

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-SEVENTH DAY OF AUGUST, NINETEEN HUNDRED EIGHTY-FOUR AT 3:04 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

Mr. Taylor asked if there were any corrections to the minutes.

Mr. Oliver said a corrected copy of the resolution for Case No. SP-40-84, Padgett's Ordinary, Phase II, was distributed to the Board members before the meeting.

Mr. DePue made a motion to approve the minutes as amended.

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

C. 1. Certificate of Appreciation - Mark Harris

Mr. Taylor read and presented a Certificate of Appreciation to Mark Harris, son of Gene C. and Cheryl E. Harris, 36 Jan Rae Circle, James City County, for his courageous rescue of a four year old neighbor from inside a burning mobile home on December 17, 1983.

CERTIFICATE OF APPRECIATION

WHEREAS, Mark Harris, age eleven, son of Gene C. and Cheryl E. Harris and resides at 36 Jan Rae Circle in James City County; and

WHEREAS, on the afternoon of December 17, 1983, a fire broke out in the Windy Hill Mobile Home Estates; and

WHEREAS, Mark Harris displayed extraordinary courage and foresight in rescuing a four year old neighbor from inside a burning mobile home; and

WHEREAS, such action exemplifies a level of bravery, maturity and concern for others that few attain in a life-threatening situation;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby recognize this extraordinary performance and expresses its gratitude to

MARK HARRIS

for his quick and competent actions.

BE IT FURTHER RESOLVED that this resolution be spread on the minutes of this Board and a suitable copy be presented to Mark Harris.

2. Proclamation - Voter Registration Month

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Mr. Taylor presented a resolution to Mrs. Elise Bick, secretary of the Electoral Board, which designated September as Voter Registration Month in James City County and urges all James City County residents, who are eligible, to fully exercise their citizenship and register to vote.

RESOLUTION

VOTER REGISTRATION MONTH

WHEREAS, the vote allows our citizens to show their concern over issues important to them; and

WHEREAS, the vote is the means by which the leaders of our country, the Commonwealth of Virginia and our County are elected; and

WHEREAS, only 60 percent of those who are eligible to vote in Virginia are registered; and

WHEREAS, the Governor of Virginia has designated September 1984 as VOTER REGISTRATION MONTH in the Commonwealth of Virginia; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby designate September 1984 as VOTER REGISTRATION MONTH in James City County and urges all James City County residents, who are eligible, to fully exercise their citizenship and register to vote.

D. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer, reported that the Highway Department will proceed with design and construction of the road into the Upper County Park now that funds have been approved by the Highway Department. He expects construction to begin next summer.

He also reported that construction of left turn lanes at Route 5 and St. George's Hundred and First Colony Subdivisions will begin either in the fall or spring after survey information is completed.

Mr. Hall stated that a two year study shows that the intersection of Routes 614 and 60 does qualify for a traffic signal. This traffic signal will be installed in about two weeks and will tie in with the lighting sequence at Route 646. The Board had requested the Highway Department to monitor this intersection.

Mr. Taylor thanked Mr. Hall for installing a lower speed limit sign in the Racefield community which was requested by the residents.

Mr. Taylor said he had received a call from a resident on Route 60 and Holly Fork Road to have the drainage ditch in front of his home unclogged to eliminate water overflowing onto his property.

Mr. Brown said the C&O Railroad spur crossing Route 60 at the Brewery needs repair but wasn't sure whether the Highway Department or the Railroad was responsible for the repairs.

Mr. Hall stated that the Railroad was responsible for the tracks plus two feet outside the tracks and the Highway Department is responsible for the road. Mr. Hall will notify the C&O about the area needing maintenance.

Mr. Brown said several business men in the Northern end of the County have contacted him about placing a sign at Routes 607 and 60 to direct traffic to Interstate 64. Mr. Brown asked if Mr. Hall needed a resolution to study the request.

Mr. Hall said a resolution would have more weight.

Mr. DePue asked for an update on the impact the opening of the condominiums will have on Route 199 and Jamestown Road.

Mr. Hall said no in-depth study had been done but at this time, he doesn't expect the traffic generated at the intersection to be more than the amount of traffic a service station would create.

Mr. Mahone provided Mr. Hall a copy of a petition from residents on Dogwood Drive, Chestnut Road, and Redbud Lane to have their streets resurfaced. Mr. Mahone asked for a follow-up report.

E. CONSENT CALENDAR

Mr. Taylor asked if any Board member wished to remove any items from the Consent Calendar. He removed item #2.

Mr. Oliver asked the Board to consider item F-1, Case No. CUP-4-84, Bush Construction Company, as a Consent Calendar matter since it was incorrectly placed under Board Considerations. The Board agreed to this request.

Mr. Taylor made a motion to approve all the remaining items on the Consent Calendar and to include item F-1, Case No. CUP-4-84, Bush Construction Co.

Mr. Mahone said he had a question on item E-1, Central Absentee Voter District. He inquired as to the number of absentee votes usually received during an election.

Mr. Oliver suggested that Mrs. Elise Bick might provide the answer.

Mrs. Bick reported they usually receive 500 to 600 absentee ballots in a Presidential election year.

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

1. Set P. H. date for Oct. 15, 1984 for Central Absentee Voter District

3. Award of Construction Contracts - Grove HUD Project; Sections II and III, Streets and Drainage

RESOLUTION

AWARD OF CONSTRUCTION CONTRACTS SECTIONS II AND III - GROVE STREETS AND DRAINAGE

WHEREAS, A Community Development Block Grant for the Grove Neighborhood Project was approved by the Department of Housing and Urban Development on July 28, 1981; and

WHEREAS, funds for the second year expenditure for Sections II and III of the project were approved on June 15, 1983, and a revised budget for the work was approved by HUD on June 21, 1984, and

WHEREAS, bids for the second year work in Section II and III of the project were reviewed on July 19, 1984, and the single qualifying bid received was in excess of the approved funds; and

WHEREAS, with HUD concurrence, negotiations were conducted with the bidder, resulting in a revision to the street design and a reduction in the bid amounts to a total amount within the limits of approved funds

NOW, THEREFORE, BE IT RESOLVED that contracts be awarded on the basis of the negotiated bid price to Henry S. Branscome, Inc., for the following amounts:

| | |
|----------------|---------------------|
| For Section II | \$469,525.65 |
| Section III | \$104,097.64 |
| Total | <u>\$573,623.30</u> |

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This award is subject to approval of all documents by the County Attorney.

BE IT FURTHER RESOLVED that the County Administrator is authorized to execute contracts in the above amounts for the Sections II and III work with Henry S. Branscome, Inc., subject to approval by the appropriate authorities, and is authorized to execute any and all documents in connection therewith.

F-1. Case No. CUP-4-84. Bush Construction Co.

RESOLUTION
CONDITIONAL USE PERMIT
CASE NO. CUP-4-84

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a temporary mobile home on property owned by Williamsburg Vacations as described below and on the attached site location map.

Applicant: Mr. John Digges for Bush Construction Co.

Real Estate Tax Map ID: (38-3)

Parcel No. (1-19)

District: Berkeley

Zoning: PUD-R, Planned Unit Development
Residential

Permit Term: The permit term shall expire at the end of one year from this date or the completion date of construction, whichever is first.

The permit may be renewed by the Zoning Administrator for one six-month extension if the first phase of the project is not completed in the initial one-year period.

Further Conditions: The construction office trailer shall meet all required setbacks.

E. 2. Groundwater Research Station

Mr. Taylor inquired as to the number of acres at the site that will be involved in the Groundwater Research study.

Mr. Wayland Bass, Director of Public Works, stated that only .8 of an acre is involved.

Mr. Taylor wanted to know if the survey team would drill a well or use the land as a station

Mr. Bass said the surveyors would drill two or more small diameter holes on the site for geological information and to measure water level and water quality.

Mr. Taylor inquired if the holes would be refilled or left open.

Mr. Bass stated this is a long term research project which might last 10, 20 or 30 years.

Mr. Taylor asked about the County's arrangements with the State Water Control Board and the surrounding communities.

Mr. Bass stated we are participating with the cities of Williamsburg, Newport News, and York County.

Mr. Taylor said he did not want to vote on this matter in a way that would affect any of the County's options on water rights as we are dependent on groundwater at this time.

Mr. Bass said the groundwater study will not have any affect on our options.

Mr. Taylor inquired if the study would indicate how much water is in the ground and what rate it is being withdrawn.

Mr. Bass said the study will identify the consequences of withdrawing water.

Mr. Mahone said he too is concerned about this matter. He would find it interesting to know what the consequences will be since the County is heavily dependent on groundwater and have aquafirs under us and our use of the aquafirs has certain potential and once we are beyond that point we are certain to have problems. He said that Newport News is considering withdrawing large amounts of water from land they own in New Kent, Charles City and James City and he is reluctant to give information or support which will allow them to withdraw large amounts of water from our area.

Mr. Bass stated the groundwater study can be cancelled by either the County or the State Water Control Board.

Mr. Brown said the more information we have on groundwater, the better our position will be.

Mr. Taylor said we do not want to give away our groundwater rights since they can not be regained.

Mr. Mahone asked Mr. Morton if he was aware of any control the County has over an outside party withdrawing large amounts of water for municipal use in other areas.

Mr. Morton said he is researching the issue.

Mr. Edwards made a motion to approve the resolution.

Mr. Brown inquired about the diameter of the holes to be drilled.

Mr. Bass said they would probably be about 3 or 4 inches in diameter.

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

RESOLUTION

RESOLUTION OF AUTHORIZATION

WHEREAS, the State Water Control Board has requested authorization to install and use a Groundwater Research Station on the Western County Container Site; and

WHEREAS, the results of this monitoring will be of benefit to James City County; and

WHEREAS, the groundwater monitoring station will not in any way interfere with the refuse collection activity on this property.

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NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the County Administrator be authorized to execute a license permitting the State Water Control Board to construct, maintain and test this Groundwater Research Station.

F. Board Considerations

2. Street Name Assignments/Changes

Mrs. Victoria Gussman, Acting Director of Planning, presented this matter to the Board. She stated that the Office of Real Estate Assessments has requested that names be assigned to the streets listed in order to assign street addresses to properties as a part of the County's overall street addressing program.

Mrs. Gussman said that systematically assigning street addresses throughout the County was in the interest of the public safety and convenience and the staff recommended the Board's approval of the name changes.

Mr. DePue stated that in many cases requests for a street name change comes from the residents. He inquired if the County normally names dirt roads.

Mrs. Gussman said we do for emergency purposes only.

Mr. Taylor wanted to know if staff had contacted any of the residents on these roads.

Mrs. Gussman said they had not.

Mr. Mahone cautioned that it might be a problem naming a street after a resident especially when the other residents find out.

Mrs. Burcham, the Assistant County Administrator, said there are only two families on some of these streets.

Mr. Brown stated that since there is no rush on the matter, the residents should be notified about the proposed street name change. He suggested deferring the matter until after the residents are notified.

Mr. DePue agreed with Mr. Brown.

Mr. DePue and Mr. Mahone both stated that they preferred to notify the residents before voting on the changes.

Mr. DePue said the residents of Wythe Road requested their street name be changed and he was willing to vote on it.

Mr. DePue made a motion to approve item 8, Wythe Road to Paddock Lane, on the proposed street name assignments list.

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

RESOLUTION

STREET NAME ASSIGNMENT/CHANGE

WHEREAS, Section 17-38 of the Subdivision Ordinance of James City County provides the James City County Board of Supervisors with the authority to rename streets; and

WHEREAS, it is in the interest of public safety and convenience to assign names to streets in James City County with no formal name in order to assign street addresses to them; and

WHEREAS, it is in the interest of public safety and convenience to change names of streets in James City County which have duplicate names;

NOW, THEREFORE, BE IT RESOLVED that the following name be approved for assignment to a street in James City County.

1. Paddock Lane - Formerly Wythe Road extending off the northwest side of John Tyler Highway between Huntington Drive and Cooley Road. Tax Map No. (47-2).

Mr. Taylor asked the Board to advise Mrs. Gussman on the manner in which she should handle the other street name changes.

Mr. DePue stated that staff should notify the residents living on the streets to be changed, that the Board intends to change the name of their street at the next afternoon Board meeting.

G. MATTERS OF SPECIAL PRIVILEGE

1. Mr. Jack Scruggs of Toano, requested the Board to carefully review Newport News' request to install wells that will withdraw 10 million gallons of water from the Ware Creek Reservoir as the County's water needs are increasing each year.

Mr. Taylor said he is aware that many citizens are concerned about the water issue.

Mr. DePue said the Board is also very aware and concerned about this matter and the consequences of a deep well. There has been one meeting with two members of the Board with Newport News officials to discuss groundwater rights.

Mr. Brown asked Mrs. Bick and Mr. Fred Cyrus, members of the Electoral Board, if they had any matters to present to the Board.

Mr. Oliver said Mrs. Bick and Mr. Cyrus would be interested to learn that today he authorized Mrs. Judy Trautman, Registrar, to hire a part-time, temporary assistant registrar, to help with registrations prior to the November 6, General Election.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver, commenting on the FY84 Year-End Review of the Workload Indicator Report, revealed that the workload for many departments and agencies in the County had increased substantially over FY83. Mr. Oliver quoted statistics that reflected large differences for a number of specific departments. Mr. Oliver advised the Board that they would receive a copy of this report in their next Reading File.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Brown, commenting on a financial report in the Reading File regarding the FY84 Unappropriated Fund Balance of \$410,000, requested clarification on the amount of the surplus in the original budget for FY84.

Mr. Oliver and Mr. DePue stated it was zero.

Mr. Oliver stated that surplus combines revenue and under-expenditures and the Board uses that to balance the budget.

Mr. Brown inquired what the surplus was at the end of the last fiscal year.

Mr. Oliver said about \$200,000.

Mr. DePue said the Board should consider what to do with the \$410,000 surplus and suggested it be appropriated to the Contingency Fund.

Mr. Brown agreed it should go into Contingency or Capital Outlay.

Mr. DePue, commenting on a memo in the Reading File regarding litter, recommended to the Board that they approve the County Administrator to send letters to convenience store operators to become more responsible for the litter problem around their stores.

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

Mr. Brown noted a follow-up to his letter in the Reading File to the Department of Highways regarding Route 199. Mr. Brown said after discussing the matter with Mrs. Gussman, they had agreed to change item 7.

Mr. Oliver recommended to Mr. Taylor that at the appropriate time, the Board adjourn until their work session on August 28, 1984, at 5:30 p.m.

Mr. Mahone stated that in the Minutes of the August 13, 1984 meeting, two board members had expressed comments over the design of the addition to the Grove Fire Station and the minutes did not reflect these comments. He stated that he wanted Caro, Monroe, and Liang Architects to be advised that cost is a consideration of the fire station addition and that sheet/metal or wood sheathing is acceptable if masonry construction is more expensive.

Mr. Mahone said that the estimate given to the Board had a \$100,000 variance and he wants to eliminate some of that variance. Originally, the addition was to provide a meeting room that would be comfortable in summer and winter but that the plan shown to the Board was a more elaborate one.

Mr. Mahone stated that he is extremely concerned over the cost of the addition and if the plan becomes too expensive, he will vote against it. He requested that the architect be notified that while price is a consideration, the County wants a nice facility but not the most expensive one.

Mr. Oliver reassured Mr. Mahone that at a meeting this morning with the architect, Mr. Monroe was advised of the Board and the Fire Chief's concern regarding costs of the addition.

Mr. Oliver said that the Fire Chief has requested the architect to do a cost/benefit analysis to prove that masonry over the long run will be a better maintenance item in the full life cycle costing of materials. The architects are aware of our concerns to be cost conscious. Mr. Oliver has also requested long and short range costs options and staff plans to bring to the Board a set of options that take their concerns into account.

Mr. DePue stated he agreed with Mr. Mahone's remarks.

Mr. Mahone further stated that while on the Planning Commission, he supported the Grove Fire Station addition and when the time comes to vote for it he does not want to vote against it for cost reasons. He hopes the proposed changes can be made without taking the most expensive way.

Mr. Oliver asked Mr. Mahone if his comments could be included in the current Minutes.

Mr. Mahone agreed.

Mr. Taylor asked the Board if they were ready to go into Executive Session, as requested earlier by Mr. DePue, to discuss a personnel matter, pursuant to Section 2.1-344 (a) (1).

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

Mr. Oliver invited the Board and the public to attend James City County's 350th Anniversary Festival at Jamestown Festival Park on Saturday, September 1st, from 9:00 a.m. to 9:00 p.m. Mr. Oliver announced that there would be exhibits by the various County departments, games, crafts, entertainment, food and fireworks.


At 4:10 p.m., the Board convened into Executive Session.

At 5:15 p.m., the Board reconvened into their regular meeting.

Mr. Edwards made a motion to adjourn the meeting.

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

The meeting was **ADJOURNED** until 5:30 p.m., August 28, 1984.



James B. Oliver, Jr.
Clerk to the Board

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