

A M E N D E D

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-SECOND DAY OF FEBRUARY, NINETEEN HUNDRED EIGHTY-TWO AT 3:00 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
 Stewart U. Taylor, Stonehouse District

James B. Oliver, Jr., County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES

Mr. Taylor moved that the minutes of the Board of Supervisors' meetings of January 6, January 9, and January 13, 1982 be approved. On roll call, the vote was AYE: (3) Frink, DePue, Taylor. NAY: (0).

C. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer of the Department of Highways and Transportation wished to bring a couple of matters to the attention of the Board. First, he noted that Jolly Pond Road is completed and has been open to traffic since February 19, 1982. The other item was that the 64 Logo Project is practically completed. The purpose of this project is to inform travelers about tourist services being supplied close to interchanges. These have been completed from the Anderson's Corner interchange to Route 17.

(Mr. Edwards joined the Board meeting at this point - 3:08 P.M.)

Mr. Hall noted that due to the cold winter, there are a lot of potholes. However, the department is working on fixing these defects.

Mr. Taylor said that he had received a letter from citizens in Racefield complaining about the entrance to the community. This is in such bad condition that school buses have problems when picking up students. Mr. Hall explained that he will take this matter up with the School Board and also attempt to get the developer to construct an entrance that can be used.

(Mr. Mahone joined the Board meeting at this point - 3:10 P.M.)

Mr. DePue asked Mr. Hall when the middle-turn lane at Norge was going to be constructed. Mr. Hall explained that this work is being done by a North Carolina company, and he doesn't know the exact schedule. However, he expects that it will be sometime between April and June of this year.

D. PRESENTATIONS1. Proclamation in support of National Girl Scout Week

Mr. Frink read this proclamation to all of those present, and then made a motion for the Board to approve this document. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0)

PROCLAMATIONGIRL SCOUT WEEK

WHEREAS, Girl Scouts of the U.S.A. observes the 70th anniversary of its founding on March 12, 1982, with the theme "Girl Scouts Going and Growing"; and

WHEREAS, since its founding, Girl Scouts has worked to improve the quality of life for all and emphasized "How Girls Can Help Their Country" through the wise use of our nation's natural resources;

WHEREAS, in honor of their own 70th birthday, Girl Scouts will share their special birthday gift of ten projects based on the theme "water in our lives" with their fellow Americans;

WHEREAS, we recognize the significant impact that the work of this great organization of almost 3 million girls and women, together in a national and international movement, has had and will continue to have on the welfare of the nation and of the world, and its potential for effectively changing the quality of human life everywhere;

WHEREAS, Girl Scout Week will be celebrated by the Girl Scouts of our community from March 7 through 13;

NOW, THEREFORE, I Abram Frink, Jr., by virtue of the authority vested in me as Chairman of the James City County Board of Supervisors, hereby proclaim March 7 through 13, 1982, as

GIRL SCOUT WEEK

in James City County, and

I do further call upon all citizens of this community to join hands with the Girl Scouts, and to give them the kinds of interest, cooperation, and support necessary to help them do their part in achieving by the year 1990 the great goal of clean water and safe sanitation for the people of our country and of the world.

2. Hampton Roads Sanitation District, Mr. James R. Borberg and Mr. Jim Parsons

Mr. Borberg, General Manager of Hampton Roads Sanitary District, made this presentation to the Board. He said his purpose was to talk about what had been done at the Williamsburg Plant of the H.R.S.D. during the past year to counteract odor problems.

AAJ937

Mr. Borberg said that they had found four sources of odors: oxidation towers, gravity thickeners, sludge holding tanks and the belt sander presses. Covers have been designed for the oxidation towers which will be installed upon completion. Chemicals are being added to the gravity thickeners; permanent fiber glass covers have been placed over sludge holding tanks; and a new substance resulting in a high Ph is being used with the belt sander presses.

These adjustments to the system are being engineered by Malcolm Pirnie, Inc., and it is expected, when all are completed within about a year, that odor problems at this plant will be eradicated. These improvements are expected to cost about \$750,000.

Mr. Frink asked if this is the only plant having these kinds of problems, and Mr. Borberg said that other plants have similar problems because sewage is being treated to a much higher degree now than it used to be.

Mr. Borberg completed his presentation by distributing some factual material relating to the HRSD.

E. PUBLIC HEARING

Ms. V. Jan Rountree, Community Development Director, explained to the Board of Supervisors what is involved in the application for Urban Homesteading funds to be used in the Forest Glen neighborhood.

Ms. Rountree noted that the County has been using a combination of Community Development and Farmers Home Administration funds to finish the roads, water, and sewer lines which had not been completed by the original developer. These funds had also been used to implement a housing rehabilitation program in Forest Glen.

However, Ms. Rountree continued, these efforts have not been able to solve all Forest Glen problems as there is a high foreclosure rate there; 20 houses have been foreclosed and 9 are in the process of foreclosure.

Ms. Rountree explained that the Urban Homesteading Program could help revitalize the neighborhood by providing ownership opportunities for people who could not otherwise afford to buy, and restore property to the County tax rolls. Ms. Rountree also noted that there is quite a bit of vandalism occurring in the community and that urban homesteading would help eliminate much of this.

Ms. Rountree also noted that the County will be very critical of the kinds of people who will take over these houses. They will mostly be middle-income people; good citizens with good credit ratings.

She stated further that the homesteaders will have to live in the houses at least three years in order to get title, and if any of the conditions to the contract are abrogated, the parties could be required to vacate the premises.

Mr. Taylor then asked Ms. Rountree what the actual purchase price is for these homes, and Ms. Rountree told him that the rehabilitation cost comprises the purchase price. She added that after three years, the owners would begin to establish equity in their homes.

At this juncture, Mr. Frink opened the hearing to the public.

Mr. Richard Hatchette of Colby Road, Forest Glen made the point that he and his wife had worked very hard in order to buy a home in Forest Glen and they felt that it was not fair for "someone to come in and get this type of home for a dollar when he paid \$35,000 for a home." He added that people in the neighborhood also disagree about the concept of homesteading unless for handicapped persons.

Mr. Hatchette continued by saying that the area was unsafe and that the Forest Glen citizens were working with the police in an effort to rid the neighborhood of unsavory individuals. He felt that the County should make a greater effort to improve neighborhood safety.

Mr. Frink interrupted to explain to Mr. Hatchette that the houses are not being sold for a dollar, but it is necessary for buyers to pay the costs of rehabilitation of the home before receiving free title to the property. He added that all the County wants to do is improve the area and that abandoned homes only contribute to bad conditions.

Mr. Mahone asked this citizen if his house had been one that was foreclosed, and Mr. Hatchette replied that it was. Mr. Mahone noted that he feels that it is important for people to help themselves and not let the federal government do it. He said that he was a firm believer in free enterprise.

Mr. Norris Baker, an employee of the Farmers Home Administration, was the next speaker. He said he was there to answer any questions that the Board of Supervisors might have regarding homesteading.

Mr. Mahone asked him how many houses in all had been foreclosed in this development. Mr. Baker said about 45-50; some had reverted back into the program and some had been sold to a local realtor, Mrs. Pat Rogers.

Mr. DePue asked what the interest rate was and Mr. Baker replied that it was the prevailing rate at the time, 13.25 percent. He added that they have a scale depending on the applicant's ability to pay. Mr. Baker said that the loans were 33-year loans.

Mrs. Pat Rogers, a local realtor, spoke next. Mrs. Rogers had bought 25 houses in Forest Glen after they had been foreclosed by FHA. She is against homesteading and said that, in her opinion, it would be a "terrible thing" for Forest Glen.

Mrs. Rogers continued by saying that she knows all about the problems in Forest Glen, and the park on Colby Road is one of the biggest problems. She said that until Forest Glen is safe, you cannot have a good community.

Then, Mrs. Rogers explained to the Board what she is doing with the houses she bought in Forest Glen. She said that she fixes them and rents the house for six months. Meanwhile she starts a loan process so that the tenant will be able to purchase the house.

Mrs. Rogers explained that one of the most important things Forest Glen needs is a better image.

Mr. Frink asked Mrs. Rogers why the people in the neighborhood don't want these houses rehabilitated. Mrs. Rogers replied that they are afraid that the people who move in might not make good neighbors.

Mrs. Rogers reiterated that the grant should be used to cure blight in this community.

Mr. Edwards explained that the principal concern seems to be a difference of opinion on how community development money is to be spent. He asked Mrs. Rogers about how much she had paid for houses in Forest Glen. She told him about \$20,000-\$21,000 each, but a lot of work had to be done on the houses.

Mr. Mahone asked Mrs. Rogers if she had borrowed from a local bank in order to buy these homes. She replied that no bank would lend money for homes in Forest Glen, and she had made the purchase with a personal note and personal collateral.

Mr. Larry Trumbo, Director of the James City Community Action Agency, spoke in favor of homesteading. Mr. Trumbo said that homesteading would be the greatest thing in the world for Forest Glen and he doesn't see where anything could be gained by not approving the resolution under discussion.

Mr. Oliver then noted that the speakers with one exception were not residents of the area. He suggested that the public hearing be continued with the purpose of having extra time to think about and discuss some of the issues involved.

AAJ937

A consensus of opinion among the Board was to continue this public hearing until the next Board of Supervisors meeting on March 8, 1982.

F. CONSENT CALENDAR

Mr. Frink asked if there were any questions concerning items on the Consent Calendar and Mr. DePue requested that item number 7 be removed for further discussion.

Mr. Frink made a motion that the rest of the items on the Consent Calendar be adopted. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0)

1. Certification of Warrants

RESOLUTION

AGENDA ITEM # F-1.

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 _____ 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 January 1982:

GENERAL FUND	Checks	#102630-102902, 102962
	Totalling	\$1,248,612.45
GENERAL FUND PAYROLL	Checks	#204627-205189
	Totalling	\$237,771.21
SANITARY DISTRICT NO. 1	Checks	#500012-500013
	Totalling	\$14,322.31
SANITARY DISTRICT NO. 2	Checks	#600067-600070
	Totalling	\$2,893.66
SUBDIVISION ESCROW		-0-
COMMUNITY DEVELOPMENT	Checks	#370-376
	Totalling	\$19,455.85
REVENUE SHARING	Checks	#400017
	Totalling	\$72,266.98
JCC BOND SINKING FUND		-0-

2. Case No. CUP-4-82. Taco Bell, Inc.

R E S O L U T I O NCONDITIONAL 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 construction office trailer on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Mr. Ira M. Clifford
Tax Map ID:	(39-1)(1-145)
District:	Berkeley
Zoning:	B-1, General Business
Permit Term:	Expires August 12, 1982
Further Conditions:	None.

3. Case No. CUP-3-82. Robert E. Hicks

R E S O L U T I O NCONDITIONAL 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:	Mr. Robert E. Hicks
Tax Map ID:	(2-4)(1-13A)
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None

AAJ937

4. Case No. CUP-5-82. David HertzlerR E S O L U T I O NCONDITIONAL 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 construction office trailer on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Mr. David L. Hertzler
Tax Map ID:	(41-4)(7-A)
District:	Roberts
Zoning:	B-1, General Business
Permit Term:	Expires September 8, 1982
Further Conditions:	None.

R E S O L U T I O N5. Case No. CUP-6-82. Lawrence A. TimkoR E S O L U T I O NCONDITIONAL 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:	Mr. Lawrence A. Timko
Tax Map ID:	(10-1)(1-29)
District:	Stonehouse
Zoning:	A-1, General Agriculture
Permit Term:	N/A
Further Conditions:	None.

6. Litter Control Funds

R E S O L U T I O N

ANTI-LITTER SUPPLEMENTARY GRANT

WHEREAS, the Board of Supervisors of James City County has been awarded a supplementary grant from the State Division of Litter Control in the amount of \$1,580; and

WHEREAS, the Clean County Commission has programmed these funds for trash receptacles and educational material.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of James City County does hereby:

1. Accept the grant award from the State Division of Litter Control in the amount of \$1,580 for Litter Control; and
2. Appropriate these grant proceeds as follows:

Add to Revenue - Litter Control Grant	\$1,580
Add to Expenditures - Litter Control Program	\$1,580

7. Salary Funding

Mr. DePue then asked a question concerning item number 7. He wanted to know if the Word Processing position currently budgeted under the Board of Supervisors would continue in this category. Mr. McDonald assured him that it would be placed in a more fitting place in the upcoming budget. Mr. DePue then 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

SALARY TRANSFER - WORD PROCESSING

WHEREAS, it has been determined to be more efficient to transfer a secretarial position from County Administration to Word Processing, which is contained in the Board of Supervisors budget,

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that \$5,500 in salaries and \$1,000 in fringe benefits be transferred from County Administration to the Board of Supervisors.

AAJ937

At this time, Mr. Mahone mentioned that he had received a letter from a local vendor who felt that the County was favoring large, national companies over local suppliers when awarding contracts. He wanted to know if the County has an arrangement whereby local businessmen receive some preference. Mr. McDonald replied that the County does give preference to local businesses when the prices are competitive.

This problem arose, Mr. McDonald explained, when the County in an effort to better manage inventories for office supplies, decided to contract with a supplier on a 12-month basis and local companies felt they couldn't guarantee prices for lengthy periods.

Both Mr. Taylor and Mr. DePue noted that they had also been contacted on this matter. However, Mr. DePue felt that this was a policy matter and County staff should do what they think is appropriate.

However, it was decided that Mr. Oliver should look into this more closely in order to find out if, indeed, the County was discriminating against local small businesses.

G. BOARD CONSIDERATIONS

1. Connection to Williamsburg Water System

Mr. Oliver presented this matter which entailed the developer of Jamestown Commons' request to connect to the Williamsburg water system. Mr. Oliver said that this is a routine matter. The County has contacted the City and it appears that this request will be honored by Williamsburg.

There was no further discussion.

Mr. Edwards made a motion to approve the 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

CONNECTION TO WILLIAMSBURG WATER SYSTEM

WHEREAS, Sterling M. and Dorothy P. Nichols, developers of Jamestown Commons, have requested permission to connect a proposed office condominium project to the Williamsburg water main in the Jamestown Road, Birchwood area;

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby approves the request for connection to the Williamsburg water system.

H. MATTERS OF SPECIAL PRIVILEGE

Mr. Wally J. Berge, a resident of Kristiansand, inquired about twice-yearly tax collections which had been considered a while back.

Mr. Oliver reported that the staff does not recommend semi-annual tax collections.

Mr. Oliver explained that this subject could be discussed during the budget process in the spring. However, he added that this was not a priority item since it only receives random interest either strictly pro or con.

Mr. Taylor said that this was considered about 7-8 years ago by the County, and it was discovered that semi-annual tax collections would require the County to hire more employees and cost the County more money.

It was noted that the reason this is done in other jurisdictions is because a low cash flow would necessitate borrowing money.

Mr. Mahone noted that after reviewing material presented by the staff on this matter, it would cost considerably more money and he was against it.

Mr. DePue said that he is interested in semi-annual tax collection because he felt that the extra costs could be offset by additional interest income for the County.

Mr. Taylor interjected that he felt that the Board should not be interested in additional income for the County arrived at in this manner. His interest is helping keep as much money as possible in the hands of the taxpayer.

Mrs. F. Waltrip, Commissioner of Revenue, said that taxes are collected and due at times set by the State of Virginia.

Mr. DePue then brought up the subject of a recent Times-Herald article which described how a teenage boy helped the police uncover negligence in enforcing the law against sale of alcoholic beverages to minors. Mr. DePue wished to commend the Police Department. He said that he would attend the Public Hearing on this case and speak in favor of suspending the licenses of convenience stores found guilty.

I. REPORTS TO THE COUNTY ADMINISTRATOR

Mr. Oliver requested that the Board have an Executive Session for a legal briefing and to consider a real estate matter.

Mr. Oliver then requested the members of the Board to look at a map he displayed of the area around Lake Powell Road. He said that this area had been included in Phase III of the water projects the Board had considered several weeks ago. However, this project had been deleted from those approved.

Since then, the Health Department has conducted a survey and found that over 60 percent of the shallow wells and some of the deep wells have been contaminated with coliform bacteria on Lake Powell Road.

Mr. Oliver also wanted to point out to the Board that a \$40-million dollar life care facility is presently being planned for this area. For these reasons, he is desirous of initiating engineering work for a 12-inch line in this area.

A discussion about the feasibility and need for such a project followed.

Upon further discussion, it was decided to continue the matter until the next Board meeting on March 8, 1982.

AAJ937

J. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone made a motion to go into Executive Session at 5:55 P.M. to consider a real estate and a legal matter according to Section 2.1-343 (2) (6) of the Virginia Code 1950 as amended. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

The Board reconvened into Public Session at 6:15 P.M. and Mr. Frink, the Chairman, called the meeting back to order.

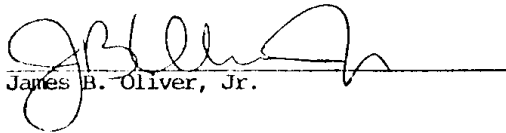
Mr. Edwards announced that he had a nominee from the Berkeley District for the Clean County Committee. Mr. George T. Parthing of 118 Stanley Drive was nominated. On roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

Mr. Mahone then made a motion to reappoint Mr. James F. Kenney to the Youth Services Advisory Board. His term had expired, Mr. Mahone said, but he is willing to serve again. On a roll call, the vote was AYE: (5) Frink, DePue, Edwards, Mahone, Taylor. NAY: (0).

Mr. DePue moved for adjournment.

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

The meeting ADJOURNED at 6:25 P.M.


James B. Oliver, Jr.