

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA, ON THE TWELFTH DAY OF MARCH, NINETEEN HUNDRED AND SEVENTY-NINE AT 7:40 P.M.

A. ROLL CALL

Stewart U. Taylor, Chairman, Stonehouse District
Abram Frink, Jr., Vice-Chairman, Roberts District
John E. Donaldson, Jamestown District
Jack D. Edwards, Berkeley District
David W. Ware, Jr., Powhatan District

James B. Oliver, Jr., County Administrator
Frank M. Morton, III, County Attorney
John W. Watkins, Assistant to the Administrator

B. MINUTES - February 26, 1979

Mr. Edwards moved the approval of the minutes of February 26, 1979, as printed. The motion carried by unanimous roll call vote.

Mr. Oliver requested that Agenda Item E be moved ahead for presentations by Mr. Norman G. Beatty, Chairman of the Economic Development Advisory Committee, by Dr. Henry A. Renz, Division Superintendent of the Williamsburg-James City County School System, and by Mrs. Irene Douglas, Secretary of the County Electoral Board. There were no objections to hearing the presentations early.

E. PRESENTATIONS

1. Presentation of James City County Economic Development Recommendations by Norman Beatty.

Mr. Beatty made a brief presentation, stating that besides the experience several members bring to the Committee, many members have spent a great deal of time to increase their knowledge. He said sound economic growth does not just happen and it is a great deal more than a volunteer job. He said in 1977, the four largest industries in the County paid 24% of all the general property taxes collected in James City County and in the same year these same four industries paid 54% of all the personal property taxes collected in the County. Mr. Beatty said the Economic Development Advisory Committee feels strongly that the County must move forward with its efforts to promote economic development if it is to remain competitive with neighboring jurisdictions and recommended activation of the County Industrial Development Authority and creation of a full-time staff position to fill the role of an economic development coordinator.

Mr. Taylor asked if anyone wished to ask questions. There were no questions.

Mr. Oliver said that the staff recommendation is positive and he proposes to include the recommended position in the budget. He also reminded members of the Board that such a recommendation was made two years ago and since that time part-time assistance has been given in this connection by the Planning Department. Mr. Oliver recommended no action be taken now. He said it would be most appropriate to take care of the budgetary items and the preparation of any Authority ordinance would not take place until an economic development staff person is available to the County.

AAC793

Mr. Taylor said he is not sold on a full-time position. He said he has talked with many citizens, who think the County should not hire someone full-time to bring industry into the County.

After discussion, it was the consensus of opinion of the members of the Board that the matter be postponed and discussed during consideration of the budget.

2. Presentation of the School Budget by the School Board

Mr. Oliver called on Dr. Henry A. Renz, Division Superintendent of the Williamsburg-James City County School System, to make the presentation.

Dr. Renz said the General Assembly enacted legislation which requires School Board appropriations to be made by local governing bodies prior to the middle of May. He said important adjustments have been made in the proposed budget for next year. The request to James City County, he said, is \$196,486 less than was originally projected, which does not bring the requested appropriation to the level which the Board of Supervisors indicated six weeks ago. He said 50-50 expenditures, which represent 30% of the entire budget, will have to be examined, and the total reduction to the City is \$33,372.

Dr. Renz said based on information now available, there will have to be curtailment in the support of some programs. He said, however, he is confident the proposed County amount will not cause a reduction in the level of programs available to students and he expects priority to be given to maintaining programs and in providing 7% salary increases for teachers.

Mr. Ware asked Dr. Renz what his priorities were in making reductions. Dr. Renz said he could not anticipate priorities because they have not yet been discussed. Capital outlay, he said, would be very high on the list, as well as furniture and equipment. All necessary repairs and maintenance would be continued, he said.

A discussion followed regarding various methods for the use of school buses in other areas.

Mr. Frink inquired about a program for handicapped children which was closed last summer. Dr. Renz said there is no funding currently for the continuance of that summer program. He said there is possible litigation involved and was therefore unable to comment further.

Mr. Donaldson thanked Dr. Renz for his presentation, saying he was delighted some forward progress can be made next year.

Mr. Taylor said the school budget would be considered at the March 26 meeting of the Board of Supervisors.

Mr. Oliver said he would inform Dr. Renz what his recommendations will be before the end of this week so that he can meet the School Board's schedule.

3. Presentation by Mrs. Irene Douglas-Location of the Office of the General Registrar

Mr. Taylor called on Mrs. Irene Douglas, Secretary of the County Electoral Board, who made a brief presentation.

Mrs. Douglas recommended that the General Registrar's office remain in the City-County Courthouse.

Mr. Taylor declared a short recess at 8:25 P.M. The meeting reconvened at 8:30 P.M.

C. SETTING PUBLIC HEARING DATE

1. CASE No. Z-4-79 - An application of King and Queen Corporation to rezone approximately 35 acres on Route 658 (Olde Town Road) from R-2, Limited Residential, to R-3, General Residential.
2. CASE No. Z-5-79 - An application of Mr. Joe Shouse to rezone approximately two acres on Route 60E, Grove, from R-3, General Residential, to M-1, Limited Industrial.

Mr. Oliver recommended hearing these two matters at the Board meeting to be held on April 9. It was the consensus of opinion of the Board members to hold these matters for public hearing on that date.

D. PUBLIC HEARINGS

1. CASE No. Z-17-78 - Zoning Text Amendment - Revisions of the M-1, Limited Industrial District.
2. CASE No. Z-16-78 - Zoning Text Amendment - Revisions of the M-2, General Industrial District.
3. CASE No. Z-3-79 - Request by Mr. Henry S. Branscome to rezone approximately 8.1 acres on Route 5 across from Henry S. Branscome Construction Company from A-2, Limited Agriculture, to B-1, General Business.

Mr. Oliver reported that these cases had been deferred by the Planning Commission. It was the consensus of opinion of the Board members to set Case No. Z-3-79 for public hearing on April 9, 1979 and to await Planning Commission recommendations on the other two cases.

4. CASE No. Z-18-78 - An application of Mr. Paul Small, on behalf of Middle Plantation of Williamsburg, Inc., to make comprehensive amendments to the master plan of Middle Plantation, an R-4 zoned planned development.

Mr. Taylor called on William C. Porter, Jr., Planning Director, who made a brief presentation.

Mr. Porter said Middle Plantation consists of 1,410 acres located in the south-central portion of the County with frontage along Centerville Road and Longhill Road. The project was originally approved in 1973 and the present master plan was approved by the Board of Supervisors on January 14, 1974. Mr. Porter displayed a chart showing the comparison between the approved master plan and the proposed plan. He said the present plan proposes the deletion of approximately one-half of the number of townhouses and an increase of 389 residential lots.

Mr. Porter said the plan is recommended for approval by the Board of Supervisors based upon the following list of comments and conditions:

1. FLOOD PLAINS

Powhatan Creek and the Longhill Swamp border the Middle Plantation planned community along its eastern boundary. The floodway and the 100 year flood plain extend some 500 to 1,000 feet towards the interior of the site in many places along this boundary. For this reason, the following conditions are recommended:

AAC798

- a. The 100 year flood plain line must be clearly drawn and labeled on each final plan section of Middle Plantation where applicable.
- b. The development of any section must meet the applicable requirements of the Flood Plain Ordinance.

2. SEASONAL HIGH WATER TABLE

The Soil Conservation Service has conducted soil studies in this area and has determined that a seasonal high water table (0 to 2.5 feet deep) exists along the same site area as mentioned above. This table extends some 800 to 1,500 feet towards the interior of the site.

It is recommended that any proposed development in these areas be subject to any special requirements suggested by the Soil Conservation Service, the Public Works Department or other reviewing agencies.

3. ROADS

- a. The revised master plan schematic shows the southeastern loop of the main collector road traversing the floodway and the 100 year flood plain. Due to topographical considerations, road construction problems, and flood plan regulations, it is recommended that this segment of the collector road be moved towards the interior of the site away from the floodway.
- b. The total Middle Plantation master plan (amended plan plus 306 lots previously recorded) will generate 15,622.5 vehicle trips per day once fully developed. The amended master plan proposes two entrances; one on Centerville Road and one on Longhill Road. If the total traffic generation flow was theoretically split (7,812 to Centerville Road entrance and 7,812 to the Longhill Road entrance) the generated traffic would still exceed the Virginia Department of Highways and Transportation's standard for a four lane road which is 5,000 VPD. For this reason, it is recommended that a 100 foot right-of-way be required for all main collector roads. This would provide for a 50 foot right-of-way for road construction and a 25 foot landscape protection zone (LPZ) on each side of the road. The LPZ would, aside from providing an attractive buffer, restrict any strip lot development along the main collector roads.
- c. The Soil Conservation Service's soil studies show that approximately 75% of the Middle Plantation site has a "severe" rating for roads. The severe rating is defined as "... limitations are those which normally cannot be overcome without exceptional, complex or costly measures. It is not intended that a severe rating makes that use unsuitable." As a result, the staff will request in depth review of proposed roads from the Highway Department with respect to required road construction specifications.

- AAC798
- d. The approved master plan indicates that all roads in Middle Plantation will be "private" and maintained by the Homeowner's Association. No change has been submitted with the proposed revision, consequently the roads must meet the minimum construction requirements of the Subdivision Ordinance, and assurances made that the Homeowner's Association is responsible for road maintenance as provided in Section 20-80.2C of the Zoning Ordinance.
 - e. Surety bonds will be required to assure completion of road and public utility extension as a condition of final plan approval for all subsequent sections of Middle Plantation.

The above mentioned surety bonds, which will be required for the second residential section of Middle Plantation, must also provide for the two main collector roads in section one (Middle Plantation Drive and John Pott Drive).

4. OPEN SPACE

- a. Permanent open space area should be clearly defined and controlled by recorded easements or deeded to the Homeowner's Association.
- b. Along Route 614, an open space buffer should be established with a minimum of 40 feet in width. The 40 feet should be exclusive of the required 10 feet right-of-way dedication required by the Virginia Department of Highways and Transportation for future road improvement to Centerville Road.
- c. Each final plan for each residential section will be required to meet the 40% open space requirement (as close as possible) established in the master plan.
- d. A phasing plan for the development of the recreation areas must be submitted for approval with the second residential section's final plans.

5. UTILITIES

- a. An agreement between James City County, James City County Service Authority and the developer for the development and provision of water and sewer service to the project (including any required bonds) should be formalized prior to any further approval of final plans for the development of any sections of Middle Plantation.
- b. A plan for the phased development of the water and sewer systems should be submitted for approval with the final plans for the second section of Middle Plantation.

6. COUNTY LAND

- a. The entire 22 acres must be conveyed to the County upon the approval of the master plan. Failure to comply with this condition may result in refusal to approve subsequent final plans.

- b. Utilities should be extended by the developer to the property line of the County land within a reasonable time as part of the overall utility development of the project. Lack of utilities at the County land, after some mutually agreed stage of the development of Middle Plantation, may result in refusal to approve subsequent final plans.
7. A Homeowner's Association must be established with the second residential section's final plans.
8. Topography may present a problem on some proposed lots. This subject will be reviewed by the staff and the appropriate agencies as subsequent residential sections are submitted for approval.

Mr. Porter introduced Mr. Paul Small, who said utility work has been completed in portions of Section 1 and a full construction program is planned this year.

Mr. Taylor opened the public hearing. No one wished to speak and the public hearing was closed.

After discussion, Mr. Taylor moved for approval of the comprehensive amendment of the approved master plan as recommended. The motion carried by unanimous roll call vote.

5. CASE No. Z-13-78 - 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 "Family".

Mr. Oliver called on Mr. Morton, who made a brief presentation, stating the definition in the ordinance has resulted in numerous complaints. He said the proposed definition places a limit of three on the number of unrelated individuals who may live together as a family unit for zoning purposes. He said the proposed ordinance does not restrict the number of people who may live together as a family, but does do so for unrelated people.

Mr. Taylor opened the public hearing.

Mr. F. Tinsley said he lived in an R-1, Residential Limited District, and expressed endorsement of the recommendation to amend the ordinance.

Mr. Taylor asked if anyone else wished to speak. No one wished to speak and the public hearing was closed.

Mr. Frink moved for approval of the ordinance. The motion passed 4-1, with Mr. Taylor voting no.

ORDINANCE NO. 31A-52

BOARD OF SUPERVISORS
JAMES CITY COUNTY,
VIRGINIA

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, BY AMENDING THE DEFINITION OF "FAMILY".

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, be and the same is, hereby, amended and reordained by amending the definition of "Family".

CHAPTER 20

ZONING

Article I, In General.

Section 20-2. Definitions.

"Family" - One or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of persons not exceeding three, living and cooking together as a single housekeeping unit though not related by blood, adoption, or marriage shall be deemed to constitute a family.

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

6. CASE No. Z-2-79 - 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 a home occupation.

Mr. Oliver called on Mr. Morton, who said in June 1978 the County lost a court case regarding the use of a single family dwelling as a business. He said the Court ruled that the County's present definition does not restrict the business use of a dwelling to a secondary use of the property and as a result this ruling has opened the way for business operations in residential districts which are viewed as a nuisance by the neighborhood.

Mr. Morton said the proposed ordinance attempts to restrict the conduct of business in the residential districts to activities where they are clearly secondary to the use of the dwelling as a home.

Mr. Taylor opened the public hearing. No one wished to speak and the public hearing was closed.

A discussion followed regarding businesses such as garage sales, home barbershops, and sales from detached garages.

Mr. Donaldson moved for approval of the ordinance. The motion passed 3-2, with Messrs. Donaldson, Frink and Edwards voting affirmatively and Mr. Ware and Mr. Taylor voting no.

ORDINANCE NO. 31A-53

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

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, BY AMENDING THE DEFINITION OF "HOME OCCUPATION".

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, be and the same is, hereby, amended and reordained by amending the definition of "Home Occupation".

CHAPTER 20

ZONING

Article I. In General

Section 20-2. Definitions.

"Home Occupation" - Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes and conducted solely by residents of the dwelling, provided that:

- (a) The occupation or activity is conducted entirely within the dwelling, and
- (b) Not more than twenty-five (25) percent of the first floor area is used throughout the structure for such occupation or activity, and

AAC793

- (c) The occupation or activity requires no external alterations, or the use of machinery or equipment not customary for domestic household purposes, and
- (d) No exterior evidence of the secondary use exists, with the exception of one sign, not to exceed four (4) square feet. Such a sign must be attached to the dwelling and shall not be illuminated, and
- (e) No articles are displayed or otherwise offered for sale upon the premises, and
- (f) No equipment or process is used that may disrupt neighboring dwellings.

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

7. CASE No. Z-1-79 - An application of Dr. William M. Lee to rezone approximately 6.2 acres located on Route 612 (Longhill Road) and adjacent to New Zion Baptist Church from A-1, General Agriculture, to R-3, General Residential.

Mr. Porter presented the matter, stating that Dr. William M. Lee has applied for the above rezoning and a conditional use permit has been applied for simultaneously, as required by the R-3, General Residential District, regulations.

Mr. Frink asked if the church had been contacted. Mr. Porter said that one of two letters addressed to the church had been returned.

After discussion about proper notification, Dr. Lee said he would encounter no problem if the matter was postponed to the next public meeting and proper notification is made in the meantime.

It was the general consensus of opinion of the Board members to re-open this public hearing at the next Board meeting.

8. An ordinance to amend and reordain Chapter 9, Licenses, Article V, Massage Parlors, of the Code of the County of James City, Virginia.

Mr. Morton presented the matter, stating that several years ago a massage parlor ordinance was adopted and a number of cases have been decided subsequent to that action. He said the amended ordinance addresses four areas: (1) The definitions have been expanded; (2) the application fee has been substantially increased from \$50.00 to \$1,000; (3) two new parts have been included to provide minimum standards to assure the premises are adequate to accommodate a given number of patrons in a proper manner and that the facilities are kept in a clean and sanitary condition; and (4) procedural changes have been made so that the Director of the Colonial Health District will forward an application directly to the County Administrator for referral to the proper department, rather than to the various administrative offices charged with inspection and investigation, which was the previous procedure.

Mr. Taylor opened the public hearing. No one wished to speak and the public hearing was closed.

After discussion, Mr. Donaldson moved for approval of the ordinance. The motion carried by unanimous roll call vote.

MAR 12 1979

ORDINANCE NO. 87A-1

BOARD OF SUPERVISOR
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING CHAPTER 9, LICENSES, BY ADDING AND AMENDING AND REORDAINING THE FOLLOWING SECTIONS, TO WIT: ARTICLE V, MASSAGE PARLORS, SECTION 9-114, DEFINITIONS; SECTION 9-115, PERMIT--REQUIRED; SECTION 9-116, SAME--EXEMPTIONS FROM REQUIREMENT; SECTION 9-117, SAME--APPLICATION; SECTION 9-118, SAME--REFERRAL OF APPLICATION TO CERTAIN ADMINISTRATIVE OFFICERS; SECTION 9-119, SAME--ISSUANCE; SECTION 9-120, DISPLAY OF PERMIT; SECTION 9-120.1, PERMIT FEE; SECTION 9-121, REQUIRED FACILITIES; MAINTENANCE; SECTION 9-121.1, OPERATING REQUIREMENTS; SECTION 9-122, HOURS OF OPERATION; SECTION 9-123, HEALTH REQUIREMENTS FOR OPERATORS AND TECHNICIANS; SECTION 9-123.1, RIGHT OF INSPECTION; SECTION 9-123.2, KEEPING OF RECORDS; SECTION 9-123.3, ALCOHOLIC BEVERAGES PROHIBITED; SECTION 9-125, WHERE MESSAGE PERMITTED; SECTION 9-126, RESPONSIBILITIES OF PERMITTEE; SECTION 9-127, REVOCATION AND SUSPENSION OF PERMITS GENERALLY; SECTION 9-128, PERMIT NONTRANSFERABLE; GROUNDS FOR REVOCATION OF PERMIT; SECTION 9-129, PENALTY; SECTION 9-129.1, SEVERABILITY.

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 9, Licenses, by adding and amending and reordaining the following sections, to wit: Article V, Massage Parlors, Section 9-114, Definitions; Section 9-115, Permit--Required; Section 9-116, Same--Exemptions from Requirement; Section 9-117, Same--Application; Section 9-118, Same--Referral of Application to Certain Administrative Officers; Section 9-119, Same--Issuance; Section 9-120, Display of Permit; Section 9-120.1, Permit Fee; Section 9-121, Required Facilities; Maintenance; Section 9-121.1, Operating Requirements; Section 9-122, Hours of Operation; Section 9-123, Health Requirements for Operators and Technicians; Section 9-123.3, Alcoholic Beverages Prohibited; Section 9-125, Where Massage Permitted; Section 9-126, Responsibilities of Permittee; Section 9-127 Revocation and Suspension of Permits Generally; Section 9-128, Permit Nontransferable; Grounds for Revocation of Permit; Section 9-129, Penalty; Section 9-129.1, Severability.

ORDINANCE NO. 87A-1

MASSAGE PARLORS

ARTICLE V.

Section 9-114. Definitions.

For the purposes of this chapter, the following words and terms shall have the meanings respectively ascribed to them by this section:

Director. The director of the Colonial Health District, Williamsburg-James City County-York County, Virginia, or his designee.

Massage. A method of treating the external parts of the body for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, tapping, pounding, vibrating or stimulating with the hands or any instrument, or by the application of air, liquid or vapor baths of any kind whatever.

Massage parlor. Any establishment having a fixed place of business where any person engages in, carries on, or permits to be engaged in, or carried on, any business of giving of any kind or character of massage.

Massage technician. Any person, male or female, who administers to another person for any form of consideration a massage.

Patron. Any person who receives a massage under such circumstances that it is reasonably expected that he or she will pay money or give any other consideration therefor.

AAC798

Person. Any individual, co-partnership, firm, association, joint stock company, corporation, or combination of individuals of whatever form or character.

Permittee. The operator of a massage establishment that has a valid permit issued under this article.

Sexual or genital area. The genitals, pubic area, anus or perineum of any person, or the vulva or breasts of a female.

Applicant. Any person applying for a permit under this ordinance and must include all partners, including limited partners, of a partnership applicant, all officers and directors of a corporate applicant and any stockholder holding more than five percent of the stock of a corporate applicant.

Employee. Any person, other than a massage technician, who renders any service in connection with the operation of a massage parlor and receives compensation from the operator of the business or patrons.

Approved school. Any school recognized by or approved by or affiliated with the American Massage and Therapy Association, Inc.

Section 9-115. 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 9-116. Same -- Exemptions from requirement.

The requirements of section 9-115 shall not apply to a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the state, or to a licensed nurse acting under direct prescription and direction of any such physician, surgeon, chiropractor or osteopath. The requirements of Section 9-115 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 9-117. 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 the nonrefundable filing fee of one thousand dollars, such sum to cover the costs of investigations, inspections and regulation by the county administrator, and the director.

The application for a permit to operate a massage parlor shall set forth the exact nature of the massage to be administered and the proposed place of business and facilities therefor. The application shall include a list of the massage technicians presently employed or to be employed indicating, name, age, height, weight, sex, qualification and experience, and a medical history of any contagious or communicable diseases presently had and being treated or cured within the previous three years.

In addition to the foregoing, any applicant for a permit shall furnish the following information:

- (a) Name and address
- (b) Written proof of age.
- (c) All residential addresses for the past three years.
- (d) Height, weight, color of eyes and hair, and sex.

(e) A complete set of fingerprints and a portrait photograph of the applicant, giving a clear view of the applicant's face.

(f) The business, occupation or employment of the applicant for five years immediately preceding the date of application.

(g) Previous experience of the applicant as a massage parlor operator or a massage technician.

(h) All criminal convictions, other than traffic offenses, and places of conviction of the applicant and all massage technicians to be employed.

(i) A complete medical history of the person who shall be directly responsible for the operation and management of the massage parlor including a list of all contagious or communicable diseases had by the said manager within the past three years, and the name of person, with address, giving treatment.

(j) If the applicant is a corporation, or a partner in a partnership is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation.

(k) Written proof of graduation from an approved school by the person who shall be directly responsible for the operation and management of the massage parlor and for each massage technician employed therein.

(l) Authorization for the county, its agents, and employees to seek information and conduct an investigation into the truth of the statements set forth in the application.

(m) Written declaration by the applicant, under penalty of perjury, that the foregoing information contained in the application is true and correct, said declaration being duly dated and signed in the county.

Section 9-118. Same -- Referral of application to certain administrative officers.

The director shall refer such application to the county administrator within five days of its receipt. The county administrator shall forward copies of such application to the administrative offices of the county charged with the enforcement of the Building, Plumbing, Electric and Fire Prevention Codes. A copy of such application shall also be referred to the Sheriff's office. Each department shall, within ten days inspect the premises proposed to be operated as a massage parlor and make written recommendations to the county administrator concerning compliance with the codes that they administer.

Section 9-119. Same -- Issuance.

Within twenty-one days of the application, the director shall issue or re-issue in case the permit has expired or been revoked, the permit if he shall find:

(a) The premises to be used or constructed meet the Building, Plumbing, Electric and Fire Prevention Codes of the county as reported by the administrative officers of the county;

(b) All persons who shall perform as massage technicians have undergone a physical examination by a licensed physician within the past thirty days and have furnished to the directors a certificate signed by the examining physician stating that the person examined is either free from any contagious or communicable diseases or incapable of communicating any of such disease to others.

(c) The operation, as proposed by the applicant, if permitted, would comply with all of the requirements of this chapter and all other applicable laws.

(d) The applicant and the manager or other person principally in charge of the operation of the business has not been convicted of any crime involving dishonesty, fraud, or deceit, unless such conviction occurred at least five years prior to the date of the application.

(e) The manager or other person principally in charge of the operation of the business and each massage technician have successfully completed a resident course of study or learning of not less than one thousand hours of study from an approved school where the theory, method, profession, or work of massage is taught.

(f) The applicant has not made any false, misleading, or fraudulent statement of fact in the permit application or in any document required by the county in conjunction therewith.

AAC798

Every massage parlor permit issued pursuant to this chapter will terminate at the expiration of one year from the date of its issuance, unless sooner suspended or revoked.

Section 9-120. Display of permit.

Every person to whom a permit shall have been granted shall display such permit in a conspicuous place, so that such 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 9-120.1. Permit fee.

The license fee for a massage parlor shall be one thousand dollars per year which amount is not transferable to another person or subject to proration for part of the license year.

Section 9-121. Required facilities; maintenance.

Each massage parlor shall have, and maintain in a clean, sanitary and workable condition:

(a) Adequate equipment for disinfecting and sterilizing nondisposable instruments and materials used in administering massages. Such nondisposable instruments and materials shall be disinfected after use on each patron.

(b) Washbasins provided with both hot and cold running water installed in either the toilet room or a vestibule immediately adjacent thereto. Washbasins shall be provided with soap and dispenser with sanitary towels.

(c) Closed cabinets used for the storage of clean linen, towels, and other materials used in connection with administering massages. All soiled linens, towels, and other materials shall be kept in properly covered containers or cabinets which containers or cabinets shall be kept separate from the clean storage areas.

(d) Adequate bathing, dressing, locker and toilet facilities provided for patrons. A minimum of one tub or shower, one dressing room containing a separate locker capable of being locked for each patron, one toilet and one washbasin shall be provided by each massage parlor. When employees and patrons of different sexes are on the premises at the same time, separate toilet facilities shall be provided for each sex. A single water closet per sex shall be provided for each twenty or more employees or patrons of that sex on the premises at any one time. Urinals may be substituted for half of the water closets for male patrons after one water closet has been provided. Toilets shall be designated as to the sex accommodated therein.

(e) If male and female patrons are to be served simultaneously at the establishment, separate bathing, massage, and dressing rooms provided for each sex.

(f) A service sink for custodial services provided either in the massage parlor quarters or on the floor of the building on which the quarters are located.

(g) Massage tables, bathtubs, shower stalls, and steam or bath areas with nonporous surfaces which may be readily disinfected.

Section 9-121.1. Operating requirements.

(a) Every portion of the massage parlor, including appliances and apparatus, shall be clean and operated in a sanitary condition.

(b) Price rates for all services shall be prominently posted in the reception area in a location available to all prospective customers.

(c) All employees and massage technicians shall be clean and wear clean, nontransparent outer garments.

(d) Clean and sanitary towels and linens shall be provided for each patron of the massage parlor. No common use of towels or linens shall be permitted.

(e) All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and other physical facilities shall be kept in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms or cabinets, shower compartments and toilet rooms

shall be thoroughly cleaned each day the business is in operation. Bath-tubs shall be thoroughly cleaned after each use. When carpeting is used on the floors, it shall be kept dry.

(f) Oils, creams, lotions, or other preparations used in administering massages shall be kept in clean, closed containers or cabinets.

(g) Eating in the massage work areas shall not be permitted. Animals, except for seeing eye dogs, shall not be permitted in the massage work areas.

(h) Each massage technician shall wash his or her hands in hot running water using proper soap or disinfectant before administering a massage to each patron.

Section 9-122. Hours of operating.

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. of the following morning.

Section 9-123. Health requirements for operators and technicians.

(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 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.

(c) All massage technicians shall undergo a physical examination for contagious and communicable diseases and shall furnish to the director a certificate based upon said examination, issued within thirty days thereof and signed by a physician duly licensed by the state, stating that the person examined is either free from any contagious or communicable disease or incapable of communicating any of such disease to others prior to the commencement of employment and at least once every year thereafter.

Section 9-123.1. Right of Inspection.

The sheriff's department and the department of public health shall, from time to time, at least twice a year, make an inspection of each massage parlor granted a permit under the provisions of this article for the purposes of determining whether the provisions of this article are complied with. Such inspections shall be made at reasonable times and in a reasonable manner. It shall be unlawful for any permittee to fail to allow such inspection officer access to the premises or to hinder such officer in any manner.

Section 9-123.2. Keeping of records.

Every person who operates a massage parlor and every massage technician employed therein shall at all times keep an appointment book in which the name and address of each and every patron shall be entered, together with the time, date, service provided, and price charged.

Section 9-123.3. Alcoholic beverages prohibited.

No person shall sell, give, dispense, provide or keep or cause to be sold, given, dispensed or kept, any alcoholic beverage on the premises of any massage business.

AAC798

Section 9-124. Massage of certain portions of body 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 hands upon, to touch with any part of his or her body, to fondle in any manner, or massage, the sexual or genital area, 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 area, or portion thereof, to any other person.

(c) It shall be unlawful for any massage technician or any other person employed in a massage parlor, to fail to conceal with a fully opaque covering the sexual or genital area 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 or 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 9-125. 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 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 9-126. 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 requirements of this chapter and for the conduct of all agents and employees in complying with the requirements of this chapter. No permittee shall permit in his premises activity or behavior prohibited by the laws of the United States, state of this county, relating to gambling, prostitution, sodomy, adultery, fornication, lewd and lascivious cohabitation or other laws relating to obscenity or moral turpitude.

Section 9-127. Revocation and suspension of permits generally.

The director may revoke or suspend for a term, as hereinafter provided, any permit issued pursuant to this chapter upon the violation of any of the rules, requirements 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 of 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 grounds of the 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 9-128. 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 9-117 shall have been first filed with the director.

Section 9-129. Penalty.

Any person, firm or corporation who shall violate any of the provisions of this chapter shall, in addition to being subject to the provisions of sections 9-127 and 9-128 be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars or by confinement in jail for a period not exceeding six months, either or both.

Section 9-129.1. Severability.

If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this article, or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this article or any part thereof.

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

F. BOARD CONSIDERATIONS

Mr. Oliver requested that Item F-6 be heard at this time. There were no objections.

6. Joint Parks and Recreation Committee

Mr. Oliver stated Mr. Harry D. Knight, Chairman of the James City County Recreation Advisory Board, was present tonight. Mr. Oliver called on Tony Conyers, Human Resources Coordinator, who presented the matter. Mr. Conyers said approval of a proposed resolution would formalize the existing committee, fund a study of parks and recreation needs within James City County, the City of Williamsburg and York County and in the event that this study is found to be desirable, would provide a starting point. The County's share of the budget for the proposed committee would be \$5,180. The primary purpose of the plan, Mr. Conyers said, would be the development of a master plan for regional development of facilities.

Mr. Donaldson stated that the signatures of all three jurisdictions are required to effectuate the agreement.

Mr. Donaldson moved for approval of the resolution. The motion carried by unanimous roll call vote.

RESOLUTION TO AUTHORIZE AND PARTICIPATE IN A JOINT
PARKS AND RECREATION COMMITTEE FOR JAMES CITY COUNTY,
THE CITY OF WILLIAMSBURG, AND THE COUNTY OF YORK FOR
EIGHTEEN MONTHS

WHEREAS, the James City County Board of Supervisors, Williamsburg City Council, and York County Board of Supervisors created a Regional Recreation Advisory Committee on March 2, 1978, in order to foster regional cooperation; and

WHEREAS, said committee met several times, gaining insight into each other's problems and needs; and

WHEREAS, it is the consensus of said Regional Recreation Advisory Committee that it be reorganized and authorized to continue to function for eighteen months under a more formal charter with specific goals and objectives set by the governing bodies of all three jurisdictions; and

AAC798

WHEREAS, the Code of Virginia (1950, as amended) in Chapter VIII, Title 15.1-271, provides that any city or county may plan and/or provide for public recreational facilities and programs; and

WHEREAS, the Code of Virginia (1950, as amended) under Section 15.1-21 provides that any two or more political subdivisions may enter into a written agreement with one another in order to jointly exercise any powers, privileges, or authority exercised or capable of being exercised by any political subdivision such as planning and/or providing recreational facilities and programs; and

WHEREAS, as a result of existing jurisdictional boundaries, it is advantageous for all of the above mentioned jurisdictions to jointly plan recreational facilities and programs so that residents of all three jurisdictions can realize the maximum level of recreational services; and

WHEREAS, through joint planning, member jurisdictions will enjoy a greater quality, quantity and variety of recreational facilities and programs

NOW THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator and the Chairman of the Board of Supervisors be and they are hereby directed to execute the attached agreement which authorizes participation of James City County in a Joint Parks and Recreation Committee for a period of eighteen months.

1. Extension of the James City Service Authority

Mr. Oliver presented a proposed resolution which would extend the life of the James City Service Authority in order to allow the Authority to issue debt for the Toano/Route 60 West Sewer Project.

Mr. Donaldson moved for approval. The motion carried by unanimous roll call vote.

EXTENSION OF THE JAMES CITY SERVICE AUTHORITY

WHEREAS, the Board of Supervisors of James City County adopted a resolution creating the James City Service Authority on June 30, 1969, for a term of fifty (50) years; and

WHEREAS, the Authority has under construction various sewage facilities which the Authority will finance through a loan from the Farmers Home Administration; and

WHEREAS, the loan will have a term of forty (40) years which will extend beyond the present life of the Authority;

THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that in accordance with Virginia Code §15.1-1250(a), the term of the James City Service Authority is hereby extended for a period of fifty (50) years from the date of this resolution.

2. Utility Collections

Mr. Oliver presented a resolution which would enable citizens to pay their utility bills at two banks for the sake of convenience for the collection of water and utility bills.

Mr. Taylor moved for approval. The motion carried by unanimous roll call vote.

COLLECTION OF UTILITY BILLS

WHEREAS, the Board of Supervisors of James City County and the Board of Directors of the James City Service Authority wish to provide water and sewer utility customers with the opportunity to pay their quarterly bills at local bank branches of United Virginia Bank of Williamsburg and Old Colony Bank and Trust Company of Williamsburg;

THEREFORE, BE IT RESOLVED, that the Treasurer of James City County be authorized to establish procedures with the two banks for the collection of water and sewer utility bills; and

BE IT FURTHER RESOLVED, that the Treasurer be authorized to establish a checking account at each bank for the purposes of depositing such funds as they are collected; and

BE IT FINALLY RESOLVED, that the Treasurer or her appointed deputies be authorized to withdraw funds from these two accounts for the purposes of depositing them in the operating accounts of the various Districts or Project Areas.

3. Additional Office Cash for Treasurer's Office

Mr. Oliver presented a resolution which would authorize an additional \$300.00 to make change at the Treasurer's office.

Mr. Edwards moved for approval. The motion carried by unanimous roll call vote.

PETTY CASH ASSIGNMENT

WHEREAS, The Board of Supervisors of James City County has been requested to increase the petty cash funds assigned to the Treasurer of James City County for the purposes of making change at the counter;

THEREFORE, BE IT RESOLVED, that the current \$600.00 Petty Cash Fund under the custodianship of the County Treasurer be increased to \$900.00.

4. Budget Consideration - Budget Adjustment - Continuing Appropriations

Mr. McDonald presented a resolution which would designate specific projects as continuing appropriations carried forward from FY 1978. He said this corrective action would allow more effective budgetary control and will alleviate any contract or appropriation discrepancies, should a particular project overlap into a subsequent fiscal year.

Mr. Frink moved for approval. The motion carried by unanimous roll call vote.

AAC798

DESIGNATION OF CONTINUING APPROPRIATIONS

WHEREAS, The Board of Supervisors of James City County does appropriate funds for projects that go beyond the boundaries of a given fiscal year; and

WHEREAS, the Board wishes to designate certain appropriations as continuing from fiscal year to fiscal year until such time as the project is completed or the Board formally releases the funds;

THEREFORE, BE IT RESOLVED, that the following unspent June 30, 1978 balances of prior-year appropriations be designated as continuing appropriations:

GENERAL FUND

OBLIGATED BY CONTRACT - PRIOR FISCAL YEARS

Microfilm System-Circuit Court-FY 78	\$ 4,500	
County Government Center-FY 78	313,097	
Jail Construction-FY 78	73,646	
Hydrology Study-FY 78	16,500	
Soil Survey-FY 78	10,119	
Landfill Excavation-FY 78	5,297	
Solid Waste Study-FY 78	2,000	
Economic Development Brochure-FY 78	3,110	
County Code Printing/Editing-FY 78	1,500	
Water Rate Study-FY 78	2,000	\$431,769

OBLIGATED BY PRIOR YEARS APPROPRIATIONS

Dirt Streets	\$ 3,800	
Communications Antenna-FY 78	3,352	
Olde Town Station-FY 78	11,015	
Central Fire Station-FY 78	71,525	
Fire Equipment-FY 78	37,913	
Bike Trail-FY 77	3,010	130,615

WORKING FUND BALANCES - CARRY FORWARD

Capital Replacement Fund FY 78	\$ 39,739	
Recreation Fund-FY 78	20,000	59,739

TOTAL GENERAL FUND \$622,123

5. Assignment of Salary/Fringe Contingency and Pay Plan
Adjustment Accounts.

Mr. McDonald presented a resolution which would authorize the transfer of contingent funds. He said at present there exist contingent funds in the amount of \$104,000 available for pay plan and cost of living adjustments.

A maximum of \$73,500 is projected as necessary to fund all expected salary costs for FY 79, he said. He also requested the Board's authorization to transfer \$20,000 of the remaining funds to the Workmen's Compensation Account. He said the residual will become part of the June 30, 1979 carry forward which will be targeted as part of the FY 80 Capital Improvements Program.

Mr. Ware moved for approval. The motion carried by unanimous roll call vote.

TRANSFER OF CONTINGENT FUNDS

WHEREAS, the Board of Supervisors appropriated funds for the purposes of funding Cost of Living pay increases for County employees as of July 1, 1978 in the amount of \$70,000; and

WHEREAS, the Board of Supervisors appropriated an additional \$34,000 to implement a new County pay plan;

THEREFORE, BE IT RESOLVED, that the Board of Supervisors authorize the following transfers of funds:

FROM: Salary and Fringe Adjustment (01-01840-6012)	\$40,820
Pay Plan Adjustment (01-01840-6010)	32,580
Total	\$73,400
TO: Office of County Administration (01-00120-0110)	\$ 7,100
Office of Personnel (01-00125-0110)	4,400
Office of Finance (01-00130-0110)	11,700
Office of County Attorney (01-00140-0110)	5,000
Office of Planning (01-00160-0110)	9,500
Office of Special Projects (01-00170-0110)	2,900
Commissioner of the Revenue (01-00210-0110)	4,800
Real Estate Assessment (01-00250-0110)	3,600
Clerk of Circuit Court (01-00410-0110)	3,000
Commonwealth's Attorney (01-00540-0110)	100
Sheriff (01-00610-0110)	4,700
City-County Jail (01-00680-0110)	100
Emergency Services/Civil Defense (01-00720-0110)	3,800
Public Works (01-01010-0110)	10,300
Animal Shelter (01-01210-0110)	700
Office of General Registrar (01-01310-0110)	1,700
Total	\$73,400

BE IT FURTHER RESOLVED, that the following additional transfer be authorized:

FROM: Salary and Fringe Adjustment (01-01840-6012)	\$20,000
TO: Insurance-Workmen's Compensation (01-0170-0213)	\$20,000

6. Joint Parks and Recreation Committee

Presented earlier in the evening

7. Virginia Department of Highways and Transportation - 1979 Pre-allocation Hearing

Mr. Oliver said on March 21 there will be an annual meeting of the Pre-allocation Hearing for Interstate, Primary, and Urban Construction Funds in Richmond. He presented a resolution for the State Highway Commission which would give the following projects the highest priority for being expedited: (1) The design, construction and completion of Route 199;

AAC798

(2) the construction of the proposed Grove Interchange; and (3) the extension of Monticello Avenue from its intersection with Ironbound Road to the proposed extension of Route 199.

Mr. Donaldson moved for approval. The motion carried by unanimous roll call vote.

WHEREAS, the James City County Comprehensive Plan and numerous regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and

WHEREAS, there presently exists a pressing need within the community to relieve the traffic congestion by expediting the design and construction of the following primary roads;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the following list is the highest priority primary highway projects in James City County:

1. The design, construction, and completion of Route 199.
2. The construction of the Grove Interchange (Busch fly-over).
3. The extension of Monticello Avenue from its intersection with Route 615 to the extension of Route 199.

8. Case No. CUP-12-79 - Hampton Roads Sanitation District

Mr. Porter presented the matter concerning application by James R. Borberg, on behalf of the Hampton Roads Sanitation District, for a Conditional Use Permit to upgrade the Williamsburg Wastewater Treatment Plant, which is located at the end of Route 667, Long Cabin Beach Road. He said the Hampton Roads Sanitation District proposes to construct the following new facilities in order to upgrade the Williamsburg Treatment Plant: (1) Diversion structure; (2) recycle pump station; (3) oxidation towers; (4) intermediate clarifier distribution structure; (5) intermediate clarifier; (6) intermediate sludge pump station; (7) transformer; (8) sludge dewatering building; (9) sludge holding tank; and (10) sludge handling building.

Mr. Porter called on Mr. Short of the Hampton Roads Sanitation District, who was available to answer questions. Mr. Frink inquired about the odor problem, which he said is particularly offensive during the summer months. Mr. Short said the odor will neither increase nor decrease and he could make no promises about a solution to the problem.

Mr. Ware moved for approval. The motion for a Conditional Use Permit carried by unanimous roll call vote.

9. Case No. CUP-6-79 - Drewry Auto Parts

Mr. Porter presented the matter of an application by Paul Small on behalf of Thomas A. Drewry for a Conditional Use Permit to operate an automobile salvage yard. He said the business will be located on Mr. Drewry's property 0.9 mile from Route 603 near Back Creek in upper James City County and would be set back at least 50 feet from all adjacent property. He said the yard will be fenced and will not be visible from any public road.

Mr. Taylor moved for approval. The motion for a Conditional Use Permit carried by unanimous roll call vote.

10. Sanitary District No. 1 - Liens

Mr. Oliver presented a resolution in connection with 33 landowners who were delinquent in payment of service charges for sewer service as of January 1, 1979.

Mr. Donaldson moved for approval. The motion carried by unanimous roll call vote.

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 County Sanitary District #1 are delinquent and unpaid; and

WHEREAS, such unpaid or delinquent charges are a lien against the real property on which the use of such 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 System in James City County Sanitary District #1 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia.

SEE NEXT PAGE.....

AAC798

LIEN LIST
JAMES CITY COUNTY SANITARY DISTRICT NO. 1 - SEWER

80

Acct. No.	NAYE AND ADDRESS OF PROPERTY	DESCRIPTION OF PROPERTY	AMOUNT	FEE	TOTAL
66	Michael J. Engbersen 704-A Madison Road		\$ 77.50	\$1.00	\$78.50
75	Ernest W. Mims 907 Tyler Drive	James Terrace	103.75	1.00	104.75
78	Juanita Chambers 715 Penniman Road	Lot 7, Sec. 2, James Terrace D.B. 144, P. 733	77.50	1.00	78.50
87	Greg Southard 900 Adams Road	Lot 74, Sec. 4, James Terrace D.B. 139, P. 542	77.50	1.00	78.50
109	Leslie & Eileen J. Chalkley 706 Coleman Drive	Lot 11, Sec. 9, James Terrace D.B. 51, P. 362, Map Bk. 7, P. 64	77.50	1.00	78.50
116	Rudolph Carter 918 Foley Drive	Lot 26, Sec. 8, James Terrace D.B. 54, P. 238, Map Bk. 7, P. 108	105.00	1.00	106.00
121	Bruce Bankston 1203 Rt. 143	Part of Wm. M. Lee ½ acre & being 54/456 Penniman Road	77.50	1.00	78.50
122	Andrew Ellis & Mary Ellis 1409 Merrimac Trail	Lot 8 & 9, Solomon Orange Subdivision P.B. 72, P. 55	103.75	1.00	104.75
131	Lemuel B. Redcross 1231 Oak Drive	Lot 5, Smith Subdivision D.B. 20, P. 177, P.B. 3, P. 12	77.50	1.00	78.50
157	Hubert Paul & Carol J. Linton 914 Foley Drive	Lot 28, Sec. 8, James Terrace D.B. 117, P. 459, Map Bk. 7, P. 108	77.50	1.00	78.50
167	Steve Lumpkin 10 Magruder Heights	Lot 10 Magruder Heights	77.50	1.00	78.50
171	L. M. Mikkelsen 918 Coleman Drive	Lot 1, Sec. 8, James Terrace D.B. 109, P. 398, P.B. 14, P. 108	67.50	1.00	68.50

Lot Number	Owner	Area (sq. ft.)	Value	Notes
178	Arthur & Rebecca Williams 1343 Merrimac Trail	77.50	1.00	Lot fronting 60 ft. on Merrimac Trail D.B. 39, P. 320, P.B. 11, P. 4
188	Vincent D. McManus 908 Coleman Drive	77.50	1.00	Lot 6, Sec. 8, James Terrace D.B. 69, P. 498
190	Winfrey & Minnie Fowler 23 Wallace Road	77.50	1.00	Lot 50 ft. by 100 ft., Solomon Orange Sub. D.B. 89, P. 206, P.B. 7, P. 16
201	Don & Sarah Weymouth 1 Magruder Heights	77.50	1.00	Lot 1, Magruder Heights
219	Melody A. Rodgers 912 Foley Drive	103.75	1.00	James Terrace
220	Mrs. John F. Murphy 606 Richmond Road	77.50	1.00	
221	Ananias & Laura B. Johnson 1425 Merrimac Trail	77.50	1.00	Lot a, Solomon Orange Subdivision D.B. 93, P. 588, with plat in D.B. 55, P. 364
222	Service Add. 1408 Merrimac Trail Jeannette M. Crapol 915 Jackson Drive	103.75	1.00	Lot 57, Sec. 6, James Terrace D.B. 137, P. 277, P.B. 13, P. 26
224	William E. Hitchens 909 Jackson Drive	77.50	1.00	Lot 55, Sec. 6, James Terrace D.B. 98, P. 32
267	Andy J. Vance 702 Adams Road	77.50	1.00	
330	Ronald & Geraldine Lassiter 1335 Oak Drive	77.50	1.00	All that parcel of land adjacent to Lot C, Solomon Orange Sub. D.B. 130, P. 183 with plat in D.B. 55, P. 364
334	Kenneth F. & Catherine J. Salyards 705 Mosby Drive	78.75	1.00	Lot 105, Sec. 5, James Terrace D.B. 153, P. 242
336	James & Eva Mae Davis 1237 Oak Drive	207.50	1.00	Lots 1 & 2 Old Penniman Road, Subdivision of Thomas & Hattie Kearney D.B. 56, P. 110 with plat at P. 112

341	Mary E. Lassiter 1335 Oak Drive	Estate of Yearda Smith Lots 3 & 14-A	77.50	1.00	78.50 90
342	Ananias Johnson 1425 Merrimac Trail		77.50	1.00	78.50
344	Ella Mae & Roosevelt Cherry 1417 Merrimac Trail	Lot 3, Solomon Orange Subdivision D.B. 65, P. 287, Plat recorded in D.B. 55, P. 364	77.50	1.00	78.50
358	Robert T. & Sarah Walker 1419 Merrimac Trail	Lot 7, Old Penniman Road Subdivision of Thomas & Hattie Kearney D.B. 111, P. 101 with plat recorded D.B. 56, P. 112	99.75	1.00	100.75
360	Greyhound Enterprises, Ltd. 792 Merrimac Trail		78.81	1.00	79.81
373	Donald Irving & Nancy L. Heath 909 Coleman Dr.	Lot 40, Sec 8, James Terrace D.B. 128, P. 60, M.B. 7, P. 108	103.75	1.00	104.75
383	Virginia Williams 1435 Government Rd.	Part of Theodore George Lot 3	72.69	1.00	73.69
389	Colonial Carpet 822 Merrimac Trail		78.75	1.00	79.75

11. Certification of Warrants

Mr. Taylor read the certification of warrants and moved for approval. The motion carried by unanimous roll call vote.

CERTIFICATION OF WARRANTS

February, 1979

On a motion of Mr. Taylor and carried by 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, 1979.

GENERAL FUND	Checks #6684 - 6901 Totalling \$1,047,963.83
GENERAL FUND PAYROLL	Checks #15712 - 16070 Totalling \$114,098.31
SANITARY DISTRICT NUMBER 1	- 0 -
SANITARY DISTRICT NUMBER 2	Checks #23 - 29 Totalling \$6,229.94
SANITARY DISTRICT NUMBER 3	Checks #775 - 794 Totalling \$15,596.42
SUBDIVISION ESCROW	- 0 -
REVENUE SHARING	Checks #538 - 545 Totalling \$7,250.67
ANTI-RECESSION	Checks #1 - 2 Totalling \$2,033.02
TOANO WATER CONSTRUCTION	- 0 -
JCC BOND SINKING FUND	- 0 -
REGIONAL JAIL CONSTRUCTION	Check #6 Totalling \$16,000

Certified a true excerpt of the minutes of the James City County Board of Supervisors' meeting held on 12 day of March, 1979.

G. MATTERS OF SPECIAL PRIVILEGE1. National Wildlife Week

Mr. Jack Scruggs, Chairman of the Planning Commission, said March 18-24 is National Wildlife Week. He said the conservation of wildlife is a complicated task and requested the week of March 18-24 be officially declared National Wildlife Week in James City County.

Mr. Ware moved for approval of this request. The motion carried by unanimous roll call vote.

AAC788

2. Interstate 64-Route 607 Interchange

Mr. Scruggs brought up the subject of additional mileage caused to many motorists due to interstate construction which is not complete at Route 607 over Interstate 64. He said the bridge could be opened or other arrangements made and it also poses a problem in case of an emergency, for example, if fire equipment is needed in the area. Mr. Scruggs suggested a temporary crossing as a solution.

Mr. Oliver asked Mr. Scruggs if he could join Mr. Porter in a visit to the Highway Department on behalf of the County. Mr. Scruggs said he would be glad to assist in attempting to solve the problem.

Mr. Taylor motioned for Board approval of this request. The motion carried by unanimous roll call vote.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver referred to a proposed schedule of dates for budget consideration, which Mr. Taylor read, as follows:

March 26:	County Administrator presents budget
April 9:	Public hearing
April 10 and 11:	Board of Supervisors worksessions
April 16:	Public hearing
April 23:	Proposed adoption
May 14:	Last recommended date for adoption
May 15:	State law requires adoption of school budget

The members of the Board were in agreement with the proposed dates and Mr. Oliver said the dates would be advertised. It was agreed that the April 10 and 11 worksessions would be held at 3:00 P.M. and the April 16 public hearing held at 7:30 P.M.

I. BOARD REQUESTS AND DIRECTIVES

None

Mr. Frink moved to adjourn. The motion carried by unanimous roll call vote.

THE MEETING WAS ADJOURNED AT 10:20 P.M.

James B. Oliver, Jr., Clerk
Board of Supervisors