

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

A. ROLL CALL

Stewart U. Taylor, Chairman, Stonehouse District
 Jack D. Edwards, Vice-Chairman, Berkeley District
 William F. Brown, Roberts District
 Perry M. DePue, Powhatan District
 Thomas D. Mahone, Jamestown District

James B. Oliver, Jr., County Administrator
 Darlene L. Burcham, Assistant County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES - January 23, 1984

Mr. Mahone requested that paragraph three on page two be changed to read as follows: "Mr. Mahone stated that there is a standoff in the information provided to him regarding the traffic counts for the two intersection, Route 199 and Mounts Bay Road and Route 199 and South Henry Street, and that a reduction in the speed limit from Route 31 to Brookwood needs to be considered." He then made the motion to approve the Minutes as amended.

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

C. PUBLIC HEARINGS

1. Norge Water Works

Mr. Oliver requested that Mr. Mahone at this time, convene the Board of Directors of the Service Authority into session.

Mr. Mahone opened the Board of Directors meeting. All members were present.

Mr. Wayland N. Bass, Director of Public Works, presented this matter to the Board outlining the background, purchase price, improvements, water rates and customer advantages of this system. He then recommended approval of the purchase of the Norge Water Works.

Mr. Mahone stated that the existing facility should be maintained to be used in the future as a back-up, if necessary.

Mr. Taylor opened, then closed the public hearing, as there was no one wishing to speak to the matter.

Mr. Mahone noted that the public hearing was not required for this item but was held to give the citizens affected an opportunity to comment on this issue.

Mr. DePue stated that he mailed letters to all Norge water customers advising them of this hearing and had received no complaints concerning the purchase. He then moved for the approval of the Resolution.

Mr. Taylor stated that he could appreciate the citizens not wanting to lose their present water system but felt that the wells should be maintained to be used in the future as a back-up, if needed. He stated that this purchase would be in the best interests of the County and its citizens.

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

RESOLUTION
APPROPRIATING FUNDS FOR PURCHASE OF
THE NORGE WATER SYSTEM

WHEREAS, the Board of Supervisors of James City County deems it in the best interest of the County to provide funds to allow the James City Service Authority to acquire the Norge water system, including well lots, pumping facilities, distribution lines, meters, and all easements that are pertinent thereto;

THEREFORE, BE IT RESOLVED:

1. That the Board of Supervisors of James City County hereby authorizes the sum of \$54,000 to be appropriated from the unappropriated fund balance and transferred to the Service Authority solely for the purchase of Norge Waterworks, Inc.
2. That funds in the amount of \$54,000 shall be remitted to the James City Service Authority at such time as the acquisition of the Norge water system is completed.

After the Board of Directors discussed and voted on this matter, Mr. DePue made the motion to adjourn the Board of Directors meeting. The motion passed by a unanimous voice vote.

2. Case No. Z-15-83. Norman R. Sawyer

Mr. Orlando A. Riutort, Director of Planning, presented this matter to the Board recommending approval of the rezoning request.

Mr. Taylor opened, then closed the public hearing, as there was no one wishing to speak to the matter.

Mr. Brown made the motion to approve the Resolution.

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

RESOLUTION
RESOLUTION OF APPROVAL - ZONING CASE NO. Z-15-83
NORMAN R. SAWYER

WHEREAS, in accord with Section 15.1-431 of the Code of Virginia, and Section 20-14 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified, and a hearing scheduled and conducted on February 13, 1984 for Zoning Case No. Z-15-83 for rezoning of approximately 44.7 acres of a 56 acre tract from A-1, General Agriculture to R-1, Limited Residential located on parcel (1-27A) on James City County Tax Map No. (54-2); and

WHEREAS, in accord with the Planning Department's recommendation, the Planning Commission, following its Public Hearing on December 20, 1983, unanimously recommended approval of Zoning Case No. Z-15-83, and

WHEREAS, Zoning Case No. Z-15-83 is in accord with the adopted Comprehensive Plan of James City County,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve Zoning Case No. Z-15-83 as described herein and as detailed in the attached memorandum.

D. CONSENT CALENDAR

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

Mr. Mahone requested that item D-1 be removed.

Mr. Taylor then made the motion to approve the remaining items on the Consent Calendar.

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

2. Changes to the Functional Classification of Roads in the Rural Portion of James City County

R E S O L U T I O N

CHANGES FOR THE JAMES CITY COUNTY 1990 RURAL HIGHWAY FUNCTIONAL CLASSIFICATION AND FEDERAL AID SYSTEMS

WHEREAS, the James City County Board of Supervisors is responsible for approving changes to the functional classification of roads in the rural portion of James City County, and

WHEREAS, these changes have been reviewed and recommended by the James City County Planning Commission on January 24, 1984,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors does approve the following changes to the functional classification system for the rural portion of James City County:

<u>Route</u>	<u>From</u>	<u>To</u>	<u>Functional Classification</u>	<u>Federal Aid System</u>	<u>State System</u>
199	Route 658	I-64 (York Co.)	Principal Arterial	Federal Aid Primary	Primary
603	Route 601	Route 610	Minor Collector	N/A	Secondary
607	Route 606	Route 605	Minor Collector	N/A	Secondary
610	Route 603	Route 60	Minor Collector	N/A	Secondary
612	Route 614	Route 658	Major Collector	Federal Aid Secondary	Secondary
613	Route 614	Route 615	Minor Collector	N/A	Secondary
631	Route 632	Route 60	Minor Collector	N/A	Secondary
658	Route 612	Route 60	Major Collector	Federal Aid Secondary	Secondary

3. Fuel Assistance Budget Transfer

R E S O L U T I O N
EMERGENCY NEEDS

WHEREAS, the James City County Board of Supervisors is aware of unmet emergency fuel needs of County residents,

WHEREAS, funds are available in the current Social Services Department budget that could be used for such a purpose,

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that funds be transferred within the Department of Social Services budget as outlined below.

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From: Non-reimbursable \$2,000

To: Emergency Fuel Needs \$2,000

4. Section 18 Grant Application - FY 85

RESOLUTION
SECTION 18 GRANT APPLICATION - FY 85

WHEREAS, the Federal Government has made funds available to support transportation in small areas; and

WHEREAS, the Board of Supervisors of James City County desires Federal funds to help support James City County Transit Company, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that it authorizes its Chairman and Clerk to sign the grant application entitled, "Application for Capital, Administrative and/or Operating Assistance for Public Transportation Systems in Non-urbanized Areas" and further authorize the County Administrator to execute those agreements necessary to insure receipt of these grant funds.

RESOLUTION
PART IV - REQUEST FOR STATE MATCHING FUNDS - FY 85

WHEREAS, the Commonwealth of Virginia has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit system's operations;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors that the County Administrator is authorized for and on behalf of the Board of Supervisors of James City County, to execute and file an application to the Virginia Department of Highways and Transportation, Commonwealth of Virginia, for a grant of transportation special revenues authorized under budget item 644 of the 1982 Acts of the General Assembly - Chapter 648, Financial Assistance for Mass Transit -in the amount of \$9,369 to defray fifty percent (50%) of the local matching share for administrative expenses, \$31,350 to defray ninety-five percent (95%) of the local matching share for capital expenses, \$2,374 to defray eighty percent (80%) of the local matching share for Ridesharing Administrative Expenses, and in the amount of \$26,891 to defray ninety-five percent (95%) of the costs borne by James City County for the purchase of fuels, lubricants, tires and maintenance parts of an approved Federal Grant, to accept from the Virginia Department of Highways and Transportation grants in such amount as may be awarded, and to authorize the County Administrator to furnish to the Virginia Department of Highways and Transportation such documents and other information as may be required for processing the grant request.

The Board of Supervisors of James City County certifies that the funds shall be used in accordance with the requirements of Section 18 of the Surface Transportation Assistance Act of 1982, and State Appropriation Act of 1982, and that James City County may be subject to audit by the Virginia Department of Highways and Transportation and by the State Auditor of Public Accounts.

5. Request for State Matching Funds - FY 85 Section 18 Application

RESOLUTION
PART IV - REQUEST FOR FEDERAL MATCHING FUNDS - FY 85

WHEREAS, the Federal Government has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is desirous of securing said funds in support of the James City County Transit system's operations;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator is authorized for and on behalf of James City County, to execute and file an application to the Virginia Department of Highways and Transportation, Commonwealth of Virginia, for a grant of Federal public transportation assistance authorized under Section 18 of the Surface Transportation Assistance Act of 1982, in the amount of \$254,968 to assist in the administrative and operating costs of local public transportation services, to accept from the Virginia Department of Highways and Transportation grants in such amount as may be awarded, and to authorize the County Administrator to furnish to the Virginia Department of Highways and Transportation such documents and other information as may be required for processing the grant request.

The Board of Supervisors of James City County certifies that the funds shall be used in accordance with the requirements of Section 18 of the Surface Transportation Assistance Act, that James City County may be subject to audit by the Virginia Department of Highways and Transportation and by the State Auditor of Public Accounts.

The undersigned duly qualified and acting County Administrator of James City County certifies that the foregoing is a true State Appropriation Act of 1982, that James City County, may be subject to audit by the Virginia Department of Highways and Transportation and by the State Auditor of Public Accounts.

1. Set Public Hearing date of March 13, 1984 for:

- a. Case No. S-1-84. Subdivision Ordinance Amendment
- b. Case No. SUP-1-84. Bonita I. Viall
- c. Case No. SUP-2-84. Molly G. Dubrey

Mr. Mahone asked in reference to D-1a, whether there was a requirement that streetlights be installed before a subdivision is constructed, and whether or not a developer could wait until the Highway Department takes over the street.

Mr. Morton stated that the developer does have the opportunity to wait but that it would be more expensive to go back after the construction and install the streetlights.

Mr. Mahone moved for the approval of item D-1.

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

Mr. Taylor requested that item F. Matters of Special Privilege be next on the agenda.

F. MATTERS OF SPECIAL PRIVILEGE

Mrs. Eula Radcliffe read a letter addressed to Mr. William Brown, Roberts District Supervisor, concerning the appointment of a representative to the Community Action Agency Board. The letter also made reference to the replacement of Rev. Moody on that Board. The letter was signed by Mr. R. H. Minkins, President of the Grove Community.

Mr. Brown stated that the Community Action Agency Board consists of 15 members, three of which are Board members who have the privilege of designating a county resident to represent the Board member. He stated that he designated Dr. Messmer because he felt that he could bring specific skills to the Board. He stated that it is important that the Board rotate board and commission appointees to give others in the County an opportunity to serve.

Mr. Mahone stated that he served on the CAA board for two years and would have wanted to withdraw the County funding of it if changes were not made. He stated that changes are being made now with the rotation of new people on that board. He noted that Rev. Shields is now a member of the CAA Board.

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Mr. DePue stated that he trusted the judgment of Board members who chose to designate someone else in their seat, but did not support the removal of Rev. Moody from the Board.

Mr. Taylor stated that Rev. Moody has done an outstanding job with the CAA Board.

Mr. Edwards stated that the changes and turnover of boards and commissions is a way of life for the County and that his decision to replace Rev. Moody was not to downgrade his contribution but that he felt the board needed new people to serve on it.

E. BOARD CONSIDERATIONS

1. Data Processing System Contract

Mr. John E. McDonald, Director of Financial and Management Services, presented this matter to the Board stating that the Data Processing Steering Committee has been working with staff on this project and concur with the proposed contract. He recommended that the County Administrator be authorized to enter into a contract with HMS, Incorporated to furnish computer hardware and software.

Mr. Brown asked why the purchase option was taken as opposed to leasing.

Mr. McDonald replied that it would be more expensive to lease the equipment.

Mr. Mahone questioned the use of the old machine.

Mr. McDonald stated that the old machine will be used during conversion and then sold to permit the purchase of a microcomputer for the LEC Building.

Mr. Brown stated that he has some serious reservations concerning this contract. He stated that this is the County's third computer system within six years; and that the umbrella approach will not be effective; and the cost of the equipment and software is expensive.

Mr. McDonald stated that the system will be user dominated.

Mr. Edwards made the motion to defer this item until the next Board meeting.

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

2. Case No. SP-1-84. Kingsmill Restroom and Maintenance Facility

Mr. Oliver stated that this item is normally on the Consent Calendar but because of a conflict of interest, Mr. Brown requested that it be heard under Board Considerations. Mr. Oliver recommended approval of the item.

Mr. Edwards made the motion to approve the Resolution.

On a roll call, the vote was AYE: DePue, Edwards, Mahone, Taylor (4). NAY: (0). Mr. Brown abstained.

RESOLUTION
SITE PLAN APPLICATION
CASE NO. SP-1-84. KINGSMILL RESTROOM AND MAINTENANCE
FACILITY AT PETTUS PLANTATION

WHEREAS, it is understood that all conditions for consideration of this application have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that approval be granted for the proposed development of property owned by the applicant as described below and as detailed in the attached memorandum.

Applicant: Mr. Norman Mason on behalf of Busch Properties, Inc.

District: Roberts

Zoning: R-4, Residential Planned Community

Further Conditions: None

Mr. Brown requested that the Board take a five minute recess.

3. Human Services Building

Mrs. Burcham presented this matter to the Board outlining the four options the Board could take: (A) build as bid; (B) build as bid less \$121,350 in deletions; (C) eliminate 7,000 square feet from center of building as bid; and (D) renovate and expand Strawberry Plains Building.

Mrs. Burcham introduced Mr. Bob Washington of Washington & McGuire who then reviewed options A-C.

Mrs. Burcham introduced Mr. Roger Guernsey of Magoon/Guernsey Architects who reviewed option D and provided the Board with a Feasibility Report for locating all Public Health Department and Social Services Department facilities on the Strawberry Plains Road site.

After an extensive discussion on the item, Mr. Edwards commented that the Board had three issues before them: there is a need for the building; the cost of the project; and that they have good bids. He stated that he would support option A because in the long run a better engineered building will be worth it.

Mr. Taylor stated that he agrees with Mr. Edwards and that it will be foolish to go with the renovation of the Strawberry Plains site.

Mr. DePue stated that his main objective is to save money, and that he felt the new building will be more than the County needs at this time, but that the Board needs to think about the long term results. He stated he would support option A.

Mr. Brown said he felt that the new building is somewhat beyond projected needs.

Mr. Mahone stated also that the new building will be more than the County needs and felt that the Olde Town Road site would not be an appropriate place for the project. He stated that he would like to see the renovation of the Strawberry Plains site.

Mr. Edwards made the motion to approve the Resolution for option A.

On a roll call, the vote was AYE: DePue, Edwards, Taylor (3). NAY: Brown, Mahone (2). The motion passed by a 3-2 vote.

RESOLUTION
ACCEPTANCE OF BIDS - HUMAN SERVICES BUILDING

WHEREAS, the James City County Board of Supervisors solicited bids for the construction of a Human Services Building; and

WHEREAS, the apparent low bidder, H & S Corporation, made a clerical error and wishes to withdraw its bid,

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator be directed to advise H & S Corporation that its request to withdraw its bid on the County Human Services Building is approved.

BE IT FURTHER RESOLVED that the Board of James City County authorizes the County Administrator to award the construction contract for said building to Olsen Contractor, Inc.

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Human Services Building Finances

Mr. McDonald provided the Board with a copy of the proposed conditional sales financing to construct the Human Services Building. He stated ten proposals have been under review and that the lower proposals have an effective interest rate of approximately 9.24% for a five-year period. He made the following recommendations:

- (1) Lower the proceeds of the conditional sales agreement to \$1,630,000 based upon the lower construction bids.
- (2) As of March 1, 1984 deposit \$300,000 of existing funds in a construction fund to finance interest during construction and the first lease payment.
- (3) Use operating funds, through the debt service reserve, to stabilize public facility debt service and other payment commitments to finance both the Human Services Building and the other C.I.P. projects such as the expected Bruton Heights renovation without increasing annual budgets.

After a brief discussion, Mr. DePue made the motion to approve the Resolution.

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

R E S O L U T I O N
Human Services Building Financing

WHEREAS, the Board of Supervisors of James City County is in receipt of ten proposals to finance, on a conditional sales or lease purchase agreement, \$2,200,000 of the cost of a Human Services Building; and

WHEREAS, the building costs as determined by a review of recent construction contract proposals are less than previously estimated and requires a reduction in funds acquired under a financing agreement to \$1,630,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes its Chairman and Clerk to pursue a revised conditional sales agreement for \$1,630,000 with a proposed closing on or before March 1, 1984.

Mr. Taylor stated that Mr. Albert T. Slater had something to bring before the Board.

Mr. Albert Slater requested that the Board reconsider his request for permits to place eight trailers on his property. He stated that he has been getting the run around for the past four years.

Mr. DePue requested that Mr. Morton provide the Board at its next meeting an explanation for the situation and a recommendation.

G. REPORTS OF THE COUNTY ADMINISTRATOR

None.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Brown stated that he had some concerns about liability connected with eighth graders conducting interviews for the 350th Anniversary Celebration.

He then stated that in regard to the Personnel Committee's recommendations, that he hoped that the Police positions are presented as a separate package during the budget session and felt that the Accountant Position for the Commissioner of Revenue's Office can be justified, as well as the Parks Supervisor position. Mr. Brown stated that the memorandum in the Reading File on the Tow Truck was an outstanding memorandum and should receive recognition. He then stated that the trash should be compacted at the landfill to increase the life of the landfill.

Mr. Taylor stated that if no other Board member had any objections, he will appoint Mr. John E. McDonald to the VPEDC banking committee.

Mr. DePue stated that he thought the Board signaled last year its feelings with regard to Building E, and that it had no interest in discussing Building E. He stated that Building E is a red flag in the face of those who are concerned about the growth in the number of personnel in the County and that Building E would stand as a symbol of failure to hold the line on the growth of County personnel.

Mr. Oliver commented that last year the Planning Commission renamed Building E to be space needs which does not have a location at this point.

Mr. Brown stated that if the Board caps the Capital Budget, some of the projects will take care of themselves.

Mr. Mahone stated in reference to the resolution passed at the last meeting pertaining to Leneva Jackson, that the medical costs were covered by the insurance and that the trustees of that fund should have done their homework. He stated that it was not appropriate for the Board to be involved in the collection of funds for funeral expenses.

Mr. Mahone stated that he received a telephone call from a lady that lives adjacent to Dr. Ellis's new development, complaining about the noise and equipment and the damage done to the road.

He stated that he received telephone calls concerning the extending of the street in Lakewood into a new or extended subdivision, and a similar problem in Winston Terrace where the developer is using a vacant lot to provide access into Winston Terrace. He asked where complaints should be directed.

He stated that he agreed with Mr. Oliver's position pertaining to the Chamber and that he was opposed to the spending of \$13,000 to \$27,000 on equipment to televise Board meetings.

He stated that he told the Transportation Safety Commission this morning that he was opposed to reducing the speed limit on Route 199, and that if the speed limit is going to be reduced, he would be opposed to the extension of Route 199.

He stated that a constituent called with complaints about neighborhood dogs. He requested that a summary of the County's leash law be displayed on the cable's government access channel.

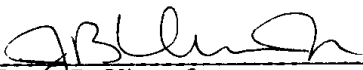
Mr. Brown stated that he is in favor of using the money to televise the Board meetings. He stated that it would be in the public's interest to do it, in that the voters would be educated on what the Board is doing.

Mr. DePue also stated his support for televising the Board meetings.

Mr. Edwards made the motion to adjourn.

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

The Board of Supervisors meeting **ADJOURNED** at 10:47 P.M.



 James B. Oliver, Jr.
 Clerk to the Board