3961 Totalling \$603,573.86
General Fund Payroll	Checks #9815 thru 10,143 Totalling \$102,129.47
Sanitary District #1	Checks #36 Totalling \$18.75
Sanitary District #2	Checks #224 thru 231 Totalling \$2,343.32
Sanitary District #3	Checks #490 thru 504 Totalling \$34,077.67
Subdivision Escrow	Checks #151 Totalling \$1,000.00
Revenue Sharing	Checks #354 thru 366 Totalling \$138,743.90
Anti-Recession	Checks -0- Totalling -0-

F. REPORTS OF THE COUNTY ADMINISTRATOR1. Correspondence from York County regarding regional recreational programs.

Mr. Oliver presented the Board with a resolution which York County had approved and had forwarded to James City County and the City of Williamsburg. Mr. Oliver stated that York County is requesting Williamsburg and James City County to form an Ad Hoc Committee to investigate and promote regional recreational programming.

Mr. Donaldson stated he supported the concept, but at the present time the County's recreation committee is preparing a summary of our recreational needs.

Mr. Edwards stated that he is very interested in the regional concept but felt the County should receive the County's recreation committee's analysis of our needs.

The Board directed the County Administrator prepare a letter to York County stating our interest but that the County wished to receive the recreation committee's report before acting on York County's request.

2. Job Classification Study.

Mr. Oliver stated that the County will be beginning an inhouse personnel job classification study with the assistance of Jerald Robinson a professor with VPI. Mr. Oliver invited the Board to attend the Administrative and Managerial Classification Study Committee meeting on November 22, 1977.

3. Miscellaneous.

Mr. Donaldson requested the staff to review the height limitation requirements in the industrial zoned districts.

Mr. Donaldson expressed thanks to the County staff for hosting the VACo annual meeting.

Mr. Edwards thanked the Board and County for the present he received when he stepped down from the VACo presidency.

The Board moved to convene into executive session to

November 28, 1977
November 16, 1977

discuss personnel matters. The motion carried by a majority roll call vote. Mr. Ware vote no.

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, ON THE SIXTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

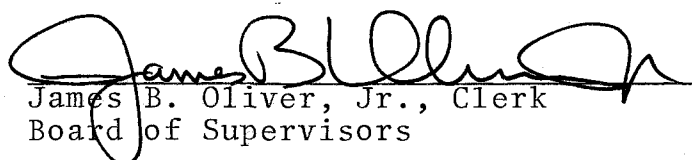
As noted above.

B. APPOINTMENTS.

Mr. Taylor moved to appoint Mr. James M. H. Harris to the Economic Development Advisory Committee. The motion carried by a unanimous roll call vote.

Mr. Donaldson moved to appoint Mr. Edwin L. Stenzel to the Economic Development Advisory Committee. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD OF SUPERVISORS, THE MEETING ADJOURNED AT 11:05 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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 NOVEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Ware moved the approval of the November 16, 1977, minutes as printed. The motion carried by a unanimous vote.

C. HIGHWAY MATTERS

Mr. Franklin Hall, Resident Engineer, was present to address the Board regarding highway matters.

Mr. Ware requested Mr. Hall to repair a pot hole in Farmville Lane.

November 28, 1977

Mr. Taylor requested that the Highway Department install better warning signs in the vicinity of Interstate 64 and Route 168 construction. Mr. Taylor stated that a sign which would reflect dangerous crossovers would be appropriate for the area. Mr. Hall stated he would have traffic control personnel look into the matter.

Mr. Donaldson indicated that the intersection of South Henry Street and Route 199 appears dangerous due to the traffic approaching the intersection at high rates of speed. Mr. Hall stated that the traffic engineer would be required to look at alignment, visibility and other factors relating to the intersection.

Mr. Hall informed the Board that there would be a design public hearing on the proposed Route 60-East realignment in the near future.

Mr. Hall indicated he had attended a meeting regarding Route 199 and the environmentalist working on the project said it would be six months before the Highway Department would be holding a design public hearing regarding Route 199. Mr. Hall indicated the environmentalist was interested in determining the impact the alignment would have upon the environment and development.

E. BOARD CONSIDERATIONS

1. Rescheduling December 26th Board meeting.

It was noted that December 26th of this year is the County's official Christmas holiday.

Mr. Ware moved to cancel the December 26, 1977, Board meeting. The motion carried by a unanimous roll call vote.

2. Setting a Public Hearing Date for:

Case No. SUP-2-77. An application of Mr. George D. Woodson for a special use permit to allow the placement of an individual mobile home on his property on Route 5 near Five Forks (intersection of Rt. 615) on the south side of the road.

Case No. Z-11-77. An application of the McClurg Corporation to rezone approximately 10 acres located on South Henry Street between the City of Williamsburg and Route 199 from R-1 General Residential to R-5 Multifamily Residential to permit the construction of an elderly housing apartment complex.

Case No. Z-13-77. An application of Blue Ribbon Gardens to rezone approximately 33.3 acres located to the rear of the existing Blue Ribbon Gardens Mobile Home Park from A-2 Limited Agriculture to R-2 Limited Residential.

Case No. Z-14-77. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, by amending Section 20-14. This amendment will change the fee requirements for rezoning and special use permit applications from \$50 to \$125.

Mr. Frink moved to establish January 9, 1978, at 7:30 P.M., as the public hearing date and time for the above cases. The motion carried by a unanimous roll call vote.

3. General District Court--Fees for Professional Services appropriation.

Mr. Oliver, County Administrator, stated that the budgeted amount of \$850 for court appointed attorneys for the General District Court is an insufficient amount to cover this category and requested a Board appropriation of an additional \$1,000.

November 28, 1977

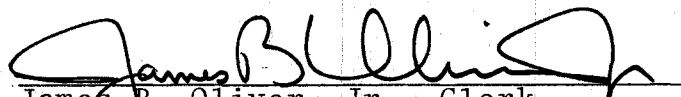
Mr. Edwards moved to appropriate \$1,000 to the General District Court-Court Appointed Attorney account.

Mr. Frank Morton, County Attorney, explained that the County is reimbursed \$75 for each case involving a court appointed attorney. Mr. Morton stated Judge Zepkin had spoken to him regarding this matter and indicated that the number of cases for this year had been underestimated and reimbursement of the court fees are being delayed.

Mr. Edwards motion to approve the \$1,000 appropriation was unanimously approved by a roll call vote. This appropriation would increase the Revenue Account 91-00090-0917 General District Court-Court Appointed Attorney from \$300 to \$1,300 and would increase the General District Account 01-00520-0203-- Fees for Professional Services from \$850 to \$1,850.

Mr. Taylor moved to adjour the meeting. The motion carried by a unanimous roll call vote.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 3:23 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE COURTHOUSE, WILLIAMSBURG, VIRGINIA, ON THE TWELFTH DAY OF DECEMBER, NINETEEN HUNDRED AND SEVENTY-SEVEN.

A. ROLL CALL

Mr. John E. Donaldson, Chairman, Jamestown District
Mr. Stewart U. Taylor, Vice-Chairman, Stonehouse Dist.
Mr. Jack D. Edwards, Berkeley District
Mr. Abram Frink, Jr., Roberts District
Mr. David W. Ware, Jr., Powhatan District

Mr. James B. Oliver, Jr., County Administrator
Mr. John W. Watkins, Assistant County Administrator
Mr. Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Frink moved the approval of the November 7 and 28, 1977 minutes as printed.

C. PUBLIC HEARING

1. An Ordinance to Amend and Reordain a User Charge System for Sewer Services, Sanitary District No. 3, James City County, Virginia, Section I, Fees, 1-1-2 District Service Charges.

Mr. Oliver stated that the Finance Department was billing users of the sewer system in Sanitary District No. 3 \$22.50 for a residence with one bath plus \$3.00 for each additional bath. In reviewing the correspondence and information between the staff and Board of Supervisors, Mr. Oliver stated that the apparent intention of the staff was to recommend a fee of \$22.50 for a residence

December 12, 1977

with one bath and \$25.50 for residences with more than one bath. Mr. Oliver requested the Board to correct this portion of the ordinance.

Mr. Donaldson, Chairman, opened the public hearing.

A resident expressed concern over the rising costs of water and sewer rates.

Mr. Oliver stated that James City County charges a flat fee to cover amortization while Hampton Roads Sanitation District bills customers by consumption. It was noted that the County's billing system does not include Hampton Roads Sanitation District's charges and that the Hampton Roads Sanitation District is an independent agency which establishes its own policies and fees.

Mrs. Irene Douglas stated that the County residents need a better understanding of the Hampton Roads Sanitation District's rates, the County's rates and the billing system. Mrs. Douglas stated that this could be accomplished through the press or another manner but it was needed.

Chairman Donaldson closed the public hearing.

Mr. Edwards moved the approval of the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE NO. 100A-1

AN ORDINANCE TO AMEND AND REORDAIN A USER CHARGE SYSTEM

FOR SEWER SERVICES

SANITARY DISTRICT NO. 3

JAMES CITY COUNTY, VIRGINIA

SECTION I

FEES

1-1-2 District Service Charges

The District Sewer System bills (called, "Amortization Charge") shall be rendered by the Sanitary District to each sewer user quarterly. The initial District minimum quarterly charges for sewer service shall be as follows:

	Quarterly Charge	Unit
Residences - One bath	\$22.50	ea.
Residences - More than one bath	25.50	
Mobile Homes - One toilet	22.50	ea.
Apartments & Townhouse - same as residence		
Schools - \$50 minimum +	.90	pupil
Motels & Hotels - \$100 or	12.00	room
Commercial - \$22.50 minimum or	22.50	Msf
Restaurants - \$25.50 minimum or	4.50	seat
Service Stations - \$25.50 minimum +	3.00	toilet
Camping Facilities	9.00	space
All others to be established when needed		

This ordinance shall be in full force and effect from August 1, 1977.

D. SETTING A PUBLIC HEARING DATE FOR:

1. An Ordinance to vacate a portion of that certain plat entitled "Plot of T. Brantley Henderson's Sub-Division", and more particularly described as that southwesterly property line of Lot 1, as shown on said plat.
2. An Ordinance to vacate a portion of that certain plat entitled "Kristiansand, Section III, Powhatan District, James City County, VA".
3. Pre-Budget Hearing.
4. An Ordinance to Amend and Reordain the Operating Policy of James City County Sanitary District No. 2, by Amending Section 5.03, Water Availability Charges.

Mr. Taylor moved to establish January 9, 1978, as the public hearing date for the above cases. The motion carried by a unanimous roll call vote.

December 12, 1977

E. BOARD CONSIDERATIONS:

1. Dedication of subdivision streets.

Mr. Oliver presented the Board with standard resolutions requesting the Department of Highways and Transportation to accept several streets into the State Secondary System. The roads which are to be included in the Secondary System are Old Colony Lane, Sheffield Road, Hempstead Road, Fenwych Court and Tyndal Court.

Mr. Edwards moved the approval of the resolutions requesting the acceptance of streets in Old Colony Subdivision and Windsor Forest Subdivision - Section V into the State Secondary System. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, the developer of Old Colony Industrial Sub. 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Old Colony Industrial Sub., James City County in the State Secondary Highway System.

Description:

Old Colony Lane - From: Route 31
To: 0.06 Mi. E. to End
Cul-de-sac 0.06 50' R/W

A right of way of 50 feet as shown above is guaranteed as evidenced by plat of record, entitled Old Colony Industrial Subdivision, Plat Book 34, Page 34.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Old Colony Industrial and the Resident Engineer of the Department of Highways and Transportation.

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 1977.

RESOLUTION

WHEREAS, the developer of Windsor Forest Section V 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 Transportation and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that the Department of Highways and Transportation be, and it hereby is respectfully requested, contingent upon the above, to include the following street/s in Windsor Forest Section V Sub. James City County in the State Secondary Highway System.

Description:

Sheffield Road - From: 0.25 Mi. W. Route 612	60' R/W
(Route 1520) To: 0.18 Mi. W. to Hempstead Road	0.18 Mi.
Hempstead Road - From: Int. Sheffield Road (Route 1520)	0.14 Mi.
To: 0.14 Mi. S.	60' R/W
Fenwych Court - From: Hempstead Road	0.10 Mi.
To: 0.10 Mi. S. E. To End Cul-de-sac	50' R/W
Tyndal Court - From: Fenwych Court	0.05 Mi.
To: 0.05 Mi. N. E. to End Cul-de-sac	50' R/W

A right of way of 50-60 feet as shown above is guaranteed as evidenced by plat of record, entitled Windsor Forest Section V Subdivision, Plat Book 32, Page 19.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to the developer of Windsor Forest Section V and the Resident Engineer of the Department of Highways and Transportation.

December 12, 1977

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of December, 1977.

2. Contingency transfer for consolidation and re-indexing of Circuit Court records.

Mr. Oliver stated that Mrs. Clothier, Clerk of the Circuit Court, has requested funds to re-index the Grantee and Grantor Records for the period October 1968 through December 1977. Eight hundred dollars has previously been appropriated, and Mr. Oliver requested an additional appropriation of \$1,070 to cover the estimated cost of re-indexing the Grantee and Grantor Records.

Mr. Edwards moved the approval of a transfer of \$1,070 from the General Fund Contingency Account No. 01-01850-9011 to Fees for Professional Services Account in the Office of the Clerk of the Circuit Court Account No. 01-00410-0203. The motion carried by a unanimous roll call vote.

3. Selection of architect for Fire Station No. 3.

Mr. Oliver stated that the staff recommends the firm of Rancorn, Wildman and Krause be awarded a contract to provide architectural services for Fire Station No. 3. It was noted that Fire Station NO. 3 will be the central command post of the Fire Department.

Mr. Ware questioned the need for an architect and was concerned with the architect's fee to provide this service.

Mr. Watkins stated that having an architect on the site during construction ensures the County the building will be built in accordance with the architect's specifications using the quality of materials included in the project.

Mr. Edwards moved the approval of the execution of the agreement designating the firm of Rancorn, Wildman and Krause as the agent to provide architectural services for Fire Station No. 3. The motion carried unanimously by a roll call vote.

4. Refund of a Conditional Use Permit to VepCo.

Mr. Oliver stated that VepCo had applied for a conditional use permit to perform work related to the Newport News Little Creek Reservoir. While processing the conditional use permit Malcolm-Pirnie Engineers, on behalf of the City of Newport News, decided to apply for the conditional use permit to cover the entire Little Creek Reservoir project. Mr. Oliver stated that VepCo is now requesting a \$20 refund for the conditional use permit.

Mr. Donaldson moved to authorize a refund of \$20 to VepCo. The motion carried unanimously by a roll call vote.

5. Landfill Report.

Mr. Wayland Bass, Public Works Director, presented a slide show to the Board. The slide show gave an overview of the present state of the landfill and also displayed the various equipment used at the landfill.

Mr. Oliver stated that a meeting had been held with the commercial users of the landfill to present the slide show and landfill report to them for their comments. Mr. Oliver stated that the staff is recommending an appropriation of \$20,000 from contingency to be used to purchase excavation services

December 12, 1977

and that the Board set a public hearing date for the proposed User Charge Ordinance.

It was noted that the landfill report recommends:

Having 20,000 cubic yards of earth excavated by contract during FY78 to improve site use efficiency, thereby maximizing the useful life of the landfill.

Adopt an ordinance regulating the type of refuse that can be disposed at the landfill, eliminating industrial wastes, wood, scrap metal, construction/demolition wastes and tree/land clearing wastes and establishing a User Charge System applicable to refuse collectors and commercial establishments.

Install truck weighing scales to determine refuse quantities and unit operating costs.

Transfer landfill operations and assets to a County enterprise fund.

Mr. Ware indicated that he felt if one person is charged for using the landfill then everyone should be charged. Mr. Ware mentioned the idea of subsidizing the landfill with general fund money due to the fact that the County landfill is for everyone's use.

Mr. Donaldson indicated that the commercial users are dumping large quantities of debris which is difficult to dispose of and causes damage to the landfill equipment and these users should pay fees to cover costs of maintaining the landfill.

Mr. Taylor did not agree with the idea of using scales at the landfill. He mentioned York County and their failure with the use of scales. Mr. Taylor also expressed concern of having to hire personnel to handle the scales.

Mr. Edwards moved to approve a contingency transfer of \$20,000 to be used to purchase contract excavation services. Mr. Edwards also moved to set January 9, 1978, at 7:30 P.M., as the public hearing date for the User Charge Ordinance. The motion carried by a unanimous roll call vote.

6. Certification of warrants.

Mr. Donaldson moved the approval of the following warrants. The motion carried by a unanimous roll call vote.

General Fund	Checks #3962 thru #4165 Totalling \$549,877.88
General Fund Payroll	Checks #10144 thru \$10471 Totalling \$101,313.65
Sanitary District #1	Checks -0- Totalling -0-
Sanitary District #2	Checks #232 thru #237 Totalling \$2,864.90
Sanitary District #3	Checks #505 thru #514 Totalling \$1,156.82
Subdivision Escrow	Checks -0- Totalling -0-
Revenue Sharing	Checks #367 thru #369 Totalling \$92,298.44
Anti-Recession	Checks #116 thru #117 Totalling \$2,502.61

7. Proposed holiday for County employees.

Mr. Oliver stated that this past year has been a highly productive one for County taxpayers by our employees. Mr. Oliver requested the

December 12, 1977

Board to grant one day's leave to each employee during the Christmas holiday.

Mr. Edwards moved to grant County employees one day's leave between December 15 and January 3. The motion carried by a unanimous roll call vote.

8. Construction fund - regional jail expansion.

Mr. Oliver stated that the County has received \$52,778 from the Division of Justice and Crime Prevention for the regional jail expansion and the County now needs to establish a construction fund account for this project.

Mr. Frink moved the approval of a resolution authorizing the establishment of a savings account for depositing funds for the construction of the regional jail. The motion carried by a unanimous roll call vote.

RESOLUTION

WHEREAS, James City County and the City of Williamsburg have been awarded a grant in the amount of \$105,556.00 for the purposes of expanding and altering the Williamsburg-James City County Jail; and

WHEREAS, the first portion of the grant funds awarded by the Division of Justice and Crime Prevention under Grant No. (F-1) 77-A4218E have been received in the amount of \$52,778.00;

NOW, THEREFORE, BE IT RESOLVED, that the Treasurer of James City County is hereby requested to deposit these and all subsequent funds received under this grant in a savings account established at Old Colony Bank and Trust Company, Williamsburg; and

BE IT FURTHER RESOLVED, that the following persons are hereby authorized to withdraw funds from this account to reimburse the General Fund for monies expended on construction of the Jail:

Frances B. Whitaker

Treasurer

OR

Betty S. Pettengill

Deputy Treasurer

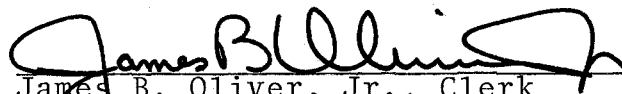
whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

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 order, 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 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 December 12, 1977.

Mr. Taylor moved to adjourn the meeting to reconvene January 9, at 7:30 P.M. The motion carried unanimously.

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE BOARD, THE MEETING WAS ADJOURNED AT 9:35 P.M.


James B. Oliver, Jr., Clerk
Board of Supervisors

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