

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

A. ROLL CALL

Abram Frink, Jr., Chairman, Roberts District  
 Perry M. DePue, Vice Chairman, Powhatan District  
 Jack D. Edwards, Berkeley District  
 Thomas D. Mahone, Jamestown District  
 Stewart U. Taylor, Stonehouse District

James B. Oliver, Jr., County Administrator  
 Frank M. Morton, III, County Attorney  
 Daniel R. Lynn, Assistant to the County Administrator

B. MINUTES

Mr. Taylor moved to approve the minutes of the regularly scheduled meeting of January 25, 1982. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

At this time, Mr. Mahone moved to rescind previously approved minutes of the Board of Supervisors' meeting of January 11, 1982. Mr. Mahone wished the minutes to show a change in Section F., REPORTS OF THE COUNTY ADMINISTRATOR, 1. EOC Duplicating Machine. This change concerned including his suggestion that a cover be placed on the duplicating machine and that it be placed in a safe place, away from potential water damage.

On roll call, the vote to reapprove the minutes with the changes indicated was as follows AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

C. CONSENT CALENDAR

Mr. Frink asked if any members wished to remove an item or items from the Consent Calendar. Since it was agreeable for the Consent Calendar to remain intact, Mr. Taylor moved for approval. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

1. Case No. CUP-2-82. Seasons Trace Development Inc.

R E S O L U T I O N

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for the 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 and developed by the applicant as described below and on the attached site location map.

Applicant:	David L. Hertzler
Tax Map ID:	(32-1)(1-1)
District:	Powhatan
Zoning:	R-3, Limited Residential
Permit Term:	Expires February 2, 1987
Further Conditions:	None

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2. Case No. SUP-10-81. Commonwealth Gas Pipeline Corporation  
Public Hearing set for March 8, 1982.
3. Case No. CUP-1-82. Vernon T. Temple

R E S O L U T I O N

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for the 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 and developed by the applicant as described below and on the attached site location map.

Applicant:	Vernon T. Temple
Tax Map ID:	(12-2) (1-9)
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None

4. Lake Toano Subdivision Highway Dedication

R E S O L U T I O N

DEDICATION OF STREETS IN LAKE TOANO SUBDIVISION

SECTION A

WHEREAS, the developer of Lake Toano Subdivision, Section A has requested the Board of Supervisors to include certain streets in the State Secondary Highway System; and

WHEREAS, The Board of Supervisors desires certain streets in Lake Toano Subdivision, Section A, to be included in the State Secondary Highway System, provided these streets meet with the requirements of the Virginia Department of Highways and Transportation, and providing that any alterations, corrections or other matters that might be found desirable by the Virginia Department of Highways and Transportation are made within a ninety (90) day period from the day that the Department of Highways and Transportation makes its final inspection;

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

- Description:
1. State Route 1001, 60' right-of-way  
(Church Lane Extension)  
From: State Route 1001  
To: Branch's Pond Road  
Distance: 0.21 mile (1109')
  2. Tom Taylor Road, 50' right-of-way  
From: Church Lane (extended)  
To: End of cul-de-sac  
Distance: 0.19 mile (1009')
  3. Branch's Pond Road, 50' right-of-way  
From: Church Lane (extended)  
To: End of cul-de-sac  
Distance: 0.25 miles (1320')

A right-of-way of 60 and 50 feet along with 20' drainage easements is guaranteed as evidenced by Plat of Record, entitled Lake Toano, Section A, Plat Book 34, Page 96, dated November, 1974; and

BE IT FURTHER RESOLVED that this Resolution be forwarded to the Resident Engineer of the Department of Highways and Transportation.

5. Urban Homesteading  
Public Hearing set for February 22, 1982.
6. Erosion and Sediment Control Ordinance  
Public Hearing set for March 8, 1982.

D. BOARD CONSIDERATIONS

1. Increased State Local Hospitalization Appropriation

Ms. Burcham presented this matter to the Board. She noted that there are sufficient local matching funds available within the existing Social Service Budget for this program, and she recommended to the Board approval of the changes noted in the resolution.

Mr. DePue raised a question concerning the Special Needs Adoption fund from which these monies are to be transferred. Ms. Burcham reported that John Holdren, Director of Social Services, feels assured that these funds will not be needed for the remainder of the fiscal year and can be safely transferred to this more needed area.

Mr. DePue moved to approve this resolution. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

R E S O L U T I O N

STATE LOCAL HOSPITALIZATION APPROPRIATION

WHEREAS, the James City County Welfare Board has requested an increased appropriation for the State Local Hospitalization program; and

WHEREAS, sufficient local funds are to match this appropriation request.

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

From: 082.5704	-\$7,375
To: State Local Hospitalization	+\$5,900
Revenue from Commonwealth - Social Service Fund	+\$1,475

2. Bermuda Circle

William C. Porter, Director of Planning, presented this matter to the Board. He explained that Bermuda Circle in First Colony had been platted in May 1964. However, this street was never improved or accepted into the State system. The civic association of this subdivision is now requesting that Bermuda Circle be made a part of the state system, but they are also requesting that certain size requirements be waived in order to keep some of the shrubs and trees.

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The staff, Mr. Porter explained, is recommending that the Highway Department be requested to waive certain of their standards so that this road can be included in the State system. The waiver would reduce the width of the road from the State standard of 38 feet to 32 feet. Mr. Porter noted that the Fire Department has reviewed this reduction in width and also that the Planning Commission had voted to recommend that the Board recommend the waiver to the State Highway Commission.

Mr. Mahone made a motion to adopt this resolution. On a roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

## R E S O L U T I O N

### BERMUDA CIRCLE

WHEREAS, It is understood that all conditions for consideration of this request have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that approval be granted to the proposed request from the First Colony Civic Association to request the Highway Department to waive street standards for Bermuda Circle on property described below and as detailed in the attached memorandum.

Applicant:	First Colony Civic Association
District:	Jamestown
Zoning:	R-1, Limited Residential
Further Conditions:	None

### 3. Funds for recreational Programs

Ms. Burcham presented this matter to the Board. She explained that the issue under consideration was essentially a housekeeping matter. She said that when the Recreation Program was instituted last fall, the understanding was that only those programs that could pay their own way would be undertaken. If the County finds out that there will not be enough participation to cover the costs of a program, it is withdrawn.

However, Ms. Burcham noted that to satisfy the requirements of the auditors, it is necessary to have a line item appropriation before we can offer a new series of programs for the coming season.

Mr. Taylor noted that he had heard some criticism about some of the things the Recreation Department was doing. He was afraid that there might be some duplication in what the Extension and Williamsburg Recreation were doing along these lines. Mr. Taylor said that he thought the County should have some guidelines about the recreation programs that are being offered to the public. He added that he feels that the County should leave some things open for private enterprise to supply the citizens of James City County.

Mr. Mahone asked Ms. Burcham about the degree of citizen participation in these programs. Ms. Burcham noted that there has been a good bit of participation, but she couldn't give the exact count right at that moment.

Mr. Edwards made a motion to approve this resolution. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

RESOLUTIONAPPROPRIATION OF  
FUNDS FOR RECREATION PROGRAMS

WHEREAS, the James City County Board of Supervisors has previously approved the hiring of a Recreation Coordinator and the establishment of a recreation program for County residents; and

WHEREAS, sufficient interest in recreation programs has been demonstrated through participation in the Fall and Winter instructional classes.

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that in order to sponsor additional recreation programs funds be appropriated as follows:

Instructional Programs	\$ 5,000.00
Program Supplies	1,000.00
	<u>\$ 6,000.00</u>

REVENUE

Program Fees	\$ 6,000.00
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4. Creation of Grove Citizens Advisory Committee

Mr. Oliver proposed at this point that the Board take legislative action to create this committee rather than wait for an Executive Session.

Mr. Frink made a motion to adopt this resolution. On roll call, the vote was AYE: (5) Frink, DePue, Mahone, Edwards, Taylor.  
NAY: (0).

RESOLUTIONESTABLISHING GROVE COMMUNITY DEVELOPMENT  
PROJECT CITIZENS ADVISORY COMMITTEE

WHEREAS, the County has received Community Development Block Grant funds for the purpose of making improvements in the Grove Neighborhood; and

WHEREAS, the Board of Supervisors desires to be responsive to the needs and desires of the Grove residents in the implementation of the program.

THEREFORE, BE IT RESOLVED that a Citizens Advisory Committee be established to assist the Board of Supervisors in the implementation of the Grove Community Development Project.

5. Electricity Sales from Proposed Badische Steam Plant.

Mr. Bass presented this matter to the Board. He referred to the fact that James City County, York County, the City of Williamsburg, the City of Newport News and the Badische Corporation are jointly studying the feasibility of a plant to burn municipal refuse and thereby generate steam and electricity. Mr. Bass said that in the very near future the State Corporation will determine a rate that the Virginia Electric and Power Company which is required by law to purchase this electricity, would have to pay for it. The purpose of the resolution being presented is for the Board to put on record its endorsement of the concept whereby electricity generated by such a plant would be purchased by VEPCO.

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Mr. DePue said that he wanted to be sure that the Board would not put itself in a position where it would have to accept a particular rate. Mr. Morton, County Attorney, said that would not be the case as this was also in the nature of a housekeeping item.

Mr. Mahone then asked the question about who would pay for this facility. In the reply, it was noted that the economic and financial feasibility of constructing such a plant depends to a great extent on whether steam can be sold to the Badische Corporation and electricity to VEPCO. It was also noted that some revenue will be realized from tipping by commercial haulers and businesses requiring trash removal.

Mr. Mahone then asked who would own this plant and Mr. Bass replied that there were several options such as private or municipal ownership. Mr. Bass added that the County expects to receive a report on the feasibility study shortly and will acquaint the Board with its content.

There was no further discussion.

Mr. Edwards made a motion to adopt this resolution. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor.  
NAY: (0).

#### R E S O L U T I O N

##### ELECTRICITY SALES FROM PROPOSED BADISCHE STEAM PLANT

WHEREAS, it is in the public interest to burn municipal refuse to procure energy; and

WHEREAS, James City County, York County, the City of Williamsburg, the City of Newport News, and the Badische Corporation are jointly studying the feasibility of a plant to burn municipal refuse and generate electricity and steam;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby supports in concept the purchase of electricity by the Virginia Electric and Power Company from refuse fired generating plants.

#### E. MATTERS OF SPECIAL PRIVILEGE

None.

#### F. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver, the County Administrator, requested that the Board hold an Executive Session.

Mr. Oliver also noted that at the next meeting of the Board, on February 22, 1982, a representative of the Hampton Roads Sanitary District would be present to discuss the continuing problem with unpleasant odors emanating from this facility.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Frink thanked those who helped make the Open House so successful on Saturday, February 6, 1982.

Mr. Mahone thought that the staff had done an outstanding job, but he was disappointed that more people had not attended.

Mr. Taylor also noted that a good job had been done in presenting the roles of the different buildings and their programs.

Mr. Mahone then moved that the Board adjourn into Executive session to consider personnel and legal matters pursuant to Section 2.1-344 (a)(1) and (6) of the Code of Virginia 1950 as amended.

On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

The Board convened into Executive Session at 8 P.M. and reconvened into Public Session at 8:07 P.M.

At this time, Mr. Frink nominated Miss Sheron Hill from the Roberts District to serve on the Clean County Commission. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).


Mr. Edwards noted that he did not have a nomination for this committee, but he hoped to have one soon.

Mr. Frink then reminded the Board that they had just created an Advisory Committee for the Grove community, and he wished to make the following nominations for persons to serve on the committee: Willie B. Epes, Gwendolyn Robinson, Rueben Hill, Martha Wagner, William H. Washington, Ronald Jackson, Edward Ratcliffe

It was also noted that an ex officio member was needed for this group. Mr. Taylor moved that Mr. Frink be appointed as the ex officio member of the Grove Advisory Committee. On roll call to approve all these nominations, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

Mr. Edwards moved that the meeting be adjourned. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

The meeting adjourned at 8:15 P.M.

  
James B. Oliver, Jr.  
Clerk to the Board

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