

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

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
 Abram Frink, Jr., Vice-Chairman, Roberts District
 Gilbert A. Bartlett, Jamestown District
 Perry M. DePue, Powhatan District
 Stewart U. Taylor, Stonehouse District

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

B MINUTES

Mr. DePue moved to approve the minutes of March 23, 1981 and March 30, 1981 as submitted. The motion carried by a unanimous roll call vote.

C. PUBLIC HEARINGS

1. Music Festival - Consideration of an application of B & G Productions for a family blue grass festival to be held at the Twin Oaks Campground on Route 168, Toano, Virginia, on September 25, 26, and 27, 1981.

Ms. Darlene Burcham, Assistant to the County Administrator, presented this matter to the Board. She stated that the reviewing parties have found the application satisfactory, therefore, the staff recommends approval.

Mr. Taylor asked if B & G Productions held a music festival before.

Ms. Burcham answered that B & G Productions held a music festival in the county the same time in September last year and that it was approved under the old ordinance's conditions. However, this year, the ordinance is more stringent and the applicant has complied with the conditions.

Mr. Edwards opened the public hearing.

Mr. R. M. Hazelwood commented that he feels the County does not need this type of business and moreover, there are places such as the Coliseum which would be a more appropriate location. He made reference to the letter he wrote to the County last year concerning the noise caused by the festival.

There being no other speakers, Mr. Edwards closed the public hearing.

Mr. DePue asked if there are any provisions in the ordinance about notifying adjacent property owners of these events.

Mr. Morton, County Attorney, answered that there are no provisions in the ordinance to notify adjacent property owners beyond putting public notices in the newspaper.

Mr. DePue asked if it would be safe to assume that the adjacent property owners were notified informally.

Mr. Morton said that it would not be appropriate to use public funds beyond putting public notices in the paper.

Mr. DePue commented that he shared Mr. Hazelwood's concern about activities such as this. He said that he is concerned about the negative effect of

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people living in the surrounding areas. He noted that everyone does not read the public hearing notices.

Mr. Edwards asked if there were any other complaints.

Mr. Bartlett commented the he visited the area and heard no complaints. He said that approximately six homes are very close to the campground and could hear, however, he would assume that since it has been advertised, anyone concerned would be present.

Mr. Taylor asked if an applicant meets the requirements of the ordinance, can the County deny the application .

Mr. Morton answered that if the County does not want music festivals in the area, then perhaps the ordinance should be amended, otherwise, the County must follow the requirements of the ordinance.

Mr. Bartlett moved to approve the music festival.

Mr. Taylor moved to defer the matter to allow his constituents time to contact him if they do not want the music festival.

Ms. Burcham stated that the only restriction she is aware of, in the event that the Board defers the matter, is the deadline of the applicant, which is three months notification before the festival is to be held.

Mr. Bartlett indicated he would have no opposition to a deferral.

There being no further discussion, the Board decided to defer the matter until the next Board meeting.

2. Case No. Z-2-81 - Consideration of an application of Mr. Robert S. Hornsby to rezone approximately 25.9 acres from R-2, Limited Residential, to R-5, Multi-family Residential.

Mr. William C. Porter, Jr., Director of Planning, presented this case to the Board. He stated that the property Mr. Hornsby wants rezoned is located on the eastern side of Route 612 directly opposite the entrance to Buford Road and the Windsor Forest Subdivision. He said that Mr. Hornsby's stated purpose for the rezoning is to allow the development of those uses permitted in the R-5 District, particularly the construction of cluster homes. He stated that the Planning Commission voted to recommend approval based upon the following:

1. The recommendations of the Land Development Concept Map.
2. The development and zoning of adjacent properties, as well as the presence of the 50 acre tract of B-1, General Business District to the east and south, and the Lafayette Manor Apartments to the north and west of the subject property.
3. The staff's agreement with higher density development on the subject site.
4. The Commission's opinion that it should not impose a district not requested by a developer. The Commission also felt the Planned Unit Development District, as with the R-4, Residential Planned Community District, was intended to be for larger development.
5. The availability and adequacy of public utilities.

Mr. Edwards opened the public hearing.

Mr. Robert S. Hornsby spoke on his behalf. He stated that he is requesting the rezoning in order to build cluster homes and townhouses - no apartments. He commented that he feels this is an appropriate use for the land in this area and his feelings are supported in the Master Plan. He further stated that the twenty-five acres of land adjoins the future shopping center site already zoned B-1 at the corner of Longhill Road and Olde Town Road and the very west end is across from the entrance to the Windsor Forest Subdivision, and the end of the twenty-five acres will be between that location and Olde Towne Road, which will be sufficiently away from Windsor Forest so as not to cause a conflict. Mr. Hornsby said that this twenty-five acres of land is only about 5% of the total 520

acres he owns and plans to develop in the area. He said that it has always been his goal to express a high standard of quality in James City County. He added that he has established 75 foot deep scenic easements on both sides of Longhill Road to protect Windsor Forest which is about 3/4 of a mile in length including the subject property.

Mr. Edwards asked Mr. Hornsby why he is not going Planned Unit Development.

Mr. Hornsby answered that his main reason for not going the route of Planned Unit Development is mainly because of the high costs associated with the project.

Mr. Bobby Hornsby also addressed the Board. He commented that he and his father have made a commitment to single family development in the Longhill Road area. He said that they are planning for future development and in the cost to provide utility service to the subject property would be too expensive to justify cost. He added that their basic interest is to provide affordable housing.

Mr. DePue asked Mr. Hornsby if the scenic easements he referred to are those in place or those anticipated for new development.

Mr. Hornsby answered that his father was referring to those easements already in place as well as to those they will be providing in the future.

Mr. Edwards closed the public hearing.

Mr. Bartlett moved to approve the rezoning application.

Mr. Edwards commented that two years ago rezoning requests generated a lot of interest, but recently there seems to be a decline in interest in rezonings in this area.

Mr. DePue commented that he has talked with residents of the area and has not heard any negative statements.

There being no further discussion, the motion to approve the rezoning application carried by a unanimous roll call vote.

3. Case No. Z-3-81 - consideration of an application of Mr. David L. Hertzler, on behalf of Hertzler Brothers, Inc., to rezone approximately 0.25 acres from R-2, Limited Residential, to B-1, General Business.

Mr. William C. Porter, Jr., Director of Planning, addressed the Board in this case. He stated that Mr. Hertzler's stated purpose for the rezoning is to move the zoning boundary so that it conforms to the property line for horticultural purposes. He said that the Planning Commission voted to recommend approval based on the following:

1. Commercial use of the subject parcel is not in conflict with the character of a major thoroughfare area as designated by the Land Use Element of the Comprehensive Plan.
2. Refusal to realign the zoning boundary with the property line would deprive the owner of all reasonable use of his property. In addition, there are sharp variations in topography separating it from the residential zone, as well as its small size which falls beneath the minimum lot size in the neighboring residential district. Thus, the parcel has no reasonable use in the residential district.

Mr. Edwards opened the public hearing. There were no speakers, therefore the public hearing was closed.

Mr. Frink moved to approve the rezoning case. The motion carried by a unanimous roll call vote.

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4. Case No. Z-4-81 - Proposed Additional Permitted Use-Industrial Districts

Mr. William C. Porter, Jr., Director of Planning, presented this matter to the Board. He commented that with the growing interest in steam generation for solid waste incineration and the normal demands for extensions of natural gas pipelines in the industrial areas, it is necessary and important to include this use in the industrial districts. He asked the Board to adopt the ordinance including the use of "public or private transmission pipelines..." in the industrial districts.

Mr. Edwards opened the public hearing. There were no speakers, therefore, the public hearing was closed.

Mr. DePue moved to adopt the ordinance. The motion carried by a unanimous roll call vote.

ORDINANCE

5. Extension of the James City Service Authority Service Area

Mr. John E. McDonald, Assistant to the County Administrator, addressed the Board on this matter. He stated that in an effort to consider a solution to the Sand Hill Subdivision water problem and the Board would have to authorize an extension of the James City Service Authority boundaries and create a Project Area No. 5 which would include those areas from Route 610/631 intersection east on Route 610 to the Route 610/603 intersection north on Route 603 to the Route 603/601 intersection, northwest on Route 601 to I-64, down I-64 to the York County line. He asked the Board to adopt a resolution expanding the present James City Service Authority's boundaries which would allow the Authority to build, maintain, and operate water and sewerage systems in those areas mentioned.

Mr. Edwards opened the public hearing.

Mrs. Alma White, resident of the Chickahominy area, said that she would like to see a map illustrating those areas mentioned by Mr. McDonald. She said that people should be aware of what is going on in the county, but more often they are not aware of matters until they are over.

Mr. McDonald pointed the areas in question out to the Board and Mrs. White. He explained that this would simply allow the Service Authority to operate in those areas and another public hearing would have to be held by the Service Authority if any specific project is to be considered.

There were no other speakers, therefore, Mr. Edwards closed the public hearing.

Mr. Edwards asked what would be the disadvantage to declaring the rest of the county under the Service Authority.

Mr. Oliver commented that it is a matter of being conservative and he suggested not extending boundaries until needed. Mr. Oliver also thought the Board might wish to protect the possibility of a future project area needing a different rate and to create one area would preclude that.

Mr. Frink asked Mrs. White if her main concern was that the Chickahominy area was left out of this proposed extension.

Mrs. White answered that there are people who would like to have the county provide water in the area, but her main concern is that citizens are aware of the proposed changes in these areas.

Mr. DePue commented that this seems to be a housecleaning item and he asked if there would be any harm in deferring this matter. He added that he would like to see a map of the area also.

Mr. McDonald commented that it is not critical for the Board to take action on the matter tonight.

Mr. DePue suggested that the matter be deferred since there have been no formal decisions made regarding the Sand Hill water problem.

Mr. Taylor commented that it seems that the proposed extension would allow for a larger area than needed, but apparently the staff is seeking a large area to allow for different routes to take on the Sand Hill matter.

Mr. Oliver commented that the staff had the legal requirements of establishing the project area to consider and such action would let the developer and residents of Sand Hill know that the county is attempting to clear the housekeeping items that would then allow consideration of a possible solution.

There being no further discussion, Mr. DePue moved to defer the matter and the Board concurred.

D. CONSENT CALENDAR

Mr. Edwards moved to approve all items on the Consent Calendar. The motion carried by a unanimous roll call vote. The following items were approved:

1. Certification of Warrants

RESOLUTION

CERTIFICATION OF WARRANTS

WHEREAS, the Board of Supervisors of James City County must certify warrants under the Code of Virginia;

THEREFORE, BE IT RESOLVED, that on a motion made by Mr. Edwards and carried by a majority roll-call vote, the Board of Supervisors of James City County hereby certifies the following warrants for the month of March, 1981:

GENERAL FUND	Checks	#13399-13666
	Totalling	\$1,087,059.91
GENERAL FUND PAYROLL	Checks	#26625-27148
	Totalling	\$193,359.66
SANITARY DISTRICT NO. 1	Check	#105
	Totalling	\$1,811.06
SANITARY DISTRICT NO. 2	Checks	#232-235
	Totalling	\$538.54
SANITARY DISTRICT NO. 3		Account Closed
SUBDIVISION ESCROW		- 0 -
COMMUNITY DEVELOPMENT		- 0 -
REVENUE SHARING	Checks	#720-725
	Totalling	\$9,047.14
JCC BOND SINKING FUND		

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2. CASE NO. CUP-4-81 - Conditional Use Permit for Mobile Home -
Larry and Rhonda Hicks

R E S O L U T I O N

Conditional Use Permit

WHEREAS, it is understood that all conditions for consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned or developed by the applicant as described below and as detailed in the attached application and site location:

APPLICANT: Larry and Rhonda Hicks
 TAX MAP ID: (9-1) (1-3)
 DISTRICT: Stonehouse
 ZONING: A-1, General Agricultural
 PERMIT TERMS: Comply with Zoning Requirements
 FURTHER CONDITIONS: Issuance of the Conditional Use Permit be withheld until the staff receives notification that the Health Department has issued final approval for the required system.

3. CASE NO. CUP-5-81 - Conditional Use Permit for Mobile Home -
Mr. Ronald Nelson

R E S O L U T I O N

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, that a Conditional Use Permit be granted for the placement of a mobile home on property owned or developed by the applicant as described below, and as detailed in the attached application and site location:

Applicant: Ronald L. Nelson
 Tax Map No. (13-1)(2-34)
 District: Stonehouse
 Zoning: A-1, General Agriculture
 Permit Terms: Expires 6 months from issuance.
 Further Conditions: Can be renewable every six months, by permission of the developer, but not to exceed four years.

R E S O L U T I O N

Conditional Use Permit

WHEREAS, it is understood that all conditions for consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned or developed by the applicant as described below and as detailed in the attached application and site location:

APPLICANT: Mr. George W. Jones
TAX MAP ID: (20-2) (1-10)
DISTRICT: Stonehouse
ZONING: A-1, General Agricultural
PERMIT TERMS: N/A

R E S O L U T I O N

Conditional Use Permit

WHEREAS, it is understood that all conditions for consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned or developed by the applicant as described below and as detailed in the attached site location:

Applicant: J. R. Winall
Tax Map ID: (9-3) (2-36)
District: Stonehouse
Zoning: A-1, General Agricultural
Permit Terms: N/A

R E S O L U T I O N

STATE LOCAL HOSPITALIZATION

WHEREAS, the James City County Welfare Board has requested and received approval from the State Department of Welfare for a supplemental appropriation of \$8,171.00 for its State Local Hospitalization Program, and

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WHEREAS, local match of this appropriation is available in the existing Social Service budget,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the following adjustments:

Social Service appropriation	191-0502	+	\$8,171
Revenues	306-0-50	+	\$8,171

7. Proposed Amendment to Chapter 5A, Erosion and Sedimentation Control

A public hearing was scheduled for May 11, 1981.

8. Vacation of Plat - Shellbank Woods Phase I, Subdivision of Property of Shellbank Woods Corporation

A public hearing was scheduled for May 11, 1981.

E. BOARD CONSIDERATIONS

1. Bird Sanctuaries - Lake Toano Estates

This item had been deferred at the Board's March 23, 1981 meeting to give Mr. Taylor a chance to look at the area in question. Mr. Taylor commented that he had visited the area and did not see any problems with designating this area as a bird sanctuary. Therefore, Mr. Taylor moved to approve the resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

LAKE TOANO ESTATES BIRD SANCTUARY

WHEREAS, the Lake Toano Estates is desirous of establishing the Lake Toano community as a bird sanctuary;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, that the area known and designated as Lake Toano Estates be specified as a bird sanctuary; and

BE IT FURTHER RESOLVED, that the Department of Highways and Transportation is requested to post appropriate signs at the Tom Taylor Road entrance designating Lake Toano Estates as a bird sanctuary.

2. Cable TV Franchise for James City County

Mr. Allen A. Turnbull, Jr., Administrative Analyst, presented this matter to the Board. He commented that at the public hearing on March 23, 1981 after listening to the comments from the cable applicants, the Board directed the Cable Communications Advisory Committee to review the written comments and provide the Board with a supplemental report which the Board received on April 7th. He said that the committee met and after reviewing each of the applicants comments, again concluded that Continental Cablevision should be awarded the franchise for James City County. He addressed two issues which resulted in minor ratings change. The first was Hampton Roads rating on references was changed from "very good" to "excellent". He said as part of the initial evaluation the committee wrote to the jurisdictions in which the applicants operated cable companies and asked questions concerning the level of

service. One respondent for Hampton Roads stated that it was reevaluating the cable operation in that jurisdiction, but based on the preliminary information given it suggested that Hampton Roads' performance was satisfactory. However, at the completion of that jurisdiction's evaluation a second letter was sent to the Advisory Committee stating that Hampton Roads had exceeded the performance requirements. The second report did not arrive until after the committee had completed their first report, but given the circumstances, the committee decided to allow the second letter and consequently changed Hampton Roads' rating. Mr. Turnbull said that the committee in reading Warner Amex's original proposal thought that in their proposal only 29 channels out of 50 would be activated initially, but in rereading the report and talking with Warner they said that at least 44 channels would be activated initially. Therefore, the committee changed Warner's channel capacity rating from "satisfactory" to "very good". Mr. Turnbull said that he would be glad to answer any questions.

Mr. DePue asked if the Committee held formal meetings for their supplemental report.

Mr. Turnbull answered yes.

Mr. DePue asked if the vote was unanimous.

Mr. Turnbull answered yes. He said that the Committee met and discussed the issues with their consultant.

Mr. Morton commented that the Committee reviewed each item, but there was no formal voting as such. However, no one objected to any particular subject area.

Mr. Turnbull added that after typing the supplemental report was sent to Committee members as well for their comments.

Mr. DePue asked if the Committee expressed any concern about the guidelines given for the evaluation process.

Mr. Turnbull stated that the Committee met on several occasions to discuss the methodology used and that they felt comfortable with their evaluation guidelines which were very close to those developed by the Cable Television Information Center.

Mr. DePue moved to approve the resolution.

Mr. Taylor commented that each of the applicants had made good presentations. However, in his opinion, Hampton Roads gave the best presentation and would be his choice.

Mr. Edwards commented that the three firms were all quite capable of giving good service, but he felt the Board should consider the recommendation from the Cable Communications Advisory Committee since they were chosen for their expertise in that area.

Mr. DePue stated that he felt comfortable voting for Continental based on the Committee's knowledge of cable.

The motion carried by a 4-1 roll call vote with Mr. Taylor voting no.

R E S O L U T I O N

JAMES CITY COUNTY CABLE SYSTEM GRANTEE

WHEREAS, the County of James City is desirous of providing the fullest range of cable communications services to all of its citizens; and

WHEREAS, after a thorough evaluation of all four cable TV proposals, the Cable Communications Advisory Committee recommended Continental Cablevision of James City County as the applicant proposing the best overall cable system for the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County selects Continental Cablevision of James City County as the firm to construct, operate, and maintain a cable communications system in the County; and

BE IT FURTHER RESOLVED that the Board of Supervisors instructs the staff to prepare for execution a Franchise Certificate officially granting the franchise to Continental Cablevision.

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3. Relocation of VACO Offices to Richmond

Mr. James B. Oliver, Jr., County Administrator, presented this matter to the Board. Mr. Oliver commented that on June 23, 1980 the Board adopted a resolution supporting the relocation of VACO to Richmond. He asked the Board to reaffirm their position concerning VACO.

Mr. Edwards commented that this is a very controversial issue and VACO has asked counties to indicate their feelings concerning the relocation.

Mr. DePue moved to approve the resolution. The motion carried by a unanimous roll call vote.

R E S O L U T I O N

Relocation of VACO Offices to Richmond

WHEREAS, the Board of Supervisors of James City County believes that actions by the State government in Richmond increasingly affect local governments, and

WHEREAS, the Board of Supervisors believes the Virginia Association of Counties could better represent all member jurisdictions if its offices were relocated to Richmond.

NOW, THEREFORE, BE IT RESOLVED, that the James City County Board of Supervisors reaffirms its resolution of June 23, 1980, requesting the relocation of the Virginia Association of County Offices to Richmond.

4. Sanitary District No. 2 - Liens

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board. He commented that it was a very routine matter and he would be glad to answer any questions concerning the two resolutions attached.

Mr. Bartlett moved to approve both resolutions.

Mr. Frink asked why the service has not been disconnected on the lien for Mr. Scales since the delinquencies are so high.

Mr. McDonald commented that three rental properties are involved and the county would be terminating service to tenants rather than the owner.

Mr. Frink commented that in some cases the owner does collect utilities in the rental fee and suggested that the matter be checked into.

Mr. Morton suggested that the Board adopt both resolutions and the staff will check into the matter further. He said that approving the resolutions would not inhibit the county from taking further action.

The motion carried by a 5-0 roll call vote with the understanding that the lien concerning Mr. Scales would be checked into.

R E S O L U T I O N

Sanitary District No. 2 - Lien

WHEREAS, the Department of Finance has certified to the Board of Supervisors of the County of James City that the following sewer and water accounts in 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 system 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 system be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number: 011-12-0132000	Carl Leroy Scales
011-12-0134000	Rt. 2, Box 284
011-12-0136000	Williamsburg, VA 23185

Description of Property:

132 Church Street
Williamsburg, VA 23185

Amount Due: Water:	\$161.50
Sewer:	244.25
Penalty:	<u>38.33</u>
Total:	\$434.08

Description of Property:

134 Church Street
Williamsburg, VA 23185

Amount Due: Water:	\$160.39
Sewer:	223.02
Penalty:	<u>30.48</u>
Total:	\$403.89

Description of Property:

136 Church Street
Williamsburg, VA 23185

Amount Due: Sewer:	\$1,120.75
Penalty:	<u>120.84</u>
Total:	\$1,241.59

Total Liens:	\$2,079.56
Lien Fees:	<u>1.50</u>
Total:	\$2,081.06

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R E S O L U T I O N

Sanitary District No. 2 - Lien

WHEREAS, the Department of Finance has certified to the Board of Supervisors of the County of James City that the following sewer and water account in James City County Sanitary District No. 2 is delinquent and unpaid; and

WHEREAS, such unpaid or delinquent charge is a lien against the real property on which the use of such system and for which the charges are 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 system be entered in the Judgment Lien Docket of the Clerk's Office of James City County, Virginia:

Account Number: 011-10-2777000

George C. Norris
Continental Realty
P. O. Box 471
Virginia Beach, VA 24358

Description of Property:

Blue Ribbon Trailer Park
2777 Pocohontas Trail
Williamsburg, VA 23185

Amount Due:

October, 1980 billing:	Water:	\$ 184.40
	Sewer:	<u>1,977.40</u>
	Total:	\$2,161.80
January, 1981 billing:	Water:	\$1,464.00
	Sewer:	3,294.00
	Penalty:	<u>475.80</u>
	Total:	\$5,233.80
	Total Lien:	\$7,395.60
	Lien Fee:	<u>.50</u>
	Total:	\$7,396.10

5. Department of Highways and Transportation Consultant Study

Ms. Darlene L. Burcham, Assistant to the County Administrator, presented this matter to the Board. She explained that the Department of Highways and Transportation is applying for Section 18 assistance to hire a consultant to provide technical assistance to rural public transportation in ten jurisdictions, and James City County is included at no cost to the county. She said that the Highway Department is requesting that each locality indicate their support of the proposed study. Therefore, she asked the Board to adopt a resolution acknowledging their support of the study.

Mr. Frink moved to approve the resolution.

Mr. Bartlett commented that the Highway Department is appropriating \$80,000 to do a study on transit systems and at the same time cut the allocation for secondary roads. He said that there will be a cost to the county even if it is indirect. Therefore, he said he would not support the motion.

Mr. Taylor stated that he agreed with Mr. Bartlett in that the money could be spent in a better way.

Mr. Oliver stated that Congress has tried to address national transportation issues. He said that Americans have been criticized because we moved away from the mass transit system for so long and Congress is trying to demonstrate the feasibility of public transportation systems. Mr. Oliver further stated that the Board agreed to become part of the demonstration project four years ago and certain responsibilities go along with that. He said that the staff would be happy to conduct work sessions on the matter to allow the Board to review their policy rather than to say they are a member but keep raising opposition on specific issues. He added that he did not see this as an attempt to waste money.

Mr. Bartlett stated that he is not concerned that the subject is buses, but he feels that if the county has a problem with its transit system that need should be identified and addressed, but not as a statewide problem mandated by the federal government. He said that he is against spending money for a study which may or may not be relevant.

Mr. Edwards asked if perhaps the Board is changing their policies about federal monies.

Mr. Bartlett commented that it might be the case, but his primary concern is federal funds being used for consultants particularly if no specific need has been identified.

Mr. Edwards asked Mr. Bartlett if he feels the study is a more efficient way rather than having ten jurisdictions go out and hire their own consultants.

Mr. Bartlett commented that he would agree if the ten jurisdictions had gotten together and identified their problem versus the federal government deciding to do a study.

Mr. Oliver commented that he feels a responsibility to the bus system and the state to present this matter in more detail. Therefore, he suggested that the Board defer the matter and perhaps a state representative could come to the Board's next meeting.

Mr. Bartlett noted the April 15th deadline.

Mr. DePue stated that if he thought the county would be saving the federal government money by not supporting the study, he could support Mr. Bartlett's concern if he felt that more federal restrictions would be imposed on the county's transit system he would vote against it. However, he said that he does not feel the county will save the federal government any money by not supporting the study because if it is not James City County it will be another county. He said that he would support the motion.

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Mr. Taylor commented that he did not feel the study would benefit the county's transit system and overall he is annoyed with the continuous hiring of consultants to evaluate problems.

There being no further discussion, the motion carried by a 3-2 roll call vote with Mr. Taylor and Mr. Bartlett voting no.

R E S O L U T I O N

DEPARTMENT OF HIGHWAYS & TRANSPORTATION

CONSULTANT STUDY

WHEREAS, the Board of Supervisors of James City County is desirous of improving public transit service; and

WHEREAS, the Board of Supervisors of James City County is supportive of the Department of Highways and Transportation's proposed marketing route and scheduling study in providing technical assistance to rural public transit operators, including James City County Transit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia authorizes a resolution which supports the Department of Highways and Transportation's request for Section 18 funds to provide technical assistance to rural public transportation systems.

6. Advances by County to Sanitary District No. 1

Mr. John E. McDonald, Assistant to the County Administrator, presented this matter before the Board. He stated that since 1964 the county has been advancing funds to Sanitary District No. 1 and it has only been in the last two years that Sanitary District No. 1 could begin to repay the county, mainly through their connection fees, from its current revenues. He further stated that the county has been advised by its auditors that this advance can no longer be considered as an advance unless a scheduled repayment is agreed upon which leaves the county two options:

1. Consider it to be a true advance and schedule repayments accordingly. With an estimated cash balance at yearend of \$30,000 and a review of the recent rate increase and working capital requirements this repayment schedule could be \$10,000 a year until the advance is repaid.
2. Forgive repayment, consider it to be a contribution, and retain these funds in the Sanitary District to provide seed money for anticipated capital improvements in the next five years within the District.

Mr. McDonald added that after a careful review the staff recommends that the Board endorse the second option. Therefore, he asked the Board to adopt the resolution.

Mr. DePue asked if this is the same Sanitary District the county shares with York County where the rate structure was recently changed.

Mr. McDonald answered yes.

Mr. Taylor commented that he did not particularly like the idea of cancelling the obligation and would rather that repayments be made back to the County.

Mr. Bartlett commented that since any action taken would involve another jurisdiction, he asked how much of an impact it could have on York County.

Mr. McDonald answered that the joint Sanitary District is evaluating a rather aggressive capital improvements program and at this point it would be difficult to determine how it would effect York County.

Mr. Bartlett stated that he would be reluctant to take any action which might have a negative impact on York County. 145

A brief discussion followed. Mr. Oliver commented that this was not a very pressing matter and could very well be deferred, but he commented that this was an effort on the staff's part to balance out the equities with the overall goal being to get all water and sewer systems into a centralized system. He added that this particular district has one of the highest rates and has a very major capital need facing it.

There being no further discussion, the Board agreed to defer the matter.

7. Application for Technical Assistance for Energy Conservation

Mr. James B. Oliver, Jr., County Administrator, presented this matter to the Board. He commented that the county has several public buildings that recently had an energy audit done and the Public Works Department feels that the EOC Building and the Courthouse can have the most potential for energy savings. He said that if the county is awarded funds the technical assistance would cover 50% of the costs for an in-depth study of higher cost measures. He asked that the Board adopt a resolution authorizing the submission of an application.

Mr. Bartlett commented that the Courthouse is jointly owned and asked if the City is aware of this.

Mr. Oliver said that the county generally takes the lead for management issues then negotiates with the city.

Mr. Bass commented that the city staff has been advised of the matter.

A brief discussion followed. Mr. Frink moved to approve the resolution. The motion carried by a 4-1 roll call vote with Mr. Taylor voting no.

RESOLUTION

Application For Energy Conservation For Technical Assistance

WHEREAS, The Board of Supervisors of James City County recognizes the need for consideration of energy conservation measures with reasonable payback periods; and

WHEREAS, the Board recognizes that there are funds available from the State Office of Emergency and Energy Services to support half of the costs of such a study; and

WHEREAS, there are already funds appropriated under "Local Grants Match" which will fund the local match required (not to exceed \$3,000),

NOW THEREFORE, BE IT RESOLVED that the County Administrator is directed and authorized to file an application for such assistance as is available from OEES to support such a study.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Edwards asked if anyone in the audience wished to address the Board on any matter. No one chose to speak.

H. REPORTS OF THE COUNTY ADMINSTRATOR

None.

AAJ927

I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue asked when the Board would receive a budget for the Service Authority.

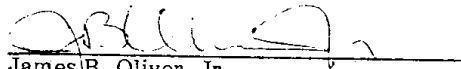
Mr. Oliver said that it would be presented at the May 11, 1981 meeting.

Mr. Edwards moved to go into executive session to discuss a legal matter pursuant to Section 2.1-344 (a)(6) of the Code of Virginia, 1950 as amended. The motion carried by a unanimous roll call vote.

The Board convened into executive session at 9:30 P.M. and reconvened to public session at 9:45 P.M.

Mr. Edwards moved to recess until 3:00 P.M. April 15, 1981 for the work session on the budget.

The meeting RECESSED at 9:45 P.M.


James B. Oliver, Jr.
County Administrator