

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE NINTH DAY OF APRIL, NINETEEN HUNDRED SEVENTY-NINE, AT 7:30 P.M., IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA

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
John W. Watkins, Assistant to the Administrator
Frank M. Morton III, County Attorney

B. MINUTES - March 26, 1979

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

C. PUBLIC HEARINGS

1. Proposed FY 1980 Revenues and Expenditures

Mr. Oliver gave a brief explanation of the budget process as it develops throughout the year. He further explained that this public hearing was for informational purposes, specifically to hear citizens comments and to provide answers to their questions.

Mr. Oliver requested Bob Murphy and John McDonald of the staff to give a brief overview of the budget.

Mr. Murphy reported the operating budget was proposed in the amount of \$8,703,310, which represents an increase of 7.89% over the current year's budget. He said the budget gives priority to several basic service areas such as education, human services, public safety and physical development. There is a proposed 3% reduction in the real estate tax rate and no other increases in taxes and fees and, as with the FY 79 budget, approximately 52% of the General Operating budget is earmarked for education with \$4,180,000 proposed as the County's contribution. Mr. Murphy continued by stating the FY 80 Capital Budget is proposed in the amount of \$1,509,800 and stresses the same priority areas as does the Operating Budget.

Mr. McDonald stated there were several other fund budgets included in the total budget document. He briefly explained each of the following special categories:

- Capital Budget/Capital Program
- James City Service Authority
- Debt Service
- Virginia Public Assistance Fund (Social Services)
- Revenue Sharing
- Rural Transit System
- Sanitary District 1, 2, 3
- Housing and Urban Development Grants

Mr. Taylor opened the public hearing.

Mr. Don Gonzales addressed the Board on behalf of the Regional Library. Mr. Gonzales contended the \$89,600 proposed as the County contribution to the Library would not be sufficient to allow adequate library service to County citizens and asked the Board to reconsider the Regional Library's specific request of \$100,000.

Mrs. Corrine Garland representing Child Development Resources asked that \$3,322 be restored to the Chapter X Budget for support of the CDR Infant Program and a one-time appropriation of \$5,000 be made to the CDR Capital Campaign to be used toward the purchase of a facility to house the program. Mrs. Garland gave a brief synopsis of the CDR program and indicated what the financial impact of the loss of funds from James City County would be on the program.

Mr. Cy Talbot spoke in opposition to the proposed budget, stating it feeds inflation and growth in government.

Mr. Talbot suggested specific actions to be taken in order to make an 8% reduction from last year's budget:

- (1) declare an immediate hire freeze for 12 to 18 months,
- (2) not pay the 5% employee contribution to the retirement system,
- (3) reduce each department's or activity's budget by a given percent,
- (4) delete some capital improvement projects,
- (5) the present organization be studied with the objective of consolidating organizational elements having similar functions -- for example, the James City Service Authority could be merged with Public Works.

Mr. Talbot concluded his remarks by stating the entire James City County organizational structure and staffing should be studied.

Mrs. Anna Glisson spoke in opposition to the budget, referring specifically to the proposed satellite office for the upper end of the County; personnel - the Administrative Analyst position and CETA funding; and the costs involved with the Annual Report and the proposed newsletter.

Mr. Norman Beatty, Chairman of James City County's Economic Development Advisory Committee addressed the Board in reference to the proposal for a full-time economic development coordinator. He stated that increasingly, the competition for economic development necessitates a full time effort if the County is to realize the economic goals established in the Comprehensive Plan.

Mr. Harris W. Daniel representing the Colonial Services Board spoke in reference to the Child Development Resources, re-emphasizing points made earlier by Mrs. Garland. He specifically pointed out that due to the proportionate funding by the four local jurisdictions, the program would not suffer just the deletion of \$2,830 in funds from James City County, but a total deletion of approximately \$17,500 from this budget. By not receiving the \$2,830 for the CDR program and the amount for the Mental Retardation Group Home from James City County, it would mean the program would lose \$9,400 from the four jurisdictions and due to the matched ratio with the State, the program would lose approximately \$62,000. Mr. Harris pointed out that the exclusion of approximately \$5,000 from James City County's budget would have an impact of \$79,000 to \$80,000 on the entire Colonial Services Board's budget.

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Mrs. Eleanor Davidson representing the James City County Mental Health/Mental Retardation Board spoke on the importance of restoring the \$3,300 in funds to CDR and re-emphasized that this is not a new program.

There being no further comments, Mr. Taylor closed the public hearing.

2. Case No. Z-4-79. An application of King and Queen Corporation to rezone approximately 35 acres located on Route 658 (Olde Towne Road), approximately one-third mile west of the intersection of Route 658 and Route 60 from R-2 Limited Residential to R-3 General Residential.

Following a brief presentation by Mr. Porter, the Planning Director, Mr. Taylor opened the public hearing.

Mr. William H. Darden, 437 Olde Towne Road spoke in opposition to the proposed rezoning stating it was objectionable to see an institution situated in the area in front of his home.

Mr. Vernon M. Geddy, representing Mr. Philip O. Richardson, owner of the property, reported they concurred with the recommendation of the Planning Commission for both the rezoning and the re-referral of the Conditional Use Permit application to the Commission for further study. He requested the rezoning question before the Board tonight be deliberated and approval granted. Mr. Geddy stated that although the Conditional Use Permit issue was to be resolved at a future meeting, Mr. George White representing the psychiatric center, which is proposed for this site, was in attendance and could answer any questions concerning the proposed use.

Mrs. Sandy Stein, a resident of Windsor Forest, asked if there were definite plans for an intersection of Route 199 at Olde Towne Road. She stated the traffic in that area was of major concern to her and asked that the impact of the additional traffic generated by this institution be considered.

Mrs. James Whitley, a resident of the Hamlet stated she objected to this proposal very strenuously on the grounds of the traffic and also stated the residents of that area were not aware of a proposed access road onto Route 199.

There being no further comments, Mr. Taylor closed the public hearing.

A brief discussion followed during which items such as the type of screening to be utilized, anticipated number of occupants and employees and the proposed date of completion were discussed.

Mr. Frink suggested the case be deferred due to expressed opposition.

Mr. Edwards asked when the Planning Commission would have a recommendation on the Conditional Use Permit application.

Mr. Porter indicated the recommendation would be presented during the Planning Commission meeting of April 24.

Mr. Edwards suggested the Board wait until the Planning Commission had prepared a recommendation on the Conditional Use Permit application.

Mr. Donaldson asked if the Board could move Item E-1 forward on the agenda in order to consider the entire matter at one time.

Mr. Frink moved to defer action of this item until May 14 in order to allow time for a recommendation from the Planning Commission on the Conditional Use Permit application listed under Item E-1.

The motion carried by a unanimous roll call vote.

3. Case No. Z-5-79. An application of Mr. Joe Shouse to rezone approximately 2 acres located on Route 60E, in Grove, east of the Anheuser-Busch construction entrance from R-3 General Residential to M-1 Limited Industrial.

Mr. Porter presented this matter to the Board, indicating the Planning Commission had recommended denial.

Mr. Taylor opened the public hearing.

Mr. Charles Burr, Attorney representing Mr. Shouse, addressed the Board and explained the purpose of requesting a rezoning for this property was to allow an office and small warehouse for Mr. Shouse's construction company. He stated Mr. Shouse's proposal was for a use which was in accordance with the M-1 District and the Comprehensive Plan. He added it was a light use which would not contribute to noise, pollution or traffic.

There being no further comments, Mr. Taylor closed the public hearing.

A brief discussion followed.

Mr. Donaldson moved to accept the Planning Commission's recommendation of denial of the proposed rezoning.

The motion carried by a majority roll call vote of 3-2. Mr. Ware and Mr. Taylor voted against the motion.

D. CONSENT CALENDAR

1. Resolution Sanitary District No. 2 Lien

2. Certification of Warrants

Mr. Taylor moved for approval of both items listed on the Consent Calendar.

There were no comments and the motion carried by a unanimous 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 County 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 charges were 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 District No. 2 be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

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Account Number 11-01-277700-6

Blue Ribbon Properties
George C. Norris
1805 Airline Boulevard
Portsmouth, VA 23707

Description of Property:
Lot 2777
2777 Pocahontas Trail
Deed Book 167, Page 618

Amount Due:	Water:	\$1,721.50
	Sewer:	2,145.50
	Penalty:	200.85
	Lien Fee:	<u>.50</u>
	Total:	\$4,068.35

Account Number 11-01-278900-7

Blue Ribbon Properties
Office

Description of Property:
2789 Pocahontas Trail
Deed Book 170, Page 387

Amount Due:	Water:	\$ 18.50
	Sewer:	26.50
	Penalty:	2.25
	Lien Fee:	<u>.50</u>
	Total:	\$ 47.75

CERTIFICATION OF WARRANTS

March, 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 March, 1979.

GENERAL FUND	Checks	#6902 - 7145
	Totalling	\$491,405.39
GENERAL FUND PAYROLL	Checks	#16071 - 16443
	Totalling	\$117,798.81
SANITARY DISTRICT NUMBER 1		- 0 -
SANITARY DISTRICT NUMBER 2	Checks	#30 - 37
	Totalling	\$2,617.34
SANITARY DISTRICT NUMBER 3	Checks	#795 - 810
	Totalling	\$7,596.96
SUBDIVISION ESCROW	Check	#3
	Totalling	\$3,588.00
REVENUE SHARING	Checks	#546 - 551
	Totalling	\$2,586.97
ANTI-RECESSION	Check	#3
	Totalling	\$266.75
TOANO WATER CONSTRUCTION	Check	#102
	Totalling	\$16,868.34
JCC BOND SINKING FUND		- 0 -

REGIONAL JAIL CONSTRUCTION - 0 -

Certified a true excerpt of the minutes of the James City County Board of Supervisors' meeting held on 9th day of April, 1979.

E. BOARD CONSIDERATIONS

1. CASE NO. CUP-11-79 - Philip O. Richardson

This item had been acted on previously during the meeting.
(See Item C-2)

2. Resolution - PPDC Draft Staff Report, "Water Supply Distribution"

Mr. Oliver presented this item to the Board.

Mr. Taylor moved for approval of the resolution to adopt the PPDC Draft Staff Report, in concept.

There was no discussion, and the motion passed by unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Board of Supervisors of James City County recognizes the importance of water supply and distribution for the Peninsula;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it does hereby accept and approve in concept the Draft Staff Report prepared by the Peninsula Planning District Commission entitled, "Peninsula Water Supply and Distribution."

3. Resolution - Toano Water Improvements

Mr. Oliver presented the item to the Board.

Mr. Donaldson stated he would hope that in voting for the resolution it would not preclude the use of an advance as opposed to a grant.

Mr. Ware moved for approval of the resolution.

There were no other comments and the motion carried by unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the James City Service Authority did agree at the July 24, 1978 meeting of the Board to share the cost of certain water improvements with Owens-Illinois Inc. and the Hankins property owners; and,

WHEREAS, bids for the construction of said facilities to increase the capacity and reliability of the Toano Water System have been duly received by Owens-Illinois Inc.

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NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the James City Service Authority and the Board of Supervisors of James City County do hereby agree to authorize construction in accordance with the low bids for the construction of the proposed facilities and to obligate funding as shown in Exhibit II in the column marked "Proposed".

4. Resolution - Contingency Transfer/Election Expenses

Mr. Oliver presented this item to the Board.

There was no discussion.

Mr. Edwards moved to approve the resolution.

The motion carried by unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the General Registrar has identified the need for the formal training of Election Officers and for precinct identification signs; and

WHEREAS, no funds are currently budgeted for the above items;

NOW, THEREFORE, BE IT RESOLVED that funds in the Contingency Account in the amount of \$760 be transferred to the Election Expenses Budget.

BE IT FURTHER RESOLVED that the transfer be made as follows:

The transfer of \$760 shall be made from Contingency Account 01-01840-9011 to the Election Expenses Budget, newly created account, Special Election Expenses 01-1330-0320

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Fred Belden presented a proclamation to designate the third week in April as Landscape Architecture Week. He requested the Board to approve the proclamation to coincide with the State's recognition of Landscape Architecture Week.

Mr. Frink moved for approval of the proclamation.

The motion carried by a unanimous roll call vote.

P R O C L A M A T I O N

WHEREAS, the profession of Landscape Architecture provides design services that are beneficial to the public and promotes stewardship of environmental quality and conservation through sensitive design; and

WHEREAS, Landscape Architecture promotes environmental aesthetics and quality through good design and recognizes our antecedents through preservation and re-use of existing structures;

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors recognizes the value and importance of the profession of Landscape Architecture to the County, her citizens and visitors and hereby designates April 23 - 29, 1979 as LANDSCAPE ARCHITECTURE WEEK.

Mr. Jack Scruggs requested approval of a resolution to maintain the opening date of the hunting season as the third Monday in November rather than the proposed season of November 3rd through 17th.

Mr. Taylor moved to approve the resolution to maintain the hunting season as in past years.

The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Board of Supervisors of James City County deems it important that the balance between preservation of wild life and the sport of hunting be preserved,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it urges the Game Commission of the State of Virginia to continue hunting laws and regulations as drafted without any amendments thereto.

Mrs. Irene Douglas thanked the Board members for their prompt response on the Electoral Board's request for additional monies for election expenses.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver presented a staff memorandum concerning the award of a contract for re-roofing the EOC Building in Toano. He requested that authorization be granted to accept the low bid of L.C. Heath Roofing Company.

A brief discussion followed.

Mr. Donaldson moved to authorize the County Administrator to accept the low bid submitted by L.C. Heath Roofing Company.

The motion carried by a unanimous roll call vote.

R E S O L U T I O N

WHEREAS, the Board of Supervisors of James City County deems it a necessity that the roof of the Emergency Operations Center building be replaced and funds therefor in the amount of \$24,800 were approved in the FY 79 Capital Improvements Plan;

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NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does authorize and direct the County Administrator to accept the low bid of L. C. Heath Roofing, Inc. in the amount of \$20,560 for a replacement roof for the Emergency Operations Center in Toano.

Mr. Oliver requested an Executive Session at the end of the meeting to discuss the disposition of publicly held property.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards inquired as to the status of the change to staggered terms and the Federal Voting Rights Act.

Mr. Morton reported that the County has asked for a ruling from the U.S. Attorney's office in reference to staggered terms.

Mr. Edwards also asked if the construction of the fire station on Route 5 had proper erosion control measures in effect.

Mr. Oliver stated he would have the matter investigated.

Mr. Donaldson moved to adjourn into Executive Session for the purpose of discussing the disposition of publicly held property. The motion carried by a unanimous roll call vote. The Board members convened in Executive Session at 9:45 P.M. and returned at 10:10 P.M.

Mr. Ware moved to recess the meeting until 3:00 P.M. the next day, April 10, 1979 for the purpose of conducting a Public Works session on the budget. The motion carried by unanimous roll call vote.

THE MEETING WAS RECESSED at 10:15 P.M.

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




MEMORANDUM


Date: May 12, 2015
To: Records Management
From: The Board of Supervisors
Subject: Board of Supervisors Minutes: April 9, 1979; April 10, 1979; April 11, 1979; and April 16, 1979

The following minutes for the Board of Supervisors of James City County dated April 9, 1979; April 10, 1979; April 11, 1979; and April 16, 1979 are acknowledged to be missing signatures.

It is also acknowledged that the April 9, 1979; April 10, 1979; April 11, 1979; and April 16, 1979 minutes, were voted on and approved and may be mentioned in later dated minutes of the Board of Supervisors.



Michael J. Hipple
Chairman



Bryan J. Hill
Clerk

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