

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

March 23, 2010

7:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE – Rhys Williams, a tenth-grade student at Lafayette High School

D. HIGHWAY MATTERS

E. PUBLIC COMMENT

F. PRESENTATION – 2010 Citizen Leadership Academy (CLA) Graduation

G. CONSENT CALENDAR

1. Minutes – March 9, 2010, Regular Meeting
2. Contract Award – Architectural Services for Law Enforcement Center Renovation to Fire Administration Headquarters and Training Center – \$136,600
Supports County's Strategic Pathway 3.d) Invest in the capital project needs of the community; 4.c) Ensure private development and government operations are environmentally sensitive; and 5.b) Maintain a well-trained and high performing workforce for normal and emergency operations
3. Appropriation of Insurance Proceeds – \$33,908
Supports County's Strategic Pathway 1.a - evaluate service delivery costs

H. PUBLIC HEARINGS

1. Conveyance of Real Property at 134 Neighbors Drive
2. Ordinance Amendments to Chapter 12, Licenses

I. BOARD CONSIDERATIONS

1. James City County Sustainable Building Policy
Supports County's Strategic Pathway 4.c - ensure private development and government operations are environmentally sensitive
2. Forest Heights Neighborhood Improvement Project – Community Development Block Grant Application – \$1.4 Million
Supports County's Strategic Pathway 2.a - address the needs of the underserved and protect the vulnerable

-CONTINUED-

J. PUBLIC COMMENT

K. REPORTS OF THE COUNTY ADMINISTRATOR

L. BOARD REQUESTS AND DIRECTIVES

M. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County boards and/or commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
 - a. Wetlands Board/Chesapeake Bay Board

N. RECESS to 5 p.m. on April 13, 2010

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MEMORANDUM

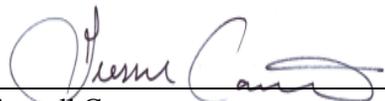
DATE: March 23, 2010
TO: The Board of Supervisors
FROM: Tressell Carter, Director of Neighborhood Connections
SUBJECT: 2010 Citizen Leadership Academy Graduation

The 2010 Citizen Leadership Academy (CLA) graduation will take place at the March 23, 2010, Board of Supervisors meeting with each supervisor presenting a certificate to each participant from their respective district.

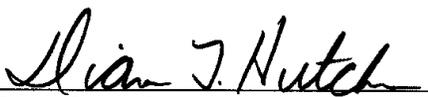
This year marks the 13th year for the CLA. Including this class, 224 citizens have graduated from the academy. This year's curriculum showcased the following: Satellite Services and Division of Motor Vehicles (DMV) Select, Virginia Cooperative Extension, Communications, Neighborhood Connections, County Administration, Human Resources, Zoning, Comprehensive Plan, Historical Resources, Emergency Management, Fire, and Police.

The 19 participants' names and districts are as follows:

Berkeley District: Manfred Fenger, Diana Fenger, David Haggings, Mary Smallwood, Heather Cordasco, Amy Ritchie, Sandra Jimmison, and Jackie Jones
Powhatan District: Gwen Schatzman, and Elizabeth Snyder
Roberts District: Crystal Boyce, Latrice Boyce, and Cherry James
Stonehouse District: Constance Cook-Hudson, Alexander Fraizer, Sr., Valerie Partlow, Annie Lee, Del Humphreys, and Mary Brett Wright


Tressell Carter

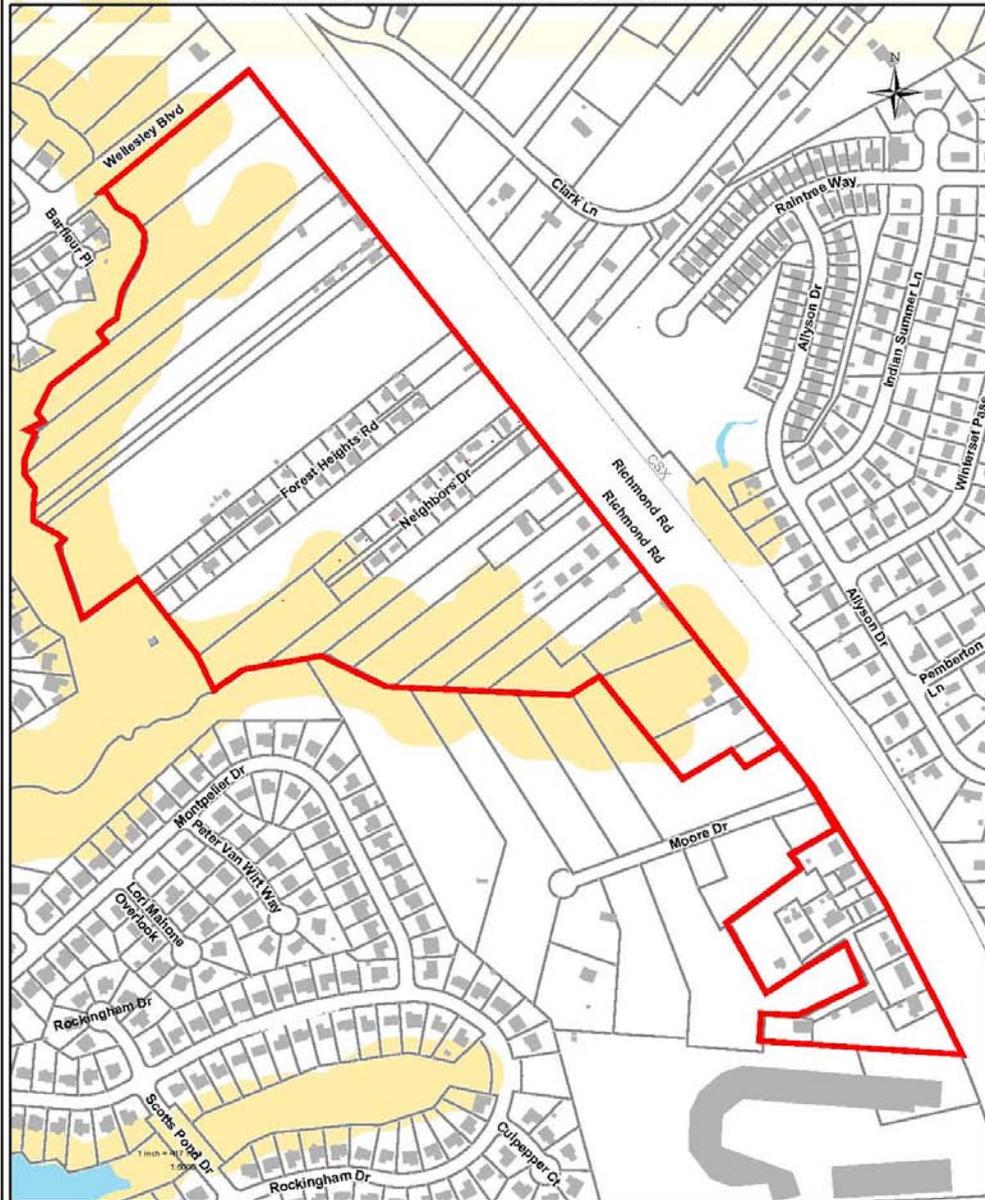
CONCUR:


Diana F. Hutchens

PROPOSED EXCHANGE OF 134 NEIGHBORS DRIVE AND 120 FOREST HEIGHTS ROAD



FOREST HEIGHTS ROAD / NEIGHBORS DRIVE / RICHMOND ROAD STUDY AREA



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section. Aerial Imagery Copyright 2005 James City County.

1 inch = 417 feet

0 0.045 0.09 Miles



NEIGHBORS DRIVE ENTRANCE



NEIGHBORS DRIVE



FOREST HEIGHTS ROAD ENTRANCE



FOREST HEIGHTS ROAD

Concept Plan



AES
CONSULTING ENGINEERS

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Wilmington, Virginia 22898
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www.aesinc.com

Henrico County | Central Virginia | Middle Peninsula

OPTION "C"
ILLUSTRATIVE PLAN
FOREST HEIGHTS RD & NEIGHBORS DR AREA

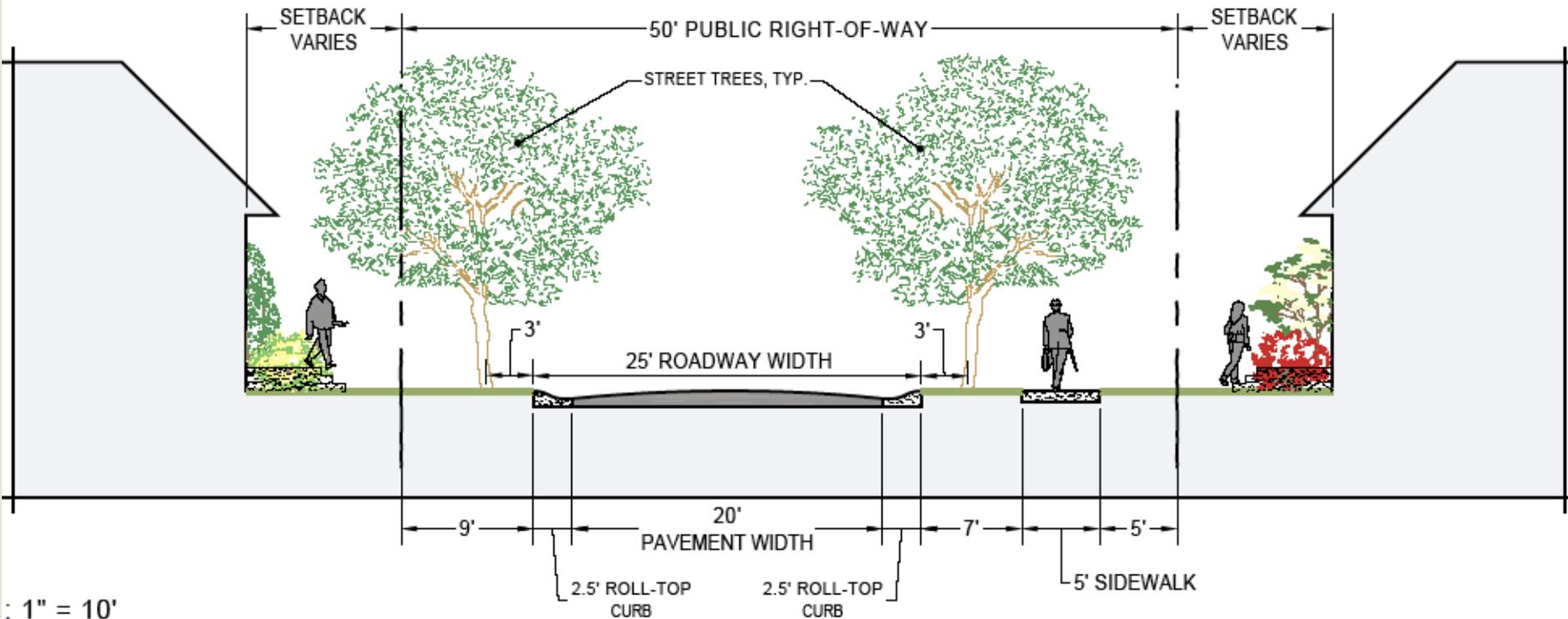
FOUNTAIN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Number: 190303
Project Name: 190303 L1 P1
Date: 11/11/19
Scale: 1/8" = 1'-0"
Sheet Number: 190303-01
EXHIBIT 5





Proposed Forest Heights Road









AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 9TH DAY OF MARCH 2010, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

James G. Kennedy, Chairman, Stonehouse District
Mary Jones, Vice Chair, Berkeley District
Bruce C. Goodson, Roberts District
James O. Icenhour, Jr., Powhatan District
John J. McGlennon, Jamestown District

Sanford B. Wanner, County Administrator
Adam R. Kinsman, Deputy County Attorney

B. MOMENT OF SILENCE

C. PLEDGE OF ALLEGIANCE – Victoria Chiasson, a fourth-grade student at D.J. Montague Elementary School, led the Board and citizens in the Pledge of Allegiance.

D. PUBLIC COMMENT

Mr. Kennedy recognized Mr. Reese Peck in attendance on behalf of the Planning Commission.

1. Mr. Richard Bradshaw, Commissioner of the Revenue, commented on the real estate tax exemption for elderly and disabled taxpayers. He reviewed the qualifications and the application period. He stated for more information or for an application, citizens could contact the Commissioner of the Revenue's office. He commented that since 2000, the applicants and value of exemptions have doubled and the qualification values have risen.

2. Mr. Ed Oyer, 139 Indian Circle, commented on school building construction and school enrollment projections; detailed budget reductions; and consideration of how funds could have been spent in other circumstances.

3. Mr. Robert Richardson, 2786 Lake Powell Road, commented on alignment of County ordinances with the Comprehensive Plan update and requested citizen input for this process. He commented on contradictions and intent in the County Code in relation to the Autumn West case.

4. Mr. Jack Fowler, 109 Wilderness Lane, commented on concerns he had in relation to blight and debris he had brought forward in the past. He commented on correspondence from Mr. Wanner that requested that he contact staff with his concerns. He stated that he had gotten no response from staff for his concerns. He requested that staff cease all action in relation to the concerns he brought to the Board's attention.

E. CONSENT CALENDAR

Mr. McGlennon asked to pull Agenda Item No. 3.

Ms. Jones asked to pull Agenda Item No. 5.

Mr. Icenhour made a motion to adopt the remaining items on the Consent Calendar.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

1. Minutes –
 - a. February 23, 2010, Work Session
 - b. February 23, 2010, Regular Meeting
2. Dedication of Streets in The Villages at Westminster, Phase 2 Section 2

RESOLUTION

DEDICATION OF STREETS IN VILLAGES AT WESTMINSTER PHASE 2, SECTION 2

WHEREAS, the streets described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on a plat recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Residency Administrator for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on July 1, 1994, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form AM-4.3 to the secondary system of State highways, pursuant to § 33.1-229 of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

4. Virginia Peninsulas Public Service Authority (VPPSA) Household Chemical Collection Service Agreement

RESOLUTION

THE VIRGINIA PENINSULAS PUBLIC SERVICE AUTHORITY (VPPSA) – HOUSEHOLD CHEMICAL COLLECTION SERVICE AGREEMENT

WHEREAS, the Virginia Peninsulas Public Service Authority (VPPSA) solicited bids for household chemical collection services for its member jurisdictions; and

WHEREAS, VPPSA has entered into an agreement with the company that submitted the lowest responsive and responsible bid for household chemical collection services; and

WHEREAS, this service is necessary for the proper disposal of household hazardous waste in the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary agreement with VPPSA for the provision of Household Chemical Collection Services in James City County.

3. Grant Allocation – Climate Showcase Communities: Advancing Greenhouse Gas Reduction Through Affordable Housing – \$303,828

Mr. McGlennon stated he wished to pull this item to highlight this grant award and that as a result of receiving this award, James City County was one of 20 localities to be designated as a Climate Showcase Community. He stated that through this grant, the County can help conserve energy by conducting home energy audits and retrofits and to carry out these methods on affordable housing. He stated this was also an economic development opportunity to shift attention to energy-efficient development. He said it would also reduce the cost of home ownership by reducing utility costs. He commented that this was an important way that James City County can influence other communities by enhancing economic development and energy efficiency. He thanked the volunteers and staff who have worked on this item through the Green Building Roundtable. He also thanked Climate Communities which alerted him to the existence of the program and provided assistance that ultimately allowed the County to receive the grants.

Mr. Kennedy asked if it was possible to limit those who receive the grant funds to local businesses.

Ms. Stephanie Luton, Purchasing/Management Service Director, stated that the Virginia Procurement Act only allows preference for a local vendor in the event of a tie bid. She stated this happens very rarely. She said the contractor bidder list from the Office of Housing and Community Development would be used to identify contractors for the retrofitting. She stated interested contractors could apply to be added to the contractor bidder list.

Mr. Kennedy asked if the guidelines could be provided on the website to assist contractors in applying to be on the list.

Ms. Luton stated that this could be made more prevalent on the website to make the process easier for contractors.

Ms. Jones commented on the terms and conditions of the stimulus funds in relation to reporting and stated her concern for the ambiguity of the terms.

Mr. McGlennon stated that these funds were not stimulus funds. A parallel Energy Conservation Block Grant was being funded by the stimulus package, but the Climate Showcase Communities grant was not.

Ms. Jones asked if the Environmental Protection Agency (EPA) received these funds from the stimulus program.

Ms. Luton stated this was funding that the EPA received from its FY 2009 Federal appropriation. She stated that the block grant money that Mr. McGlennon referred to was stimulus funding. She explained that the reporting requirements for stimulus projects were fluid and the owner was required to input information. She stated that there were efforts made to keep current on reporting requirements and the reporting requirement was being taken very seriously, as it was an important part of receiving a stimulus grant. She stated that the process was moving forward despite any uncertainty.

Mr. McGlennon made a motion to adopt the resolution.

Ms. Jones stated her concern that this was being funded by Federal tax funds. She said she supported environmental stewardship, but she could not support the resolution because of additional Federal spending in the current economic conditions.

Mr. McGlennon stated that several people have expressed concern about Federal spending, but stated that this was an investment in the local economy that highlighted what the County can do to improve the community.

Ms. Jones stated that individuals should move forward in the free market in an entrepreneurial way. She stated her concern for Federal spending.

Mr. McGlennon commented that about a third of the Federal stimulus funds were tax cuts and refunds to the public.

Ms. Jones stated that she felt the economy would not improve by increasing the government's presence.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Kennedy (4). NAY: Jones (1).

RESOLUTION

GRANT ALLOCATION – CLIMATE SHOWCASE COMMUNITIES: ADVANCING

GREENHOUSE GAS REDUCTION THROUGH AFFORDABLE HOUSING – \$303,828

WHEREAS, the Climate Showcase Communities Program of the United States Environmental Protection Agency (EPA) awarded James City County a \$303,828 grant for creating models of sustainable

community action that generate cost-effective and persistent greenhouse gas reductions while improving the environmental, economic, public health, or social conditions in a community; and

WHEREAS, the grant program consists of three parts: rehabilitation and energy retrofit to foreclosed homes and resale of these homes, promotion of energy audits and energy retrofits to owner occupied homes, and public outreach and education efforts highlighting the program’s ability to reduce greenhouse gases through the preservation of affordable housing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Grant Agreement and authorizes the following appropriation to the Community Development fund:

Revenue:

EPA Climate Showcase Communities	<u>\$303,828</u>
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Expenditure:

Advancing Greenhouse Gas Reduction Through Affordable Housing Program	<u>\$303,828</u>
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5. Purchase of Development Rights – Acceptance of Offer to Sell a Conservation Easement – \$335,000

Ms. Jones asked the Board if this expenditure was justified in light of the current economic conditions.

Mr. McGlennon stated that if the property did stay on the tax rolls at the developable rate, it would likely be developed into residential development.

Ms. Jones stated her concerns that spending was not prudent at this time.

Mr. Kennedy stated that the funds were allocated specifically for this purpose beginning in 2000. He asked if additional revenue had been dedicated to greenspace.

Mr. Wanner stated that the bond proceeds were being applied to the Purchase of Development Rights (PDR) fund.

Mr. Goodson stated that during the bond referendum, the citizens expressed their interest in this program and preserving greenspace in the County.

Mr. Kennedy stated that he appreciated Ms. Jones’s concerns and times had changed since the referendum. He commented that there was a \$2.5 million fund balance in the PDR account. He stated he was in favor of this item.

Mr. Goodson stated he understood Ms. Jones’s concern, but the funds were allocated for this purpose and were awaiting opportunities such as this.

Mr. McGlennon made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Kennedy (4). NAY: Jones (1).

RESOLUTION

PURCHASE OF DEVELOPMENT RIGHTS (PDR) – ACCEPTANCE OF OFFER TO SELL

A CONSERVATION EASEMENT – \$335,000

WHEREAS, the County has received an offer to sell a conservation easement under the PDR Program from the owner of the property known as 8417 Diascund Road, James City County Real Estate Tax Parcel No. 1010100040; and

WHEREAS, the owner offered to sell a conservation easement on the property for a purchase price of \$335,000, subject to the conditions set forth in the proposed deed of easement enclosed with the County's invitation of offer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the offer to sell a conservation easement described above, or as modified by the County Attorney, and authorizes the County Administrator to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the PDR Administrator to send a copy of this resolution to the owner of the property identified herein.

F. PUBLIC HEARING

1. Case No. SUP-0024-2009. Hospice House WCF Tower (continued from February 9, 2010)

Mr. Chris Johnson, Principal Planner, stated that the applicant has requested to defer this case until June 8, 2010, to continue to evaluate possible sites. He stated that staff concurs with the decision and recommends that the Board defer the case until June 8, 2010.

Mr. Kennedy stated that he has been asked for an update by citizens related to Hospice House, since the facility was considering this project as a possible revenue source.

Mr. Johnson stated the case was still active while the applicant looks for alternate sites. He stated that if an alternate site was not found, it would come forward with the tower located at the Hospice House site.

Mr. Kennedy asked that those related to the Hospice House be briefed on the status of the site search.

Mr. Kennedy opened the Public Hearing.

1. Mr. Robert Richardson, 2786 Lake Powell Road, commented that State and Federal representatives should be contacted to help limit wireless towers in the County.

Mr. Kennedy stated that the Public Hearing remained open and continued until June 8, 2010.

G. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on spending and evaluation of what the taxpayers would have done with the funds instead. He commented that inefficiencies should not be created in order to create jobs.

2. Mr. Robert Richardson, 2786 Lake Powell Road, commented that he felt the Grant Allocation Board item would benefit the community indirectly. He stated his support for this item. He stated his opposition to the construction of a coal plant in Surry and the King William Reservoir, and that the benefits of this Grant Allocation would help reduce the need for the utilities that these facilities support. He commented that the best way to address the need for water and electricity is to conserve.

3. Mr. Jack Fowler, 109 Wilderness Lane, commented on protecting the waterways in the County and stated that the County should take responsibility to address Code violations and blight that harm the community.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner stated that there was a pre-notice on the 2010 Census. He noted that the Census forms will arrive in the mail next week and he encouraged everyone to fill out the questionnaires. He commented that when the Board completed its business, it should recess to March 16, 2010, at 9 a.m. for a joint meeting with the School Board at the Quarterpath Recreation Center. He also noted that the Board needed to hold a Closed Session for the consideration of personnel matters, appointments to the Historical Commission, Board of Zoning Appeals, and the Social Services Advisory Board. Mr. Wanner informed the Board that citizen complaints regarding blight and code violations are investigated and subject to enforcement as appropriate.

Mr. Kennedy asked if the joint work session would be televised.

Mr. Wanner stated that he did not believe there was television capability at this location.

Mr. McGlennon asked if the meeting could be recorded for later broadcast.

Mr. Wanner said he could check into that possibility.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Kennedy asked that Mr. Wanner investigate if the joint work session could be recorded for broadcast.

Mr. Icenhour commented that he received an email from a citizen who experienced a waterline break and stated that the James City Service Authority (JCSA) did an excellent job of responding to the situation. He extended his thanks to the JCSA and those who assisted this citizen. He also stated that on March 20-21, 2010, Jamestown Settlement was holding a program called "Military through the Ages" and encouraged citizens to attend.

J. CLOSED SESSION

Mr. Goodson made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(1) of the Code of Virginia for the consideration of a personnel matter, the appointment of individuals to County boards and/or commissions, specifically the Historical Commission, Board of Zoning Appeals, and the Social Services Advisory Board.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

At 7:50 p.m. Mr. Kennedy recessed the Board into Closed Session.

At 7:54 p.m. Mr. Kennedy reconvened the Board.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed 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 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed 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 closed meeting to which this certification resolution applies; and ii) only such public business matters were heard, discussed, or considered by the Board as were identified in the motion, Section 2.2-3711(A)(1) of the Code of Virginia, to consider a personnel matter, the appointment of individuals to County boards and/or commissions.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

Mr. Goodson made a motion to appoint Mr. David Boiselle to the Social Services Advisory Board, term to expire on July 1, 2013; Mr. Gerald White to the Historical Commission, term to expire on March 31, 2013; and to recommend appointment of Mr. David Otey, Jr., to the Board of Zoning Appeals.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

K. RECESS to 9 a.m. on March 16, 2010.

Mr. Icenhour made a motion to recess.

On a roll call vote, the vote was: AYE: McGlennon, Goodson, Icenhour, Jones, Kennedy (5). NAY: (0).

At 7:55 p.m. Mr. Kennedy recessed the Board to 9 a.m. on March 16, 2010, for a joint work session with the School Board and the Williamsburg City Council.

Sanford B. Wanner
Clerk to the Board

030910bos_min

MEMORANDUM

DATE: March 23, 2010
TO: The Board of Supervisors
FROM: Stephanie Luton, Purchasing/Management Services Director
SUBJECT: Contract Award – Architectural Services for Law Enforcement Center Renovation to Fire Administration Headquarters and Training Center – \$136,600

The current Law Enforcement Center (LEC) located at 5087 John Tyler Highway next to Fire Station 3 will be renovated to house the Fire Administration Headquarters and Training Center after the Police Department relocates to the new Police Department Building at Warhill in 2011. Once the renovation is complete, Fire Administration and the Training Center will relocate from leased office space. The main LEC building dates from 1981 and an addition was added in 1990.

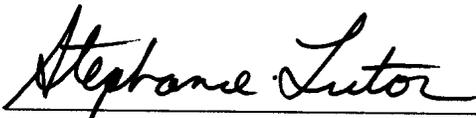
Divisions to be housed at the Fire Headquarters include Command staff and Administrative Services, Support Services, and the Fire Marshall. The renovation program also includes several training classrooms and conference rooms.

The building and site renovation will use environmentally responsible “green” design standards with the goal of meeting the Silver certification level of the Leadership in Energy and Environmental Design (LEED) program of the United States Green Building Council if feasible.

A Request for Proposals (RFP) for the architectural services was advertised and 15 proposals were received. Staff members from the Fire Department, General Services, Information Technology, and Purchasing evaluated the proposals and determined Guernsey Tingle Architects was the most fully qualified firm and its proposal best suited the County’s needs as defined in the RFP. A price of \$136,600 was negotiated with Guernsey Tingle Architects for this project.

The FY 2010 Capital Improvements budget includes funds for this purchase. Funding for the LEC renovation was part of the bond financing approved by the Board that also included the new Police Department Building and the Fire Station 3 roof.

Staff recommends approval of the attached resolution.


Stephanie Luton

CONCUR:

John E. McDonald

SL/nb
CA_Renovations_mem

Attachment

RESOLUTION

CONTRACT AWARD – ARCHITECTURAL SERVICES FOR LAW ENFORCEMENT CENTER

RENOVATION TO FIRE ADMINISTRATION HEADQUARTERS AND

TRAINING CENTER – \$136,600

WHEREAS, a Request for Proposals (RFP) for architectural services for the renovation of the Law Enforcement Center to Fire Administration Headquarters and Training Center was publicly advertised and staff reviewed proposals from 15 firms interested in performing the work; and

WHEREAS, upon evaluating the proposals, staff determined that Guernsey Tingle Architects was the most fully qualified and submitted the proposal that best suited the County's needs as presented in the RFP.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the \$136,600 contract for architectural services to renovate the Law Enforcement Center to Fire Administration Headquarters and Training Center to Guernsey Tingle Architects.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of March, 2010.

CA_Renovations_res

MEMORANDUM

DATE: March 23, 2010
TO: The Board of Supervisors
FROM: Bart J. Johnson, Risk Management Director
SUBJECT: Appropriation of Insurance Proceeds - \$33,908

On December 25, 2009, James City County Police Department Automobile No. 062907 was involved in an automobile accident resulting in a total loss to the automobile. An insurance claim was filed with the Virginia Association of Counties (VACo) Insurance Pool. Recovery was obtained in the amount of \$33,908 based on the actual cash value of the automobile and equipment minus the \$1,000 deductible.

Staff recommends approval of the attached resolution appropriating these proceeds toward the purchase of a replacement automobile.

Bart J. Johnson

CONCUR:

John E. McDonald

BJ/nb
InsuranceApp_mem

Attachment

RESOLUTION

APPROPRIATION OF INSURANCE PROCEEDS - \$33,908

WHEREAS, James City County is committed to protecting County assets and replacing destroyed assets in an efficient manner; and

WHEREAS, James City County Police Department Vehicle No. 062907 was destroyed in an accident on December 25, 2009; and

WHEREAS, the actual cash value including equipment, less the deductible, of Vehicle No. 062907 has been recovered from the Virginia Association of Counties (VACo) Risk Management Programs; and

WHEREAS, the insurance proceeds recovered will be used for a replacement Police vehicle and equipment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriations of recovered funds:

Revenue:

Insurance Recovery	<u>\$33,908</u>
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Expenditure:

Police Vehicle	<u>\$33,908</u>
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James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of March, 2010.

InsuranceApp_res

M E M O R A N D U M

DATE: March 23, 2010

TO: The Board of Supervisors

FROM: Richard B. Hanson, Housing and Community Development Administrator

SUBJECT: Conveyance of Real Property at 134 Neighbors Drive

Pursuant to the attached conceptual plan for improvements to and redevelopment of the Forest Heights Road/Neighbors Drive area in conjunction with the proposed Forest Heights Neighborhood Improvement Project, the County must acquire 120 Forest Heights Road to construct a road connecting Forest Heights Road to Neighbors Drive. The property at 120 Forest Heights Road is a 0.121-acre unimproved lot owned by Mr. Gil G. Gilley. Mr. Gilley was preparing plans to build a home at 120 Forest Heights Road when the Office of Housing and Community Development (OHCD) asked to purchase the lot. Mr. Gilley consented to exchange this lot for the 0.112-acre unimproved lot at 134 Neighbors Drive if the exchange would not unduly delay his plans to build. The assessed values of 134 Neighbors Drive and 120 Forest Heights Road are the same.

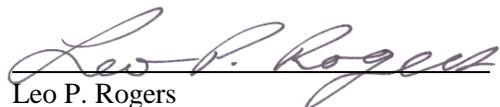
To facilitate the exchange, the County purchased 134 Neighbors Drive in early March through OHCD and is prepared to convey the property to Mr. Gilley in exchange for 120 Forest Height Road.

Staff recommends adoption of the attached resolution authorizing the sale of 134 Neighbors Drive.


Richard B. Hanson

CONCUR:


Barbara E. Watson


Leo P. Rogers

RBH/gb
134NeighborsConvey_mem

Attachments

RESOLUTION

CONVEYANCE OF REAL PROPERTY AT 134 NEIGHBORS DRIVE

WHEREAS, James City County owns certain real property identified as Parcel No. 3220500001 on the James City County Real Estate Tax Map, more commonly known as 134 Neighbors Drive (the "Property"); and

WHEREAS, the County desires to transfer ownership of the Property to Mr. Gil G. Gilley in exchange for real property owned by Mr. Gilley and identified as Parcel No. 3220400005 on the James City County Real Estate Tax Map, more commonly known as 120 Forest Heights Road; and

WHEREAS, the Board of Supervisors of James City County, following a public hearing, is of the opinion that the County should exchange properties with Mr. Gilley.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator, to execute a deed of exchange and any other documents needed to transfer to Mr. Gilley 134 Neighbors Drive and to accept title from Mr. Gilley for 120 Forest Heights Road.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of March, 2010.

134NeighborsConvey_res

PROPOSED EXCHANGE OF 134 NEIGHBORS DRIVE AND 120 FOREST HEIGHTS ROAD



M E M O R A N D U M

DATE: March 23, 2010

TO: The Board of Supervisors

FROM: Lindsey Craven, County Attorney Intern
Adam R. Kinsman, Deputy County Attorney

SUBJECT: Ordinance Amendments to Chapter 12, Licenses

Section 12-8. Penalty for Not Making Application:

The purpose of the proposed revision is to specify the criminal charge under County Code Section 12-8, for failure to apply for a license to operate a business within the County.

All persons operating a business are required to “make application to the Commissioner of the Revenue for the license due under this chapter.” The current statute states that “any person failing to make such application shall be subject to a fine of not less than \$25.00 nor more than \$300.00 as the judge or jury may determine.” The code does not make mention of what criminal charge would lead to the involvement of a judge or jury.

Based on the range of the proposed punishment for the failure to make the application, the criminal charge would be one that does not carry any possibility of jail time. Virginia Code Section 18.2-1 establishes the authorized punishments for convictions of misdemeanors. A Class 3 misdemeanor carries the possibility of not more than \$500. A Class 4 misdemeanor is punishable by not more than \$250. The current punishment for violation of this section fits closest with the possible punishment for a Class 3 misdemeanor.

Section 12-9. Penalties for Nonpayment of License Fee:

The purpose of the proposed revision is to specify the criminal charge under County Code Section 12-9 for the failure to pay the business license tax required for businesses operating in the County.

All persons operating a business are required to apply for a business license and pay the corresponding license tax or fee. The current ordinance states that any person who operates a business without applying and paying for the business license “shall be subject to a fine of not less than \$25.00 nor more than \$300.00, and each day of default shall constitute a separate offense.” The code does not make mention of what criminal charge would be filed against such an individual.

Based on the range of the proposed punishment for the failure to make the application, the criminal charge would be one that does not carry any possibility of jail time. The current punishment for violation of this section fits closest with the possible punishment for a Class 3 misdemeanor.

The words “or fee” need also be added to the text of the first sentence in order to avoid any ambiguity as to whether the ordinance applies to license taxes or license fees. This amendment makes the code clear that the penalties apply to the failure to pay a fee or a tax.

Section 12-13. Penalty for Failing to File Statement Required and for Making False Statement:

The purpose of the proposed revision is to specify the criminal charge under County Code Section 12-13 for the failure to file required statements related to the assessing of a license tax or willfully making false statements in the required filings.

All persons operating a business are required to apply for a business license and pay the corresponding license tax or fee. There are times when the applicant may be required to furnish the Commissioner of the Revenue with certain information in order to assess the proper tax or fee. Currently, the County Code states that any person who fails or refuses to make these statements or makes false statements “shall, upon conviction thereof, be fined not less than \$50.00 nor more than \$300.00 or confined in jail not more than 30 days, or both, in the discretion of the court or jury.” The code makes no mention of what criminal charge would lead to the involvement of the court or a jury.

Virginia Code Section 58.1-3916.1 outlines the maximum penalties for the failure to file returns or making false statements in returns. The statute states that “such penalties shall not exceed those prescribed by general law for (i) a Class 3 misdemeanor if the amount of the tax lawfully assessed in connection with the return is \$1,000 or less, or (ii) a Class 1 misdemeanor if the amount of the tax lawfully assessed in connection with the return is more than \$1,000.” A Class 3 misdemeanor carries a maximum fine of not more than \$500, with no possibility of jail time; a Class 1 misdemeanor is punishable by a maximum of one year in jail, no more than \$2,500 or both.

To comply with the maximum penalties set by State law, a distinction must be drawn between violations stemming from returns totaling more than \$1,000 and \$1,000 or less. The class of misdemeanor charged is to be based on the amount of tax due. For violations relating to tax assessments of \$1,000 or less, the punishment for a Class 3 misdemeanor appears to be the closest approved punishment. For violations relating to tax assessment greater than \$1,000, it is not necessary to prescribe a Class 1 misdemeanor, which would drastically increase the punishment; a Class 2 misdemeanor, carrying a maximum penalty of six months in jail or a fine of \$1,000 or both, is the classification of misdemeanor that is closest in scope to the current text while still maintaining the possibility of jail time. Though it is a significant increase in the possible penalty, the court would have discretion in the implementation of sentence. Any lower misdemeanor classification would remove the possibility of jail for this kind of violation.

Section 12-14. Production of Records and Penalty for Failure to Produce:

The purpose of the proposed revision is to specify the criminal charge for the failure to appear and produce certain records to the Commissioner of the Revenue (the “Commissioner”), when duly summoned.

Under County Code Section 12-14, the Commissioner has the power to summon certain individuals to produce records relating to the assessment of the business license tax. The code currently states that any individual who fails to appear when duly summoned or refuses to allow a lawful audit of their business books “shall, upon conviction thereof, be fined not more than \$300.00.” The code does not make mention of what criminal charge would lead to such a conviction.

Based on the range of the proposed punishment for the failure to appear or produce records, the criminal charge would be one that does not carry any possibility of jail time. The current punishment for violation of this section fits closest with the possible punishment for a Class 3 misdemeanor.

Staff recommends adoption of the attached ordinance.

Lindsey Craven



Adam R. Kinsman

CONCUR:



Leo P. Rogers

LC/ARK/nb
LicensesAmn_mem

Attachment

ORDINANCE NO. _____

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 12, LICENSES, OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 12-8, PENALTY FOR NOT MAKING APPLICATION; SECTION 12-9, PENALTIES FOR NONPAYMENT OF LICENSE TAX; SECTION 12-13, PENALTY FOR FAILING TO FILE STATEMENT REQUIRED AND FOR MAKING FALSE STATEMENT; AND SECTION 12-14, PRODUCTION OF RECORDS AND PENALTY FOR FAILURE TO PRODUCE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 12, Licenses, is hereby amended and reordained by amending Section 12-8, Penalty for not making application; Section 12-9, Penalties for nonpayment of license tax; Section 12-13, Penalty for failing to file statement required and for making false statement; and Section 12-14, Production of records and penalty for failure to produce.

Chapter 12. Licenses

Sec. 12-8. Penalty for not making application.

Any person doing business, carrying on any trade or calling, or practicing any profession within the county, and any person who shall open an office for a place of business, or who shall by use of signs or otherwise advertise any trade, business or profession within the county, shall make application to the commissioner of the revenue for the license due under this chapter, as provided in section 12-5, and any person failing to make such application shall be ~~subject to a fine of not less than \$25.00 nor more than \$300.00 as the judge or jury may determine~~ *guilty of a Class 3 misdemeanor*.

Sec. 12-9. Penalties for nonpayment of license tax.

(a) Any person conducting any business, occupation or profession, or doing other things for which a license tax *or fee* is required under this chapter, without applying for and obtaining such license as set forth in section 12-5, or who shall fail to obtain any tag, certificate or sign required under this chapter, shall be ~~subject to a fine of not less than \$25.00 nor more than \$300.00,~~ *guilty of a Class 3 misdemeanor*, and each day of default shall constitute a separate offense. Such conviction shall not relieve any such person from the payment of any license tax imposed by this chapter.

Sec. 12-13. Penalty for failing to file statement required and for making false statement.

If any person subject to the payment of a license tax required under this chapter should (1) fail or refuse to file the statement or statements required by this chapter, or (2) ~~who should~~ make any false statement in the affidavit required by this chapter, shall, upon conviction thereof, be ~~fined not less than \$50.00 nor more than \$300.00 or confined in jail not more than 30 days, or both, in the discretion of the court or jury~~ *guilty of (i) a Class 3 misdemeanor if the amount of the tax lawfully assessed in connection with the return is \$1,000 or less, or (ii) a Class 2 misdemeanor if the amount of tax lawfully assessed in connection with the return is more than \$1,000.*

Sec. 12-14. Production of records and penalty for failure to produce.

(d) Any person who shall fail to appear before the commissioner of the revenue and produce such records, books and papers, when duly summoned, or who shall refuse to permit the commissioner of the revenue to make or cause to be made such other and further investigation and audit of such books and papers, shall, upon conviction thereof, be ~~fined not more than \$300.00~~ *guilty of a Class 3 misdemeanor.*

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of March,
2010.

LicensesAmn_ord

MEMORANDUM

DATE: March 23, 2010
TO: The Board of Supervisors
FROM: John T. P. Horne, General Services Manager
SUBJECT: James City County Sustainable Building Policy

In support of the Board's adopted Cool Counties Declaration for the reduction of greenhouse gas emissions, staff has been working on a proposed policy on County building projects. The policy would direct staff members, as they design, build, manage, and decommission public facilities. It does not address private construction activities. Jurisdictions in Virginia and around the country have adopted similar policies and staff reviewed a number of those as potential models for the attached draft policy. A staff group consisting of staff from Code Compliance, James City Service Authority, Parks and Recreation, Community Services, and General Services reviewed material from Arlington County, Alexandria, the State of Virginia, Los Angeles, and Portland, Oregon to develop the draft policy. In addition, the Design and Construction Committee of the Green Building Roundtable reviewed and commented on the policy.

The policy addresses both the construction and renovation of buildings and the design of the site. In general, the building portion sets a goal of Silver Certification under the Leadership in Energy and Environmental Design (LEED) rating system promulgated by the United States Green Building Council (USGBC). While there are other rating systems available, the LEED system has become far and away the most widely used system in the country. Almost all the examples reviewed by staff use this system. For residential structures, the policy also allows use of the EarthCraft Virginia system which has been used by the County and is well known in Virginia. It is also important to note that the policy allows for considerable discretion by the County Administrator to allow variations to the policy where needed for other County purposes, and it is shown that alternate measures would improve the overall environmental performance of the building.

The site design section of the policy is less quantitative and is based on the application of principles of better site design, low-impact development, and best management practices. At this time there is not a national model for site design, similar to LEED. LEED does, however, have points available for site design features that minimize stormwater pollution and limit on-site water use for irrigation. Many of the measures listed are already incorporated in most site designs for County facilities.

National research has shown that the cost of LEED certification has been two to five percent of total project costs. This varies with the type and size of the project. Two County projects have used the LEED certification process to date. They are the new Police headquarters building and the community gymnasium at Warhill. Neither project has been completed but the Police building is underway and, therefore, final costs will not be known until later. National research has also shown that LEED Silver Certified buildings can be expected to be 20-30 percent more energy efficient than buildings that meet normal code and industry standards. This building performance will result in substantial cost savings to the County over the life of buildings. LEED also incorporates other techniques related to material sourcing, construction techniques, and indoor air quality that make the overall project more sustainable.

If the Board adopts this policy, County Administration will promulgate an Administrative Regulation that will instruct staff to follow the policy in future projects.

Staff recommends adoption of the attached resolution.



John T.P. Horne

JTPH/nb
GreenBldgPol_mem

Attachments

RESOLUTION

JAMES CITY COUNTY SUSTAINABLE BUILDING POLICY

WHEREAS, the James City County Board of Supervisors has adopted the Cool Counties Declaration by a resolution dated September 25, 2007; and

WHEREAS, that declaration states the County's intention to take actions to reduce greenhouse gas emissions from County operations and facilities; and

WHEREAS, energy use from construction and operation of buildings accounts for approximately 50 percent of greenhouse emissions in the United States; and

WHEREAS, sustainable site design can help protect County natural resources from pollution and damage; and

WHEREAS, the Board of Supervisors wishes to demonstrate to the community the County's leadership in sustainable facility design.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the James City County Sustainability Policy and instructs the County Administrator to promulgate the appropriate administrative regulations to implement this policy.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of March, 2010.

GreenBldgPol_res

MEMORANDUM

DATE: March 23, 2010

TO: The Board of Supervisors

FROM: Richard B. Hanson, Housing and Community Development Administrator

SUBJECT: Forest Heights Neighborhood Improvement Project - Community Development Block Grant Application - \$1.4 Million

Attached for your consideration is a Resolution authorizing the County Administrator to submit an application to the Virginia Department of Housing and Community Development (VDHCD) for a \$1.4 million Community Development Block Grant (CDBG) to assist in funding the Forest Heights Neighborhood Improvement Project. This memorandum, along with the attached Project Activity Summary, Budget Projections, and maps, describes the housing and infrastructure improvements designed to address critical needs identified by the residents of the predominantly low- and moderate- income project area.

Project Planning

Last year following a meeting with a number of residents of Forest Heights Road, Office of Housing and Community Development (OHCD) staff began an assessment of the housing and infrastructure improvement needs of a 68-acre residential area which includes properties along Forest Heights Road, Neighbors Drive, and Richmond Road between the Prime Outlet Mall and Wellesley Boulevard. A Project Management Team was established, and a public meeting was held in June to identify neighborhood assets and improvement needs; the most critical of which were narrow unpaved roads and drainage problems. A neighborhood survey was completed by 47 of 49 residents of the study area which provided household characteristics, housing repair needs, and neighborhood improvement needs information.

A letter requesting a CDBG Project Planning Grant was sent to VDHCD along with the survey results, preliminary housing and infrastructure assessment reports, and a site conditions map. This map is attached to this memo. VDHCD awarded a \$25,000 Project Planning Grant to the County in the Fall of 2009. Project Planning Grant funds were used to hire AES Consulting Engineers to complete: (i) an inventory and analysis, including a drawing illustrating site opportunities and constraints; (ii) plan alternatives; (iii) presentation of alternatives to citizens and staff; and (iv) preparation of a preliminary engineering report including cost estimates. The design alternatives focused on the Forest Heights Road and Neighbors Drive area, as well as the adjacent site of the proposed Salvation Army facility.

After review by the Project Management Team, County staff, neighborhood residents, the Chesapeake Bay Wetlands Board, and the Planning Commission's Development Review Committee, a preferred alternative plan for development of paved roads, storm water management and drainage facilities, preservation of open space, and property resubdivision was selected. The concept plan proposes redevelopment through a combination of boundary line adjustments, property acquisition, and resubdivision within a 37.8-acre redevelopment area. A rezoning or residential cluster special use permit will be required to permit the resubdivision which will bring many of the currently non-conforming parcels into conformance with the County's zoning ordinance.

Project Implementation and Funding Strategy

OHCD staff inspected most of the homes in the study area to project cost of housing rehabilitation and/or replacement, consulted with Real Estate Assessments and contacted property owners to estimate property acquisition and relocation expenses, and utilized the construction cost estimates prepared by AES to establish

March 23, 2010

Page 2

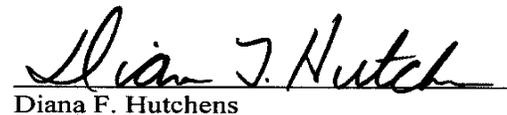
an estimate of the overall cost of the neighborhood improvement project for the planning study area. Based on this analysis, staff determined that implementation of this project will require property acquisition and rezoning of the 37.8-acre redevelopment area to be completed upfront but that the infrastructure construction and housing improvements could be phased based on the availability of CDBG, County, and other sources of funding.

The proposed first phase of the project is the Forest Heights Neighborhood Improvement Project. The project area boundaries are indicated on the attached illustrative plan. This project is proposed to include the housing improvement, property acquisition and boundary line adjustment, and infrastructure improvement activities listed on the attached CDBG Project Activity Summary. In this first phase, Forest Heights Road would be upgraded to meet VDOT standards, and the connector road between Forest Heights Road and the existing Neighbors Drive, the turn lane from Richmond Road at the Forest Heights intersection, and the BMP adjacent to Forest Heights Road would be constructed. The attached Project Budget identifies sources and uses of the CDBG, local, state, federal, and private funds required to finance this project. The local share of \$1,094,522 indicated in the project budget and in the resolution is to be provided from the county's Community Development Fund. The Community Development Fund allocation consists of current fund balance; projected income, including the proceeds of the sale of 4001 Rochambeau Drive; and the requested General Fund allocation of \$100,000 in FY2011 and FY2012 to the Housing Fund. Public hearings were held on January 21, 2010, and March 15, 2010, regarding the proposed project and use of CDBG funding.

We recommend approval of the attached resolution to authorize the submission of a Community Development Block Grant application to undertake the Forest Heights Neighborhood Improvement Project.


Richard B. Hanson

CONCUR:


Diana F. Hutchens

RBH/gb
ForestHtsGrant_mem

Attachments

RESOLUTION

FOREST HEIGHTS NEIGHBORHOOD IMPROVEMENT PROJECT -

COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION - \$1.4 MILLION

WHEREAS, financial assistance is available to units of local government through the Commonwealth of Virginia Community Development Block Grant (VCDBG); and

WHEREAS, two public hearings were advertised in a newspaper with general circulation in the County, notices of the public hearings were mailed to the project area residents, and the two hearings were held on January 21, 2010, and March 15, 2010, regarding this application, in compliance with VCDBG requirements; and

WHEREAS, James City County wishes to apply for \$1,400,000 in VCDBG funds to be used in undertaking a multiyear Comprehensive Community Development Project in the designated Forest Heights Neighborhood Improvement Project Area; and

WHEREAS, \$1,094,522 in local funds are allocated to the project, \$72,500 in Federal funds, and \$270,000 in private funds will be expended on this project; and

WHEREAS, the project is anticipated to benefit 56 persons, of which 45 are low- and moderate-income, by providing public roads, stormwater management, property clearance, development of a multiuse path, and a community park, and to benefit 37 low- and moderate-income persons by providing new homeownership opportunities, and housing rehabilitation, replacement, or relocation assistance which will meet the national objective of providing benefits to persons of low- and moderate-incomes.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, pursuant to two public hearings, the County of James City, Virginia, hereby wishes to apply for \$1,400,000 of Virginia Community Development Block Grant Funds for the Forest Heights Neighborhood Improvement Project.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to sign and submit appropriate documents, including an application with all the understandings and assurances contained therein, and to provide such additional information as may be required for the submittal of the Virginia Community Development Block Grant proposal.

James G. Kennedy
Chairman, Board of Supervisors

ATTEST:

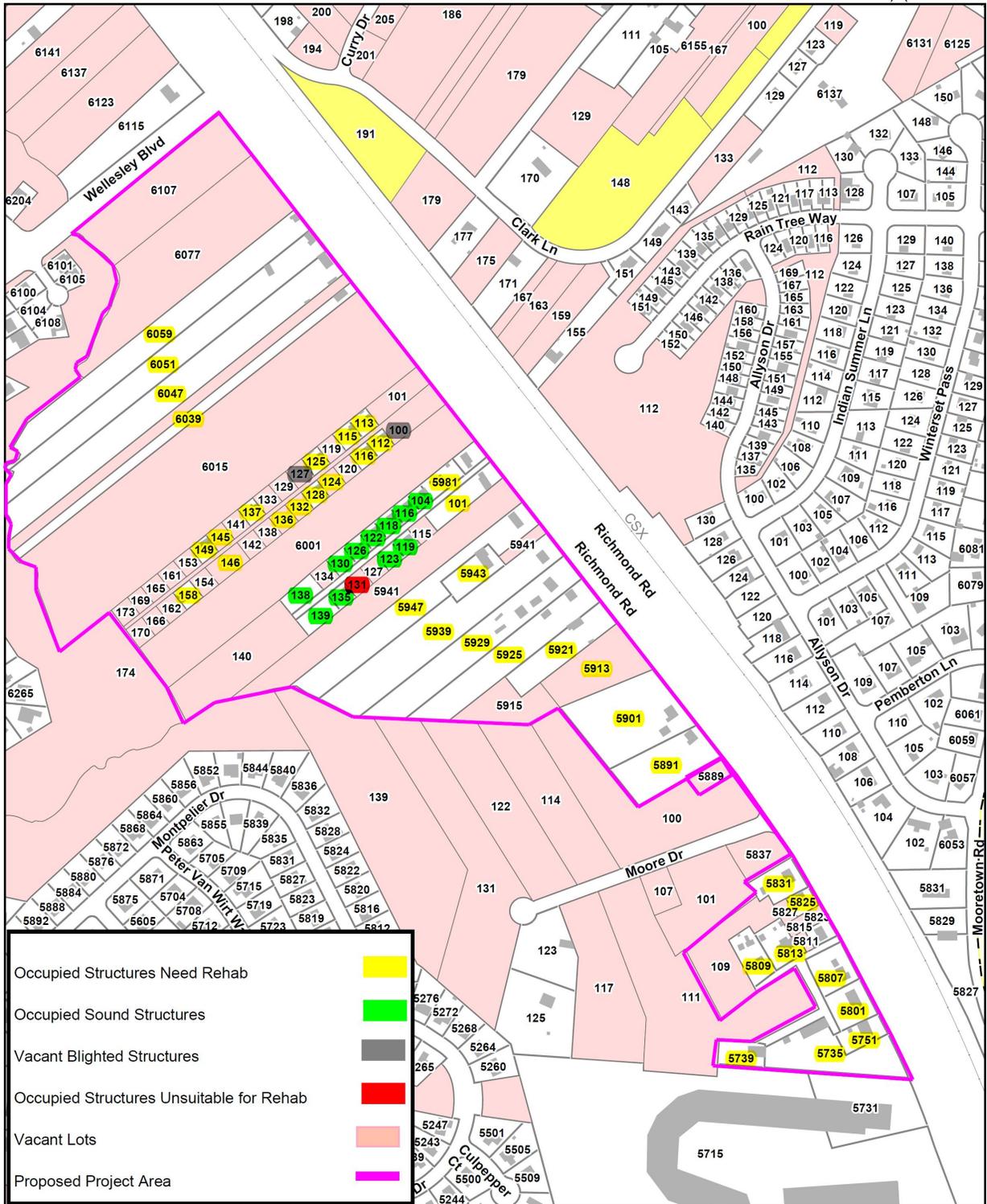
Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of
March, 2010.

ForestHtsGrant_res

Site Map

FOREST HEIGHTS ROAD/NEIGHBORS DRIVE/RICHMOND ROAD



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section. Aerial Imagery Copyright 2005 James City County.

1 inch = 429 feet

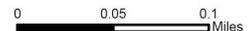


Exhibit 1

Proposed CDBG Application Budget

Activity/Cost Element	CDBG Funds	Local Funds	Federal & State Funds	Private Funds	Source of Non-CDBG Funds
Administration	\$ 100,000.00	\$ -	\$ -	\$ -	
Interim Assistance	\$ 10,000.00				
Permanent Relocation	\$ 57,365.00				
Owner-Occupied Households					
Renter-Occupied Households			\$ -		
Relocation Specialist					
Acquisition	\$ 94,848.00	\$ 999,552.00			JCC Community Development Fund
Clearance & Demolition	\$ 43,500.00				
Housing Rehab	\$ 96,430.00				
Owner Occupied Construction		\$ 50,000.00		\$ 10,000.00	JCC Community Development Fund, Housing Partnerships Inc.
Rehab Specialist		\$ 5,000.00			JCC Community Development Fund
Temporary Relocation					
HMEP					
Substantial Reconstruction	\$ 124,175.00				
Clearance & Demolition					
Owner-Occupied Construction					
Rehabilitation Specialist					
Temporary Rlocation					
HMEP					
Weatherization					
Energy Audits			\$ 7,500.00		EPA (Climate Showcase Grant)
Energy Improvements			\$ 65,000.00		EPA (Climate Showcase Grant), Community Actions Agency
Home Ownership Creation		\$ 40,000.00		\$ 260,000.00	JCC Community Development Fund, Habitat for Humanity
Storm Drainage	\$ 198,061.00				
Architect/Engineer/Design					
Inspection					
Construction/Improvements					
Water/Sanitary Sewer	\$ 178,176.00				
Architect/Engineer/Design					
Inspection					
Construction/Improvements					
Streets	\$ 497,445.00				
Architect/Engineer/Design					
Inspection					
Construction Improvements					
Projected Total Expenses	\$ 1,400,000.00	\$1,094,552	\$72,500	\$270,000	
Projected Lot Sales Revenue		\$245,000			

Forest Heights Neighborhood Improvement Project
CDBG Activity Summary

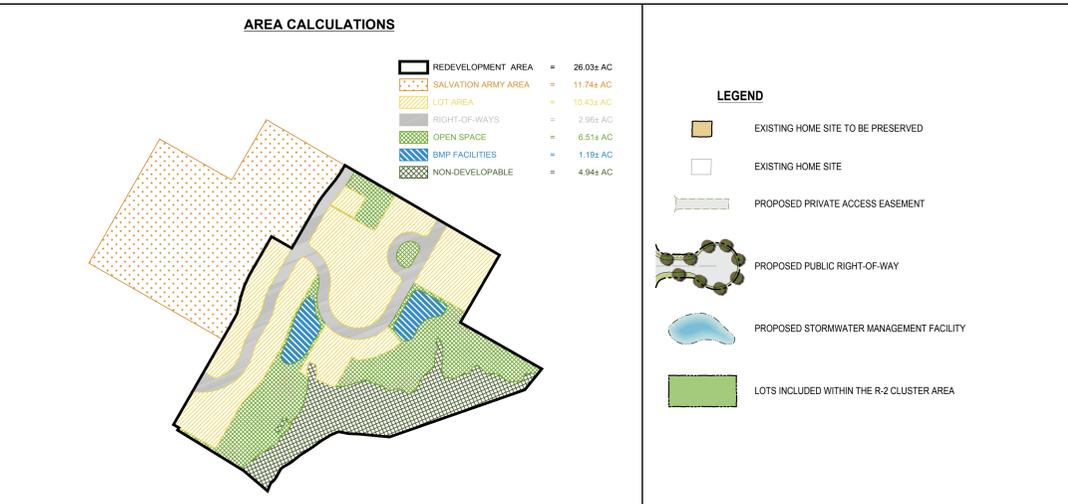
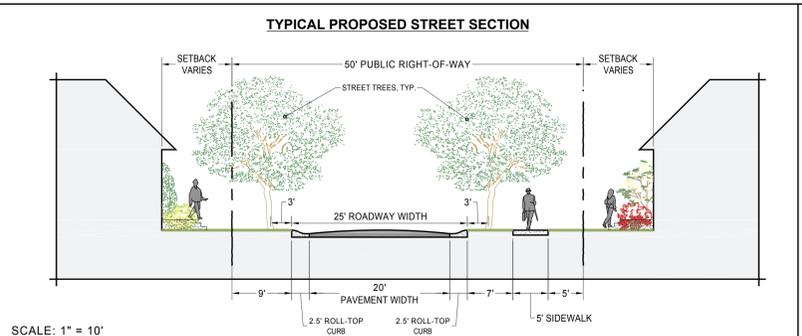
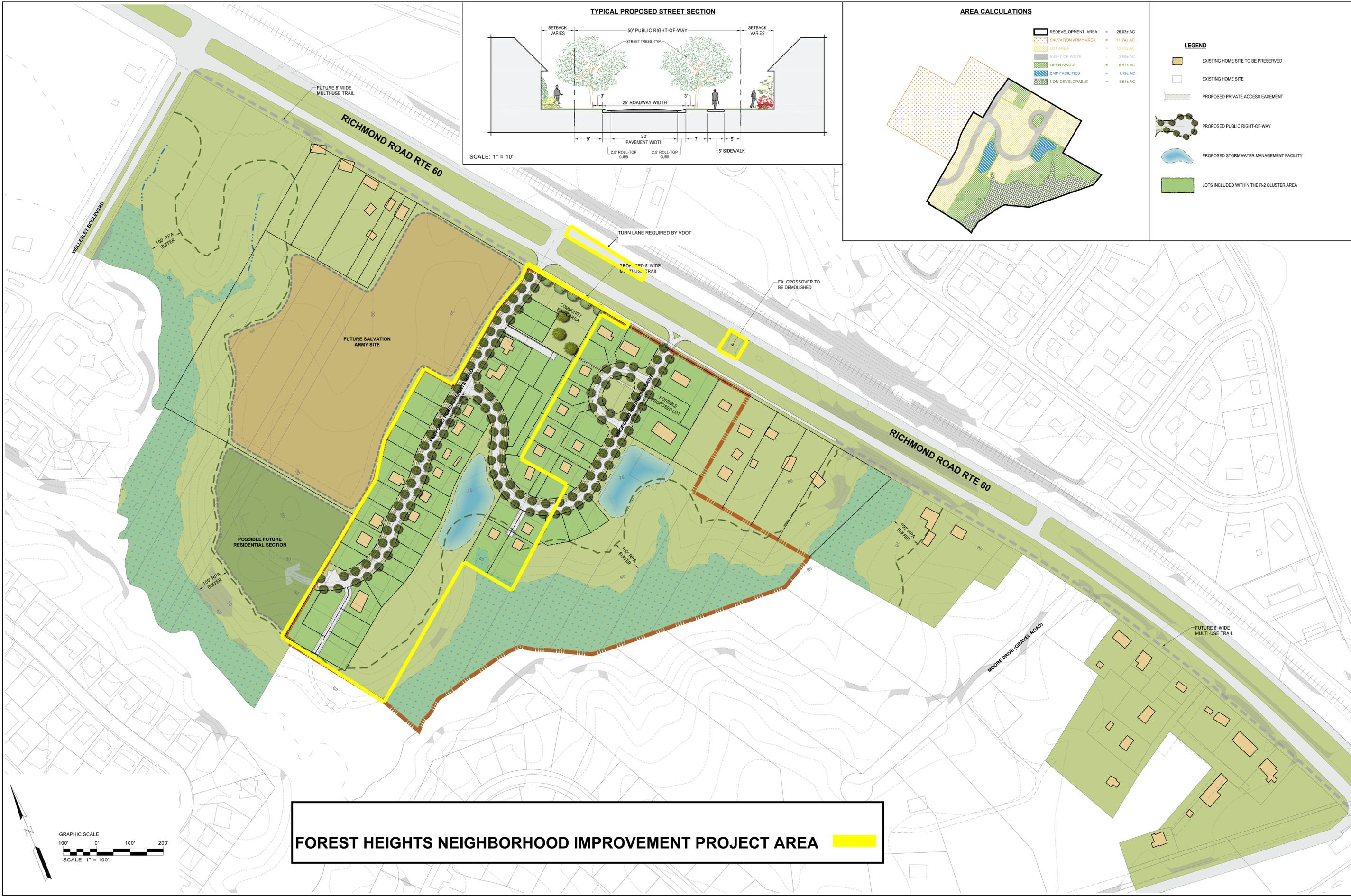
- I. Housing Rehabilitation
 - 7 LMI owner households provided housing rehabilitation, energy audits and weatherization assistance
- II. Substantial Reconstruction
 - 2 LMI owner households provided housing rehabilitation, reconstruction, and relocation assistance
 - Demolition of 2 foundations, attachments, and accessory structures
- III. Affordable Housing Site Development
 - 4 new homes for LMI home buyers constructed by Habitat for Humanity on property acquired and subdivided
- IV. Interim Assistance
 - Removal of debris from private properties and areas within the RPA
- V. Permanent Relocation
 - 2 LMI owner households whose property will be purchased for road construction provided replacement housing and relocation assistance
 - 2 LMI renter households provided relocation assistance into permanent housing
- VI. Clearance and Demolition
 - 2 vacant dilapidated homes will be demolished
 - 4 relocated LMI occupied homes will be demolished
- VII. Storm Water Management
 - Construction of one BMP south of the intersection of Forest Heights Road and Neighbors Drive
 - Construction of a storm sewer collection system
 - Construction of Low Impact Development “dry swales”
- VIII. Streets
 - Construction of a paved street built to VDOT standards to replace Forest Heights Road
 - Construction of connector street built to VDOT standards between Forest Heights Road and Neighbors Drive
 - Construction of a North bound turn lane at the Forest Heights Road crossing
 - Demolition and closing of the Richmond Road crossing South of Neighbors Drive
 - Construction of sidewalks and a multi-use path connecting the Forest Heights Road and Neighbors Drive area

IX. Utilities

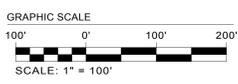
- Reroute 670 linear feet of sewer line to allow for construction of a BMP
- Remove all utility poles and bury power lines
- Installation of 540 linear feet of water service line

X. Neighborhood Improvements

- Sidewalks, street lights, street trees, park area, open space



FOREST HEIGHTS NEIGHBORHOOD IMPROVEMENT PROJECT AREA



Rev.	Date	Description	Revised By

AES
CONSULTING ENGINEERS

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone: (757) 253-0040
Fax: (757) 220-8994
www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula

OPTION "C"
ILLUSTRATIVE PLAN
FOREST HEIGHTS RD & NEIGHBORS DR AREA

POWHATAN DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts: JSP/GRR
Project Number: W09801-L-01
Scale: 1"=100' Date: 1/18/10
Sheet Number

EXHIBIT 5