

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 11TH DAY OF MARCH NINETEEN HUNDRED EIGHTY-FIVE AT 7:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

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

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

B. MINUTES - March 11, 1985

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

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

C. PRESENTATION

Mr. Charles Longworth, President, Colonial Williamsburg Foundation, stated he had recently spoken at the Williamsburg City Council on the same issues that he was presenting to the Board. He stated the purpose of his presentation was to emphasize the need for James City County and surrounding areas to communicate with the Colonial Williamsburg Foundation and to eliminate misconceptions about the goals of the Colonial Williamsburg Foundation. He stated 1984 had been a very good year for the Foundation due to increased sales, better marketing programs and the fact that the City of Williamsburg helped to finance television advertising time. He stated 1985 is scheduled to be the best year for new openings. Mr. Longworth stated by studying and managing revenue operations they want to encourage the level of growth and increase the level of visitation to the community to fulfill their economic role. He stated Colonial Williamsburg needed to be assured of its future and they needed to capitalize on their land holdings and stated that is why a consultant from New York was hired to present them with new development ideas. He stated Colonial Williamsburg wants to work with James City County in a harmonious way but he encouraged the Board and the Planning Commission to be aware of the potential impacts on the environment, work areas and values as they reviewed new development proposals. He also stated he would like to see James City County adopt a meal tax.

Mr. Brown stated that on behalf of the County he thanked the Colonial Williamsburg Foundation for its participation in the community.

Mr. Edwards stated the Foundation was an important institution to the County and was grateful for their participation in the community.

D. PUBLIC HEARINGS

Mr. Brown called the Service Authority back into session.

1. Regulations Governing Utility Service

Mr. John McDonald stated the purpose of the joint public hearing was to hear public comments on proposed changes in the Regulations Governing Utility Service. He stated these changes were essentially efforts to fine tune the Regulations in recognition of certain problem areas which have been experienced since the Regulations went into effect on July 1, 1984. Mr. McDonald stated the changes proposed limit the mandated requirement to

connect to either public water or public sewer to those properties within 1,000 feet of a current public water or sewer line; clarify the definitions of local and system facilities to include within the definition of local facilities water and sewer facilities that are dedicated solely to one development; redefine certain sections where connection is required; and the County water charge that was put in place to provide an incentive for structures to connect to public water would be limited to existing structures.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor asked if the 500 feet or 1,000 feet pertained to existing structures.

Mr. McDonald responded that it was for both existing and new structures if the development area is 2,500 square feet or less.

Mr. Mahone asked if there was a requirement to extend sewer and water across someone else's property.

Mr. McDonald stated the property line must be adjacent to the public utility. He also stated that there was a provision that would change definitions so that it could be extended across property owned by the Virginia Department of Highways and Transportation with that Department's concurrence.

Mr. Brown stated that the proposed changes were the result of specific cases which occurred over the last nine months and stated that these changes would help to make equitable solutions.

Mr. Brown made a motion for the Board of Supervisors to adopt the resolution.

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

Mr. Brown made a motion for the Service Authority to adopt the resolution.

The motion passed by a unanimous voice vote.

RESOLUTION

AMENDMENTS TO REGULATIONS GOVERNING UTILITY SERVICE

WHEREAS, the Board of Supervisors of James City County and the Board of Directors of the James City Service Authority has adopted Regulations Governing Utility Service and desires to amend said resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, and the Board of Directors of the James City Service Authority hereby amends the Regulations Governing Utility Service by including the amendments as attached and made part of this resolution.

Mr. Taylor made a motion to adjourn the Service Authority.

The motion passed by a unanimous voice vote at 8:18 p.m.

2. Case No. S-86-84. Amendments to the Subdivision Ordinance to Allow Townhouse and Condominium Subdivisions

Mrs. Victoria Gussman presented this matter to the Board. Mrs. Gussman stated the amendments would provide for administrative approval of townhouse and condominium subdivisions where a site plan has been reviewed by the Site Plan Review Committee, exempts townhouse and condominium subdivisions from some lot and block requirements, allows private streets if approved by the Planning Commission, provides for submittal requirements for townhouse and condominium subdivision preliminary and final plats and requires nine copies of the preliminary plat be submitted for all subdivisions. Mrs.

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Gussman stated that on January 22, 1985 the Planning Commission voted unanimously to forward a recommendation of approval of the amendments to the James City County Subdivision Ordinance.

Mr. Brown stated the subdivision ordinance needs a lot of change but this matter was considered important enough to bring forward now. He stated that after the Zoning Ordinance was passed, the Planning Commission will address the entire subdivision ordinance.

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Mahone asked Mrs. Gussman why nine sets of the preliminary plat were required.

Mrs. Gussman stated the Planning Department had been requesting nine copies for some time. She stated one copy was needed for the School Board, two to the Highway Department, one to the Fire Department, one to the Soil Conservation Service, one to the Health Department, one to Public Works and two for the Planning Department.

Mr. Brown made a motion to approve the ordinance.

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

E. CONSENT CALENDAR

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

Mr. Mahone made a motion to approve the items on the Consent Calendar listed under E-1.

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

- 1 a. Set Public Hearing Date of March 25, 1985 for Case No. SUP-6-85.
- b. Set Public Hearing Date of April 8, 1985 for:
 - (1) Case No. SUP-4-85. Daniel B. Nice
 - (2) Six-Year Plan
- c. Personnel Policies and Procedures Manual, Chapter V, Sect. 13, Clothing Maintenance

RESOLUTION

RESOLUTION TO AMEND THE PERSONNEL POLICIES AND PROCEDURES MANUAL, CHAPTER V, SECTION 13, CLOTHING MAINTENANCE

WHEREAS, the Personnel Policies and Procedures Manual does not provide authority to pay the Investigators and Supervisor of Investigations in the James City County Police Department a clothing maintenance allowance; and

WHEREAS, the Board desires to provide authority for such a clothing maintenance allowance; and

WHEREAS, Chapter V, Section 13 of the Manual does not provide a payment plan for a clothing maintenance allowance which facilitates the reporting requirement of current income tax laws; and

WHEREAS, the Board desires to have an efficient payment plan for the clothing maintenance allowance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Personnel Policies and Procedures Manual, Chapter V, Section 13, Clothing Maintenance, be superseded and replaced by the attached Section, to be effective immediately.

- d. Donation of Pick-up Truck to the James City Bruton Volunteer Fire Department

RESOLUTION

DONATION OF PICK-UP TRUCK TO THE JAMES CITY-BRUTON VOLUNTEER FIRE DEPARTMENT

WHEREAS, the Assistant Chief of the James City-Bruton Volunteer Fire Department has requested that a certain 1972 Ford Pick-up Truck (Brush 6) titled to the County be returned to the James City-Bruton Volunteer Fire Department; and

WHEREAS, it is the desire of the Board of Supervisors to donate said truck to the James City-Bruton Volunteer Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the 1972 Ford Pick-up Truck (Brush 6) be and is hereby donated to the James City-Bruton Volunteer Fire Department and directs that the necessary transfers effecting such donation be completed.

- e. Donation of Retired Animal Control Truck to S.P.C.A.

RESOLUTION

DONATION OF RETIRED ANIMAL CONTROL TRUCK TO THE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

WHEREAS, the President of the Society for the Prevention of Cruelty to Animals (S.P.C.A.) has expressed a need for a certain County Animal Control truck which has been retired from County service; and

WHEREAS, it is the desire of the Board of Supervisors to donate said truck to the Society for the Prevention of Cruelty to Animals.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the Animal Control truck retired from County service be and is hereby donated to the S.P.C.A. and directs that the necessary transfers effecting such donation be completed.

- f. Installation of Streetlights

RESOLUTION

INSTALLATION OF STREETLIGHTS

WHEREAS, a petition has been filed for the installation of additional streetlights in the Grove Community; and

WHEREAS, streetlighting plans and cost estimates have been prepared by the Virginia Electric & Power Company and reviewed by the County Department of Public Works; and

WHEREAS, funds are available in the FY 1984-85 budget for the installation and annual rental charges.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approves the installation of four additional streetlights in the Grove Community as shown on the attached plan.

- g. Application for FY 85 Highway Safety Grant

RESOLUTION

FY 85 HIGHWAY SAFETY GRANT APPLICATION

WHEREAS, the Federal Government has made funds available to support Local Highway Safety Programs; and

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WHEREAS, the Board of Supervisors of James City County desires Federal funds to help improve pedestrian safety in James City County.

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 Highway Safety Project Grant.

h. Case No. SP-10-85. Nine Hole Golf Course at Ford's Colony

RESOLUTION

SITE PLAN APPLICATION CASE NO. SP-10-85
NINE HOLE GOLF COURSE AT FORD'S COLONY

WHEREAS, approval of the site plan has been recommended by the Planning Commission in accordance with Section 20-72 of the James City County Zoning Ordinance; and

THEREFORE, BE IT RESOLVED that approval be granted of the plan for the proposed development of property as described below and in accordance with the conditions below.

Applicant:	Mr. Drew Mulhare on behalf of Ford's Colony at Williamsburg, Inc.
District:	Powhatan
Zoning:	R-4, Residential Planned Community
Parcel No.:	(2-1)
Tax Map No.:	(30-4)
Further Conditions:	Cleared areas may be left bare for no more than 30 days.

Additional erosion and sediment control and drainage information is required.

In accordance with Section 20-163 of the Zoning Ordinance, filling within the area located within the 100 year flood boundary is prohibited unless: (a) Such fill will not increase the level of flooding on any other property; or (b) The cubic area of the base flood plain to be filled is equalled by additional cubic area to be added to the base flood plain by dredging or removal of earth.

Add a note on the site plan to indicate the amount and location of fill in the 100 year flood plain.

In accordance with Section 20-71(b) of the Zoning Ordinance, a deed of easement to safeguard the permanent use of open areas shall be provided for this section of the golf course.

The note stating that "owner reserves the right to adjust the golf course boundary to coincide with the pond's high water elevations" shall be removed from the site plan.

Construction details of the golf cart tunnels shall be submitted for final site plan approval. Building permits must

be obtained for construction of the tunnels.

i. Changes to the Purchasing Manual

RESOLUTION

REVISION OF PURCHASING MANUAL

WHEREAS, a centralized purchasing system has been adopted for the efficient and economical purchase of all supplies, materials, equipment and contractual services required by any department or agency of James City County; and

WHEREAS, the policies and procedures governing the operation of the centralized purchasing system have been incorporated into a document known as the "James City County Purchasing Manual, and

WHEREAS, it has now been deemed desirable to make the following revisions to said Manual:

- a. Increase the limit for small purchases from \$5,000 to \$10,000.
- b. Increase the allowable limit for telephone quotes from \$1,000 to \$5,000.
- c. Increase the allowable limit for formal written quotes from \$5,000 to \$10,000.
- d. Increase the expenditure level for formal sealed bids from \$5,000 to \$10,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors approve these revisions and authorize the County Administrator to amend the applicable sections of the "James City County Purchasing Manual" and issue changes to the procedures as they become necessary.

j. Underground Electric Service for the Human Services Center

RESOLUTION

HUMAN SERVICES CENTER
EASEMENT FOR UNDERGROUND POWER FACILITIES

WHEREAS, the Board of Supervisors finds it desirable to install underground power facilities at the Human Services Center.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is hereby authorized and directed to execute the attached agreement with Virginia Electric and Power Company granting the easement for said underground power facilities.

k. Case No. CUP-3-85. Richard Beach Builders, Inc.

RESOLUTION

CONDITIONAL USE PERMIT

CASE NO. CUP-3-85

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

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

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Applicant: Mr. Marty Williams for Beach Builder, Inc.

Real Estate Tax Map ID: (38-4)

Parcel No. (1-11)

District: Jamestown

Zoning: R-5, Multi-family Residential

Permit Term: The permit term shall expire on December 1, 1985, the anticipated completion date of construction.

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

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

2. Case No. SP-4-85. Quarterpath Trace Village, Phase 3A

Mr. Mahone made a motion to approve item #2 on the Consent Calendar.

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-4-85
QUARTERPATH TRACE VILLAGE, PHASE 3A

WHEREAS, approval of the site plan has been recommended by the Planning Commission in accordance with Section 20-72 of the James City County Zoning Ordinance; and

THEREFORE, BE IT RESOLVED that approval be granted of the plan for the proposed development of property as described below and in accordance with the conditions below.

Applicant: Mr. Ronnie Orsborne on behalf of Busch Properties, Inc.

District: Roberts

Zoning: R-4, Residential Planned Community

Parcel No.: (4-2A) (4-3A) (4-4A)

Tax Map No.: (50-1)

Further Conditions: The developer must fill out a land disturbing permit application and execute a siltation agreement.

Specify on the plan that four trees at a minimum height of 10 feet will be located within the parking areas in accordance with section 20-12(B)(4) of the Zoning Ordinance.

In accordance with Section 20-12(B)(5) of the Zoning Ordinance, adequate lighting shall be provided if the uses which are served by the parking lot will be in operation at night. The lighting in parking lots shall be directed so as not to produce objectionable glare on adjacent property or streets.

At least two handicapped parking spaces must be provided in accordance with section 20-12(A)(7) of the Zoning Ordinance and Section 515.4 of the BOCA Basic Building Code.

F. BOARD CONSIDERATIONS

1. Moses Lane East Williamsburg Container Sites

Mr. Wayland Bass presented this matter to the Board. Mr. Bass indicated there were six options available for a container site in this area. He stated the advantages and disadvantages of each site. Mr. Bass stated that Mr. Hays, whose property is shown in Option 6, had agreed to sell his lot for \$3,450 which is an acceptable price. Mr. Bass stated that staff felt Option 2 using the Hays and Thomas properties on Moses Lane was best in terms of planning, land use, and container program operations. Mr. Bass stated staff would implement any option selected by the Board.

Mr. Edwards asked how many containers could be placed on the Hay's property.

Mr. Bass stated six or eight at the most could be used.

Mr. Mahone asked which lot contained the vacant house.

Mr. Bass stated it was the Walker property.

Mr. Edwards asked if contact had been made with the owner of the Walker property.

Mr. Bass replied no contact had been made.

Mr. Brown stated there seemed to be no good answer to this problem. He stated Option 6 appeared to be the best option because the owner, Mr. Hays, has agreed to sell his lot. He stated attempts to contact the owner of the Walker property should continue and if it were acceptable, another container site could be placed on his property.

Mr. Brown moved approval of Option 6.

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

2. Landfill Agreement, York County

Mr. Frank Morton presented this matter to the Board. Mr. Morton stated this agreement had been adopted by the York County Board of Supervisors. He stated that an estimated five tons of residential refuse per day would be delivered by commercial haulers from York County to the James City County Landfill. He stated the agreement provides for a lump sum annual payment of \$2,000 to cover overhead, \$1.00 per residential vehicle load, and \$15.62 per ton, which would be James City County's cost to dispose of the waste. Mr. Morton stated that any load identified as containing partial York County refuse, would be assumed to be 100% York refuse and would be charged at that disposal rate.

Mr. Taylor asked how it could be determined if haulers were carrying York County refuse.

Mr. Morton stated that patterns from certain haulers could be determined and stated the County should not subsidize other counties' waste disposal without some sort of an agreement.

Mr. DePue stated he felt there was a major shortcoming with the Agreement. He stated it did not allow commercial refuse in York County to be hauled by commercial handlers to the James City County Landfill.

Mr. Wayland Bass stated that it was the preference of York County that York County commercial haulers use the York County Landfill.

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Mr. Edwards asked if \$15.62 per ton assumed some of the cost of the land for the landfill. He stated he felt this cost was too low. He stated once the County needs more land for the landfill, the cost will be much higher. He stated it was not a good idea to allow other jurisdictions to dump their trash at our cost where our cost is based on previous land cost and not what the County will have to pay for additional land in the future.

Mr. Oliver stated the price tendered to the neighboring counties was determined a year ago and felt to be an accurate price. He stated that the Agreement took so long to draft that the price was probably too low at this time. Mr. Oliver stated that the York County Agreement expired in one year and the New Kent Agreement expired in six months. He suggested the Board accept these agreements and use the time as an experience factor to see how much the landfill is used and adjust the price if necessary once the agreements expire.

Mr. Edwards stated the actual cost is not a good starting price and it would not be favorable to significantly raise the price once the agreements expired.

Mr. DePue stated he did not support the agreement. He stated he would like James City County to have an agreement with York County but suggested the agreement be sent back to staff for more work. Mr. DePue restated his concern that commercial establishments in York County are encouraged to bypass commercial haulers who may want to be of service to them. Mr. DePue stated it would be more fair to York County if the tonnage price were one that would last for awhile.

Mr. John McDonald stated that if he had a business in Bruton District he would pay \$8 per ton if he hired a contract hauler to dump the refuse in the York County Landfill. He stated that if he were to dispose of the refuse in the James City County Landfill himself, he would pay \$15.62 per ton. He stated the Agreement is written to encourage commercial establishments not to use the James City County Landfill.

Mr. DePue stated the market place should make the final determination.

Mr. Taylor asked how long staff had been working on this agreement.

Mr. Oliver stated two years.

Mr. Taylor asked if the York County Agreement expired in twelve months.

Mr. Morton stated that was correct and stated the Agreement could be terminated upon thirty days written notice by either party.

Mr. Taylor stated the Agreement should be tried on a trial basis for two or three months and then a decision could be made based upon the results.

Mr. Brown stated the Agreement should be tried and if it did not work out, it could be terminated.

Mr. DePue stated he felt it was a flawed Agreement and stated the commercial haulers should not be penalized.

Mr. DePue moved to send the Agreement back to staff for additional work.

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

Mr. Mahone made a motion to approve the agreement.

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

RESOLUTION

AUTHORIZATION TO ENTER INTO A LANDFILL AGREEMENT WITH YORK COUNTY

WHEREAS, James City County desires to enter into an agreement with York County to allow certain York County waste to be disposed of at the James City County landfill.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator is authorized and directed to enter into the attached agreement with York County providing for disposal of described York County waste at the James City County landfill.

3. Landfill Contract, New Kent County

Mr. Morton stated one truck a day owned by New Kent County would be delivering solid waste to the landfill.

Mr. Mahone asked if individual haulers were anticipated.

Mr. Morton responded no and stated provisions for such were not made in the contract.

Mr. DePue stated he had no problem with the agreement but he could not vote in favor of it. He stated the price was too low and the landfill was a precious resource to this county which other counties needed.

Mr. Brown made a motion to adopt the agreement.

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

RESOLUTION

AUTHORIZATION TO ENTER INTO A LANDFILL
AGREEMENT WITH NEW KENT COUNTY

WHEREAS, James City County desires to enter into a mutually acceptable agreement with New Kent County to allow New Kent County owned refuse collection trucks to use the James City County landfill facilities; and

WHEREAS, the James City County Board of Supervisors concurs that such use is appropriate under certain terms and conditions.

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator is authorized and directed to enter into the attached agreement with New Kent County.

G. PUBLIC AUDIENCE

1. Mr. E. Ware Warburton, Route 3, Williamsburg, presented a history of his case with the County in condemning his property for expansion of the landfill.

2. Mr. Howard Berry, 8099 Diascund Road, encouraged the Board to be careful when committing themselves to other agencies. He stated that the Federal Government could step in with regulations allowing chemicals to be dumped in the landfill. He stated hiring a consultant would be more favorable than just passing agreements. He stated before passing agreements, the type of industry in the area should be considered.

Mr. Oliver stated he would have Mr. Dave Clark get together with Mr. Berry if he had any questions about the landfill.

3. Mr. Sam Powell, representing Jack Massey, requested the Board to consider an amendment to the A-1 zoning to include storage, stock piling and distribution of sand, gravel and crushed stone permitted by special use permit.

Mr. Jack Scruggs, Stonehouse District, congratulated the Board and staff for televising Board meetings.

H. REPORTS OF THE COUNTY ADMINISTRATOR

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Mr. Oliver stated the Planning Department had provided materials which attempted to address all issues raised at the public hearing on the Proposed Zoning Ordinance and stated Mrs. Gussman was present to answer questions.

Mr. Edwards suggested the Board vote on the specific items raised and requested staff to include these in a report that will be discussed at the next meeting.

Mr. Taylor asked when the public would be able to comment on the amendments.

Mr. Edwards stated that the changes agreed on by the Board at this meeting would serve as notice to the public to attend the next meeting and make comments.

Mr. Brown stated that the Board was not agreeing on final language at this time but on concepts.

Mr. Edwards stated that was correct.

Mr. Edwards stated they would begin with the A-1 zone.

Mr. Taylor stated that the majority of the people attending the public hearing were from the Stonehouse District and 90% of them requested the Board not to make any changes.

Mr. Taylor moved approval of his memorandum requesting all parcels in the Stonehouse District remain as they are currently zoned and that no changes to the zoning text be applicable.

Mr. DePue stated he could not support the motion. He stated with regards to the text itself there could be only one Zoning Ordinance. He stated he felt the majority should rule in regards to the Zoning Ordinance and stated he would respect all the supervisors and their proposals.

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

Mr. DePue stated his meeting with representatives of his district felt comfortable with the current zoning on mobile homes.

Mr. DePue, therefore made a motion that Centerville Road to Greensprings Road be deleted from Section 20.10.2.

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

Mr. DePue moved to amend the Zoning Map to stop the A-2 district along Centerville Road behind the east side of Centerville Road.

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

Mr. Brown stated he agreed with Mr. Edwards and would like to change densities in the R-5 zone. Mr. Brown made a motion to provide Board authority to grant an additional 10% density bonus over and above the 20% bonus the Planning Commission can issue for apartment and townhouse projects that meet certain requirements.

Mr. DePue stated this would make the process too complicated and stated he did not want site plans to come to the Board.

Mr. DePue moved to amend Mr. Brown's motion so that the Planning Commission could issue a 30% density bonus.

The roll call on Mr. DePue's motion was AYE: DePue (1). NAY: Brown, Edwards, Mahone, Taylor (4).

The roll call on Mr. Brown's motion was AYE: Brown, Edwards, DePue, Mahone, Taylor (5). NAY: (0).

Mr. Brown moved to amend Section 20.29.1, Uses Permitted by Special Use Permit only in the A-1 district to include: Storage, stockpiling and distribution of sand, gravel and crushed stone.

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

Mr. Brown noted that the parcel behind Norvailia is proposed and advertised as totally A-1. He asked if it were upgraded to A-2 or R-2 would another public hearing would be required.

Mr. Morton stated that was correct.

Mr. DePue stated the Board should wait to see what happens with the minimum lot sizes in the A-1 zone before deciding on this matter.

The Board agreed with the Planning Commission's recommendation to rezone Deerwood Hills from A-1 to R-6.

Mr. Taylor made a motion to leave Elmwood zoned A-1.

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

Mr. Taylor made a motion to leave Burnham Woods zoned A-1.

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

Mr. DePue stated the developer, who owns the majority of the lots, wants Lake Toano rezoned R-1.

The Board agreed with the Planning Commission's recommendation to rezone Lake Toano from A-1 to R-1.

The Board agreed with the Planning Commission's recommendation to rezone Mirror Lake Estates from A-1 to R-1.

Mr. DePue stated the most significant change in the A-1 zone is minimum lot sizes. He stated he supports larger lot sizes and stated the proposed zoning ordered provided no incentives to developers to install public water or sewer. He stated health is a major concern and lots without public water and sewer needed to be larger.

Mr. DePue moved to amend Section 20-30, Area Requirements in the A-1 district as follows:

- 1) Lots served by public water and sewer shall have a minimum area of 20,000 sq. ft.

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

- 2) Lots served by public sewer but not public water shall have a minimum area of 25,000 sq. ft.

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

- 3) Lots served by public water but not public sewer shall have a minimum area of 30,000 sq. ft.

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

- 4) Lots served by individual water and sewer shall have a minimum area of 40,000 sq. ft.

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

The Board recessed at 10:10 p.m. and declared back in public session at 10:15 p.m.

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Mr. Mahone moved to amend Section 20-30, Area Requirements in the A-1 district as follows: 1) Lots served by public water and sewer shall have a minimum area of 30,000 sq. ft. 2) Lots served by public sewer but not public water shall have a minimum area of 30,000 sq. ft.

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

Mr. DePue moved to amend Section 20-32, Minimum Lot Width in the A-1 district to: Lots of 30,000 sq. ft. shall have a minimum width at the setback line of 125 feet.

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

Mr. DePue stated the A-2 district was not differentiated enough from the A-1 district. He stated he has had comments from citizens questioning the legality of raising and keeping of horses. He stated with the current environment he would be more comfortable with inserting a phrase to allow the raising and keeping of horses in the A-2 district.

Mr. Taylor stated he was not in favor of specifying just horses but felt it should be more open to include other animals.

Mr. DePue moved to amend Section 20-36, Permitted Uses in the A-2 district to include the raising and keeping of horses.

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

Mr. DePue stated there would be an incentive to prefer A-2 zoning over A-1 if the raising of hogs was permitted by a Special Use Permit only.

Mr. Taylor stated it was unreasonable to make people get a special use permit to raise a hog.

Mr. DePue made a motion to amend Section 20-36.1, Uses permitted by Special Use Permit Only in the A-2 district to raise hogs.

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

Mr. Edwards asked Mrs. Gussman if there were items raised at the public hearing which the Board had not covered.

Mrs. Gussman stated in the staff memorandum items 5, 6 and 7 should be considered. She also stated a revision was suggested by the County Attorney clarifying what elevation is and several changes that are technical in nature revolving around the zoning amendments.

Mr. Edwards made a motion to approve the Home Occupation definition to include: (g) Traffic is not generated in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street.

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

Mr. Edwards made a motion to approve leaving Parcels (2-22), (2-21), (1-52) and (1-53) in their current zoning.

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

Mr. Mahone stated the Brass Lantern, located along Jamestown Road, contained a hotel. He stated he felt the zoning of that parcel should remain B-1 in order for the hotel to remain as a conforming use.

Mr. Mahone made a motion to leave the Brass Lantern, located along Jamestown Road, zoned B-1.

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

Mr. Larry Davis requested the Board to amend the technical requirements in Section 20-14 for amending the Zoning Ordinance to the State Code.

Mr. Edwards made a motion to approve of a text correction recommended by the County Attorney to be added to the height regulations in several districts as follows: The elevation of the main building and accessory building shall be measured from the level of the curb or the established curb grade opposite the middle of the main building.

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

Mr. Edwards asked Mrs. Gussman if she felt the Board had covered issues sufficiently to make a clean report of changes by the next Board meeting.

Mrs. Gussman responded in the affirmative.

Mr. Edwards asked if the Board had further comments on this issue.

Mr. DePue asked if the five letters requesting more intensive zoning were considered, or whether a public hearing would be necessary.

Mr. Morton stated the procedure should start from the beginning and include a public hearing by the Planning Commission; then by the Board.

Mr. Brown stated that if the Board sent it back to the Planning Commission, the County would absorb all expenses related to rezoning.

Public comments were solicited by the Chairman.

1. Mr. R. M. Hazelwood, Jr., stated there was no need for lots with public water and sewer to be larger than other lots in other areas of the county. He stated the developers needed to have breaks and incentive to extend water and sewer lines.

2. Mr. Howard Berry stated the Zoning Ordinance was discriminating and that all parts of the County should have the same consideration when determining lot sizes.

3. Mr. Paul Carrithers requested the Board leave his 20-acre tract on Croaker Road, Parcel No. (1-33) zoned A-1.

Mr. Edwards made a motion to approve leaving Parcel No. (1-33) zoned A-1.

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

Mr. Oliver stated Mrs. Burcham would present the Grove Fire Station addition issue.

Mrs. Burcham recommended the Board consider transferring funds from Contingency to cover the remaining cost of the Grove Fire Station addition. She stated \$170,000 had been set aside for this project and the lowest bid was \$242,000. She stated after some deletions the bid could be reduced to \$221,000. Guidance from the Board was requested on this issue.

Mr. Bill Monroe, representative of Caro, Monroe, Liang Architects, stated that by deleting the system finish on the existing building, reducing the parking area, having the firefighters do the painting, and the elimination of the side lights by the doors, approximately \$35,000 in savings on the Grove Fire Station addition could be made. Mr. Monroe stated other deletions recommended by contractors were not being considered because quality is an important factor. He stated there were other items left out because they could be purchased elsewhere at a lower price.

Mr. Brown requested an explanation of the \$70,000 difference between the budgeted \$170,000 and the bid price of \$240,000. He stated he was unhappy about the difference and stated the only solution he could see would be to cut big items, such as the meeting room.

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Mr. DePue stated this project should be prioritized along with other capital projects.

Mr. Edwards asked how long the bids would be good.

Mrs. Burcham stated thirty days.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Brown referenced House Bill 1515 and stated that while the 50% State matching fund still existed the Board should reserve money for specific types of projects, such as traffic lights at Birchwood and the like.

Mr. Edwards inquired if this money from the State could be used for acquisition of rights-of-way for Route 199.

Mr. Brown inquired as to what action had been taken on Judge Zepkin's request for a representative to serve on the Community Correction Resource Board.

Mrs. Burcham stated she has been in contact with the Commonwealth's Attorney and hopes to have a recommendation by the next meeting.

Mr. Brown stated he would like more information on the Skiffe's Creek culvert problem.

Mr. Brown stated letters referencing malathion pesticide should be followed up by an updated version of the letter Mr. Bass sent out last year.

Mr. Edwards suggested a meeting with concerned citizens should be held to discuss the malathion pesticide issue.

Mr. Brown stated he supported Mr. Oliver's recommendation to go to a 37½ hour work week and stated it was reasonable due to the increase in workload activity.

Mr. Mahone stated he supported the 37½ hour work week and stated he felt it should have been increased to 40 hours.

Mr. Edwards made a motion to approve a resolution supporting a freeze on FY 86 federal financial assistance to localities with a gradual phasing out of Federal program aid.

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

RESOLUTION

WHEREAS, James City County recognizes and supports the pressing need to reduce the federal deficit, and is willing to accept its share of federal spending reductions;

WHEREAS, local governments in Virginia have gradually grown to rely heavily on federal financial assistance for a variety of programs, including General Revenue Sharing, HUD Rental Rehabilitation, HUD Section 312 and Section 8, WIC Child Nutrition Program, UMTA mass transit, Mortgage Revenue Bonds, etc.

WHEREAS, immediate elimination of such programs as General Revenue Sharing would severely cripple local government finances and federally supported programs which directly benefit many James City County citizens.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia that our Congressional delegation is urged to support a freeze on FY86 federal financial assistance to localities, followed by a FY87 through FY89 gradual targeted reduction and elimination of federally financed programs.

BE IT FURTHER RESOLVED that the Clerk of the Board of Supervisors is hereby directed to send a certified copy of this Resolution to each of James City County's Congressional representatives.

Mr. Oliver stated he would be authorizing advertisement for public hearings in the next few days on tax rates and fees as proposed FY 86 Budget.

Mr. Oliver inquired as to whether the Board agreed to the Ertle letter being delivered to the Water Control Board.

Mr. Edwards stated the Board was in agreement with the letter.

Mr. Brown stated he would like staff to give the Board members a copy of the schedule for Budget Work Sessions.

Mrs. Burcham informed the Board the first Work Session would be on March 27, 1985 at 7:00 p.m.

Mr. Mahone requested staff to notify police to caution children on Jamestown Road to be alert to traffic when skateboarding.

Mr. Mahone inquired if staff had projects lined up for Public Service Day and suggested improvement type projects be suggested.

Mr. Taylor made a motion to recess until March 25, 1985.

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

The Board recessed at 11:16 p.m.


James B. Oliver, Jr.
Clerk to the Board

REGULATIONS GOVERNING SERVICE

Summary March 13, 1985 Amendments

<u>Page No.</u>	<u>Section</u>	<u>Description</u>
1	1	<u>Adjacent:</u> premises contiguous to an easement or right-of-way within which there is located either a water or wastewater line and where the premises, as identified as of December 31, 1984, are within 1,000 feet of a water and/or wastewater line. (amended March 85)
6	1	(c) <u>Dedicated Facilities:</u> any water and/or wastewater facilities serving one development exclusively. (added March 85)
7	1	<u>System facilities.</u>
		(a) <u>Sewer:</u> all gravity sewers more than eight (8) inches in diameter and all force mains, irrespective of size, and all pumping stations and treatment plants and appurtenances unless dedicated to one development exclusively. (amended March 85)
		(b) <u>Water:</u> all transmission and distribution mains more than eight (8) inches in diameter; all storage facilities; all supply plant, pumping plant and general plant unless dedicated to one development exclusively. (amended March 85)

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(d) Service to future structure, new development. An owner of property shall be required to connect to the facilities of the Utility: each development or each future structure not part of a development when such development or future structure shall be situated on property adjacent to a right-of-way or easement within which there is located a public water main or public gravity sewer. (amended March 85)

(e) Access. The connection of development or an existing or future structure to a utility service of the Utility shall not be required when access to the affected property requires the crossing of property of another owner, Utility property and property of the Virginia Department of Highways and Transportation excepted. (amended March 85)

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(g) When connection is required for existing structures, the Utility shall provide a domestic water and/or sewer connection to the property line. (added March 85)

(h) When development in Section (d) above consists of office and/or retail facilities the property shall be given a one-time exemption for the parcel or property, as it is identified as of December 31, 1984, from utility connection requirements when the following conditions apply (added March 85):

(1) The property is located more than 500 feet from Utility facilities and said property was not subdivided after December 31, 1984.

(2) The total floor area does not exceed 2,500 feet.

60

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County Charge - Assessment for connection to by existing structures transmission mains funded in whole or in part by James City County. Said charge expires July 1, 1986 or within two years after a transmission main is complete and service available. (amended March 85)

ORDINANCE NO. 30A-10

AAJ775

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 17, SUBDIVISIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, ARTICLE I, IN GENERAL, SECTION 17-2, DEFINITIONS; SECTION 17-6, ADMINISTRATION AND ENFORCEMENT OF CHAPTER BY AGENT; SECTION 17-22, SAME - LOCATION TO ABUT ON STREET; SECTION 17-24, SAME - SIDE LINES; SECTION 17-28, BLOCKS - LENGTH; SECTION 17-29, SAME - WIDTH; SECTION 17-30, SAME - ORIENTATION; SECTION 17-34, SAME - MINIMUM WIDTHS; SECTION 17-37, SAME - PRIVATE STREETS AND RESERVE STRIPS; ARTICLE II, PLATS, DIVISION 2, APPROVAL OF PLATS, SECTION 17-55, APPROVAL AND RECORDING REQUIRED PRIOR TO GRANTING OF BUILDING PERMIT OR SALE OF LOTS; PRELIMINARY PLATS; SECTION 17-57, PRELIMINARY PLAT - GENERALLY; SECTION 17-57.1, PRELIMINARY PLAT - TOWNHOUSE AND CONDOMINIUM SUBDIVISIONS; SECTION 17-59, EFFECT OF APPROVAL OF PRELIMINARY PLAT; AND SECTION 17-61, FINAL PLAT.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 17, Subdivisions, of the Code of the County of James City is hereby, amended and reordained by amending Section 17-2, Definitions; Section 17-6, Administration and Enforcement of Chapter by Agent; Section 17-22, Same - Location to Abut on Street; Section 17-24, Same - Side Lines; Section 17-28, Blocks - Length; Section 17-29, Same - Width; Section 17-30, Same - Orientation; Section 17-34, Same - Minimum Widths; Section 17-37, Same - Private Streets and Reserve Strips; Section 17-55, Approval and Recording Required Prior to Granting of Building Permit or Sale of Lots; Preliminary Plat; Section 17-57, Preliminary Plat - Generally; Section 17-59, Effect of Approval of Preliminary Plat; and Section 17-61, Final Plat and by adding Section 17-57.1, Preliminary Plat - Townhouse and Condominium Subdivisions.

CHAPTER 17

SUBDIVISIONS

ARTICLE I. IN GENERAL

Section 17-2. Definitions

CONDOMINIUM. A building, or group of buildings, in which units are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

TOWNHOUSE. A dwelling unit for single-family occupancy in a structure containing three or more such dwelling units not more than three stories in height, attached by one or more vertical party walls extending to the roof sheathing without passageway openings to one or more additional such units, and each of which is served by an individual exterior entrance or entrances.

Section 17-6. Administration and Enforcement of Chapter by Agent.

The agent appointed by the governing body is hereby delegated to administer and enforce the provisions of this Chapter. In so doing, the agent shall be considered the agent of the governing body, and approval or disapproval by the agent shall constitute approval or disapproval as though it were given by the governing body. The agent shall also consult with the Commission on matters contained herein. The agent shall approve preliminary plats for townhouse and condominium subdivisions where the site plan is reviewed by the Site Plan Review Committee of the Commission and the Commission shall approve all other preliminary plats as outlined in this Chapter.

The agent shall perform his duties as regards subdivisions and subdividing in accordance with this Chapter and the Land Subdivision and Development Law of this Commonwealth.

In the performance of his duties, the agent may call for written opinions or decisions from other departments in considering details of any submitted plat. This authority by the agent shall have particular reference to the Resident Highway Engineer and the Health Officer.

In addition to the regulations herein contained for the platting of subdivisions, the agent shall, from time to time, recommend to the governing body such reasonable additional administrative procedures as may be appropriate for the orderly and proper administration of this Chapter, and such recommendations shall be considered by the governing body as proposed amendments to this Chapter. (8-31-64, Section 2.)

Section 17-22. Same - Location, to Abut on Street.

Each lot shall abut on a street dedicated by the subdivision plat, or on an existing publicly dedicated street, or on a street which has become public by right of use. If the existing streets are not fifty (50) feet in width, the subdivider shall make provisions in the deeds to the lots for all buildings to be so constructed as to permit the widening by dedications of such roads or streets to a width of fifty (50) feet. (8-31-64, Section 4-10) In townhouse and condominium subdivisions, each lot shall not be required to abut on a public street provided each lot has access to a public street through commonly-owned property.

Section 17-24. Same - Side Lines.

Side lines of lots shall be approximately at right angles, or radial to the street line. (8-31-64, Section 4-12) Townhouse and condominium subdivisions shall be exempt from this section.

Section 17-28. Blocks - Length.

Generally, the minimum and maximum length of blocks shall not be fixed, but shall be controlled by considerations of public safety, traffic flow and existing topographic conditions. Where streets are approximately parallel, consideration shall be given to connecting streets between such parallel streets at reasonable intervals to be established by application of the criteria stated in the preceding sentence; however, as lot development occurs along existing public streets and roads, at least a fifty (50) foot right-of-way must be left at suitable intervals, as determined by the agent, to afford access to the rear areas. (8-31-64, Section 4-15) Townhouse and condominium subdivisions shall be exempt from this section.

Section 17-29. Same - Width.

Blocks shall be wide enough to allow two tiers of lots of minimum depth, except where fronting on major streets, unless prevented by topographical conditions or size of the property, in which case the agent may approve a single tier of lots of minimum depth. (8-31-64, Section 4-16) Townhouse and condominium subdivisions shall be exempt from this section.

Section 17-30. Same - Orientation.

Where a proposed subdivision will adjoin a major road, the agent may require that a greater dimension of the block shall front or back upon such major thoroughfare to avoid unnecessary ingress or egress. (8-31-64, Section 4-17) Townhouse and condominium subdivisions shall be exempt from this section.

Section 17-34. Same - Minimum Widths,

The minimum widths of proposed streets, measured from lot line to lot line, shall be as shown on the major street plan, or if not shown on such plan shall be:

Major streets - Not less than eighty (80) feet;
Minor streets - Not less than fifty (50) feet;
Local service drives or other minor streets which cannot be extended in the future - Not less than fifty (50) feet. (8-31-64, Subsection 4-22 through 4-22-3)

Townhouse and condominium subdivisions shall be exempt from this section provided the subdivision is served by private streets.

Section 17-37. Same - Private Streets and Reserve Strips.

There shall be no private streets platted in any subdivision. Every subdivided property shall be served from a publicly dedicated street. There shall be no reserve strips controlling access to streets. (8-31-64, Section 4-26) Townhouse and condominium subdivisions shall be exempt from this section. Private streets may be allowed in townhouse and condominium subdivisions provided the private streets are approved by the Site Plan Review Committee and meet all of the other street requirements in this Chapter unless specifically exempted.

ARTICLE II. PLATS

Division 2. Approval of Plats

Section 17-55. Approval and Recording Required Prior to Granting of Building Permit or Sale of Lots; Preliminary Plats.

Whenever any subdivision of land is proposed, and before any permit for the erection of a structure shall be granted, the subdivider or his agent shall apply in writing to the agent for the approval of the subdivision plat and submit nine (9) copies of the preliminary plat including the lot, street and utilities layout. No lot shall be sold or transferred until a final plat for the subdivision shall have been approved and recorded as provided in this Article. (8-31-64, Section 5-1; 2-11-74)

Section 17-57. Preliminary Plat - Generally.

The subdivider shall present to the Commission or their appointed representative, nine (9) prints of a preliminary layout at a scale of one hundred (100) feet to the inch as a preliminary plat except as provided for in Section 17-57.1. The preliminary plat shall include the following information:

- (a) Name of subdivision, owner, subdivider, surveyor or engineer, date of drawing, number of sheets, north point and scale. If true north is used, method of determination must be shown.
- (b) Location of proposed subdivision by an inset map at a scale of not less than two (2) inches equal one (1) mile, showing adjoining roads, their names and numbers, towns, subdivisions and other landmarks.
- (c) The boundary survey or existing survey of record; provided, that such survey shows a closure with an accuracy of not less than one in twenty-five (2500) hundred, total acreage, acreage of subdivided area, number and approximate area and frontage of all building sites, existing buildings within the boundaries of the tract, names of owners and their property lines within the boundaries of the tract and adjoining such boundaries.
- (d) All existing, platted and proposed streets, their names, numbers, and widths; existing utility or other easements, public areas and parking spaces; culverts, drains and watercourses, their names and other pertinent data.
- (e) The complete drainage layout, including all pipe sizes, types, drainage easements and means of transporting the drainage to a well defined open stream which is considered natural drainage.
- (f) A cross section showing the proposed street construction, depth and type of base, type of surface, etc.
- (g) A profile or contour map showing the proposed grades for the streets and drainage facilities, including elevations of existing and proposed ground surface at all street intersections and at points of major grade change along the center line of streets, together with proposed grade lines connecting therewith.
- (h) A location map tying the subdivision into the present road system, either by aerial photographs or topographic maps of the U.S. Department of Interior.
- (i) Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply.
- (j) All parcels of land to be dedicated for public use and conditions of such dedication. (8-31-64, Subsection 5-3 through 5-3-10)

Section 17-57.1. Preliminary Plat - Townhouse and Condominium Subdivisions.

For townhouse and condominium subdivisions, the subdivider shall present to the Commission or their appointed representative, nine (9) prints of a preliminary layout at a scale of one hundred (100) feet to the inch as a preliminary plat. The preliminary plat shall include the following information:

- (a) Name of subdivision, owner, subdivider, surveyor or engineer, date of drawing, number of sheets, north point and scale. If true north is used, method of determination must be shown.
- (b) Location of proposed subdivision by an inset map at a scale of not less than two (2) inches equal one (1) mile, showing adjoining roads, their names and numbers, towns, subdivisions and other landmarks.
- (c) The boundary survey or existing survey of record; provided, that such survey shows a closure with an accuracy of not less than one in twenty-five (2500) hundred, total acreage, acreage of subdivided area, number and approximate area and frontage of all building sites, existing buildings within the boundaries of the tract, names of owners and their property lines within the boundaries of the tract and adjoining such boundaries.
- (d) All existing, platted and proposed streets, their names, numbers, and widths; existing utility, drainage or other easements, public areas and parking spaces; culverts, drains and watercourses, their names and other pertinent data.
- (e) A cross section showing the proposed street construction, depth and type of base, type of surface, etc. if not shown on site plan.
- (f) A location map tying the subdivision into the present road system, either by aerial photographs or topographic maps of the U.S. Department of Interior.
- (g) All parcels of land to be dedicated for public use and conditions of such dedication. (8-31-64, Subsection 5-3 through 5-3-10)

Section 17-59. Effect of Approval of Preliminary Plat.

Approval by the Commission, or the agent appointed by the governing body, of the preliminary plat does not constitute a guarantee of approval of the final plat. (8-31-64, Section 5-5; 2-11-74)

Section 17-61. Final Plat.

The subdivision plats submitted for final approval by the governing body and subsequent recording shall be clearly and legibly drawn in ink upon tracing cloth at a scale of one hundred (100) feet to the inch on sheets having a size (insert size of sheet in plat book). In addition to the requirements of the preliminary plat, the final plat shall include the following:

- (a) A blank oblong space three (3) inches by five (5) inches shall be reserved for the use of the approving authority.
- (b) Certificates signed by the surveyor or engineer setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.
- (c) A statement to the effect that the subdivision as it appears on this plat is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any, which shall be signed by the owners, proprietors and trustees, if any, and shall be duly acknowledged before some officer authorized to take acknowledgments of deeds.

- (d) When the subdivision consists of land acquired from more than one source of title, the outlines of the various tracts shall be indicated by dash-lines, and the identification of the respective tracts shall be placed on the plat.
- (e) The accurate location and dimensions by bearings and distances, with all curve data on all lots and street lines and center lines of streets, boundaries of all proposed or existing easements, parks, school sites, all existing public and private streets, their names, numbers and widths, existing utilities, and those to be provided such as sanitary sewers, storm drains, water mains, manholes and underground conduits including their size and type, water courses and their names, names of owners and their property lines, both within the boundary of the subdivision and adjoining said boundaries unless shown on the site plan for townhouse and condominium subdivisions.
- (f) Distances and bearings must balance and close with an accuracy of not less than one (1) in ten thousand (10,000).
- (g) The data of all curves along the street frontage shall be shown in detail at the curve or in a curve data table containing the following: Delta, radius, arc, tangent, chord and chord bearings. (8-31-64, Subsection 5-7 through 5-7-7)

PERSONNEL POLICIES AND PROCEDURES MANUAL, CHAPTER V

Section 13. Clothing Maintenance

Each uniformed employee in the public safety departments shall be responsible for the cleaning and maintenance of his County issued uniforms. Only an initial uniform alteration shall be the responsibility of the County.

An annual allowance shall be paid each uniformed employee in the public safety departments for the cleaning and maintenance of County issued uniforms. Such an annual allowance shall also be paid each Investigator and the Supervisor of Investigations in the Police Department for the cleaning and maintenance of their on-duty clothing. The annual allowance shall be determined by the adopted budget. Payments shall be made each pay period for the allowance due for the preceeding pay period. Payments shall be prorated for only the period of actual employment.

WITNESSETH, Made this _____ day of _____, 19____, between
Board of Supervisors of the County of James City

hereinafter called "Owner" ["Owner" wherever used herein being intended to include the grantors whether one or more or masculine or feminine]; and Virginia Electric and Power Company, a Virginia corporation, hereinafter called "Company."

WITNESSETH:

That for the sum of One Dollar (\$1.00) and other valuable considerations, the receipt whereof is hereby acknowledged, Owner grants unto Company, its successors and assigns, the perpetual right, privilege and easement of right-of-way fifteen [15] feet in width to lay, construct, operate and maintain one or more lines of underground conduits and cables and one or more lighting supports and lighting fixtures, as Company may from time to time deem expedient or advisable, located on the right-of-way hereinafter described, for the purpose of transmitting and distributing electric power by one or more circuits; for telephone, television and other communication purposes; and for lighting purposes; together with all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, ground connections, meters, attachments, equipment, accessories and appurtenances desirable in connection therewith [hereinafter referred to as "facilities"], over, under, through and across certain lands of Owner situated in James City County, Virginia, as shown on Plat No. R/W 28-175-84 hereto attached and made a part of this agreement; the location of the center line of said right-of-way being shown in broken lines on said plat.

The facilities constructed hereunder shall remain the property of Company. Company shall have the right to inspect, rebuild, remove, repair, improve, relocate on the right-of way described above, and make such changes, alterations, substitutions, additions to or extensions of its facilities as Company may from time to time deem advisable.

Company shall at all times have the right to keep the right-of-way clear of all buildings, structures and other obstructions [except fences], trees, roots and undergrowth. All trees and limbs cut by Company at any time shall remain the property of the Owner.

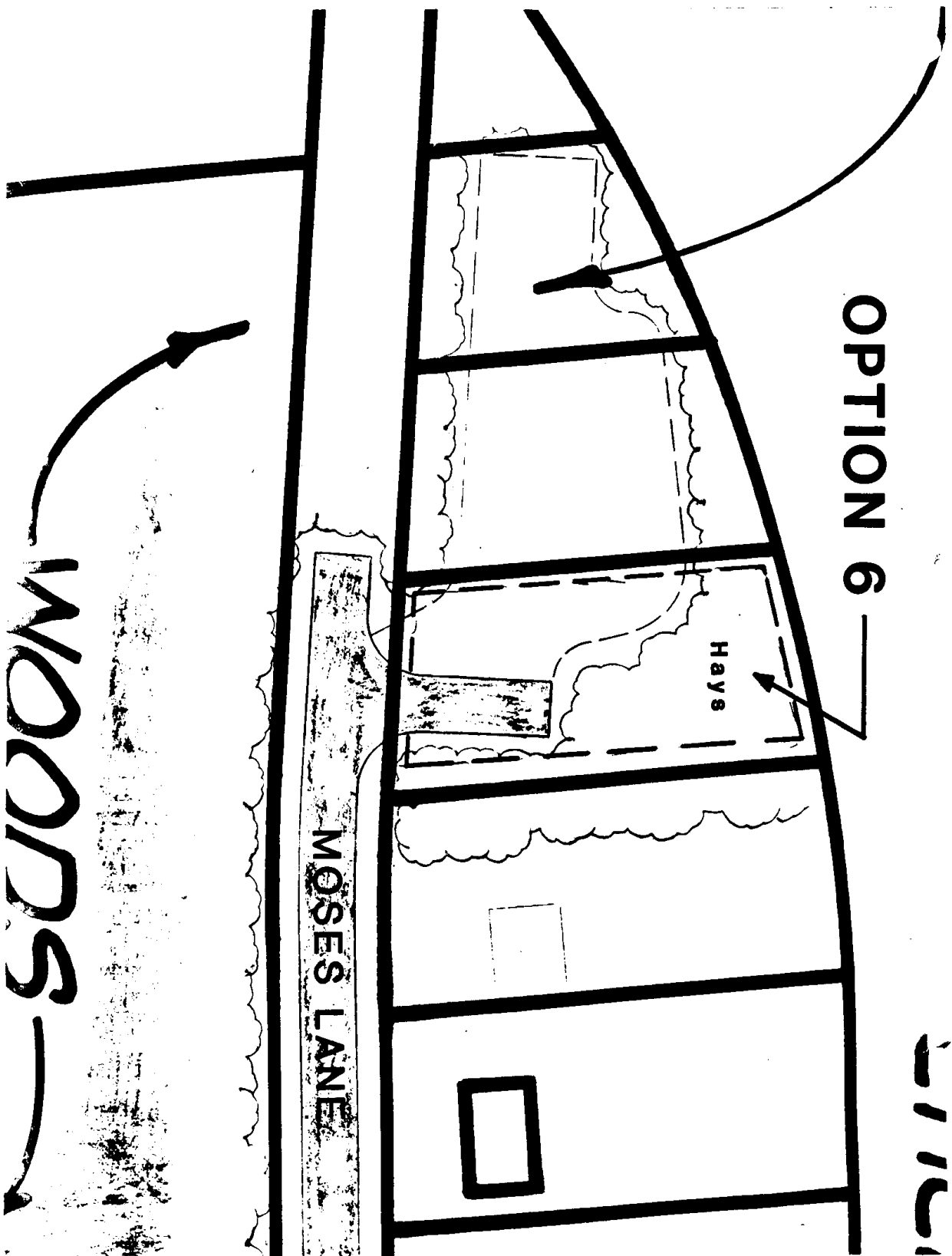
For the purpose of constructing, inspecting, maintaining or operating its facilities on the right-of-way on the property of Owner or on its right-of-way on any other property, the Company shall have the right of ingress and egress over, upon and along such right-of-way. If the Company is unable reasonably to exercise the right of ingress and egress over, upon or along the right-of-way on the property of Owner, the Company shall have such right of ingress and egress over the property of the Owner adjacent to the right-of-way. Company shall have the further right of ingress to and egress from the rights-of-way over such private roads as may now or hereafter exist on the property of Owner. The right, however, is reserved to Owner to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonable convenient to the rights-of-way, Company shall have such right of ingress and egress over the lands of Owner adjacent to the rights-of-way and lying between public or private roads and the rights-of-way in such manner as shall occasion the least practicable damage and inconvenience to Owner. Company shall be liable for all damages resulting from its exercise of the right of ingress and egress.

Owner, its successors and assigns, may use the right-of-way for any purpose not inconsistent with the rights hereby granted, provided such use does not interfere with or endanger the construction, operation and maintenance of Company's facilities and provided that no buildings, structures or other obstructions [except fences] may be constructed on the right-of-way.

Owner covenants that it is seised of and has the right to convey the said easement of right-of-way, rights and privileges, that Company shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement of right-of-way, rights and privileges; and that Owner shall execute such further assurances thereof as may be required.

OPTION 6 - HAYES LOT

Bob Bland reports that Mr. Hayes has agreed to sell this lot for \$3,450.



THIS AGREEMENT, dated this ____ day of _____, 1985, by and between James City County, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as JAMES CITY, and the County of York, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as YORK.

WHEREAS, the Board of Supervisors of YORK has requested the Board of Supervisors of JAMES CITY for permission to use landfill facilities in JAMES CITY for its residents;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that for and in consideration of the mutual covenants set forth herein, the parties agree that for a period of 12 months from the date of this Agreement residents of York County will be granted permission to use the James City County landfill facility under the following terms and conditions:

1. All definitions contained in Chapter 8, Health and Sanitation, of the Code of the County of JAMES CITY shall be controlling for like terms of this agreement.
2. JAMES CITY will allow, during regular hours of operation established by JAMES CITY, residents of, and commercial establishments in, YORK to dispose of garbage and refuse permitted under Chapter 8 of the Code of the County of JAMES CITY in its sanitary landfill. It is understood and agreed that only household and certain commercial/business refuse as defined herein, shall be hauled from YORK and

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disposed of at the JAMES CITY landfill; YORK industrial or governmental refuse is prohibited.

3. JAMES CITY will accept household refuse hauled from YORK by refuse collectors, provided it is hauled in a properly covered vehicle. Provided, however, refuse hauled from YORK in roll-off containers or front-load compactor trucks (those that empty dumpsters) shall not be accepted for disposal.

4. JAMES CITY will accept refuse from commercial establishments, provided it is hauled by the establishment. Such refuse must be in a properly covered vehicle.

5. JAMES CITY will monitor the use of its landfill by YORK. A monthly statement will be provided by JAMES CITY, listing each load of YORK residential refuse. This statement will be issued during the first week of the following month. Payment will be due no later than 30 days following the date of this statement.

6. JAMES CITY and YORK agree that the value of the service being rendered shall be as follows:

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a. A lump sum payment of \$2,000 to cover the cost of administering this agreement (record keeping, billing, postage, etc.), this amount to be paid by YORK to JAMES CITY upon execution of this agreement.

b. Rates to be charged YORK by JAMES CITY shall be as follows:

(1) Household refuse hauled by refuse collection firms and refuse from commercial establishments - \$15.62 per ton. JAMES CITY shall bill said firms and establishments for this disposal service;

(2) Residential refuse hauled by YORK County citizens in automobiles, vans, or pick-up trucks - \$1 per vehicle load. A log of all private vehicles (with County sticker) will be provided to YORK with the monthly bill. No money will be accepted at the landfill.

7. For the purposes of determining the charge on a particular refuse collector's load, any load identified by the driver as containing JAMES CITY refuse, and found, after disposal to contain YORK refuse, will be assumed to be 100% YORK refuse. Also, any load identified as containing refuse from both jurisdictions, will be charged entirely at the YORK disposal rate.

262K

8. YORK agrees to secure from all residential refuse collectors in YORK who wish to use the JAMES CITY landfill a uniform agreement which will provide that they shall be charged for a full load of YORK refuse in the event such collectors misrepresent the entire load is from JAMES CITY in accordance with the provisions of article seven hereinabove. This agreement shall be approved by the JAMES CITY County Attorney prior to YORK securing execution by residential refuse collectors.

9. This agreement shall be renewed automatically from year to year upon the same terms and conditions unless modified by agreement of the parties; provided, however, that either party may terminate this agreement or any subsequent renewal thereof upon giving 30 days written notice to the other. This notice shall be conclusively deemed to have been given if in writing and placed in the United States mail, postage prepaid, and addressed to:

County Administrator, York County

P.O. Box 532

Yorktown, Virginia 23690

County Administrator, James City County

P.O. Box JC

Williamsburg, VA 23187

AGREEMENT

This agreement made this 19th day of February, 1985, by and between James City County, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as JAMES CITY, and the County of New Kent, Virginia, a political subdivision of the Commonwealth of Virginia, hereinafter referred to as NEW KENT;

WHEREAS, the Board of Supervisors of New Kent has requested the Board of Supervisors of James City for permission to use the James City Landfill, and

WHEREAS, the James City Board of Supervisors concurs that such use is appropriate under certain terms and conditions;

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that for and in consideration of the mutual benefits to the parties hereto, the parties hereby agree as follows:

1. James City will allow New Kent County owned refuse collection trucks to use the James City County Landfill.
2. James City will monitor the use of its landfill by New Kent. New Kent trucks shall be weighed upon entering and leaving the landfill and a monthly statement will be provided by James City indicating the total tonnage deposited.
3. The fee charged for accepting refuse by James City County may be changed periodically from time to time by James City upon sixty (60) days prior notice to New Kent. The initial tonnage fee shall be \$15.62 per ton.
4. This agreement may be terminated by either party by the provision of six (6) months written notice.

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF MARCH NINETEEN HUNDRED EIGHTY-FIVE AT 3:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

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

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

B. MINUTES

Mr. Mahone made a motion to approve the minutes as presented.

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

C. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer, stated C&O Railroad would be repairing the railroad crossing located at 60E and the Busch Gardens entrance the third week of April.

Mr. Hall stated the traffic signal studies at S. Henry Street and Brookwood Drive had been completed and traffic lights would be installed. He stated funding was not available in the FY 85 Budget and funds would come out of next year's budget; therefore, it would be several months before the lights were installed.

Mr. Hall stated the Longhill Road Study had been distributed and informed the Board members he would be available to discuss it at any time.

Mr. Mahone stated his appreciation to Mr. Hall and the Highway Department for doing a thorough job on the traffic studies on Route 199.

Mr. Brown asked Mr. Oliver if someone was working on getting a street light placed at the intersection of Ironbound Road and Strawberry Plains Road.

Mr. DePue stated he was confused with the different approaches the City and County took in highway matters. He stated there were several recommendations made to improve safety in the area of the Longhill Road Study and asked if these recommendations would have to be approved by the City of Williamsburg at their expense.

Mr. Hall responded that he had talked with Frank Force, City Manager of Williamsburg, and assumed that was correct. He stated that if improvements were made in the County, secondary funds would have to be used.

Mr. Edwards stated he was pleased with the recommendations for Longhill Road and asked Mr. Hall if it would take some time before these improvements could be made in the County areas.

Mr. Hall responded the Highway Department was preparing next year's budget and stated that some of the improvements could be handled as an incidental construction item but it would have to be funded out of secondary funds. He stated that if that procedure were used, he would recommend one improvement per fiscal year until completed.

Mr. DePue asked Mr. Hall if these improvements would be in competition with the improvements of the Chickahominy and Centerville Roads and if they were funded by the same source.

Mr. Hall stated they would be in competition with other improvements and they would come from the same fund.

Mr. Edwards stated the Longhill Road Study noted several developers would be constructing turn lanes and asked if it would be possible for the developers to combine their contributions to produce a better road.

Mr. Hall stated the projects were too far apart for a worthwhile improvement and stated the left turn lanes proposed in each of the developments would ease the traffic movement in those locations. He stated to improve Longhill Road for some distance would be very expensive.

D. PUBLIC HEARINGS

1. Proposed FY 86 Budget

Mr. John McDonald, Director of Financial and Management Services, summarized the FY 1986 Proposed Budget for the Board. He invited the public to attend the two Work Sessions and the next public hearing regarding the proposed budget and stated copies of the Proposed FY 1986 Budget were available upon request.

Mr. Edwards opened the public hearing.

1. Mr. Richard F. Wilkinson, 175 Queens Drive West, requested the Board to reconsider the planned repeal of the County's Land Use Tax Program for forestry land. He stated that abolishment of the program would be an economic disaster for about 200 people who own timberland.

Mr. Mahone stated that repeal would force owners of forest land to put their parcels on the market, and the land would soon be converted to residential development and stated the County did not need that.

Mr. Taylor agreed with Mr. Mahone and stated the County should provide a program that would encourage forest land owners to grow trees.

Mr. Oliver stated that the majority of forest land was owned by absentee corporations who admit they are not intending to use the land for production of timber.

2. Ms. Kristi VanAudenore, Director of the Williamsburg Task Force on Battered Woman, requested the Board to reconsider and donate funds to the Task Force. She stated the money would be used for funding new programs, new equipment and larger facilities. She stated the Task Force needed to have a stable source of community support.

3. Dr. Thomas T. Shields, Chairman of the Committee to Save Bruton Heights, stated the School Board did not address the quality of education in arriving at its decision not to renovate Bruton Heights and stated valid data did not exist which would suggest that the building of new schools improved the quality of education. He stated his committee had close to 2,000 signatures on petitions that supported the renovation of the school, with at least 1,000 signatures of county residents.

4. Mr. Fred Carter, member of the Committee to Save Bruton Heights, stated that if a new school were built, the County would have to pay 75 percent of the construction costs, but would only get 50 percent of the proceeds from the sale of the site. He stated new is not necessarily better and stated the main concern should be on quality education.

5. Mr. Doug Johnson, Parks and Recreation Commission, stated he was speaking on behalf of M. Joy Archer, Chairman of the Commission. He stated the Parks and Recreation Master Plan was too important to be cast aside indefinitely because of lack of funds and requested the Board to favorably consider the Parks and Recreation operating budgets. The Parks and Recreation Commission supports the addition to the Grove Fire Station because additional instructional space would be available for programming recreation activities.

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6. Ms. Margaret Rastetter, Chairman of the Williamsburg Regional Library Board, stated the Library Board was trying to keep budget spending down by the use of automation. She requested the Board to consider their request of \$50,000 for a computer.

7. Mr. Fred Savage, President of the Chamber of Commerce, requested the Board to reconsider funding their contribution to the Chamber at 20% of transient occupancy tax instead of 10%. He stated York County provided 20% and the City of Williamsburg provided 20%.

8. Mr. Bob Perry, Executive Vice-President of the Chamber of Commerce, stated a book supporting the Chamber's budget request was available for review if the Board had any questions. He stated the Chamber supported many County legislative matters and requested the Board to consider their budget request.

9. Mr. John Roberts, Executive Director of the Tourism Conference Bureau, stated the Bureau would be more concerned with conference and group tours this year. He presented statistical data on conference group tours and its impacts on the community. He stated the Bureau had proven its credibility and importance to the community and requested the Board support their budget request.

10. Mr. Sanford Warner, Director of Finances, Williamsburg-James City County Schools, requested the Rawls Byrd School addition be granted full funding and stated they would be ready to receive bids by late summer. He stated the School Board would like to hold a Work Session with the Board to discuss their budget requests, including a buy-in to the lower Vo-Tech facility.

Mr. DePue asked if the School Board had provided a formal written request giving justification for the replacement of Bruton Heights, and stated he would like to have a copy.

Mr. Edwards closed the public hearing.

Mr. Edwards informed the public of the dates and times of the Budget Work Sessions and encouraged them to attend.

The Board recessed at 4:47 p.m. and declared back in public session at 5:00 p.m.

Mr. Mahone advised the public to come to all the budget meetings and not wait until the last meeting when the Board would be voting on the package.

2. Case No. SUP-6-85. Patricia Copeland

Mr. Edwards opened the public hearing, and as no one wished to speak, he closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

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

R E S O L U T I O N

SPECIAL USE PERMIT

CASE NO. SUP-6-85

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 to be owned and developed by the applicant as described below and on the attached site location map.

Applicant: Patricia Copeland

Real Estate Tax Map ID: (4-3)

Parcel No. (2-7)

Address: 9553 Barnes Road

District: Stonehouse

Zoning: A-1, General Agricultural

Permit Term: This permit is valid only for the mobile home applied for. If the mobile home is removed, then this permit becomes void. 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 number of bedrooms shall not exceed three.

The mobile home shall be skirted, and meet the requirements of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations.

Existing trees shall be retained within 20 feet of all property lines, except where clearing is necessary for a driveway or entrance, septic drainfield, or for the mobile home itself.

An all weather road shall be constructed in the right-of-way connecting parcel (4-3)(2-7) to Barnes Road within one year of issuance of the special use permit.

All property within ten feet of the front property line shall remain free from structures and be reserved for eventual dedication to the Virginia Department of Highways and Transportation.

3. Case No. SUP-5-85. James City County Water Transmission Main - Jamestown Road

Mrs. Victoria Gussman stated the Master Water Plan recommends extending James City Service Authority water to First Colony between the years 1985 and 1989 and stated this extension is a major step toward that goal. She stated on February 26, 1985, the Planning Commission unanimously recommended approval of the permit with four conditions.

Mr. Edwards opened the public hearing.

1. Mr. Lee Cogdill, St. George's Corporation, stated they had paid for the water and sewer lines in their development on Route 5 and requested the Board's support on this issue and also asked them to include gate valves and fire hydrants as a County expense.

Mr. DePue asked Mr. Bass if there was a question about the gate valves.

Mr. Bass stated the gate valves were part of the normal waterline construction and stated the developer would pay for their installation but would be credited for them.

Mr. Cogdill stated this was not clear in the contract and stated he and Mr. Bass interpreted it differently.

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Mr. Brown stated this SUP application did not involve gate valves and fire hydrants and stated the issue could be voted on.

Mr. DePue made a motion to approve the application.

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

RESOLUTION

OF APPROVAL ON SPECIAL USE PERMIT NO. SUP-5-85 JAMES CITY COUNTY WATER TRANSMISSION MAIN

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance certain specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, in ordinance with the staff recommendation, has unanimously recommended approval of Case No. SUP-5-85, a special use permit for the construction of a 12 inch water transmission main for a distance of approximately 5600' along Jamestown Road, 4-H Club Road and Greensprings Road.

THEREFORE BE IT RESOLVED, that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-5-85 as described herein with the following conditions:

1. Compliance with all Local, State, and Federal requirements for the construction, operation, and maintenance of the water transmission main.
2. Compliance with all State erosion and sedimentation regulations as specified in the Virginia Erosion and Sediment Control Handbook.
3. Acquisition of all required permits and easements prior to commencement of construction.
4. For pipe line construction adjacent to existing residential development, adequate dust control measures shall be taken to prevent adverse effects on the adjacent residential property. It is intended that the public interest should be protected by compliance with all Local and State regulations, insuring that the present and future results of the proposed water transmission main do not create effects adverse to the public health, safety, comfort or convenience or value of the surrounding property and uses thereon.

E. CONSENT CALENDAR

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

Mr. Mahone withdrew # E-1g.

Mr. DePue withdrew # E-1c.

Mr. Edwards made a motion to approve the remaining items on the Consent Calendar.

- 1a. Set Public Hearing Date of April 22, 1985 for: Case No. SUP-7-85. Don Anderson
- 1b. Street Name Changes

RESOLUTION

STREET NAME CHANGES

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, street name changes have been requested by Ford's Colony at Williamsburg, Inc.,

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby changes the name of a section of John Pott Drive from Lot 11 in Block I of Ford's Colony, Section 1, extending west to Lot 28 in Block I in Section 1, to Edinburgh Drive.

BE IT FURTHER RESOLVED, that the Board of Supervisors of James City County hereby changes the name of John Page Drive recorded as a part of Block I, Section 1 of Ford's Colony to North Berwick.

1d. Set Public Hearing Date of April 8, 1985 for: Proposed Conveyance of Recreation Area/Lake Toano

1e. Literary Fund Application - Rawls Byrd Addition

R E S O L U T I O N

LITERARY FUND APPLICATION

WHEREAS, the School Board of Williamsburg-James City County, on the 25th day of March 1985, presented to this Board an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund \$579,000 for the addition to the Rawls Byrd School in James City County, to be paid in twenty (20) annual installments, and the interest thereon at four (4) percent paid annually.

NOW, THEREFORE, BE IT RESOLVED that the application of the Williamsburg-James City County School Board to the State Board of Education of Virginia for a loan of \$579,000 from the Literary Fund is hereby approved, and authority is hereby granted the said School Board to borrow said amount for the purpose set out in said application.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for the schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

1f. Signature Authorizations - Quarterly Revenue Control Account

R E S O L U T I O N

SOVRAN BANK OF WILLIAMSBURG

BE IT RESOLVED that the Sovran Bank of Williamsburg, Williamsburg, Virginia, be and it is hereby designated a depository for the James City County account designated below:

202-0196-9

and that funds so deposited may be withdrawn upon a check, draft, note or order of the Board of Supervisors.

BE IT FURTHER RESOLVED that all checks, drafts, notes or orders drawn against said accounts be signed by one of the following:

Frances B. Whitaker Treasurer

OR

Betty S. Pettengill Deputy Treasurer

whose signatures shall be duly certified to said Bank, and that no checks, drafts, notes or orders drawn against said Bank shall be valid unless so signed.

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BE IT FURTHER RESOLVED, that said Bank is hereby authorized and directed to honor and pay any checks, drafts, notes or offers so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or the individual credit of any of the other officers or not. This resolution shall continue in force and said Bank may consider the facts concerning the holders of said offices, respectively, and their signature to be and continue as set forth in the Certificate of the Clerk or Assistant Clerk, accompanying a copy of this resolution when delivered to said Bank or in any similar subsequent certificate, until written notice to the contrary is duly served on said Bank.

1h. Case No. CUP-4-85. G. T. Enterprises, Inc.

R E S O L U T I O N

CONDITIONAL USE PERMIT

CASE NO. CUP-4-85

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

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

Applicant: Mr. Thomas Grier, Jr. for GT Enterprises, Inc.

Real Estate Tax Map ID: (33-3)

Parcel No. (1-25)

Address: 5363 Richmond Road

District: Powhatan District

Zoning: B-1, General Business

Permit Term: The permit term shall expire six months from the date of issuance.

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

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

1i. Withdrawal of Case No. Z-21-84. 64 Associates

R E S O L U T I O N

RESOLUTION OF WITHDRAWAL

ZONING CASE NO. Z-21-84. 64 ASSOCIATES

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 public hearing was held on December 18, 1984 for Zoning Case No. Z-21-84 for rezoning approximately 4.75 acres from B-1, General Business, to

R-5, Multi-family Residential identified as a portion of parcel (1-21) on James City County Real Estate Tax Map. No. (13-4); and

WHEREAS, the applicant has submitted a written request to withdraw zoning application Case No. Z-21-84 from further consideration.

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby withdraw Case No. Z-21-84 as described herein.

1g. State Compensation Board Requests

Mr. Mahone stated the new position in the Commissioner of Revenue's Office had not been decided upon and questioned if the resolution were to be approved, would that position become automatic.

Mr. Oliver stated the position would not be automatic and stated because of parallel calendars, the Board needed to take action on this issue now.

Mr. Mahone made a motion to approve both resolutions.

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

R E S O L U T I O N

JOINT CITY/COUNTY POPULATION

WHEREAS, the General Assembly has established a population of 35,000 as a category for compensation and expenses of constitutional offices; and

WHEREAS, current local estimates of the combined population of the City of Williamsburg and James City County exceed 37,000 people and the provisional 1983 population estimates prepared by the Taylor-Murphy Institute exceed 35,000 people.

NOW, THEREFORE, BE IT RESOLVED that the State Compensation Board provide for compensation and expenses of the shared city and county offices on the basis of a population exceeding 35,000 people, said offices being the Commonwealth Attorney, the City/County Treasurer and the City Sheriff who operates the multi-jurisdictional Williamsburg-James City County Regional Jail.

R E S O L U T I O N

STATE COMPENSATION BOARD BUDGET REQUESTS

WHEREAS, the Board of Supervisors has been requested to review and approve the budget requests from the constitutional offices; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby requests that the State Compensation Board approve the following County budget requests:

Treasurer	\$163,270
Commissioner of Revenue	\$165,302
Sheriff	\$125,368
Commonwealth's Attorney	\$ 38,765

BE IT FURTHER RESOLVED that the Board of Supervisors directs that this resolution be presented to the State Compensation Board at its hearing on March 28, 1985.

1c. Zoning Case Referrals

Mr. DePue stated he would be making a proposal to zone Camelot back to A-2 from A-1 and asked if this parcel should be added to the resolution.

Mrs. Gussman stated the parcel was advertised as A-2 so it would not be necessary to add it to the list.

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Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

WHEREAS, a comprehensive revision of the Zoning Map is now under consideration and;

WHEREAS, additional requests for rezoning of parcels in James City County have been received from property owners .

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Planning Commission consider and provide recommendations regarding rezoning the following parcels.

<u>Tax Map Number</u>	<u>Parcel</u>	<u>Address</u>	<u>Property Owner</u>
11-2	1-9	244 Old Stage Road	Hornsby Oil Company
12-4	1-30	7812 Richmond Road	Sheldon Lumber Co.
	1-31	7804 Richmond Road	
	1-32	7800 Richmond Road	
23-1	1-1	7607 Richmond Road	Paul N. Carrithers
23-2	1-52	341 Farmville Lane	Norge Farm Associates
24-3	1-64	6443 Centerville Road	Company Stores (Outlets Mall)
50-2	1-78	613 Kingsmill Road	Anheuser Busch, Inc.
51-3	1-1	7801 Pocahontas Trail	

F. **BOARD CONSIDERATIONS**

1. Comments on Zoning Ordinance Changes

a. Mr. William W. Fisher, 1782 Jamestown Road, requested the Board to rezone the rear portion of his lot to B-1 to make it a conforming use. Mr. Fisher also requested the Board to give him guidance on the correct procedure to be used in contacting Board members.

Mr. Edwards suggested Mr. Fisher call the County Administrator when he had a question.

Mr. DePue suggested Mr. Fisher talk with the Code Compliance Officer to find out what the implications are of a nonconforming use.

Mr. Mahone suggested Mr. Fisher contact the Planning Department first, and then his Board representative.

b. Mr. Claude Feigley, 1st Colony Civic Association, congratulated Board members on their patience and stated he supported their decision on the proposed Zoning Ordinance.

Mr. Edwards requested Mrs. Gussman to have all requested changes in resolution form by the next Board meeting.

Mr. DePue made a motion to change Camelot from A-1 to A-2.

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

G. **PUBLIC AUDIENCE**

Mr. Oliver informed the Board members that the Landfill was having to use a DA tractor because its two compactors were not usable. He stated he would be asking the Board to grant authorization to seek bids for a new compactor as soon as possible.

Mr. Mahone stated the difference in ages of the two compactors makes him question how long the next compactor would last.

Mr. Oliver stated the County had to go through a bid process and the Board did not have to accept bid prices.

Mr. Taylor asked what the makes of the compactors were and requested information on the upkeep of one compactor vs. the other compactor.

Mr. Oliver stated one compactor was a Rex and the other a Hyster.

L BOARD REQUESTS AND DIRECTIVES

Mr. Mahone stated he was pleased with the Police Department's efforts in enforcing litter laws.

Mr. Mahone requested the County Attorney check into the drunk driving laws presented in Mr. Brown's memorandum.

Mr. DePue stated he was anxious to receive information on Kristiansand regarding sewer bills.

Mr. Brown informed Board members and staff that Mr. Taylor's wife was admitted to the hospital.

Mr. Edwards made a motion to go into Executive Session to discuss a personnel and legal issue 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: Brown, DePue, Edwards, Mahone, Taylor (5). NAY: (0).

Mr. DePue was absent for the remainder of the meeting.

The meeting convened into Executive Session at 5:48 p.m.

The meeting reconvened in public session at 6:28 p.m.

Mr. Brown moved the appointment of Larry Walk to the Community Diversion Board.

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

Mr. Brown moved the appointment of Richard Wallis to the Transportation Safety Commission.

Mr. Mahone stated he would prefer to appoint a high school student to the Transportation Safety Commission but stated Mr. Brown indicated the Commission could be expanded.

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

Mr. Mahone moved the appointment of Shirley Flora to the Colonial Services Board.

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

Mr. Brown moved the appointment of John Orange and reappointment of M. Joy Archer and John Charles to the Parks and Recreation Commission.

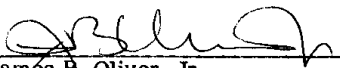
On a roll call, the vote was AYE: Brown, Edwards, Mahone, Taylor (4). NAY: (0).

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Mr. Taylor made a motion to recess until March 27, 1985, at 7:00 p.m.

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

The Board recessed at 6:35 p.m.



 James B. Oliver, Jr.
 Clerk to the Board