

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

A. ROLL CALL

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

1. June 27, 1983
2. July 1, 1983

Mr. Frink made the motion to approve the Minutes of June 27, 1983 and July 1, 1983.

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

C. PUBLIC HEARINGS

1. Case No. SUP-12-83. Irving M. Stewart

Mr. Orlando A. Riutort, Director of Planning, presented this matter recommending approval of the Resolution granting a Special Use Permit, with conditions, to Mr. Stewart.

Mr. DePue opened the public hearing. There being no one wishing to speak, he closed the public hearing.

Mr. Taylor made the motion to approve the Resolution.

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

R E S O L U T I O N

SPECIAL USE PERMIT

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

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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. Irving M. Stewart
Real Estate Tax Map ID:	(10-2)
Parcel No.	(1-1)
District:	Stonehouse

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Zoning:	A-1, General Agricultural
Permit Term:	The mobile homes may be replaced with other mobile homes under this special use permit provided all conditions stipulated below are met. If a mobile home is removed from the property for a period longer than one year, then this permit shall become void for that unit. To replace a mobile home after the permit has expired, a new permit would be required and that permit would be subject to the regulations in effect at that time.
Further Conditions:	The mobile homes must be skirted and spaced at least 75 feet apart and meet the requirements of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations.

2. Case No. SUP-13-83. Cleveland Johnson, Sr.

Mr. Riutort presented this matter to the Board recommending approval of the Resolution granting a Special Use Permit, with conditions, to Mr. Johnson.

Mr. DePue opened the public hearing. There being no one wishing to speak, he closed the public hearing.

Mr. DePue made the motion to approve the Resolution.

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

R E S O L U T I O N

SPECIAL USE PERMIT

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

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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. Cleveland Johnson
Real Estate Tax Map ID:	(21-4)
Parcel No.	(1-8)
District:	Stonehouse
Zoning:	A-1, General Agricultural
Permit Term:	The mobile home may be replaced with another mobile home under this special use permit provided all conditions stipulated below are met. If the mobile home is removed from the property for a period longer than one year, then this permit shall become void. To replace the mobile home after the permit has expired, a new permit would be required and that permit

would be subject to the regulations in effect at that time.

Further Conditions: The mobile home must be skirted and meet the requirements of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations.

3. Case No. Z-5-83 Amendments to Section 20-2, Section 20-88.1, and Section 20-96.1

Mr. Riutort presented this matter to the Board stating that these amendments were the direct result of a recent controversy involving an interpretation of the Zoning Ordinance and are recommended by both the Planning Commission and the Zoning Administrator to clarify the ordinance. He stated that the Planning Commission recommended the adoption of the amendments by a 6-3 vote at its May 24, 1983 meeting. He concurred with this recommendation.

Mr. DePue asked if truck stops would be prohibited in the A-1 districts.

Mr. Mahone replied that an applicant would have to request a rezoning of the property in A-1 to M-1 or M-2 with a special use permit to develop a truck stop.

Mr. Morton stated that a request for a rezoning and special use permit can be done at the same time.

Mr. Taylor asked if trucks over 10,000 pounds gross weight would be prohibited in the A-1 district. He stated that some farm trucks weigh over 10,000 pounds.

Mr. Morton responded that one of the issues the staff considered while preparing the definitions was not to come up with a definition that would make all gas stations in the County non-conforming. He stated that the gas stations would have to be designed for large trucks and be able to service three at the same time.

Mr. Edwards asked why the staff chose M-1 and M-2 as the districts truck stops would be permitted in.

Mr. Riutort replied that the M-1 and M-2 zones already allowed truck terminals, a related activity. The stated intent of the B-1 zone was to discourage heavy truck traffic.

Mr. DePue opened the public hearing.

Mr. Walter J. Scruggs, Stonehouse District, requested that the proposed amendments be read because he did not receive a copy, after which he would comment on them.

Mr. Riutort read the proposed amendments to the ordinance.

Mr. Scruggs stated that the vote by the Planning Commission was not unanimous, and that some of them felt that this was not the time to add a new section to the County Zoning Ordinance because of the study of the Zoning Ordinance now being conducted by Mr. Jack Stodghill. He stated that his list of the gasoline service stations in the County indicate that the majority are located in the B-1 district. He requested the Board to look at the proposed amendments again and not adopt an emotional ordinance that would affect the small businesses in the County at this time.

Mr. William Brown, Roberts District, stated that the M-1 and M-2 districts were not good locations for truck stops, but that the A-1 district would be the district for locating truck stops. He felt that the apparent purpose of the amendments was to eliminate truck stops, not control them.

Mr. DePue closed the public hearing.

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Mr. Edwards stated that the amendments to the ordinances were not proposed to do away with truck stops but rather to provide regulations as to where and under what circumstances they should be developed. He stated that if a truck stop was requested to be developed in the A-1 district, that the Board has in the past passed a rezoning and special use permit at the same time. He then moved for the approval of the amendments to the three sections of the ordinance.

Mr. Frink clarified the issue that just because a service station had three diesel pumps it is not a non-conforming service station.

Mr. Mahone stated that the Planning Commission did discuss that at the appropriate time, when the Zoning Ordinance was reviewed, it could be changed at the interchanges of the interstate highway to provide industrial zoning and a good atmosphere for truck stop uses.

Mr. Taylor stated that he would not support the amendments to the ordinance because he desired to see the uses remain the same as in agricultural zones.

Mr. DePue asked Mr. Riutort to relate any circumstances under which a couple driving a tractor trailer truck through James City County could not stop, park and eat.

Mr. Riutort replied that if the couple parked their truck on the highway right-of-way they would be subject to receiving a ticket for doing so.

Mr. DePue stated that he did not see where a service station with three diesel pumps is prohibited under this proposed ordinance, nor would it be illegal to fuel a tractor trailer truck in the County at a local service station. He stated that the purpose of zoning is to control not prohibit development in the County. He stated he would support the amendments.

On a roll call on Mr. Edwards' motion, the vote was AYE: DePue, Frink, Edwards, Mahone (4). NAY: Taylor (1). The motion passed by a 4-1 vote.

ORDINANCE NO. 31A-76

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE I, IN GENERAL, SECTION 20-2, DEFINITIONS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, that Chapter 20, Zoning, of the Code of the County of James City, Article I, In General, Section 20-2, Definitions, is hereby amended and reordained.

CHAPTER 20

ZONING

Article I, In General

Section 20-2. Definitions

AUTOMOBILE. A motor vehicle designed to transport property and/or passengers on its own structure and having a gross registered weight of ten thousand pounds or less. Automobile is inclusive of "passenger car," "pick-up truck," "panel truck," and "van."

AUTOMOBILE AND GASOLINE SERVICE STATION. A facility for fueling, minor repairs and maintenance of automobiles. An automobile or gasoline service station may include no more than four enclosed service bays for maintenance and minor repair of automobiles and may also include retail sale of lubricants, tires, batteries and similar accessories.

TRUCK. A motor vehicle designed to transport property on its own structure or to transport property on a trailer drawn by it. Truck is inclusive of "tractor trailer vehicle," "tractor truck" and "road tractor" and has a registered gross weight in excess of ten thousand pounds.

TRUCK STOP. Any facility offering for sale fuel for commercial vehicles, trucks and automobiles and constructed and designed to enhance maneuverability and fueling of tractor trailer vehicles by the contouring of curbs and aprons, the placement and design of fuel pump islands or other such design criteria. In addition, a truck stop shall have the capability to fuel three or more tractor trailer vehicles at the same time and/or parking facilities for three or more such vehicles. The facility may include provisions for one or more of the following: repairs or maintenance of commercial vehicles and trucks; sleeping accommodations for commercial vehicle or truck crews; sale of parts and/or accessories for commercial vehicles or trucks; or a restaurant.

TRUCK TERMINAL. A storage facility for the unloading, transferring and storing of goods and materials being transported by truck. A truck terminal may include facilities for the repair and servicing of trucks.

ORDINANCE NO. 31A-77

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE IV, DISTRICTS, DIVISION 9, INDUSTRIAL, LIMITED, DISTRICT M-1, SECTION 20-88.1, USES PERMITTED BY SPECIAL USE PERMIT ONLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, that Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 9, Industrial, Limited, District M-1, Section 20-88.1, Uses Permitted by Special Use Permit Only, is hereby amended and reordained.

CHAPTER 20

ZONING

Article IV. Districts

DIVISION 9, INDUSTRIAL, LIMITED, DISTRICT M-1

Section 20-88.1. Uses Permitted by Special Use Permit Only.

In the M-1, Limited Industrial District, buildings to be erected or land to be used for one or more of the following or similar uses shall be permitted only after the issuance of a Special Use Permit by the Board of Supervisors:

- Truck stop.
 - Outdoor sports facilities.
 - Thematic parks or gardens.
 - Radio stations, television stations, transmission relay stations and communication towers which exceed 60 feet in height.
 - Petroleum storage.
 - Water impoundments for public or private use of 50 acres or more and a dam height of 25 feet or more.
 - Sanitary landfills.
 - Airports.
 - Hospitals.
 - Lodges, civic clubs, fraternal organizations, service clubs and assembly halls.
 - Funeral homes.
 - Commercial marinas, docks, piers, yacht clubs, boat basins and servicing areas for same.
 - Manufacture of furniture.
 - Manufacture and sale of glass and glass products.
 - Manufacture and storage of ice, including dry ice.
 - Manufacture, compounding, processing or packaging of food and food products, but not the slaughter of animals.
- (Ord. No. 31A-54, 6-25-79)

Public or private transmission pipelines, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids; except extensions or private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or

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proposed development, are permitted generally and without a Special Use Permit.

(Ord. No. 31A-69, 4/13/81)

ORDINANCE NO. 31A-78

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE IV, DISTRICTS, DIVISION 10, INDUSTRIAL, GENERAL, DISTRICT M-2, SECTION 20-96.1, USES PERMITTED BY SPECIAL USE PERMIT ONLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, that Chapter 20, Zoning, of the Code of the County of James City, Article IV, Districts, Division 10, Industrial, General, District M-2, Section 20-96.1, Uses Permitted by Special Use Permit Only, is hereby amended and reordained.

CHAPTER 20

ZONING

Article IV. Districts

DIVISION 10, INDUSTRIAL, GENERAL, DISTRICT M-2

Section 20-96.1. Uses permitted by Special Use Permit Only.

In the M-2, General Industrial District, buildings to be erected or land to be used for one or more of the following or similar uses shall be permitted only after the issuance of a Special Use Permit by the Board of Supervisors:

Truck stop.

Manufacture of fertilizer.

Manufacture and compounding of chemicals.

Manufacture and storage of explosives.

Crushed stone, sand and gravel mining; storage and distribution of same.

Manufacture of cement, lime, gypsum, bricks, and stone products.

Asphalt mixing plants.

Paper and pulp manufacture.

Petroleum refining.

Petroleum storage.

Radio stations, television stations, transmission relay stations and communication towers which exceed 100 feet in height.

Sewage and water treatment or purification plants.

Water impoundments for public or private use of 50 acres or more and a dam height of 25 feet or more.

Airports.

Sanitary landfills.

Electric power generating plants.

Automobile graveyards and scrap metal storage yards.

(Ord. No. 31A-55, 6-25-79)

Public or private transmission pipelines, including pumping stations and accessory storage, for natural gas, propane gas, petroleum products, chemicals, slurry coal and any other gases, liquids or solids; except extensions or private connections to existing pipelines, which are intended to serve an individual residential or commercial customer and which are accessory to existing or proposed development, are permitted generally and without a Special Use Permit.

(Ord. No. 31A-69, 4/13/81)

4. Proposed Sale of Land/Carriage Road Recreation Area

Mr. Morton presented this matter to the Board stating that Leroy and Flossie Lee Banks have agreed to pay \$570, assessed value, for a 20' strip of property now being utilized by them and likewise James and Alice B. Jimmerson have agreed to pay \$40, assessed value, for a 400 square foot parcel now being utilized by them. He recommended adoption of the Resolution authorizing the Board to execute Quitclaim Deeds.

Mr. DePue opened the public hearing. There being no one wishing to speak, he closed the public hearing.

Mr. DePue then moved for the approval of the Resolution.

Mr. Mahone asked who appraised the properties in question.

Mr. Morton replied that the County Assessor appraised the properties.

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

R E S O L U T I O N

EXECUTION OF QUITCLAIM DEEDS

WHEREAS, James City County owns two small parcels of property located in the Carriage Road Recreation Area and described further on the attached plat; and

WHEREAS, the adjacent property owners have been utilizing the property and have agreed to payment for the purchase of said property, and

WHEREAS, the Board of Supervisors on July 11, 1983 held a public hearing and determined there is no further need to retain the property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors are hereby authorized to execute the attached Quitclaim Deeds between James City County and Leroy and Flossie Lee Banks and James and Alice B. Jimmerson for the purchase of the above-mentioned property.

THIS QUITCLAIM DEED, made the 11th day of July, 1983 by and between the COUNTY OF JAMES CITY, VIRGINIA, Grantor, and LEROY and FLOSSIE LEE BANKS, husband and wife, Grantees, as joint tenants with the right of survivorship,

WITNESSETH: that for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, the COUNTY OF JAMES CITY does Quitclaim unto LEROY and FLOSSIE LEE BANKS all that property in the County of James City, Commonwealth of Virginia, described as follows:

All that certain tract or parcel of land situate in the County of James City, Virginia, consisting of two thousand, eight hundred and fifteen square feet (2,815 sq. ft.) bounded to the Northwest and West by that parcel of land owned by Leroy and Flossie Lee Banks and bounded to the Northeast and East by that parcel of land owned by the County of James City, commonly referred to as Carriage Road Recreation Park; the subject property being described and depicted on the survey prepared by Paul C. Small, Land Surveyor, a copy of which survey is annexed hereto and incorporated by reference herein.

THIS QUITCLAIM DEED, made the 11th day of July, 1983 by and between the COUNTY OF JAMES CITY, VIRGINIA, Grantor, and JAMES AND ALICE B. JIMMERSON, husband and wife, Grantees, as joint tenants with the right of survivorship.

WITNESSETH: that for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, the COUNTY OF JAMES CITY does Quitclaim unto JAMES AND ALICE B. JIMMERSON all that property in the County of James City, Commonwealth of Virginia, described as follows:

All that certain tract or parcel of land situate in the County of James City, Virginia, consisting of four hundred square feet (400 sq. ft.) bounded to the North by that parcel of land owned by James and Alice B. Jimmerson and bounded to the Southwest and South by

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that parcel of land owned by the County of James City, commonly referred to as Carriage Road Recreation Park; the subject property being described and depicted on the survey prepared by Paul C. Small, Land Surveyor, a copy of which survey is annexed hereto and incorporated by reference herein,

5. Proposed Vacation of State Route 628 (Jacobs Road)

Mr. Morton presented this matter to the Board stating that Mr. Vermillion has acquired all the property adjacent to Jacobs Road and the right-of-way has been vacated by the County and at present serves no property except Mr. Vermillion's. He recommended adoption of the Resolution with an amendment that current water and sewer easements be protected.

Mr. DePue opened the public hearing. There being no one wishing to speak, he closed the public hearing.

Mr. DePue then made the motion to approve the Resolution, as amended.

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

R E S O L U T I O N

ABANDONING A PORTION OF STATE ROUTE 628 (JACOBS ROAD)

WHEREAS, T. R. Vermillion and Patrick Henry Inn, Inc. is the owner of certain property served by a secondary road known as Jacobs Road (State Route 628), and

WHEREAS, T. R. Vermillion and Patrick Henry Inn, Inc. are desirous of having the Virginia Department of Highways and Transportation vacate a certain portion of Jacobs Road; and

WHEREAS, the Board of Supervisors has caused the proper posting, publication and notice to the State Highway and Transportation Commission of its intention to abandon the herein described portion of Jacobs Road; and

WHEREAS, the Board of Supervisors finds that no public necessity exists for the continuance of the herewith portion of Jacobs Road and that the safety and welfare of the public will be served best by abandoning the section of said road.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that they hereby agree to the vacating or abandoning of the following described portion of Jacobs Road.

All that certain road situate in the County of James City, Virginia, known as State Route 628 or Jacobs Road, which road is more particularly described as BEG. CONN. JACOBS ROAD STA. 24 + 97.14 to END CONN. JACOBS ROAD STA. 27 + 75.80 on that certain plat entitled, "State Highway 199, Project #0199 - 047-101, C-501, R/W-201, Sheet 18-F, revised 1/21/71, 3/22/71, 4/6/71," recorded in the Clerk's Office of the Circuit Court of James City County in State Highway Plat Book 4, Page 76.

Provided, however, that the State Highway Department shall reserve an easement for all water and sewer lines traversing the property being abandoned.

D. CONSENT CALENDAR

Mr. DePue asked the Board members whether they wished to have any items removed from the Consent Calendar.

Mr. Frink made the motion to approve the Consent Calendar.

Mr. DePue stated, in reference to item no. D-5. State Aid to the Williamsburg Regional Library, that the memorandum indicated that the staff was closer to the right figures than the Library Board estimated. He commended the staff for their job on the budget.

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

1. Set Public Date of August 8, 1983 for:
 - a. Case No. Z-3-83. Dr. Donald Cherry
 - b. Case No. SUP-14-83. Lois Weeks
 - c. Case No. SUP-15-83. Raymond D. New
2. Resolution of Appropriation - Croffton Park Grant

R E S O L U T I O N

CROFFTON PARK

RESOLUTION OF APPROPRIATION

WHEREAS, the Virginia Commission of Outdoor Recreation has approved the Croffton Park project for funding; and

WHEREAS, the County Board of Supervisors recognizes the need for park development in James City County, and

WHEREAS, the County Board of Supervisors supports the use of grant funds to fund the park project.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of James City County does accept the grant award, and does authorize the County Administrator to enter into the necessary agreements to receive and expend the grant funds.

AND BE IT FURTHER RESOLVED that the Board of Supervisors does appropriate the Croffton Project funds as follows:

Expenses:	
Development	\$ 339,165
Architectural and Engineering	15,000
Contingency	35,435
Revenue:	
Received from the Federal Government	\$ 194,800
Park Development CIP	194,800

3. Resolution of Appropriation - SBA Grant

R E S O L U T I O N

RESOLUTION OF APPROPRIATION

SBA GRANT

WHEREAS, the Virginia Commission of Outdoor Recreation has approved a landscape grant for James City County Recreation areas; and

WHEREAS, the Board of Supervisors recognizes a critical need for landscaping of its recreation areas and playgrounds, and

WHEREAS, grant funds are provided by the federal government to cover 100% of the project costs, while stimulating employment opportunities as prescribed by the Federal Jobs Bill (HR 98-8),

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County accepts the grant award and authorizes the County

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Administrator to enter into the necessary agreements to receive and expend funds.

AND BE IT FURTHER RESOLVED that the funds are appropriated in the amount of \$10,760 as follows:

Expenses:		
Landscaping Supplies and Labor	\$	10,760
Revenue:		
Received from the Federal Government	\$	10,760

4. Supplemental Funding

R E S O L U T I O N

APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Board of Social Services has provided a 100% funding to render additional services to the local Department of Social Services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that \$10,473 in Revenues from the Commonwealth be appropriated for supplemental services, such appropriations to be designated as carried forward appropriations beyond the fiscal year if not entirely expended.

5. State Aid to the Williamsburg Regional Library

R E S O L U T I O N

WILLIAMSBURG REGIONAL LIBRARY GRANT AID

WHEREAS, the Board of Supervisors of James City County has been advised that \$97,712 has been approved in a Grant-in-Aid by the State Library Board for the Williamsburg Regional Library for FY 1983-1984; and

WHEREAS, the Board of Supervisors of James City County must submit written approval allowing expenditure against such Grant-in-Aid to be made,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the acceptance of \$97,712 in Grant-in-Aid funds from the State Library Board for FY 1983-1984, and

BE IT FURTHER RESOLVED that the Williamsburg Regional Library be authorized and directed to comply with requirements which must be met in order to receive Grants-in-Aid, and

BE IT FURTHER RESOLVED that the County Administrator be authorized and directed to execute the Authorization of Expenditure of State Aid Funds.

COMMONWEALTH OF VIRGINIA

VIRGINIA STATE LIBRARY

RICHMOND 23219-3491

Authorization of Expenditure

of State Aid Funds

1983-1984

The city/county of James City agrees that the amount of \$97,712 in state aid may be expended by the Williamsburg Regional Library under the regulations of the State Library Board.

6. Rural Additions - Carryforward of FundsRESOLUTIONRURAL ADDITIONS - CARRY FORWARD OF FUNDS

WHEREAS, the Virginia Department of Highways and Transportation annually budgets monies for the improvement of streets in James City County which qualify for the Rural Additions Program; and

WHEREAS, the Highway Department FY 83 Budget contains a balance of \$18,984.67; and

WHEREAS, James City County intends to utilize these funds to improve certain dirt streets which qualify for 50% funding under the Rural Additions Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County requests the Virginia Department of Highways and Transportation to carry forward \$18,984.67 from the FY 83 Rural Additions Program to FY 84 to fund the Department's portion of qualifying dirt street improvements.

Mr. Taylor commented that if the Croffton Park is built, that it should named after someone who has made a contribution to the County.

Mr. Oliver stated that it was not the official name of the Park but only a geographic name.

Mr. Edwards suggested that with next year being the 350th Birthday of the County, each building in the County Complex should be named after people who have made contributions to the County.

Mr. Mahone commented that small County businesses should be invited to do the park landscaping contract. He also commented that the summer is not the appropriate time to do landscaping work, therefore a guarantee for plant life should be required.

Mr. Oliver indicated that the County had to pursue an open bid process for the landscaping contract but that the small size of the grant would probably make local bidders more competitive.

E. BOARD CONSIDERATIONS1. Case No. SUP-2-83. Frederick D. Hirsh

Mr. Riutort presented this matter to the Board stating that the Board at its May 23rd meeting requested a clarification from the Planning Commission on the interpretation of requirements placed on the plat referring to further improvements. He stated that the Planning Commission on June 28, 1983, agreed with the Subdivision Review Committee's findings that a mobile home which may stay on the property for several years and which did not require the further subdivision of Mr. Hirsh's property did not constitute further development that would require the construction of a road to VDH&T's standards. He recommended approval of the Resolution granting a special use permit to Mr. Hirsh.

Mr. Edwards made the motion to approve the Resolution.

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

RESOLUTIONSPECIAL USE PERMIT

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

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THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special 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. Frederick D. Hirsh

Real Estate Tax Map ID: (12-4)

Parcel No. (1-50B)

District: Stonehouse

Zoning: A-1, General Agricultural

Permit Term: The mobile home may be replaced with another mobile home under this special use permit provided all conditions stipulated below are met. If the mobile home is removed from the property for a period longer than one year, then this permit shall become void. To replace the mobile home after the permit has expired a new permit would be required and that permit would be subject to the regulations in effect at that time.

Further Conditions: The mobile home must be skirted, meet the requirements of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, connection to public water in a method approved by the Public Works Department, a landscaping plan must be submitted and approved to provide for adequate screening of the property owner of lot 3 from the mobile home, the mobile home being set back at least 35 feet from all property lines, structures and the street right-of-way.

2. Appropriation to Expend Anticipated Surplus Funds - Williamsburg Regional Library

Mrs. Darlene L. Burcham, Assistant to the County Administrator, presented this matter to the Board recommending approval of the Resolution authorizing the Library Board to expend up to \$5,000 of the anticipated surplus due James City County for the purchase of the identified equipment.

Mr. DePue made the motion to approve the Resolution.

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

RESOLUTION

APPROPRIATION OF SURPLUS FUNDS TO
THE WILLIAMSBURG REGIONAL LIBRARY

WHEREAS, the Board of Trustees of the Williamsburg Regional Library has identified an anticipated surplus of approximately \$10,000 in its FY 1983 budget, and

WHEREAS, the Board of Trustees of the Williamsburg Regional Library has identified certain equipment needs which will improve the level of service rendered by the Library, and

WHEREAS, one-half of the anticipated surplus in the FY 1983 Library budget total of approximately \$10,000 is due to be returned to James City County,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County authorizes the Board of Trustees of the Williamsburg Regional Library to expend up to \$5,000 of the County's surplus contribution for the purchase of equipment as identified in the letter to the Board of Supervisors from Mr. Louis Vosteen, Chairman, Board of Trustees, dated June 17, 1983.

The equipment to be purchased is:

1. An Apple computer (approximately \$3,000): This piece of equipment is necessary for the continuation and the maintenance of the Library's microfiche card catalog. State funding for the conversion project ends June 30, 1983 and continuing with the on-line method (the method used for conversion) would cost the Library an additional \$830 per month—a prohibitive amount.

The computer's purchase needs to be accomplished as quickly as possible in order that the project may continue without interruption.

2. A Mita DC-312RE copy machine (approximately \$3,500): The demands on the present copy machine have reached a volume exceeding twice its capacity. Because it has become important in publishing programs for adult and children's events, booklists and other bibliographic aids, the monthly Newsletter and other informational brochures, reports to the Library Board and multiple copies of book invoices necessary for State Aid, a more substantial copy machine has become a necessity.

There is immediate need for these two pieces of equipment and we would like to proceed with their acquisition as quickly as possible.

The third expenditure from the FY 1983 surplus will be a terminal, modems and programming to put the Library's patron files on the City of Williamsburg's computer. The cost of this appears to be about \$3,500 plus a dedicated phone line, but as details are still being worked out and because it does not have the same urgency as the other equipment mentioned, a more precise cost estimate will be presented at a future date.

If the total cost of the three items of equipment should exceed the surplus available, any extra funds required will be taken from the Library's contributions and donations.

Respectfully submitted June 17, 1983,

Louis F. Vosteen
Chairman, Board of Trustees
Williamsburg Regional Library

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Cameron Chandler, Rt. 4, Box 336, stated that he is having problems with the deer eating his soybeans. He requested the help of the Board with this problem.

Mr. Taylor stated that he has had similar problems and suggested that the Game Warden increase the seasons to hunt does. He requested the staff to investigate the matter.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver requested that at the appropriate time, the Board convene into Executive Session to discuss a legal matter and possible appointments.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor requested that Mr. Ed Overton of the VPI Extension Service investigate Mr. Chandler's claim.

Mr. Mahone stated that he received a letter from the Highway Department stating that they were not responsible for putting a sign up

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indicating the location of schools. He requested the staff to find out if the Schools or the Public Works Department could place a sign on Brookwood Drive.

Mr. DePue requested the staff to send a letter to Mr. Hall, reminding him to send a report to the Board on the Route 5 traffic study.

Mr. DePue also requested that staff evaluate the technical data produced for the justification of a traffic signal at Mounts Bay Road and Route 199 as opposed to the Kingspoint/Route 199 intersection.

Mr. DePue then made the motion to convene into Executive Session pursuant to Section 2.1-344(a)(1) and (6) of the Code of Virginia 1950, as amended.

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

The Board convened into Executive Session at 8:50 P.M. and reconvened into Public Session at 9:26 P.M. at which time Mr. DePue opened the floor for nominations to the Welfare Board.

Mr. Frink nominated Dr. Elizabeth Morgan to a four-year term on the Welfare Board.

Mr. Edwards nominated Mrs. Darlene L. Burcham to serve another four-year term on the Welfare Board.

There being no further nominations, Mr. DePue closed the floor for nominations.

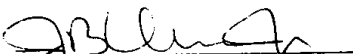
Mr. Edwards moved that both nominees be elected by acclamation.

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

Mr. Edwards made the motion to adjourn.

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

The Board of Supervisors Meeting **ADJOURNED** at 9:30 P.M.


James B. Oliver, Jr.
Clerk to the Board