

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA HELD ON THE TWELFTH DAY OF APRIL, NINETEEN HUNDRED EIGHTY-TWO AT 5:00 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  
 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  
 John E. McDonald, Assistant to the County Administrator

B. WORK SESSION

The Board members recessed at this time for a work session on the Comprehensive Plan, and at 7:30 P.M. met formally for the regular meeting.

C. MINUTES

Mr. Edwards made a motion to approve the minutes of the meeting of March 22, 1982. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

1. May as National School Guidance Week

Mr. Frink read this proclamation to the Board and then moved that it be approved. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

PROCLAMATION

NATIONAL SCHOOL GUIDANCE WEEK

WHEREAS, PUBLIC AND PAROCHIAL SCHOOLS EMPLOY SCHOOL COUNSELORS TO ASSIST YOUNG PEOPLE IN UNDERSTANDING THEMSELVES, SETTING REALISTIC GOALS AND MAKING DECISIONS CONSISTENT WITH THEIR INTERESTS, ABILITIES AND CAREER OBJECTIVES, AND

WHEREAS, SCHOOL COUNSELORS HELP PARENTS AND STUDENTS THROUGH MANY OF THE PROCESSES LEADING TO FURTHER EDUCATIONAL PREPARATION, ENTRY INTO THE WORLD OF WORK AND SPECIAL CONCERNS, AND

WHEREAS, COUNSELORS SERVE AS A VITAL LINK BETWEEN STUDENTS, PARENTS AND EDUCATIONAL PROGRAM OF THE SCHOOLS, AND

WHEREAS, COUNSELORS WORK WITH STUDENTS INDIVIDUALLY AND IN GROUPS TO IMPROVE ATTITUDES, BEHAVIOR, AND INCREASE MOTIVATION TOWARD SUCCESS IN SCHOOL, AND

WHEREAS, THE SCHOOL GUIDANCE TEAM HELPS STUDENTS CLARIFY THEIR GOALS, PLAN A PROGRAM OF STUDIES DESIGNED TO REACH THAT GOAL AND USE THE RESOURCES OF THE SCHOOL AND COMMUNITY WISELY, AND

THEREFORE, I, ABRAM FRINK, JR., CHAIRMAN OF THE BOARD OF SUPERVISORS, COUNTY OF JAMES CITY, VIRGINIA DO HEREBY PROCLAIM THE WEEK OF MAY 3-7, 1982 AS NATIONAL SCHOOL GUIDANCE WEEK.

2. May as Senior Citizens Month

Mr. Frink read this proclamation to the Board also, and he then moved that it be approved. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

P R O C L A M A T I O NSENIOR CITIZENS MONTH

WHEREAS, the diligence and foresight of dedicated and loyal Senior Citizens have contributed markedly to the progress of James City County; and

WHEREAS, many persons over the age of 60 (sixty) are still contributing their time and talents for the benefit of their communities; and

WHEREAS, above all, Senior Citizens are special people whom James City County needs; and

WHEREAS, the Board of Supervisors of James City County hereby proclaims the month of May, 1982 as:

SENIOR CITIZENS MONTH

for James City County.

E. PUBLIC HEARINGS1. Case No. Z-1-82. Lake Toano Estates, Ltd.

Mr. Henry Stephens presented this matter before the Board of Supervisors. He said that Case No. Z-1-82 and the following Case No. Z-2-82 were related. Mr. Stephens spent some time describing the area with regard to its physical features and boundaries and then explained the reasons why the Planning Commission recommended the rezoning from A-1 to R-1. He said that the proposed development was compatible with existing development in the other section of Lake Toano; the development in this area is more in keeping with what is expected in an R-1 area rather than an A-1, and finally the R-1 development proposed is consistent with the intended uses for this area as designated by the Land Use Element of the James City County Comprehensive Plan.

Mr. Frink then opened the public hearing.

The first speaker was Janice Sheffield who brought a petition in opposition to the proposed rezoning of Lake Toano Estates, Ltd. Mrs. Sheffield said that the majority of persons were opposed to the rezoning. She added that the reason she bought a home in this area was because it was zoned A-1. Mrs. Sheffield did not live in the area under question but she was concerned that if this contiguous area was rezoned to R-1 it would only be a short time before efforts would be made to rezone the area her property on Church Lane near the Lake Toano entrance road where she lives. She was also concerned that higher taxes would result from the rezoning.

Mr. Mahone asked her if the signatures on the petition were from residents in the immediate area, and she replied that the petition was signed by people living in all part of the County and the City.

Gladys Cowan who lives on Church Lane spoke next. Her property is on Church Lane close to the property under consideration and she owns two lots in Lake Toano. She said that she is opposed to the rezoning as they prefer to see the neighborhood remain A-1.

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Mr. Frink then recognized Mr. Dale Skinner who said he bought the first lot in the development of Lake Toano Estates. He wanted to point out that the residents of Church Lane do not live in the subdivision requesting the zoning change. He said that when he bought the property, he was under the impression that it was zoned R-1 not A-1. He has built three homes in this area and feels that the change in zoning would protect his investment.

Mr. Gene Pietrowski, owner of lots 28 and 29 of Lake Toano Estates, moved here from Hampton, and he also was under the impression that the property was zoned R-1. He said that the County would benefit in a number of ways by the rezoning, one of which would be an increase in the tax revenue.

Mr. John J. Hamparian, the owner of Lot 31 and several others in the subdivision, also remarked that he had been under the impression that his lots were zoned R-1. He said he never would have purchased them had he realized that they were zoned agricultural. He added that he does not feel that the rezoning of Lake Toano should have any influence on Church Lane, the street leading into the subdivision.

Mrs. Patricia Stubblefield, a home owner in Lake Toano, (they live on lot 23) said that they have been living in Lake Toano a number of years; they made sure about the zoning when they bought their lot because they wanted agricultural zoning.

Mr. Bruce Pierce, a citizen who resides in James City County, mentioned to the audience that it pays to do research before buying property. By consulting with the Planning Department, a buyer can save himself a lot of heartache according to Mr. Pierce.

Mr. Frink then closed the Public Hearing.

Mr. Taylor said that when he ran for the office of Supervisor, it was his intention to keep all of James City County zoned A-1 or to do away with zoning entirely because it is his belief that people should be able to do what they wish with their property. Mr. Taylor added that you can't please everybody and it appears that the majority of people in the Lake Toano area were against the rezoning. He then made a motion to deny the developer's request to rezone this property from A-1 to R-1.

Mr. DePue noted that if the property were rezoned, the "grandfather clause" would come into effect whereby any uses active at the time of rezoning could continue in operation.

Mr. Edwards asked the question about the two sections of Lake Toano being considered (Agenda Items E-1 and E-2) "Would it be advisable for both sections to be zoned the same?" Mr. Stephens, Acting Planning Director, replied that the Planning Commission saw Lake Toano as a single community; the lot sizes are similar to those in R-1 districts and the department recommends that both sections be zoned R-1.

Mr. Mahone asked if the covenants for Lake Toano were enforceable, and Mr. Morton, County Attorney, referred this question to Mr. Mayer Sarfan, attorney and the developer of Lake Toano. Mr. Sarfan said that he was somewhat amazed about the omission of a prohibition against the raising of livestock. He said he proposed to correct this in the Z-1-82 area.

Mr. Mahone asked if we can expect people to live by these covenants? Mr. Morton replied that some live by them and some don't.

Mr. DePue reiterated what Mr. Stephens had already pointed out that in Z-1-82 there are as yet no individual lot owners as in the case of the next agenda item, Z-2-82. He felt that the Board should hear the developer and allow him to develop his property the way he thinks fitting.

On a roll call, the vote to deny was as follows: AYE - Frink, Mahone Taylor (3). NAY - DePue, Edwards (2).

2. Case No. Z-2-82. Lake Toano, Section A and B.

Mr. Stephens presented this matter to the Board. He said that in this area development has occurred, and the situation is different from when A-1 was placed on the property. For this reason, the Planning Commission has recommended changing the zoning from A-1 to R-1.

Mr. Edwards asked if the case was a weaker case for rezoning now that the Z-1-82 case for rezoning was denied. Mr. Stephens indicated that this was probably true.

Mr. Taylor then made a motion to deny this request for rezoning. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

3. Proposed FY 1983 Budget

Mr. McDonald introduced this item. He said that he had brought some alternatives to Mr. Taylor's suggestions concerning the proposed budget. Mr. McDonald then circulated these to those who wished to have copies.

Mr. Taylor said that the purpose of his proposal is to reduce the County tax rate.

Mr. Frink then opened the Public Hearing.

Mr. Louis Vosteen, a resident of James City County, said that he did not agree with the proposal to reduce the tax rate by four cents. He noted that this would hurt the schools, recreation and other things. He feels that the money has been well spent and that the budget should be maintained at the level it is now. Mr. Vosteen said that it might be advisable to increase the tax rate in order to reinstate certain things that have been cut from the budget.

Mr. Wesley Sheldon of Toano was the next speaker. Mr. Sheldon is in the lumber business and he stated that these are critical times for business people. A lot of businesses are failing and this will affect the tax rate in James City County. He also thinks that poor economic conditions throughout the country will affect the tourist trade in this area. He requested that the County slow down in the area of capital improvements.

Mr. Harold Poulsen, a citizen of James City County, read some notes he had prepared which pointed out the necessity of slowing down spending for capital improvements.

Mr. Poulsen is not in favor of spending surplus funds for capital improvements. It is his feeling that these funds should be reprogrammed into future operating funds. He questioned the wisdom of building new facilities which will require operating funds when we can almost be positive that these funds will be difficult to procure in the future.

Dr. Gordon D. Bell, Director of the James City/Williamsburg Health Department spoke next on behalf of public health services and facilities. He pointed out that during his four years of directorship, there has been an increase in the quality and quantity of services rendered to an ever-growing population with no increase in the total salary costs for the people rendering these services. He made a plea for the contemplated human services building because he said their present facilities are completely inadequate.

Dr. Bell noted that the proposed budget contains monies for clinics to work toward lowering the rate of teen-age pregnancies, the high illegitimacy rate in the county and venereal disease. In parting, Dr. Bell extended an invitation to the members of the Board to visit the present facility and judge for themselves concerning its shortcomings.

Mr. Robert R. Perry, Executive Vice President of the Williamsburg Area Chamber of Commerce, was the next speaker. His concern was the Comprehensive Water Plan for the County. He feels that orderly development of the County requires an efficient water system. He noted that at present the water system is fragmented, but a uniform policy should be adopted which will help the County control its future growth.

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Mr. Perry pointed out that water is like land--"They are not making any more of it." He said that in his opinion, water is going to become one of the most important products in our nation.

He said that the reason he was stressing this subject to the Board was that improvements in the James City County water supply will cost less today than tomorrow.

Mr. George Marston of Norfolk spoke in favor of Mr. Taylor's recommendation concerning the proposed County Budget. Mr. Marston said he was in favor of cutting down on the growth of County government.

Mr. Joe Cottrell of Toano said that he wished to touch upon something Mr. Sheldon had said previously concerning businesses in the County. He said that we are facing hard times. He said that he was in favor of Mr. Taylor's proposal. He felt that the County should hold the line and guard against expansion.

Mr. Arthur Hoar of Toano said that he supports a tax cut. He said that in his opinion there are a lot of things such as Cablevision that could be cut from the budget and nobody would be hurt.

Mrs. Elly M. Hippe spoke as a representative of the Retired Senior Volunteer Program. She wanted to thank James City County for its support in years gone by and to request their help in the coming year in order to keep their programs viable.

Mr. Gerald Otey, a resident of Chickahominy Haven, said that many government programs are very good if the taxpayers can afford them. Mr. Otey pictured himself as an "endangered species" in James City County due to the fact that, as he expressed it, he is being taxed out of existence. Mr. Otey said that according to the County the average homeowner's tax bill will be about 8 percent higher this fiscal year. On the other hand, Mr. Otey claimed, his bill appears to be about 80 percent higher than before.

At this point, Mr. Oliver pointed out to Mr. Otey that he does have the privilege of putting his case before the Board of Equalization for a hearing on his real estate assessments. Mr. Oliver added that Mr. Otey is welcome to his office also for a discussion on his assessments.

Mr. Bruce Pierce of Kingsmill was the next speaker. Mr. Pierce talked about raising teachers' salaries. He noted that the Governor has made public announcements in favor of this, but Mr. Pierce wonders where the money will come from? He thinks James City County should take an example from York County and find out how many people use our educational system. He added that if we over-tax our real estate base, new business may be discouraged from coming into the County.

Mr. Charles Dozier, a farmer of James City County, announced that five well-established County businesses had recently declared bankruptcy. He further noted that farmers are unable to obtain operating capital this year and that the building business is practically destroyed. He was in favor of lowering the tax rate.

Mr. Frink then closed the Public Hearing on the subject of the proposed 82-83 FY budget.

#### 4. Low-Income Winterization Assistance Program

Ms. Jan Rountree, Director of Community Development, made a presentation on this item to the Board. The matter concerned an application to the Virginia Association of Community Action Agencies (VACAA) for funds in the amount of \$9,626 to be used in the Forest Glen and Grove Community Development Project Areas for winterization of homes for low-income residents of these areas.

Mr. Frink opened the Public Hearing. As there were no speakers, the Public Hearing was closed.

Mr. Mahone asked if the money involved here came from the Federal or State governments. Ms. Rountree replied that it is Federal money being channeled through the State.

Mr. Mahone also asked if other low-income families could apply for this kind of assistance. Ms. Rountree told him that assistance in this application will be restricted only to those areas named in the application; namely, Forest Glen and the Grove community.

Mr. Taylor asked who would be doing this kind of winterization work and would it cost the County money. Ms. Rountree replied that the work will be performed by the private sector and no County funds will be used. However, it will be supervised by the Department of Community Development.

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

#### RESOLUTION

##### LOW-INCOME WINTERIZATION PROGRAM

WHEREAS, the Energy Conservation and Production Act of 1976, as amended provides James City County, Virginia, with assistance in the form of Low-Income Winterization Funds to carry out eligible winterization activities under said act; and

WHEREAS, the Board of Supervisors of James City County, Virginia, has caused to be prepared a Winterization application for the full amount of funds to which the County is entitled; and

WHEREAS, the Board of Supervisors has reviewed said application and has held a public hearing on the Winterization Program to assure citizen participation and comment with regard to the development of program activities;

THEREFORE, BE IT RESOLVED that the Board of Supervisors as follows:

1. They hereby approve the Winterization Program for James City County, Virginia, as represented by the activities set forth in the application.
2. The County Administrator is authorized and directed to file such applications, including all understandings and assurances contained therein with the Virginia Association of Community Action Agencies, Inc. and to execute the necessary agreements and contracts.
3. The County Administrator is hereby designated as the authorized representative of James City County, Virginia, and is directed to act as such representative in connection with the application and to provide such additional information as may be required.

##### 5. Proposed Revision to Sign Ordinance

Mr. Morton explained that this item was on the agenda due to an error as it rightfully should have been considered by the Planning Commission before presentation at a Board Public Hearing. Mr. Morton explained that due to a recent Supreme Court decision, some of the guidelines in our sign ordinance needed clarification. Since this is part of the zoning ordinance, Mr. Morton said, it will be necessary for the Planning Commission to make a recommendation.

Mr. Frink opened the Public Hearing but no one wished to speak in favor or against the matter so the hearing was closed until such time as the Planning Commission acts and sends the proposed revision back to the Board.

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6. Proposed Amendment to Dog Ordinance

Mr. Morton also presented this matter to the Board. He said that the County had extended the dog restrictions to mobile home parks and subdivisions where the lots are one acre or less, but somehow when the ordinance was written it stated lots of one acre or "more." The intention is to restrict dogs from running at large in subdivisions.

Mr. Taylor said that he couldn't see how such a law could be enforced as it would be quite a simple thing for a dog who is in an unrestricted area to walk into a restricted area.

Mr. Mahone interjected that the Animal Control Office will put a dog trap on property where there have been complaints.

Mr. Frink then opened the public hearing.

Mr. John Dayton of Kingspoint said that he is distressed by the way the leash law operates. He said that he felt that the kind of ordinance which the County needs is one that can be invoked only in cases where there is a problem. He stated that it costs \$40 to redeem a pet that has been picked up by the dog warden, and he felt that this was quite expensive.

Mr. Dayton said that he was not prepared to make any firm recommendations but he felt that the animal control officers should go out mostly in response to complaints.

Mr. Edwards noted that the Board was considering a minor change in the ordinance, and he felt that at present the Board should conclude this business and at a later date consider alternative means for dog control.

Mr. DePue moved in favor of the amendment to the dog ordinance. On a roll call, the vote was AYE: Frink, DePue, Edwards (3). NAY: Mahone, Taylor (2).

ORDINANCE NO. 7A-7

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, ANIMALS AND FOWLS, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING ARTICLE II, DOGS, TO REMOVE THE RESTRICTION FOR ANIMALS RUNNING AT LARGE.

BE IT ORDAINED by the Board of Supervisors of James City County, Virginia that Chapter 3, Animals and Fowl, Article II, Dogs of the Code of the County of James City, be and the same is hereby amended by amending Section 3-8 of the Article to remove the one acre or more restriction so as to increase the scope of coverage.

CHAPTER 3

ANIMALS & FOWL

ARTICLE II. DOGS

Section 3-8, Running at Large Prohibited Within Subdivisions; Penalty for Violation.

It shall be unlawful for the owner or custodian of any dog, to allow such dog to run at large at any time within any area of the County, except those areas zoned A-1, Agriculture, General, and A-2, Agriculture, Limited. This exception does not apply in the A-1 and A-2 areas when a portion or portions of these areas have been subdivided into five or more contiguous lots of one-acre or more and at least three such lots are occupied by approved, completed dwellings. Neither does this exception apply to mobile home or trailer parks in A-1 and A-2 areas. Such dog shall be on a leash or under the immediate control of the owner or custodian.

The provisions of Subsections (b) and (c) of Section 3-7 pertaining to confinement and disposition shall be likewise applicable to this Section.

For purposes of this Section "at large" shall be taken to mean off the premises of the owner and not under the control of the owner, his agent or the custodian of the dog, either by a leash, cord or chain; provided, however, that a dog shall not be considered at large if during the hunting season it is on a bonafide hunt in the company of a licensed hunter or during field trails or training periods when accompanied by its owner or custodian.

It shall be the responsibility of owners or custodians of dogs which would be residing outside one of the areas covered by this Subsection, i.e., in an unrestricted A-1 or A-2 area, to refrain from permitting such dogs to roam in the areas covered by this Subsection.

7. Proposed Amendment to the Administration Ordinance

Mr. Morton explained that this is a "housekeeping" amendment created in order to clarify any misunderstanding with regard to the meeting place for the Board of Supervisors. Chapter 2, Administration, Article 3, Board of Supervisors, Section 208, Meetings - states that "Board of Supervisors (meetings) shall be held at the County Courthouse. . ." This amendment changed the word "Courthouse" to "Government Center" or any other site designated by the Board of Supervisor's.

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

ORDINANCE NO. 55A-4

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING THE FOLLOWING DIVISION OF ARTICLE 3, BOARD OF SUPERVISORS: SECTION 2-8, MEETINGS.

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BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 2, Administration, of the Code of the County of James City be and the same is, hereby, amended and reordained by amending the following division of Article 3: Section 2-8, Meetings.

CHAPTER 2

ADMINISTRATION

Article 3, Board of Supervisors

Section 2-8, Meetings.

Annual, semi-annual and regular meetings of the Board of Supervisors shall be held at the County Courthouse Government Center, 101-C Mounts Bay Road, Williamsburg, Virginia unless an alternate site is designated by resolution of the Board.

8. Case No. SUP-1-82. Law Enforcement Center Radio Communications Tower

Mr. Stephens presented this matter to the Board. He explained that the 70-foot tower proposed for the Law Enforcement Building is 10 feet higher than the maximum allowed by law. For this reason, it is necessary to obtain a Special Use Permit to proceed with construction. It was noted that there are tall trees between Route 5 and the tower, and the County has been assured that the tower will not cause interference with nearby radios and televisions.

Mr. Stephens said that the Planning Commission had recommended approval with several conditions. One was that the tower must comply with all local, State and Federal regulations as to construction and use, also that the development of the tower will be controlled by the site plan review process and finally, the County must take all reasonable actions to eliminate any interference with electronic equipment of neighboring residents.

The Board members had several questions with regard to interference with radios and televisions and Mr. Stephens replied that the County has been assured by the contractors that there will not be any.

Ms. Burcham, Assistant to the County Administrator, stated that these assurances were part of the contract for the tower's construction.

Mr. Frink opened the Public Hearing. There were no speakers so the Public Hearing was closed.

Mr. DePue moved for approval of the recommendations for SUP-1-82. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

Recommendations:

1. Compliance with all Local, State and Federal regulations involved in the construction and use of the tower.
2. Development of the tower will be controlled by the site plan review process.
3. James City County shall take all reasonable actions to eliminate any interference on nearby properties to television, radio or other signals caused by the erection or use of the tower.

F. CONSENT CALENDAR

Mr. Frink asked if anyone wished to remove an item from the Consent Calendar. The Board members wished it to remain intact so Mr. Frink made a motion to approve these items. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

1. Setting Public Hearing Date - Demolition Land Clearing and Construction Wastes  
May 10, 1982
2. Setting Public Hearing Date - Bluegrass Festival - B & G Productions, Inc.  
May 10, 1982
3. Setting Public Hearing Date - Proposed Solicitation Ordinance  
May 10, 1982
4. Setting Public Hearing Date - Handicapped Parking Space Ordinance  
May 10, 1982
5. Poultry Claim - Mr. Mack H. Banks

R E S O L U T I O N  
P O U L T R Y C L A I M

WHEREAS, the poultry claim of Mr. Mack H. Banks has been investigated and found to be valid; and

WHEREAS, the value of poultry destroyed has been estimated to be:

3 chickens at \$3.50 each = \$28.00;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mr. Mack H. Banks \$28.00 for poultry destroyed.

6. Poultry Claim - Ms. Jo Ann Gilley

R E S O L U T I O N  
P O U L T R Y C L A I M

WHEREAS, the poultry claim of Ms. Jo Ann Gilley has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

7 geese at \$7.50 each = \$52.50;

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Ms. Jo Ann Gilley \$52.50 for poultry destroyed.

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

Applicant:	Busch Entertainment Corp.
District:	Roberts
Zoning:	M-1, Limited Industrial
Permit Term:	Expires October 12, 1982
Further Conditions:	None

8. Longhill Construction Fund's Contribution for Route 60 West

R E S O L U T I O NRoute 60 West Water Construction

WHEREAS, the Longhill Construction Fund of the James City Service Authority has paid James City County \$84,000 for funding of the Route 60 West Water Construction project in lieu of paying the contractor directly,

NOW, THEREFORE BE IT RESOLVED, by the Board of Supervisors of James City County that \$84,000 in funding provided by the Longhill Construction Fund of the James City Service Authority be appropriated for the Route 60 West Water Construction project.

G. BOARD CONSIDERATIONS

1. Tennis Court Repairs

Calvin Cross, Recreation Coordinator, presented this matter before the Board. He explained that the County is requesting approval from the Board to use \$13,500 from the Recreation Improvement Fund to resurface the tennis courts at the Norge and Rawls Byrd Primary Schools.

He said that the courts are in poor shape due to lack of maintenance, but he has been assured by contractors that they can be restored to good playing condition. Mr. Taylor asked if this work was going to be put out for bids and Mr. Cross replied that it was.

Mr. Mahone asked if the courts were for public use and Mr. Cross told him that they would be available after school hours. Mr. Mahone also asked if it was necessary to sign up for their use and he was told that they are used on a first-come first-served basis.

Mr. Edwards noted that the price is reasonable if the courts can be made usable once more, and he made a motion to approve the resolution which authorizes money for resurfacing.

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

RESOLUTIONTENNIS COURT REPAIR

WHEREAS, the Board of Supervisors has acknowledged the need for recreational facilities by the establishment of the Recreation Improvement Fund; and

WHEREAS, the tennis courts at the Norge and Rawls Byrd Primary Schools have received many hours of playing time by the public and are in need of repair in order to remain playable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorize expenditure of \$13,500 from the Recreation Improvement Fund to repair and resurface the tennis courts at the Norge Primary School and Rawls Byrd Primary School.

2. Court Services - Juvenile Detention

Mr. McDonald, Assistant to the County Administrator presented this matter to the Board. He said that the County rents facilities for juvenile detention while these youth are awaiting trial. He said that the cost for renting these facilities from Newport News and Richmond has increased and there is a need to authorize transferring \$4,000 from contingency to cover the County's expected expense for this item.

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

RESOLUTIONTRANSFER OF CONTINGENCY FUNDS - JUVENILE DETENTION

WHEREAS, James City County has been subjected to an unexpected increase in activity requiring the detention of juveniles and increases in fees assessed by jurisdictions with detention facilities suitable for juveniles;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the transfer of \$4,000.00 from General Fund Contingency to the Court Services Unit to provide funds for the purpose of paying for juvenile detention services.

H. MATTERS OF SPECIAL PRIVILEGE

None.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver requested that the Board at the appropriate time hold an Executive Session to discuss a personnel matter.

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J. BOARD REQUESTS AND DIRECTIVES

Mr. DePue had some concerns about the C & O bridge in the Mooretown area. This bridge is not being properly maintained by the railroad which owns it. Mr. DePue asked the County staff to please write the C & O Railroad to let them know we are aware of the poor condition of the bridge and would like them to send us copies of their last safety inspections. He also would like the County to get some estimates on how much it would cost to rehabilitate this bridge for safe use by County residents.

Mr. Frink moved that the Board convene into Executive Session pursuant to Section 2.1-344.(a)(1) of the Code of Virginia 1950 as amended. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

At 10:50 P.M., the Board reconvened into Public Session. At this time Mr. Edwards made the following nominations to the Parks and Recreation Commission:

Dr. Dwight Malone, 108 Richard's Patent for a two-year term  
 Mr. Harry D. Knight, 57 Winster Fax, for a three-year term  
 Mr. Joel C. Whitley, 1238 Mt. Vernon Avenue, for a one-year term  
 Mrs. M. J. Archer, 103 Canhan Road, for a three-year term  
 Mr. Harry Marchant, 154 Nina Lane, for a one-year term  
 Mr. Shade Palmer, P. O. Box 792, for a three-year term  
 Mr. Barry Fratkin, 124 W. Kingswood Drive, for a two-year term.

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

Mr. Frink nominated Mr. Cloyd Fowlkes, 134 Railroad Street, for membership on the Grove Citizens Advisory Committee.

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

Mr. Frink also nominated Ms. Jan Rountree to replace Ms. Darlene Burcham on the Community Action Agency Board of Directors.

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

Mr. Taylor then made a motion for the Board to adjourn. On a roll call, the vote was AYE: Frink, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

At 10:56 P.M., the Board ADJOURNED until April 19 for a scheduled public hearing on the budget.



James B. Oliver, Jr.