

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 18TH DAY OF SEPTEMBER, NINETEEN HUNDRED EIGHTY-NINE, AT 1:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Thomas D. Mahone, Chairman, Jamestown District
Stewart U. Taylor, Vice-Chairman, Stonehouse District

Jack D. Edwards, Berkeley District
Perry M. DePue, Powhatan District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator (Absent)
Larry M. Foster, Assistant County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - September 11, 1989

Mr. Mahone asked if there were corrections or additions to the minutes.

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

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

C. PRESENTATION

1. James City County Police Department Accreditation

Mr. Mahone introduced James Cotter, Executive Director of Commission on Accreditation for Law Enforcement Agencies. Mr. Cotter described accreditation as identifying a set of standards, living up to those standards, and being recognized for having done so. He praised Chief Key and the Police Department for their effort and dedication.

Mr. Cotter presented accreditation awards to Chief Robert Key and to Major David Daigneault. Chief Key presented awards to Major David Daigneault and Captain Kenneth Middlebrook and introduced Vince Ferrarra and Sandy Miller in the audience.

Mr. Mahone congratulated the Police Department for the honor received.

D. HIGHWAY MATTERS

Mr. Larry Bailey, Virginia Department of Transportation, was available for questions.

Mr. Norment asked that the speed limit through the Grove residential area (from Grove Heights Road to the York County line) be reduced from 45 mph to 40 mph.

Mr. Norment asked that the potholes be repaired on Ron Springs Road.

Mr. Taylor requested repairs be made to Little Creek Dam Road (approximately 50 yards beyond the repair area) where water crosses the road and washes gravel away.

Mr. Taylor asked that a culvert be cleaned on Route 60 in the Kristiansand area at a vacant house located next to Mr. George Anderson's residence.

Mr. DePue requested Mr. Hall contact him regarding the delay in opening the left turn lanes into the D.J. Montague School on Centerville Road.

E. PUBLIC HEARINGS

1. Case No. SUP-25-89. Melvinia Russell

Mr. Allen Murphy, Jr., Principal Planner, stated that Ms. Melvinia Russell had submitted an application for a special use permit to allow the placement of a manufactured home on 14.118 acres, which she owns at 3798 Brick Bat Road, zoned A-1, General Agricultural, further identified as Parcel (1-7) on James City County Real Estate Map No. (36-3).

Staff recommended approval with conditions listed in the resolution.

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

Mr. DePue made a motion to approve the special use permit.

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

R E S O L U T I O NCASE NO. SUP-25-89. MELVINIA RUSSELL

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

NOW, 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 manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant: Melvinia Russell
Real Estate Tax Map ID: 36-3
Parcel No.: 1-7
Address: 3798 Brick Bat Road
District: Powhatan
Zoning: A-1

- Conditions:
1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall 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.
 2. A description of the manufactured home shall be provided to the Planning Department within 30 days of the approval of this permit.
 3. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
 4. The number of bedrooms shall not exceed 3.
 5. Existing vegetation shall be maintained within 20 feet of all property lines except where clearing is required for utilities and necessary entrances.

2. Case No. SUP-26-89. Stuart E. Tompkins, Jr.

Mr. Murphy stated that Mr. Stuart E. Tompkins, Jr., had applied for a special use permit to allow the placement of a manufactured home on 1.5 acres, which he owns at 811 Arlington Island Road, zoned A-1, General Agricultural, further identified as Parcel (1-4) on the James City County Real Estate Map No. (9-4).

Staff recommended approval with conditions listed in the resolution.

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

Mr. Taylor made motion to approve the special use permit.

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

R E S O L U T I O N

CASE NO. SUP-26-89. STUART E. TOMPKINS, JR.

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a Special Use Permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

- Applicant: Stuart E. Tompkins, Jr.
- Real Estate Tax Map ID: 9-4
- Parcel No.: 1-4
- Address: 811 Arlington Island Road
- District: Stonehouse
- Zoning: A-1
- Conditions:
 1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this permit shall become void. Any replacement shall 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.
 2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.

3. The number of bedrooms shall not exceed 3.
4. Existing vegetation shall be maintained within 20 feet of all property lines except where clearing is required for utilities and necessary entrances.

3. Case No. SUP-27-89. James City Service Authority - Chickahominy Waterworks

Mr. Marvin Sowers, Jr., Director of Planning, stated that Mr. Sanford B. Wanner had applied on the behalf of the James City Service Authority for a special use permit to allow the development of a well and waterworks facility at 2889 Chickahominy Road, zoned A-1, General Agricultural, further identified as Parcel (1-31) and part of Parcel (1-32) on James City County Real Estate Tax Map No. (22-3).

In accordance with staff, the Planning Commission unanimously recommended approval with conditions listed in the resolution.

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

Mr. DePue made a motion to approve the special use permit.

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

R E S O L U T I O N

CASE NO. SUP-27-89. JCSA/CHICKAHOMINY WATERWORKS

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

WHEREAS, the Planning Commission of James City County, following its public hearing unanimously recommended approval of Case No. SUP-27-89 to permit a waterworks facility in the A-1, General Agricultural District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-27-89 as described herein with the following conditions.

1. Construction, operation and maintenance of the well facility shall comply with Local, State and Federal agencies.

2. If construction has not commenced on this project within a period of 18 months from the date of issuance of this permit, it shall become void.
3. A landscape/buffering plan shall be submitted as part of the site plan process and shall be approved by the Director of Planning.

F. BOARD CONSIDERATIONS

1. Proposed Change of Fees and Charges, James City/Williamsburg Recreation Center

Ms. Sandra McPherson, Director, Parks and Recreation, stated that staff and the Parks and Recreation Commission recommend changing the fees for exchangeable corporate membership, nonexchangeable corporate membership, resident daily access card and pool rental.

Discussion ensued regarding the use of a daily access card by all residents, and total number of employees eligible to join under nonexchangeable corporate memberships.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

JAMES CITY/WILLIAMSBURG RECREATION CENTER FEE
AND CHARGE CHANGES

WHEREAS, the James City/Williamsburg Recreation Center has completed twenty-six months of operation; and

WHEREAS, the Board of Supervisors of James City County desires to enhance the Center's operation and potential to provide improved recreational services for citizens of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the implementation of fees/charges operational changes as outlined in the attached document.

G. PUBLIC COMMENT

1. Mr. Richard Bloch, 124 West Kingswood Drive, requested that an after school program be implemented at Berkeley School.

Mr. Anthony Conyers, Jr., Manager, Community Services, stated staff was interested in offering additional after school programs, if the Board did not object.

Mr. Mahone requested staff to work with school officials to determine level of interest in additional after school programs.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Larry Foster, Assistant County Administrator, stated a work session on the Chesapeake Bay Preservation Act would immediately follow the Board meeting, and recommended an executive session for discussion of land acquisition.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone requested staff to forward a copy of the Eastern Virginia Groundwater Management Area resolution to Delegate George Grayson and Senator William Fears.

Mr. Mahone requested staff to forward a list of the regional priorities from the area Mayors/Managers meeting of September 15, 1989, to Delegate George Grayson and Senator William Fears for their information.

Those priorities were: 1) the belief that in this period of local government financial stress, it is inappropriate and unwise to reduce, cap or otherwise diminish the ability of local governments to fund the needs of their communities; 2) education funding, particularly the need to meet capital costs, school operating and salary expenses; 3) transportation problems requiring the attention of a strong local, state and federal partnership to solve; 4) health costs of indigent care; and 5) the tremendous need for jail space.

With Board agreement, Mr. Mahone asked that the Governor's Land rezoning issue be placed on the agenda for the October 2, 1989, Board of Supervisors meeting.

Mr. DePue asked that the record show that the newspaper report of the previous week was erroneous in stating that he was going to vote for the Governor's Land rezoning. He stated that his current position of voting against the rezoning might be changed by improvements to the case.

Mr. Mahone declared a recess for a scheduled work session at 1:58 p.m.

The Board convened into a work session to discuss the Chesapeake Bay Regulations recently adopted by the Chesapeake Bay Local Assistance Board at 2:15 p.m.

In attendance were Jeter M. Watson, Executive Director, and Donna Cessan of the Chesapeake Bay Local Assistance Department, and John Horne, Wayland Bass and Trent Funkhouser, County staff.

Mr. Bass explained several development management mechanisms that James City County would have to adopt to comply with the Chesapeake Bay Regulations.

-8-

Discussion followed with no action being taken by the Board.

Mr. Mahone reconvened the Board into open session at 3:55 p.m.

Mr. Norment made a motion to go into executive session pursuant to Section 2.1-344(a)(7) of the Code of Virginia to consider land acquisition for a school site.

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

Mr. Mahone reconvened the Board into open session at 4:50 p.m.

Mr. Norment made a motion to approve the executive session resolution.

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

R E S O L U T I O N

MEETING DATE: SEPTEMBER 18, 1989

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

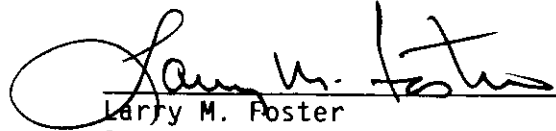
WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

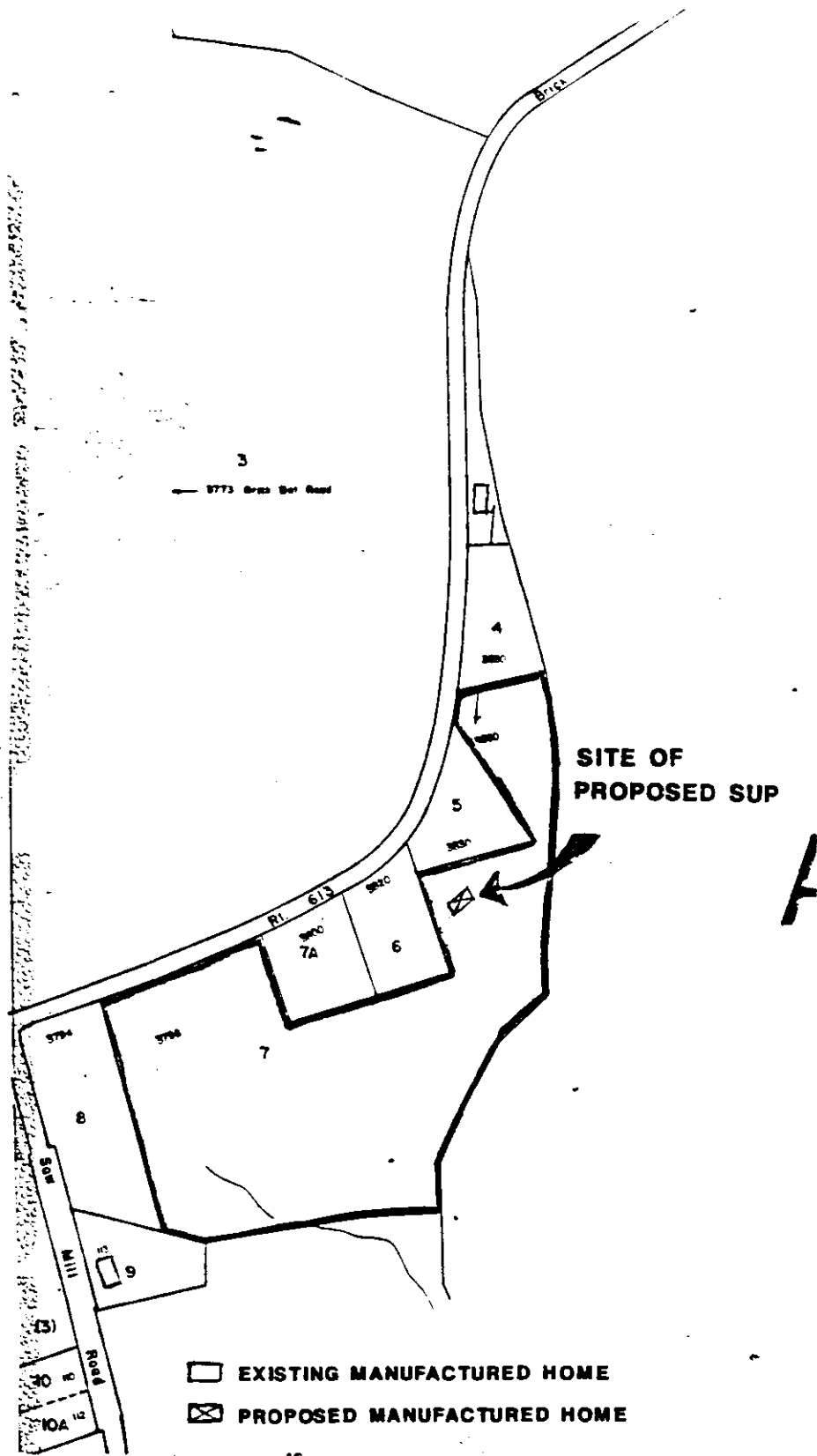
Mr. Mahone made a motion to adjourn.

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

The Board adjourned at 4:51 p.m.


Larry M. Foster
Deputy Clerk to the Board

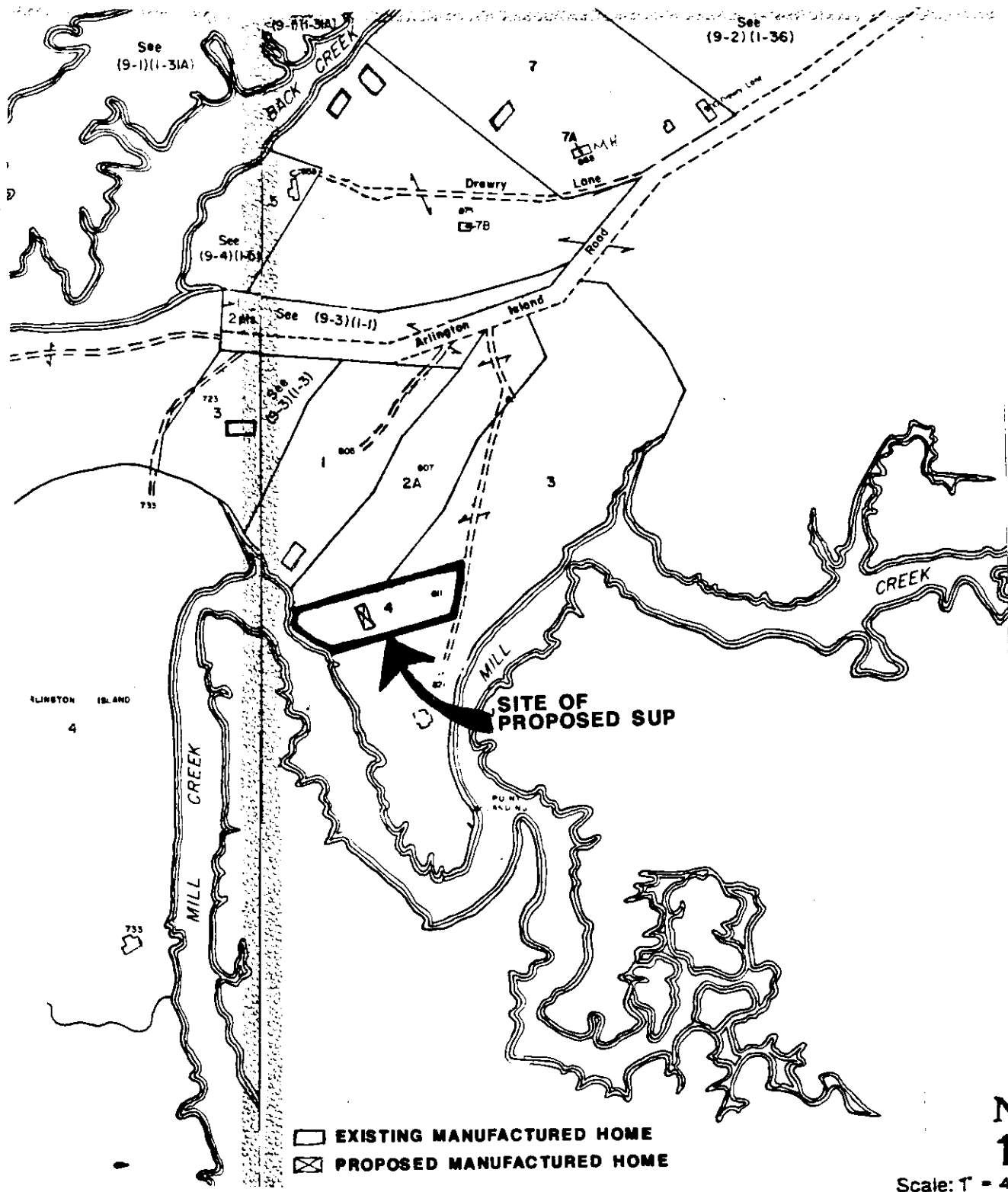
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Case #: SUP-25-89

Name: MELVINIA S. RUSSELL





Case #: **SUP-26-89**

Name: **STUART E. TOMPKINS, JR.**

JAMES CITY COUNTY/DEPARTMENT OF PLANNING & DEVELOPMENT

JAMES CITY/WILLIAMSBURG RECREATION CENTER

Exchangeable Corporate Membership Fee

An Annual Corporate Fee of \$300 and \$75.00 per corporate membership employee membership card plus \$1.00 admission fee to the Center each time it is used. The card will not be issued to a specific person rather to the corporate member who can give the cards to anyone to use (thus exchanged at the corporate member's discretion). There will be a \$4.00 replacement fee for lost cards.

Nonexchangeable Corporate Membership

An Annual Corporate Fee of \$300 and \$75.00 per corporate membership employee membership card. Additional memberships for employees can be purchased throughout the year. The card will be issued to employees and is not exchangeable. Lost cards will be replaced for a \$4.00 fee.

Resident Daily Access Card Fee

All residents of James City County and the City of Williamsburg using the Center will be required to have a Daily Access Card to gain admission to the Center upon paying the Resident Daily access fee. The staff proposes that NO FEE be charged for the initial Resident Daily Access Card. A \$4.00 replacement card fee will be charged for lost or damaged cards.

Pool Rental Fee

A rental fee of \$8 per lane per hour shall be charged when lanes are available. The Swimming Pool Rental Agreement shall apply to all rentals.

The therapeutic pool fees will be \$8 per hour per pool section when sections are available. The Swimming Pool Rental Agreement shall apply to all rentals.

The entire pool may be rented for \$100 per hour when available. The Swimming Pool Rental Agreement shall apply.

Staff charges will be applicable for rentals if the number of people using the pool via the rental increases the pool load and additional lifeguards are required during Center operating hours. The lifeguard fee is a minimum of \$7.00 per guard per hour.

Staff charges will be applicable for all rentals that take place before or after Center operating hours. Staff will be required to open and close the Center, monitor the locker rooms/Center, and to lifeguard. Staff charges will equate to the appropriate hourly/overtime for the staff assigned to work for the rental.

Additional fees/charges and requirements may be applicable for additional staffing, liability insurance, security deposit, etc.

ATTACHMENT A

Corporate Memberships James City/Williamsburg Recreation Center

The Corporate Memberships as approved by the Board of Supervisors are as follows:

Exchangeable Corporate Membership

20 exchangeable membership cards

No per visit charge

No limit on number of visits

Member Racquetball Court Rental Fee applies per court hour

Fee: \$5,000 per year - \$3,000 goes to Phase II construction fund
- \$2,000 goes to Center Revenue

Nonexchangeable Corporate Membership

Fee: 0-30 Employees \$2,250 plus \$1.00 per visit
31-60 Employees \$4,500 plus \$1.00 per visit
61-100 Employees \$7,500 plus \$1.00 per visit

Lump sum payment goes to Phase II construction \$1.00 per visit goes to Center Revenue

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ATTACHMENT B

James City County/Williamsburg Recreation Center

Swimming Pool Rentals

Lanes: Lane rentals during center operating hours, when available.

1 lane	\$10/hour	plus DAILY ADMISSION fee per person
2 lanes	\$20/hour	plus DAILY ADMISSION fee per person
2 lanes	\$30/hour	plus DAILY ADMISSION fee per person
3 lanes	\$40/hour	plus DAILY ADMISSION fee per person
4 lanes	\$50/hour	plus DAILY ADMISSION fee per person
5 lanes	\$60/hour	plus DAILY ADMISSION fee per person
6 lanes	\$70/hour	plus DAILY ADMISSION fee per person
7 lanes	\$80/hour	plus DAILY ADMISSION fee per person
8 lanes	\$90/hour	plus DAILY ADMISSION fee per person

RESERVATIONS REQUESTED

THERAPEUTIC POOL: Section rentals during center operating hours, when available.

1 section	\$10/hour	plus DAILY ADMISSION fee per person
2 sections	\$20/hour	plus DAILY ADMISSION fee per person

RESERVATIONS REQUIRED

ENTIRE POOL: \$100 - Rental available in accordance with rental policy.

In addition to the above swimming pool rental fees, additional fees and requirements may be applicable, i.e: staff fees, security deposit, liability insurance.

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