

AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-FIRST DAY OF MAY, NINETEEN HUNDRED EIGHTY-FOUR AT 3:00 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 - May 7, 1984

Mr. Edwards made the motion to approve the minutes as presented.

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

C. HIGHWAY MATTERS

Mr. Frank N. Hall, Resident Engineer, reported written confirmation had been received indicating that State funds would be available after July 1, 1984, to install left turn lanes on Route 5, at St. George's Hundred Subdivision and First Colony Subdivision; also funding to install a flashing light at the intersection of Ironbound Road and Route 5.

Mr. DePue requested grass cutting at the intersection of Bush Springs Road and Route 60 West. Mr. DePue asked if funds are available on a continuing basis to clean up debris along roadways and in ravines, specifically at the intersection of Bush Springs Road and Route 60 West.

Mr. Mahone requested roadside grass cutting along Route 60 East.

Mr. Taylor asked when mowing would be started along Route 60 East and West.

Mr. Taylor asked Mr. Hall if a public hearing would be necessary to consider the installation of a center left turn lane on Route 60 East at the Toano Post Office. Mr. Hall responded affirmatively, stating a center left turn lane should be a community decision.

PRESENTATION

Mr. Taylor recognized Kathy Hawkins, who presented the Refuse Collection Study Report. Mrs. Hawkins stated that of the 6,596 surveys mailed to citizens of James City County, 368 responses were received. The majority of the respondents felt there was either no problem or not a major problem with services as provided by individual refuse collectors.

Mr. Taylor thanked Mrs. Hawkins and her committee for a job well done.

Mr. Taylor recognized and welcomed a government class from Lafayette High School attending the Board of Supervisors meeting in conjunction with their study of local government.

D. CONSENT CALENDAR

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

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Mr. Mahone requested that items 3 and 4 be removed from the Consent Calendar.

Mr. Taylor moved the approval of the remaining items on the Consent Calendar.

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

1. Street Name Change - Shields Point Road to Bush Neck Road.

RESOLUTION

STREET NAME CHANGE TO BUSH NECK ROAD

WHEREAS, Section 17-38 of the James City County Subdivision Ordinance authorizes the Board of Supervisors to change the names of existing streets; and

WHEREAS, the Residents of Shields Point Road (Route 633) have petitioned to have their street name changed to Bush Neck Road; and

WHEREAS, the Planning Department, Fire Department, and the Virginia Department of Highways have recommended the street name change, and such name change has the concurrence of the Department of Public Works.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors renames Shields Point Road, the 3.2 mile section of Route 633 between Jolly Pond Road and its termination point, Bush Neck Road.

2. Set Public Hearing Date of June 11, 1984, for:

- a. Case No. SUP-14-84. L. & J. Timko
- b. Case No. Z-4-84. Anboma Corporation

3. State Purchase of Radios.

Mr. Mahone stated there are parts of the resolution he agrees with and parts he does not agree with, and he removed this item from the Calendar so he could vote against the resolution.

Mr. Edwards moved approval of the resolution.

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

RESOLUTION

STATE OFFICE OF EMERGENCY SERVICES

WHEREAS, the Board of Supervisors of James City County can obtain radio equipment to improve our response to an accident at the Surry Nuclear facilities in an amount not to exceed \$4,900.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the County Administrator to seek funds from the State Office of Emergency Services for the acquisition of radio equipment to improve its response to an accident at the Surry Nuclear Plant and hereby appropriates funds in the following amounts:

Capital Outlay - Radio Equipment	\$4,502
Revenue State Office of Emergency Services Grant	\$4,502

4. Commission on Outdoor Recreation Grant.

Mr. Mahone stated the resolution pertains to acquisition and development of the Upper County Park with State funds.

Mr. Mahone stated he does not feel the acquisition and development of the Upper County District Park is the best use of State monies. He further stated he originally opposed the establishment of two County-owned parks in the same year, and for that reason, could not support this resolution.

Mr. Brown asked how much local money was used for the purchase of the Upper County Park.

Mrs. Darlene Burcham, Assistant County Administrator, explained the County's actual expenditure for the Upper County Park was \$340,000. To receive the \$250,000 Commission on Outdoor Recreation Grant, the Board must approve the reappropriation of the \$340,000 expenditure on the assumption that \$170,000 of that amount will be reimbursed. The \$58,250, the amount needed to match the remaining federal funds for any development, and the difference, \$111,750, is the amount the County will have after it commits itself to the \$58,250.

Mr. Taylor moved the approval of the resolution.

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

R E S O L U T I O NCOMMISSION ON OUTDOOR RECREATION GRANT

WHEREAS, the Commission on Outdoor Recreation has awarded a reimbursable grant of \$250,000 to the County for acquisition and improvement of the Upper County Park; and

WHEREAS, the Board of Supervisors of James City County had authorized \$340,000 from the County Capital Improvement Program for the Upper County Park.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes the acceptance of the grant and reappropriates funds as follows:

	<u>State</u>	<u>County</u>	<u>Total</u>
Revenues:			
COR Reimbursement Grant	\$ 250,000		\$ 250,000
County C.I.P. Project Funds		\$ 340,000	340,000
Total	<u>\$ 250,000</u>	<u>\$ 340,000</u>	<u>\$ 590,000</u>
Expenditures:			
Property Acquisition - Upper County	\$ 170,000	\$ 170,000	\$ 340,000
Park Development - State	21,750		21,750
Park Development - Matching	58,250	58,250	116,500
Park Development - County		111,750	111,750
Total	<u>\$ 250,000</u>	<u>\$ 340,000</u>	<u>\$ 590,000</u>

E. BOARD CONSIDERATIONS

1. Issuance of Industrial Development Revenue Bonds - Virginia United Methodist Homes, Inc., Facility (Consent Item).

Mr. Oliver introduced Diane Abdelnour, Chairman of the County Industrial Development Authority, who presented this item to the Board.

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Mrs. Abdelnour reported that on May 9, 1984, the James City County Industrial Development Authority met and approved the application of the Virginia United Methodist Homes, Inc., for an inducement resolution for industrial development revenue bonds in an amount not to exceed \$34,294,200.00 for a life-care facility. The Board of Supervisors previously considered this facility as the "Colony at Kingsmill" home for the elderly and approved the rezoning to PUD-R on October 31, 1983.

The life-care facility, for senior citizens, consists of 260 apartments (108 two-bedroom, 152 one-bedroom), 60 nursing beds, 30 domiciliary units with limited clinical and commercial facilities. It is expected the project will generate approximately 90 jobs and \$1.1 million the first year, with the construction period generating additional job opportunities for a two-year period. The project would contribute \$138,000 in real estate taxes, \$55,000 in personal property taxes and \$14,000 in license taxes for the County.

The Industrial Development Authority requests the Board of Supervisors approve the issuance of the bonds under the assumption that the project will provide quality housing for senior citizens to meet their life-care needs, that the additional jobs and revenue provided by the facility will benefit the County, and that the project will be an asset to the County.

Mr. Edwards asked Mrs. Abdelnour if this particular project was the only project the Authority has approved that the Board has not; Mrs. Abdelnour responded affirmatively.

Mr. Edwards stated the Board had the remarkable opportunity to vote for this resolution, and that after this resolution, the Board should only vote for industrial development.

Mr. Taylor moved the approval of the resolution.

On a roll call, the vote was AYE: Edwards, Mahone, DePue, Taylor (4).
NAY: (0). ABSTAIN: Brown (1).

**RESOLUTION APPROVING THE
ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS
(Virginia United Methodist Homes, Inc., Facility)**

WHEREAS, the Industrial Development Authority of the County of James City, Virginia, (the "Authority"), has considered the application of VIRGINIA UNITED METHODIST HOMES, INC., (the "Corporation"), for the issuance of the Authority's industrial development revenue bonds in the principal amount not to exceed \$34,294,200 (the "Bonds"), to assist in the financing of the Corporation's acquisition of a certain parcel of land located in the Busch Corporate Center in James City County, Virginia, and to construct and equip thereon a life care facility including independent living units, nursing beds and domiciliary beds (the "Facility"), and has held a public hearing thereon on May 9, 1984; and

WHEREAS, the Authority has requested the Board of Supervisors (the "Board"), of James City County, Virginia ("the County"), to approve the issuance of the Bonds to comply with Section 103(k) of the Internal Revenue Code of 1954, as amended; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, subject to terms to be agreed upon, and a record of the public hearing has been filed with the Chairman of the Board.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA:

1. The Board of Supervisors of the County of James City, Virginia, approves the issuance of the Bonds by the Industrial Development Authority of the County of James City, Virginia, for the benefit of VIRGINIA UNITED METHODIST HOMES, INC., to the extent of and as required by Section 103(k) of the Internal Revenue Code, to permit the Authority to assist in the financing of the Facility.
2. The approval of the issuance of the Bonds, as required by Section 103(k) does not constitute an endorsement of the Bonds or the

creditworthiness of the Corporation, but pursuant to Chapter 33, Title 15.1 of the Code of Virginia of 1950, as amended, (the "Act"), the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the existing taxing power of the Commonwealth, the County, or the Authority shall be pledged thereto.

3. This Resolution shall take effect immediately upon its adoption.

2. Case No. SUP-6-84. Albert T. Slater. (Deferred May 7, 1984)

Mr. Orlando A. Riutort, Director of Planning, presented this matter to the Board stating that following the public hearing on May 7, 1984, the Board of Supervisors deferred action on this case asking for clarification from staff on its recommendation and the conditions for approval of the special use permit.

Mr. Riutort reported that staff met with the Health Department and the septic tank was permitted, built, inspected and approved in 1979, for two trailers containing two bedrooms each. The well, which has not been completed, must meet current State Health Department standards. Screening requirements are based on recommendations of the Site Plan Review Committee; access requirements for the mobile homes are based on Site Plan Review Committee recommendations for an all-weather road, and must meet Virginia Department of Highways and Transportation standards.

Mr. Mahone asked if there would be some follow-up on the screening requirements as part of a routine inspection.

Mr. Riutort stated that in conjunction with the electrical hookup, the inspection process would make sure the screening requirements are met.

Mr. Edwards questioned the entrance to Route 601 only needing to meet VD&T standards.

Mr. Riutort stated the road itself does not have to meet VD&T standards.

Mr. Taylor said he felt Mr. Slater had been caught by the passage of time; mobile homes are located in the surrounding area; therefore he moved the approval of the resolution.

Mr. Edwards stated the argument is strong for issuing Special Use Permits for owner-occupied mobile homes, but not for rental purposes. Mr. Edwards requested staff develop ideas regarding rental mobile units, as James City County should not be in the business of allowing rental mobile home units outside mobile home parks.

Mr. DePue stated he could go either way in supporting this resolution, but in this case, he will go along with Mr. Taylor's judgment on this particular case.

Mr. Mahone stated he felt mobile homes for rental purposes should be confined to mobile home parks; and further, it is more desirable for the community to abide by County ordinances regarding the establishment and maintenance of mobile home parks.

Mr. Brown requested staff take a long, hard look at the problem(s). The rental aspect is one of the problems; mobile homes that are already located in the community that do not meet standards is another issue.

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

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RESOLUTION
SPECIAL USE PERMIT
CASE NO. SUP-6-84

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 two mobile homes on property owned and developed by the applicant as described below and on the attached site location map.

Applicant: Albert T. Slater
Real Estate Tax Map ID: (10-1)
Parcel No. (1-28)
District: Stonehouse
Zoning: A-1, General Agricultural
Permit Term: This permit is valid only for the mobile homes applied for. Any replacement will require a new permit from the Board of Supervisors. If the permit is not exercised it shall become void one year from the date of approval.

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

An all weather road on a 50 foot right-of-way shall be provided with a minimum 20 foot wide surface that has a minimum 6-inch aggregate base. The entrance to Route 601 shall meet VDH&T standards.

Screening shall be provided as follows: (1) 3' - 4' Black pine or approved equal planted 5' apart on the northern and eastern borders of lot 1, (2) 3' - 4' Black pine or approved equal planted 10' apart on the eastern border of lot 2, and (3) an 8' high vertical border fence constructed of either pressure-treated material, cedar, cypress, or redwood along the southern border of lot 2.

The well shall be completed in accord with current State Health Department standards. The well shall be inspected and approved by the State Health Department prior to locating any mobile home on the site.

If the total number of bedrooms exceed four, then the size of the septic tank shall be increased in accord with Health Department requirements.

3. Case No. Z-1-84. MRM Investments, Ltd. (Deferred May 7, 1984).

Mr. Riutort presented this matter to the Board, stating that staff has no presentation to make at this time, and that the recommendation remains to approve the resolution.

Mr. Taylor recognized Mr. Samuel T. Powell and the Reverend J. B. Tabb for comments.

Mr. Powell stated that after the public hearing, May 7, 1984, Mr. Powell and the development company met with the Lewis Family and Rev. Tabb to discuss their concerns. Mr. Powell reported that subsequent to that meeting, the Lewis Family and Rev. Tabb have no objections to the proposed development with the proffered conditions.

Rev. Tabb reported that questions have been resolved to the satisfaction of the residents.

Mr. Brown complimented the applicants and their representatives in working to resolve the concerns of neighbors.

Mr. Brown moved the approval of the resolution.

Mr. Taylor concurred with Mr. Brown's statement.

Mr. Edwards asked about the individuals who had signed the petition requesting the Board deny the request.

Mr. Powell clarified for the Board that the individuals who signed the petition did so for the sake of the Lewis Family and the fact that the Lewis Family is now satisfied, residents of the Brookhaven Subdivision no longer object to the proposed development.

Mr. Taylor recognized Mr. Robert Page.

Mr. Page stated he was satisfied with the opportunity to have some input in the consideration process; he now will leave the decision to the Board.

Mr. Edwards restated that as far as the Board now knows, the residents of Brookhaven are satisfied with the conditions of the proposed development.

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

4. Appropriation of Funds for the Summer Food Service Program.

Ms. Sandi McPherson, Director of Parks and Recreation, presented this matter to the Board, requesting funds for the summer food program at Norge, Rawls Byrd, York River State Park, and the Upper County District Park, as these sites do not initially meet the federal requirements. To receive funding for these sites, it must be documented that at least 50% of the enrolled children meet the established income criteria. To guarantee that all summer playground sites operate a food program, \$12,088.00 in local funds is required for sites requiring income documentation. Last year the Board appropriated \$7,210.00 in local funds to finance the program at Norge and York River so that all six sites would have the food program.

Mr. Mahone stated that he appreciated the wording of the request indicating that the same kind of program should be available at all sites, not just the few that meet federal guidelines. Mr. Mahone expressed his displeasure with federal programs stating the food program could be continued in some other less costly manner. He asked for information regarding the program's administration.

Mr. Edwards asked Ms. McPherson if she felt lunches were a substantial advantage to the summer program.

Ms. McPherson stated conflicts often arise when lunches are not provided and some children bring a lunch and others do not. The summer lunch program parallels the school lunch program, in that the meals must meet certain nutritional requirements.

Mr. Brown said he could think of less desirable ways to spend money, considering the lunch meal provided the youngsters might be the best meal they will have that day.

Mr. Taylor stated that considering the number of summer recreation facilities the County has established, to not fund this program, by comparison to the amount already spent, would not be equitable.

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Mr. DePue asked that a review be conducted to assure that a pattern developing with regard to qualifying for federal funding be addressed by curtailing the program to that particular park. The greatest risk of this summer food program would be that some children who do not qualify would get a free lunch.

Mr. Brown requested sample menus.

Mr. Edwards moved the approval of the resolution.

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

RESOLUTION OF APPROPRIATION

APPROPRIATION OF FUNDS FOR THE SUMMER FOOD SERVICE PROGRAM

WHEREAS, James City County desires to submit an application to the U.S. Department of Agriculture for funds totalling \$19,608 to be used for the Summer Food Service Program for children participating in the James City County Summer Recreation Program; and

WHEREAS, the Board of Supervisors of James City County is desirous of such program serving all County summer recreation areas, and is prepared to provide local funds for this purpose, if necessary;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that \$31,696 be appropriated contingent upon grant award for the Summer Food Service Program and be designated as a continuing appropriation as follows:

Revenues:	
Revenue from the Federal Government	\$ 19,608
Local grants match	12,088
Expenditures:	
Summer Lunch Program	31,696

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized to execute the necessary agreement and contract to carry out all eligible summer food service activities.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. Jack Scruggs, Norge, Virginia, addressed the Board regarding the litter problem in the County. Mr. Scruggs stated that through a local ordinance the County Police Department could prosecute violators to eliminate the large quantity of litter that volunteers collect yearly.

Mr. Mahone stated that educating the public, along with the efforts of the Clean County Commission, could help curtail the littering of our beautiful community.

Mr. Scruggs said he felt the County needs to get tough with offenders.

Mr. Scruggs asked that the Board approach the Director of the Division of State Parks to eliminate the \$1.00 access charge at York River State Park.

Mr. Scruggs asked that the Board enact a requirement that cats be vaccinated for rabies.

Mr. Taylor said he could not support such a requirement; enacting such a requirement would aggravate citizens.

Ms. Helen Dunnigan, 306 Elmwood Lane, Williamsburg, Virginia, addressed the Board, stating that cats can scratch and spread rabies and she is very concerned that little children scratched by cats would require treatment that is very painful.

Mr. Scruggs stated that cats travel and an ordinance requiring vaccination would eliminate potential health problems for County residents.

Mr. Steven Francis, Elmwood Subdivision, Williamsburg, Virginia, stated that many residents of Elmwood Subdivision do not use the York River State Park because of the admission fee.

Mr. Francis also stated that he had submitted his application for the Cable Communications Committee and would appreciate favorable consideration for appointment to that committee.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver reported that staff and Mr. DePue met with some residents of Jolly Pond Road, and while the residents are disappointed with the numbering system used in that area, they understand and accept the proposed renumbering.

Mr. Oliver requested an Executive Session at the appropriate time, to discuss an acquisition matter and a personnel matter.

H. BOARD REQUESTS AND DIRECTIVES

Relative to the question raised by Mr. Scruggs about litter enforcement in the County, Mr. Brown requested a report of enforcement efforts this past year.

In conjunction with the fee structure for Upper County Park, Mr. Brown expressed disappointment in the charging of a fee for County residents to use the facility. Mr. Brown asked for clarification regarding a resident being defined as anyone who resides in Williamsburg or James City County.

Mr. Oliver stated that the City and the County share facilities. In addition, by virtue of the County contributing to the City's programs, all County residents are accepted at City facilities.

Mr. Brown requested that New Kent County be contacted regarding a possible contribution to use the facilities of the Upper County District Park.

Mr. Brown said a fee or a season pass discourages use of the pool.

Mr. Oliver responded that the fee/season pass concept minimizes the contribution by County General Fund to those services that are not user specific. The recreation program is largely fee driven. The recreation committee set the fee structure with the idea that a fee encourages user responsibility.

Mr. Brown stated he agrees a charge should be imposed for the classes offered by the Recreation Department.

Mr. DePue stated he feels there is a problem with opening up a facility without charging a fee.

Mr. Edwards stated people tend to take a facility more seriously if a fee is involved. Mr. Edwards asked if the fee for non-resident should be larger, specifically asking if it would be worthwhile to check each individual's residency for such a small difference in charge.

Ms. McPherson commented that charges for pools and recreation classes is only the valid control method. She further stated it would be impossible to impose a fee for use of the pool after first opening the facility free of charge to users.

Mr. DePue asked about naming the Upper County District Park, as some people still refer to the park as Twin Oaks.

Ms. McPherson reported that there is a subcommittee within the Parks and Recreation Commission charged with developing a policy for naming County parks.

Mr. DePue requested a letter of appreciation be sent to the Refuse Study Collection Committee, and especially Mrs. Hawkins for an excellent job.

With regard to the matter of uncovered trash collection trucks, Mr. DePue requested a written report on the enforcement efforts by staff.

Mr. DePue, on a general matter involving the Case MRM Investments, Ltd., stated that always just listening to the comments and petitions of the public can be misleading. Public emotion is often driven by fear of the unknown and change.

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Mr. Edwards asked if the County could compile a list of refuse haulers, including phone numbers, for informational purposes, for residents who express dissatisfaction with present hauler services. Mr. Carlyle Ford, Commissioner of Revenue, commented that such information was given out upon request.

Mr. Oliver complimented the Refuse Committee on a job well done. He further stated that he read the report and came up with opposite conclusions; ninety complaints out of the total returned questionnaires represents a substantial percent. Mr. Oliver stated he felt the report by the Committee is appropriate at this time, but urged that the subject not be forgotten.

Mr. Mahone requested a list of the unmarked County-owned cars.

Mr. Mahone reported that Mrs. Perry A. Deal, 111 Holly Road, Kingswood Subdivision, called him and expressed interest in connecting to public water. Mr. Mahone referred this inquiry to Mr. Wayland Bass, Director of Public Works.

Mr. Mahone requested a copy of a letter Mr. Victor Shone, 405 Neck-O-Land Road, wrote to Public Works in March of 1984, pertaining to filling in his back yard.

With respect to the School Board letter to Mr. Taylor, Mr. Mahone requested that the Board respond to the inference that the School Board does not feel salaries are up to standard. Mr. Mahone suggested it should be clarified for the School Board that the Board of Supervisors is of the opinion that salaries are on target.

Mr. DePue stated he felt the Board of Supervisors has served notice to the School Board by the letter.

Mr. Mahone expressed disappointment with the recent appointment made to the School Board, stating that the individual appointed does not have a child in the school system. Mr. Mahone further stated he felt the appointment was a political one and that the school system will not be as well served.

Mr. Taylor requested that the Board convene into Executive Session to discuss a personnel issue, pursuant to Section 2.1-344(a)(1) and an acquisition matter, pursuant to Section 2.1-344(a)(2) of the Code of Virginia, 1950, as amended.

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

The Board convened into Executive Session at 4:40 p.m.

The Board reconvened into Public Session at 5:35 p.m.

Mr. Brown moved the appointment of Steven Francis, 119 Tanbark Lane, Elmwood Subdivision, to the Cable Television Advisory Committee and Carl R. Pearson, 129 Jordans Journey, First Colony Subdivision, to the Cable Television Advisory Committee.

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

Mr. Edwards made the motion to recess until 5:00 p.m., June 11, 1984.

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

The Board of Supervisors meeting **RECESSED** at 5:40 p.m.

James B. Oliver, Jr.
Clerk to the Board

PROFFER OF CONDITIONS FOR
REZONING OF PROPERTY OF
MRM INVESTMENTS, LTD.

WHEREAS, MRM Investments, Ltd., is the contract purchaser of approximately 5.74 acres of land now owned by the estate of Jesse Jones Hill; and

WHEREAS, the contract purchasers desire to have the subject property rezoned from A-2 to R-5;

NOW, THEREFORE, the contract purchaser and the estate of Jesse Jones Hill voluntarily proffer the following reasonable conditions which shall be in addition to the regulations provided for in the zoning district R-5. These conditions are proffered as part of the requested zoning and it is proffered and agreed that the following limitations:

- 1. Are required or give rise to the need for these additional restrictions because of the nature of the property and the rezoning sought;
- 2. That the proffers have a reasonable relation to the rezoning requested.

The proffers are as follows:

- 1. That in the event the subject property is rezoned to R-5 the maximum number of units that may be constructed on the property shall not exceed 72.
- 2. That protective planting and screening shall be provided at the contract purchasers expense and shall provide screening protection for Bucktrout Funeral Home and for the adjoining residential property. The exact type of plants required for screening and their location shall be determined during site plan review.