

**A G E N D A**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**November 13, 2018**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Cub Scout Pack 103, Den 8 led by Jeff Parker

**E. PUBLIC COMMENT**

**F. PRESENTATIONS**

1. Colonial Soil & Water Conservation District Presentation
2. Proclamation - National Native American Day

**G. CONSENT CALENDAR**

1. Minutes Adoption
2. Grant Award - Comprehensive Community Corrections Act Grant, Department of Criminal Justice Services - \$746
3. FY19 DEQ Litter Grant - \$13,889
4. Grant Award - Naloxone for Law Enforcement - \$2,025
5. Federal Grant Award - Bulletproof Vest Partnership - \$27,092
6. Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,995
7. Contract Awards - Annual Stormwater Construction and Repairs Services
8. Contract Awards - Annual Building Envelope Technical Support Services
9. Initiation of Consideration of Amendments to the Zoning and Subdivision Ordinances to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity
10. Encroachment Agreements - Kings Way and Queens Path
11. Grant Award - Kinship Navigator Program - \$40,000
12. Resolution to Waive Building Permit Fees for Repairing Damage Caused by the Tropical Storm Michael and Tornado in James City County

**H. PUBLIC HEARING(S)**

1. Sale of County Property Located at 6213 Old Mooretown Road
2. Conveyance of County Property Located at 1653 Green Mount Parkway
3. SUP-18-0024. Christ Community Church Multipurpose Building
4. Proposed Amendment to County Charter
5. SUP-18-0011. 750 Blow Flats Road Borrow Pit Renewal and SUP-18-0023. 700 Blow

Flats Road Borrow Pit Renewal

**I. BOARD CONSIDERATION(S)**

1. Revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual
2. Federal Grant Award - Department of Justice, Office on Violence Against Women - \$416,248
3. Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260
4. Contract Award - Amblers House Exterior Restoration Project - \$498,732
5. 2019 Legislative Agenda
6. FY 2018 School Year-End Spending Plan Appropriation-\$1,857,399
7. Colonial Group Home Commission - Revision to Joint Use of Powers

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**L. 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
2. Appointment to the Chesapeake Bay and Wetlands Boards
3. Appointment to the Williamsburg Area Arts Commission

**M. ADJOURNMENT**

1. Adjourn until 4 p.m. on November 27, 2018 for the Work Session



**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Deputy Clerk  
SUBJECT: Cub Scout Pack 103, Den 8 led by Jeff Parker

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/2/2018 - 1:56 PM

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Robert Lund, Director of the Colonial Soil & Water Conservation District

SUBJECT: Colonial Soil & Water Conservation District Presentation

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**ATTACHMENTS:**

	Description	Type
☐	Presentation	Presentation
☐	Annual Report	Exhibit

**REVIEWERS:**

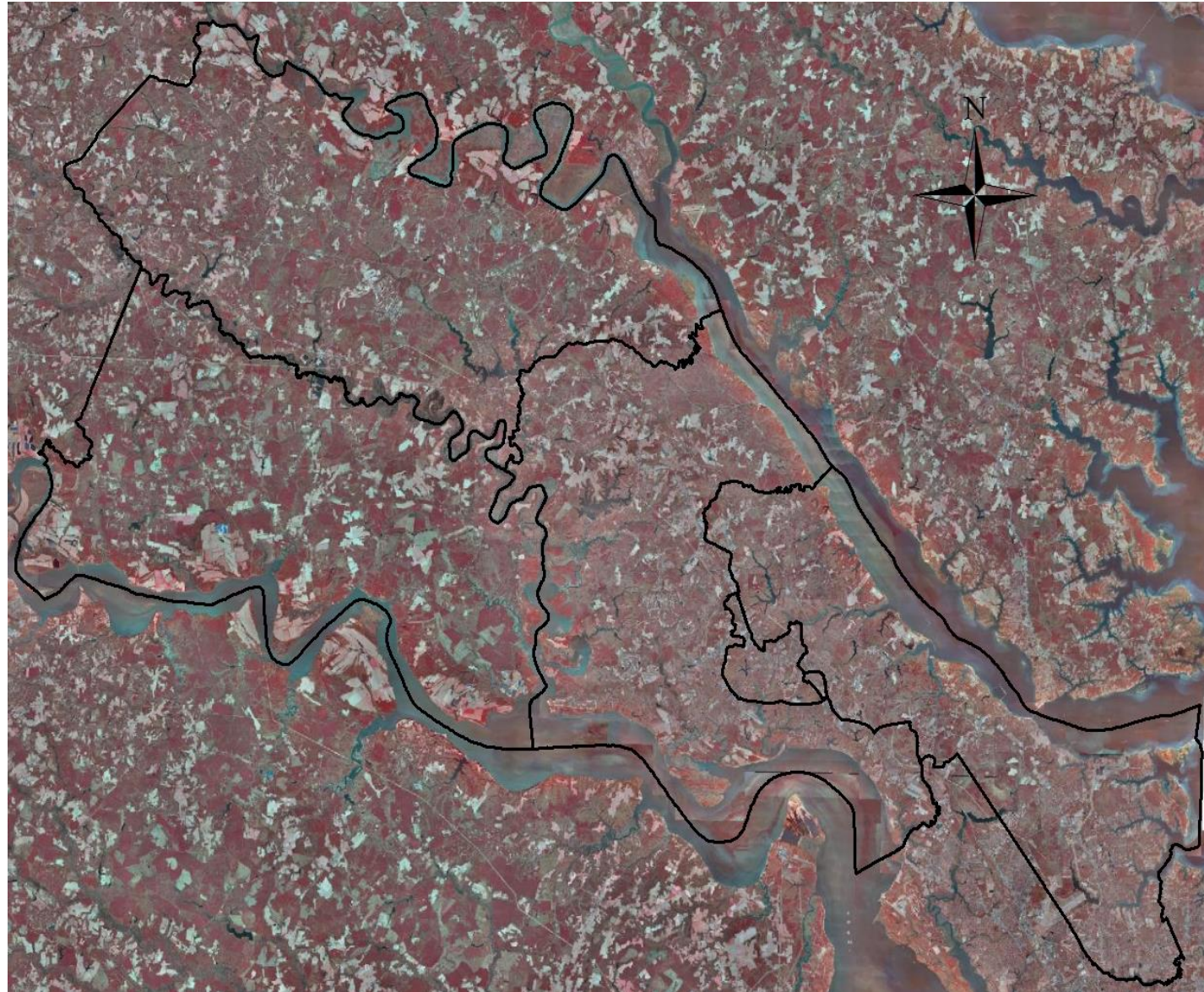
Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 12:34 PM



**Colonial Soil & Water Conservation District  
Report to the  
James City County Board of Supervisors  
November 13, 2018**

# Colonial District Overview

- *Political Subdivision of the Commonwealth of VA*
- *One of 47 Districts in VA*
- *Serves James City, Charles City, New Kent, York Counties and the City of Williamsburg*
- *Receives ~75% of Annual Funding From VA Dept. C.&R.*
- *Most Funding obligates and is tied to specific efforts.*





# Agricultural Programs

## ***Virginia Agricultural Cost Share Program (VACS)***

- *Technical and Financial Assistance for Agricultural Conservation Practices*
- *\$113,344 Spent on JCC Cropland Over the last 5 years*



## ***Chesapeake Bay Preservation Act (CBPA)***

- *Assessments Required on all Agricultural Lands (not just cropland)*
- *CSWCD Will Conduct Assessments on 20 JCC parcels in 2019*

## ***James City County Equine Assessment***

- *Phase 1, Horse Census*
- *Phase 2, Develop Conservation Program Targeting Horses, TBD*



# Education Programs

## ***Virginia's Dominion Envirothon***

- *Environmental/Conservation Themed Competition for High School Students*
- *Colonial SWCD sponsored Jamestown HS team at Regional, State, and National Level*



## ***Partnership with Williamsburg Community Growers***

- *Community Garden & Environmental Education at Warhill Site*
- *Received \$50,000 grant for Urban Agriculture Initiative*

## ***Partnership with Warhill HS Pathways Program***

- *Leveraging Urban Agriculture Initiative Grants Funds and SHIP Resources*
- *Using Garden as Teaching Tool*



# Urban Programs

## *Virginia Conservation Assistance Program (VCAP)*

- District Provides Technical Advice & Financial Assistance to Install/Implement Conservation Practices*
- In the last two years, VCAP has Provided \$39,030 to JCC Homeowners, HOAs, and Schools (Matched by \$20,077 From Them)*
- 10 Year Obligation - Applicant to Maintain & District to Inspect*



# Challenges & Future Opportunities

## ***Virginia Conservation Assistance Program (VCAP)***

- *Supplemental Funds From JCC Needed to Sustain & Expand District Effort*
- *Opportunity for Leveraging JCC Environmental Program Funds*

## ***Urban Agriculture Initiative and Partnerships with WJCC Schools***

- *NACD Funds ran out nor has District secured replacements*
- *Will impact District support available for JCC Educational Programs*

## ***JCC Horse Project***

- *Colonial SWCD to Develop Conservation Program Targeted at Horse Community*
- *JCC Program or Matching Funds needed to Implement Equine Conservation Program*



# Colonial Contact Information

## *Elected Directors*

Robert Lund, Jr.

Represents James City County

(757) 645-3510

[Robert.Lund@colonialswcd.net](mailto:Robert.Lund@colonialswcd.net)

Edward T. Overton, Jr.

Represents James City County

(757) 784-4148

[EOverton@vt.edu](mailto:EOverton@vt.edu)

## *District Manager*

(757) 645-4895

[Jim.Wallace@colonialswcd.net](mailto:Jim.Wallace@colonialswcd.net)

**Web site**     <https://www.colonialswcd.net/>



## Annual Report

### Fiscal 2018

July 1, 2017 — June 30, 2018

#### Board of Directors

##### Chair

Charles Carter At Large—Charles City

##### Vice Chair

Timothy Beale York

##### Secretary

Robert Lund, Jr. James City

##### Treasurer

Charles Evelyn New Kent

Fred Browning Charles City

Norman Hofmeyer Charles City

Robert Jeremiah New Kent

William Karaktin York

Charles Morse City of Williamsburg

Edward Overton, Jr. James City

Richard Phillips City of Williamsburg

#### Staff

Jim Wallace District Manager

Tom Dunlap Conservation Specialist

Sheila Jaruseski Office Coordinator

Robyn Goad Urban Ag Ed Specialist

#### Message from the Chair

Our watersheds continue to change. Construction is, once again, on the increase, impacting many of our natural resources. Storm events seem stronger and more frequent. Sea level is rising. And, conservation partners seem to agree the joint partnership efforts to improve water quality are having a positive impact.

However, resources to educate our constituency and implement sound conservation practices are limited, while the clock running to the 2025 goal set by the EPA, continues to tick. Through a concerted effort, District directors and staff have worked diligently to strengthen relationships with localities, establish new bonds with potential partners, and pursue opportunities to continue the local conservation efforts made possible with technical and financial assistance.

On behalf of the directors and staff of the Colonial Soil and Water Conservation District, I am pleased to offer this annual report of the organization's activities for fiscal year 2018.

~ Charles

### Colonial

Soil & Water Conservation District

#### Mailing Address

205—C Bulifants Blvd  
Williamsburg, VA 23188

#### Phone

757-695-4895

#### Website

www.colonialswcd.net

*The Commonwealth of Virginia supports the Colonial SWCD through financial and administrative assistance provided by the Virginia Soil & Water Conservation Board and the Department of Conservation and Recreation.*

## Agricultural Programs

### Technical Assistance to Local Governments

Each of the CSWCD’s localities are subject to the Chesapeake Bay Preservation Act. The act, passed by the Virginia General Assembly in 1988, was designed to improve water quality in the Bay and its tributaries by requiring effective land management, particularly concerning lands in close proximity to perennial water bodies, including tidal shorelines and connected wetlands. Following adoption of the regulations, eastern Virginia localities began implementing their own versions of the Bay Act, with each local program requiring a minimum 100 foot vegetated buffer along the most sensitive sites, called Resource Protection Areas (RPAs).

Since the early 1990s, the CSWCD has provided technical expertise to local governments and landowners by conducting agricultural land assessments on existing agricultural lands and developing conservation plans for those parcels being converted to agriculture from another use. More recently, through a Memorandum of Understanding (MOU), the Colonial SWCD and Charles City County have agreed that the District will annually conduct on-site assessments of 20 parcels, on which agricultural activities are being conducted, to verify the RPA buffer width and determine the effectiveness of Best Management Practices (BMPs) being implemented. The District’s role is to serve as a knowledgeable third party to verify water quality is being preserved, and offer assistance to improve a site in the event water quality is being compromised.



*This farm field has a 175' buffer that separates it from the water body. The red hatched line represents the minimum buffer of 100'*

2018 Conservation Planning Activity by Locality		
Locality	Number of Conservation Plans Developed	Acres of New Agriculture Proposed
Charles City	3	71
James City	2	8
New Kent	2	37
York	1	6

In addition to conducting assessments on existing agricultural lands, the District fulfills the role of conservation plan developer, reviewer, and approver for the conversion of land to agriculture uses. Authority to provide this service is written into each locality’s Chesapeake Bay Preservation Act Ordinance. The goal of the conservation planning process is to offer technical recommendations to the landowner to help attain their goals, while ensuring natural resources are protected.

Charles City County Ag Land Assessments		
Year	Acres of Existing Ag Land Assessed	Linear Feet of Buffer Assessed
2018	1,375	42,130

## Agricultural Programs

### Financial & Technical Assistance to Farmers & Landowners

One of the keystone programs administered annually across the commonwealth by Soil and Water Conservation Districts is the Virginia Agricultural Cost Share Program (VACS). The 2018 program offered a cost share payment on 44 Best Management Practices (BMPs), applicable on a range of agricultural lands including cropland, livestock, and specialty crops such as vegetables. Other financial incentives offered through the program include state tax credits for installation of an additional 23 BMPs and the purchase of specialized equipment which helps protect water quality from over application of nutrients and pesticides.

Historically, participation in the VACS program within the Colonial SWCD has been from row crop producers. The District has approximately 32,000 acres of land used for growing these crops, which include corn, soybeans, small grains (primarily wheat), cotton, and grain sorghum. As a result, VACS applications in the District often target the improved efficiency of nutrient applications, including nitrogen and phosphorus, or aim to recycle residual nutrients left in the soil after the summer growing season. The states



*Legume cover crops planted in the fall, such as this field of crimson clover, fix nitrogen from the atmosphere, which can become available for the next crop, which reduces the amount of nitrogen fertilizer applied by the farmer.*

within the Chesapeake Bay watershed are in the process of gearing up for the final push to meet water quality goals by 2025, as set by the Environmental Protection Agency. To date, Virginia has made significant progress toward meeting those goals. However, there is still plenty of work remaining, especially for agricultural producers.

As the deadline set by EPA draws closer, the Colonial SWCD continues to pursue opportunities to help farmers reach the water quality targets. One such opportunity includes offering technical assistance with precision agriculture technologies by helping farmers analyze information gathered by their equipment. An example of such technical assistance is working with farmers to establish management zones within individual fields, based on long-term yield histories or by measuring variances in electrical conductivity or organic matter. Management zones allow farmers to manage nitrogen and phosphorus inputs more efficiently.

FY 2018 VACS Program Colonial SWCD		
BMP Type	Acres Benefitted	Dollars Spent
Nutrient Management	3,608	\$22,299
Critical Area Planting	32	\$751
Cropland Retirement	5	\$804
Cover Crops	5,910	\$245,066

*Acres benefitted does not include voluntary implementation of BMPs*



## Educational Programs

### Urban Agriculture & Local Schools



#### Pathways Program at Warhill High School

In Fiscal Year 2018, the District used funds provided by the National Association of Conservation Districts' Urban Agriculture initiative to hire Urban Agriculture Education Specialist Robyn Goad. One of Robyn's main tasks this year was working with the Pathways program at Warhill High School to support their project-based learning class, The Nature of Man. In this class, students split into groups to design projects for their school garden, the entirety of which they built in just a few months this spring. Students worked diligently to prepare the garden site, amend the soil, decide what to plant, and maintain the garden. They also designed and built four raised beds and a solar-powered irrigation system, and submitted several grants for funding to further their gardening goals. In the coming year, new students will design and construct their own projects.



Top photo: A student shows off his soil sample in preparation to add soil amendments; Bottom left: Students dig rows in preparation for planting; Bottom right: Students finish constructing and planting the raised beds



#### Stonehouse Elementary School Garden Club

The District also has a goal of expanding its new urban agriculture education opportunities to other schools. To do this, staff spent time developing partnerships with schools that already had gardens or were interested in developing a sustainable agricultural program.

Stonehouse Elementary School, for example, already has a school garden and after-school garden club, but requested technical assistance in building two new raised beds. A third grade science teacher also expressed interest in using the garden as a teaching tool, and requested help with lessons that would integrate the garden with SOL topics.



Above, students plant and water newly planted seeds in raised beds at Stonehouse Elem.



## Educational Programs

### Envirothon

Jamestown High School has become a perennial powerhouse with respect to Envirothon. At the state level, the team based natural resources competition is financially supported by Dominion Energy and is locally known as the Virginia Dominion Envirothon. The competition pits teams of high school students against one another, testing their knowledge in areas including soils, forestry, aquatics, wildlife, and a revolving topic that addresses a current environmental issue.

Charlie Dubai, retired Jamestown HS teacher and long-time Envirothon coach, has seen his teams improve over time, but only once before had a Jamestown team advanced out of the state level contest. This year's team, also coached by Rebecca Elton and Amanda Mullane, won the state competition, which earned them the right to advance to the national/international National Conservation Foundation (NCF) Envirothon competition held at Idaho State University in Pocatello, ID.

Having minimal experience with test topics specific to Idaho, team members spent much of their summer preparing for their trip by studying and meeting with experts who had firsthand knowledge of agriculture, forestry and conservation techniques common in the area. The team's preparation paid off as they captured 1st place in the oral presentation and tied for first place in the wildlife portion of the contest, which elevated the team to an overall third place finish out of 50 teams from the U.S., Canada, and China.

The Colonial SWCD is proud of the accomplishments and success of the Jamestown Envirothon team. The team is supported by the District, both with financial and technical resources.



*Jamestown HS Envirothon team members were victorious at the Virginia Dominion Envirothon competition held at Ferrum College. Team members are (L to R) Anna Song, Joanna Stathopoulous, Rachel Smith, Lisa Small, Audrey Root, and alternate team members*



*Proudly displaying their winnings at the NCF Envirothon are (L to R) Coach Amanda Mullane, Joanna Stathopoulos, Anna Song, Rachel Smith, Lisa Small, Audrey Root, and coach Rebecca Elton.*



*Envirothon team members Rachel Smith, Audrey Root, and Anna Song meet Governor Ralph Northam at Nauticus in Norfolk, VA as the Jamestown team was recognized for their success at the NCF Envirothon.*

## Urban Programs

### Virginia Conservation Assistance Program (VCAP)

The promotional efforts of the Colonial SWCD in support of the VCAP program began to pay off in fiscal year 2018. A total of 18 new inquiries were received by the District, with at least one originating from each of the localities served by the District (*see table below*).

FY 2018 VCAP Inquiries	
Locality	Number of Initial Site Visits
Charles City	1
James City	9
New Kent	2
Williamsburg	2
York	4

Following initial contact by the applicant, District staff visit the site to determine the predominant water quality concern, discuss options for addressing the problem, and, if applicable, assist the landowner with completing an application for the VCAP cost share program. Applications are vetted by the Colonial District Board of Directors and submitted to the VCAP Steering Committee, where decisions regarding project approval are made. Once approved by the Steering Committee, a project must begin within 90 days, or face cancellation.

The VCAP program has provided a significant opportunity to diversify the Colonial SWCD’s technical and financial assistance platforms. This year, the Colonial SWCD provided \$61,369 to applicants for installing VCAP practices, which was matched with \$27,750 provided by the applicants. The projects below represent a portion of those successfully installed this year.

#### Permeable Pavement & Pavers

Uncontrolled stormwater runoff is a serious problem. The problem is worse in high density areas, where impervious (hardened) surfaces are more prevalent, which allow high volumes of stormwater to erode ditches and scour stream banks. Permeable surfaces, such as the pavers installed at the site below, allow stormwater to infiltrate through the brick joints and into the soil, reducing the stormwater volume.

The project pictured below included a payment to remove the old impervious driveway and install the permeable paver surface on top of a gravel substrate.

BEFORE



DURING



AFTER





## Urban Programs

### Virginia Conservation Assistance Program (VCAP)

#### Rainwater Harvesting

Stonehouse Elementary School installed a rainwater harvesting system (cistern) to provide irrigation water to their garden. The 500 gallon tank is capable of storing the volume of a 1" rainfall collected from the school's roof. Colonial SWCD Director, Charlie Morse, provided assistance with the installation of the tank and piping.



Step 1: Build a sturdy base to hold the water tank. This tank is 500 gallons. That's more than 4,200 lbs. of water!



Step 2: Cut the downspout and install a diverter to redirect rainwater from the gutters to the tank. When the tank is full the water flows back down the downspout.



Step 3: Install a spigot, purchase a hose and water that beautiful Stonehouse Elementary School garden!

#### Living Shoreline

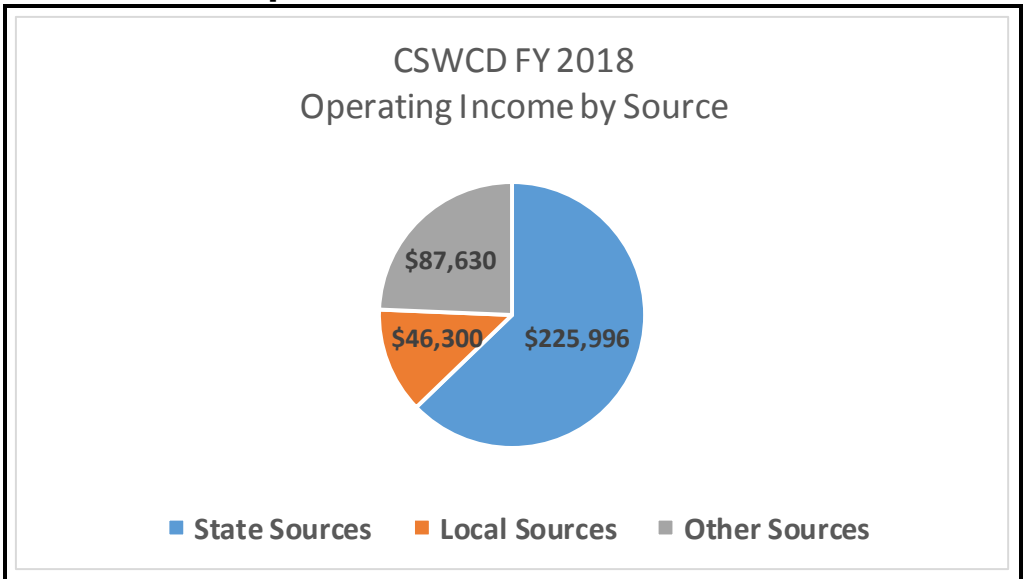
Two living shoreline projects were installed along the banks of Chisman Creek in York County. The adjacent properties' shoreline was being impacted by wave energy from passing boat traffic, as well as wind generated waves. The restoration included the addition of 180 cubic yards of sand backfill, nearly 900 saltmeadow cordgrass and smooth cordgrass plugs, and a system of pre-cast oyster shell reefs to dissipate wave energy and protect the young plants as they take root.



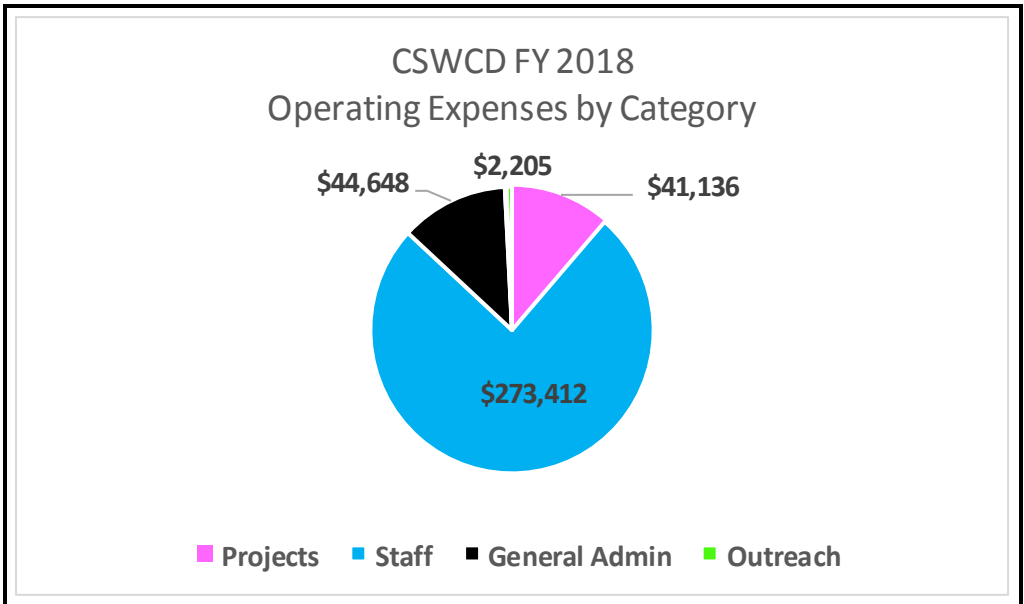


## Operations

Right: The Colonial SWCD typically receives about 75% of its funding from the Commonwealth of VA in the form of annual operating grants. However, during FY 2018, the District received a \$50,000 grant from the National Assoc. of Conservation Districts (NACD) as well as program funds to support the VCAP non-agricultural cost share program which shifted the funding stream.



Right: In FY 2018, the district spent the majority of its resources on staff salaries and training. Other significant expenses included rent, dues, and other organizational items. Expenses associated with the NACD grant and VCAP project reimbursements also had an impact on expenses. Not listed on the chart are equipment expenses of \$756.



### Colonial SWCD Office Relocation

Following through on an item that appeared on the District’s 4-year Strategic Plan in August 2016, the CSWCD moved its office from the Poplar Creek Office Park in Norge, to the Michael Commons Office Park in Lightfoot. (York County) The move was further necessitated by the addition of Robyn Goad, the Urban Agriculture Education Specialist, who was hired after the District was awarded an NACD Urban Agriculture Grant. Please feel free to stop by and see the new office at 205-C Bulifants Blvd., Williamsburg, VA 23188. The District phone number remains unchanged.

### CSWCD Holds Recognition Banquet

The District hosted a banquet to recognize some of our many conservation partners on January 19, 2018 at the Williamsburg Country Club. Award recipients included Davis Produce and Heritage Farms, Inc. as recipients of the Bay Friendly Farm Award for the York and James Watersheds respectively, the Wilford Family Partnership received the BMP Forestry Award, Charlie Dubay was recognized as the Conservation Educator Award recipient and the Jamestown Envirothon team received the Environmental Stewardship Award.

**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Ruth M. Larson, Chair to the Board  
SUBJECT: Proclamation - National Native American Day

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Ms. Larson will present the Proclamation to Chief Anne Richardson of the Rappahannock Tribe.

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 1:17 PM

**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Deputy Clerk  
SUBJECT: Minutes Adoption

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Includes the following sets of minutes:

- September 25, 2018 Work Session
- October 9, 2018 Regular Meeting
- October 23, 2018 Work Session

**ATTACHMENTS:**

	Description	Type
☐	092518 Work Session	Minutes
☐	100918 Regular Meeting	Minutes
☐	102318 Work Session	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 1:07 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**September 25, 2018**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Michael J. Hipple, Powhatan District  
P. Sue Sadler, Stonehouse District  
James O. Icenhour, Jr., Vice Chairman, Jamestown District  
John J. McGlennon, Roberts District  
Ruth M. Larson, Chairman, Berkeley District

William C. Porter, Interim County Administrator  
Adam R. Kinsman, County Attorney

**C. BOARD DISCUSSIONS**

1. Davenport Financial Update

Ms. Sue Mellen, Director of Financial and Management Services, referenced the Adopted Budget and noted there was a plan of borrowing for fire apparatus and major school maintenance items. She introduced Mr. Courtney Rogers, Senior Vice President, Davenport & Company LLC, to review the financing plan currently in place.

Mr. Rogers gave an overview of a PowerPoint slide presentation that referenced:

- New Money Projects totaling \$15 million to be financed over 20 years:
  - Two fire trucks; and
  - School projects including HVAC and roof replacements.
- Davenport identified the following as refinancing candidates:
  - \$8.895 million of the remaining Series 2009 Taxable Build America Lease Revenue Bonds.
- Recent Interest Rate Trends
- Existing Tax Supported Debt
- Series 2009 Bonds - Current Refunding (November 2018) - Current Market Rates
- Estimated Series 2018 New Money Debt Service
- Impact on Debt to Assessed Value
- Impact on Debt Service to Revenues
- Impact on Payout Ratio
- Schedule/Next Steps

He noted there was approximately \$15 million in the County's Capital Improvements Plan. He referenced the change in the Tax Code, effective January 1, 2018. He stated the ability to advance refund was taken away from localities and explained currently bonds can only be refinanced within 90 days of their call date. He briefly discussed the County's bond history as well as recent interest rate trends. He noted the call date for the 2009 bonds was January 15, 2019 and explained a window would open up in mid-October, which would allow for the 90-

day timeframe required. He noted the estimated all-in cost of the Series 2018 new money bonds was approximately 3.50%. He stated that Davenport planned to come before the Board at its October 9 meeting, with the actual documents to approve in order to move forward with both bonds combined together and issued as one lease revenue bond. He discussed what the next steps should be and noted the upcoming dates:

- October 9 - Board of Supervisors meeting to approve financing documents
- October 11 - Economic Development Authority meeting to approve financing documents
- October 24-25 - Rating agencies tour the County
- November 6 - Receive Ratings
- November 7 - Post Preliminary Official Statement(s)
- November 13 - Sale of Lease Revenue Bonds
- November 29 - Close Lease Revenue Bonds

The Board members requested a copy of the PowerPoint presentation to reference.

Mr. McGlennon inquired about expectations and flexibility in terms of future borrowing.

Mr. Rogers briefly discussed the slide that regarded the Impact on Debt to Assessed Value in reply to Mr. McGlennon's inquiry. He noted tax-supported debt had a small downward drop. He stated from the standpoint of not having to find additional revenues in the budget and depending on the size of the project, it appeared some of that could possibly be handled without having to take different revenues away from other services or projects.

General discussion ensued regarding the reserve fund, the economy and the County moving forward as well as an upcoming reserve fund analysis ranging between 2017 and 2018.

## 2. Workforce Housing Task Force Update

Ms. Rebecca Vinroot, Director of Social Services, introduced Mr. Paul Holt, Director of Community Development; Ms. Jeanne Zeidler, Co-Chair Workforce Housing Task Force; Dr. Lisa Sturtevant, Lisa Sturtevant & Associates, LLC; Mr. Vaughn Poller, Administrator of Neighborhood Development and Ms. Virginia Wertman and Mr. Jack Haldeman, Members of Workforce Development.

Ms. Zeidler stated Ms. Christina Hartless, Co-Chair Workforce Housing Task Force, was unable to attend the meeting due to a prior obligation. She gave an overview of a portion of a PowerPoint presentation included in the Agenda Packet.

The focus of this discussion shifted to Task Force data documented in the same PowerPoint presentation included in the Agenda Packet and surmised by Dr. Sturtevant. She explained the importance of understanding the Workforce Housing needs and helping the Task Force develop strategies appropriate to the needs of the community. She stated the Committee looked at housing situations for both the individuals currently residing in the County as well as individuals working in the County but who do not live in the County.

Ms. Zeidler concluded the presentation and stressed the importance of having adequate housing available, recruitment and retention of employees and businesses as well as the impact of traffic congestion and health. She noted the lack of housing opportunities discouraged young adults from staying in the community. In conclusion, she reviewed the Next Steps section of the presentation included in the Agenda Packet.

Mr. McGlennon expressed his appreciation to everyone involved in this effort and the opportunity to provide feedback on areas where Board members would like to see refinement

or emphasis. He discussed the nature of the affordable housing issue in the County. He stated the range of issues being tackled was impressive, but stressed the importance of prioritizing. He commented he was particularly interested in how the needs of people who had the least amount of options were addressed. He further commented less attention should be focused on addressing policies that had an anticipation regarding the future private market and noted the County was rated No. 10, out of approximately 130, as one of the fastest growing localities in the Commonwealth. He discussed housing ownership opportunities, household income impacts, mixed income communities and short-term rentals within the County.

General discussion ensued regarding this issue.

Mr. Hipple expressed his appreciation for the efforts of everyone regarding this intense issue. He noted information provided by the Transportation Planning and Organization that referenced traveling and individuals commuting to workplaces. He took the perspective of a homebuilder in the County and discussed building affordable homes maintaining a price range of \$150,000 to \$175,000. He discussed housing stepping-stones in regards to homeownership in order to move forward to bigger homes as well as frequent circumstances of rentals in lower price points. He discussed the pros and cons of the housing market in an expensive community. He expressed kudos to Housing Partnerships for doing a great job regarding sweat equity and getting individuals into affordable homes as well as the trials and tribulations encountered. He discussed cost increases to purchase manufactured homes, camping trailers and modular homes. He agreed with Mr. McGlennon's recommendation of pinpointing two or three items to focus on and then be able to move forward from that point. He mentioned the Adopted Vision Statement provided in the slideshow stated "James City County will be a diverse community . . . ." and noted the text should read "James City County is a diverse community . . .". He commented the County should be promoted as having always been a diverse community.

Ms. Zeidler briefly discussed the text referenced in the Adopted Vision Statement.

Ms. Sadler stated it was an honor to attend a Workforce Housing Task Force meeting whereas she stood in for Ms. Larson and expressed her gratitude for the hard work of the Committee. For planning purposes, she inquired about the number of school-aged children expected. She inquired if the Committee worked alongside the Greater Peninsula Work Force Development Board in an effort to assist individuals with earning higher wages in the future.

Ms. Vinroot replied not at this point. She emphasized that the Committee was focused on housing options; however, under Social Services the answer was yes, as it tried to support individual efforts in obtaining career opportunities.

Ms. Zeidler stressed the importance of working in partnership with other organizations.

General discussion ensued regarding this matter.

Ms. Sadler inquired if areas in the County were considered for future affordable housing.

Ms. Vinroot replied not at this time.

Ms. Jennifer Andrews-Weckerly, Task Force Member, referenced the issue of mobile home parks and preserving or rehabilitating what currently exists. She discussed zoning in mobile home parks and noted some parks were not zoned residential; therefore, the residents did not have any protections. She remarked struggling area hotels and motels could be converted in an economical way in terms of keeping the present community character and density, as well as look at structures currently in place. She commented this was a regional initiative and referenced a Regional Resource Center to have as a central navigator which would respond

with various available resources.

Mr. Porter stated historically mobile home parks were a temporary use. He referenced Country Village Mobile Home Park and stated that at one time it tried to become a mobile home subdivision. He commented he was not aware of what became of that particular instance but felt it was an excellent idea.

Mr. Icenhour stated he agreed with Mr. McGlennon that it was all about priorities. He referenced an instance of a mobile home park on Jolly Pond Road that had failing septic systems. He noted the Board was faced with either shutting it down or bringing the sewer in outside the Primary Service Area. He discussed details of this past mobile home park situation and the importance of having priorities in place. He remarked to keep in mind what can and cannot be accomplished, keep it realistic, consider density and higher costs of operating the County without comparable revenues. He commented the focus had to be predominately on rentals and remarked that commuting to other localities for employment was a reality one might not be able to overcome.

Mr. Jack Haldeman, Planning Commission Representative, referenced commuting and stated 19,000 individuals commute from the County to work elsewhere and 19,000 individuals live elsewhere and commute to James City County. He further discussed the statistics on commuting for employment in the area as well as multi-family housing units built over the last three years.

Ms. Larson expressed her gratitude for the work and engagement of the Committee. She stated Mr. Haldeman told her the County had affordable housing but had an economic development problem and considered that an issue to continue to address. She briefly discussed commuting for employment and perceived it as an affordability issue. She stated she was interested in how other communities handled this issue. She briefly discussed previously residing in North Carolina in a multi-cost neighborhood where various priced homes were located within the same development.

General discussion ensued regarding this item.

### 3. Eastern Virginia Regional Industrial Facility Authority

Ms. Amy Jordan, Director of Economic Development, introduced Mr. Robert McKenna, Director of Virginia Peninsula Chamber of Commerce, Mr. Steven Meade and Mr. Todd Lynn, both attorneys from the law firm Patten, Wornom, Hatten & Diamonstein.

Mr. Meade stated their intention was to update the Board on the progress of the Eastern Virginia Regional Industrial Facility Authority (RIFA). He and Ms. Jordan gave an overview of a PowerPoint presentation included in the Agenda Packet.

Mr. McGlennon inquired about the number of votes reserved for a locality.

Mr. Hipple inquired about the Member Locality appointments.

General discussion ensued regarding this item. Discussion encompassed project Participation Agreements, RIFA within jurisdiction Participation Agreement, investing and sharing of revenue between localities, jurisdictions using RIFA to finance things in other localities, jurisdiction project bartering, membership fees and general operational dues.

Mr. McGlennon inquired about other entities presently functioning in the Commonwealth.

Mr. Lynn briefly reviewed this area of discussion.

General discussion ensued regarding this subject.

Mr. Icenhour referenced funding as deadlines approach and inquired where the money comes from to do background research work and preparation.

Ms. Jordan stated that Patten, Wornom, Hatten & Diamonstein were brought on board by each of the seven localities providing \$2,500 along with a match from GO Virginia funding.

General discussion ensued regarding this line of conversation as well as participation from neighboring localities to possibly join the RIFA.

Ms. Jordan emphasized every locality, no matter the size of the locality, got the same vote and stressed it was not done on a per capita basis.

Mr. Hipple referenced the six existing localities and inquired if they were all the same as when they started and the depth of leadership.

Mr. Lynn replied there was information on three of the localities and they were operating with exiting staff at some level. He discussed the strength of the program when other regions of GO Virginia were brought into the program and cited Gloucester as an example.

Ms. Jordan stated the next step was to bring the Ordinance and Agreement before the Board of Supervisors October 9, 2018 meeting, in order to meet the timeframe set for the GO Virginia funding.

Mr. Porter instructed the Board that if any further questions arose send them to Ms. Jordan before the next meeting.

#### **D. CLOSED SESSION**

A motion to Enter a Closed Session was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:55 p.m., the Board entered Closed Session.

At approximately 6:09 p.m., the Board re-entered Open Session.

##### **1. Certification of Closed Session**

A motion to Certify the Closed Session was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

##### **2. Appointment of Clean County Commissioners**

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler



The Board recommended appointment of Ms. Emma Zahren-Newman for a term to expire on September 25, 2021.

3. Appointment to Williamsburg Area Arts Commission

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended appointment of Ms. Virginia Fisher for a term to expire on June 30, 2020.

4. Appointment to Social Services Advisory Board

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended reappointment of Ms. Karla Sprouse for a term to expire on September 30, 2021.

The Board recommended appointment of Mr. Josh Moore for a term to expire on September 30, 2021.

5. Appointment to Peninsula Agency on Aging Board

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended reappointment of Mr. Ted Juraschek for a term to expire on September 30, 2021.

6. Appointments to the Chesapeake Bay Board and Wetlands Board

Postponed

7. Appointments to the Board of Adjustments and Appeals

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended reappointment of Mr. John Ozmore for a term to expire on September 30, 2023.

The Board recommended reappointment of Mr. Jeremy Findley for a term to expire on September 30, 2023.

Mr. McGlennon requested an Initiating Resolution be brought before the Board with the purpose of having proposed an Ordinance amendment to provide for buffering of watersheds in cases of storage of chemicals or gasoline and other substances that could potentially contaminate water supply.

Ms. Larson stated that at the next Board of Supervisors meeting Mr. Scott Stevens would be the new County Administrator. She noted that Mr. Porter did not wish to have a Resolution or Proclamation in his honor. She stated the community had greatly benefited from his experience and professional leadership and expressed the gratitude of the Board.

Mr. Porter replied it had been an honor and a privilege to serve as the Interim County Administrator.

## **E. ADJOURNMENT**

1. Adjourn until 5 p.m., on October 9, 2018, for the Regular Meeting

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:12 p.m., Ms. Larson adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 9, 2018**  
**5:00 PM**

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**A. CALL TO ORDER**

Ms. Larson welcomed Mr. Scott Stevens, the new County Administrator, to his first meeting. She also extended a welcome to his family.

**B. ROLL CALL**

John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Vice Chairman, Jamestown District  
P. Sue Sadler, Stonehouse District  
Michael J. Hipple, Powhatan District  
Ruth M. Larson, Chairman, Berkeley District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leaders - Cub Scout Pack 103 Den 1 and their Den Leader Eric Smith, led the Board and citizens in the Pledge of Allegiance.

Ms. Larson welcomed the Arrow of Light Cub Scout Pack and noted that Pack 103 was the oldest and largest Cub Scout Pack in the Williamsburg area. She further noted these scouts were in the 5th grade and working on their "Building a Better World" badge, where they study government and the role of citizens. Ms. Larson noted Mr. Smith would introduce the scouts.

**E. PUBLIC COMMENT**

1. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board and welcomed Mr. Stevens. He expressed appreciation for the expeditious EMS response to his recent medical situation. Mr. Everson referenced the recent article in The Virginia Gazette that addressed the \$94 million in Capital Improvements Plan for schools with \$38 million for the elementary schools. He cited the statistics for the student capacity overage by 2027 and the costs associated with addressing the capacity issue. Mr. Everson noted traditionally K-5 constituted elementary school, but further noted that Bright Beginnings Program was also using the classrooms. Mr. Everson stated the \$38 million expenditure could possibly be reduced if the classrooms were used for K-5. He noted the extra space at the Annex at James Blair Middle School could house the Bright Beginnings. Mr. Everson addressed his next point regarding the Head Start Preschool Program and longitudinal studies and the loss of gains by the 3rd grade. He noted the effectiveness of school programs in relation to the loss of classroom space. Mr. Everson stated that Jamestown High School was overcrowded due to the School Board's refusal to redistrict. He cited Lafayette High School had been downgraded to a different sports division level due to lower enrollment per federal criteria, but not so for Jamestown and Warhill High Schools. Mr. Everson cautioned overspending on schools without maximizing

current potential in existing schools.

2. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board about trash noting the roads were looking better. She noted the Clean County Commission and the Keep James City County Beautiful group would be doing a litter survey on October 19. She further noted she would report any improvements in the Stonehouse District to Ms. Sadler next month. Ms. Boarman asked the Board to “Save the Date” of November 3, 10 a.m.-2 p.m. and extended an invitation to everyone for the 5th Annual Expo, hosted by the James City Clean County Commission. She noted the celebration of “America Recycles Day” on November 15 at the Jolly Pond Convenience Center. She highlighted the events and participants such as Goodwill for donations, as well as educational information. Ms. Larson addressed Ms. Boarman noting that while the Board generally did not respond to Public Comment, she wanted to note she “channeled” Ms. Boarman when she recently responded to a pizza delivery person dropping trash in the community. Ms. Boarman thanked Ms. Larson for her diligence in reminding people of keeping the County clean and litter-free.

## **F. PRESENTATIONS**

### **1. Community Video Center Staff - NATOA Awards**

Ms. Larson welcomed Mr. Patrick Page, Director of Information Resources Management, to the meeting.

Mr. Page addressed the Board noting that on August 30, 2018, the Community Video Center Staff won four government programming awards at the National Association of Telecommunications Officers and Advisors (NATOA) Conference in Philadelphia. He noted the team won two first place, one second place and one third place awards. Mr. Page further noted the video team received its first government programming nomination last year for the Mainland Farm documentary, for which they received third place. He detailed the submission, scoring and judging process and noted the compiled submission was available for viewing on YouTube. Mr. Page further noted pride in the video team members: Brett Lewis, Randy Hisle and Chris Williams and their work as well as the numerous staff members and their participation.

A PowerPoint presentation highlighted the video team’s work and the respective awards.

Ms. Larson and the Board acknowledged the hard work of the video staff and extended congratulations for the NATOA awards.

## **G. CONSENT CALENDAR**

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The motion to Approve, made by John McGlennon, included the first nine Consent Calendar items with Item No. 10 to be considered at the next Board meeting.

1. Minutes Adoption - September Meetings
2. End Declared Emergency

3. Grant Award - Walmart - \$1,000
4. Grant Award - Justice Assistance Grant - \$10,443
5. Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,277
6. Veterans Affairs Supportive Housing Vouchers - \$29,724
7. Grant Award - Radiological Emergency Preparedness - \$30,000
8. Adoption of Debris Management Annex to Emergency Operations Plan
9. Establishment of a Full-Time Regular Spray Technician
10. Initiation of Consideration of Amendments to the Zoning and Subdivision Ordinances to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity

Ms. Larson asked if any items were to be pulled from the Consent Calendar.

Mr. McGlennon noted a request for discussion on Item No. 10 had been made, but he had no objections to a deferment on that Item until the next Board meeting. He further noted the importance of investigating this issue and protecting the County's water supply, especially the drinking water.

Ms. Larson noted Item No. 10 would be discussed at the October 23, 2018 work session.

Mr. McGlennon noted the offline opportunity to discuss this Item with concerned parties. He further noted Public Hearings with the Planning Commission and the Board of Supervisors prior to any resolution or action on the Item.

## **H. PUBLIC HEARING(S)**

1. Ordinance to Vacate a Portion of Right-of-Way Adjacent to 201 Norman Davis Drive

A motion to Approve was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Liz Parman, Assistant County Attorney, addressed the Board noting Ms. Karen J. Wilson requested a vacation of a portion of right-of-way adjacent to her property at 201 Norman Davis Drive in addition to the purchase of that portion of the right-of-way. Staff recommended a purchase price of \$1,300, which is 25% of the assessed value of the land. Ms. Parman noted this portion of right-of-way was unapproved and had not been accepted into the Secondary State Highway System. She stated the County's Planning Division advised no inconvenience would result if vacated. Ms. Parman noted consideration of this application was pursuant to Code of Virginia Section 15.2-2006. She further noted Ms. Karen Wilson and Mr. Robert Wilson were in attendance.

Ms. Larson opened the Public Hearing.

As there were no speakers, Ms. Larson closed the Public Hearing.

2. Ordinance to Amend County Code Section 12-5, License Requirement

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Richard Bradshaw, Commissioner of the Revenue for James City County, addressed the Board regarding the Ordinance to Amend County Code Section 12-5, which would move the date of payment for business licenses from April 5 to March 1. He noted this amendment would bring the County in conformity with the other jurisdictions on the peninsula and the Tidewater area.

Ms. Sadler asked how businesses would be notified about the date change.

Mr. Bradshaw explained the date change would be on the license renewals and noted additional paperwork to reinforce the date change was being considered.

Ms. Sadler stated the more information provided, then the better to highlight the date change.

Ms. Larson asked if an electronic option was in response to previous recommendations.

Mr. Bradshaw noted the software company was working on that option, as were other jurisdictions, but the availability would not be this spring.

Ms. Larson reiterated more information to highlight this change would be critical.

Ms. Larson opened the Public Hearing.

As no one wished to speak, Ms. Larson closed the Public Hearing.

3. Case No. Sup-18-0010. Outdoor Flea Market at 6623 Richmond Road

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Jose Riberio, Senior Planner, addressed the Board regarding Mr. David Otey and his application for an Outdoor Flea Market at 6623 Richmond Road. Mr. Riberio highlighted the land use and specifics of the property, as well as hours of operation and parking designations. He noted the 2006 Special Use Permit for this property and further noted that since that time, this property had not been used at full capacity. Mr. Riberio cited staff's recommendations regarding this application and compliance with the 2035 Comprehensive Plan.

Mr. McGlennon asked about the enhanced landscaping that would take place. He referenced the look of the property after the Sears store closed.

Mr. Riberio noted the northern corner of the property would be the site for the Flea Market. He further noted the applicant would be submitting a landscape plan that staff would review.

Mr. McGlennon also asked about signage.

Mr. Riberio noted signage would comply with County Zoning Ordinances.

Mr. McGlennon asked if the signs would be removable and only placed out during the Flea Market's operation hours.

Mr. Riberio noted he did not have that information at this time, but would provide it later.

Mr. Icenhour asked if this was the Flea Market that had previously been located where a fire had occurred. He asked about the historical information of number of vendors and area, as well as parking capacity.

Mr. Riberio noted in each category, this Flea Market was smaller and limited to weekend use for parking.

Ms. Larson welcomed Mr. Frank Polster of the Planning Commission to the meeting.

Mr. Polster noted the Planning Commission voted 7-0 in favor of the Flea Market and recommended approval by the Board of Supervisors.

Ms. Larson opened the Public Hearing.

1. Ms. Mildred R. Webb, 202 Elmwood Lane, spoke in favor of the Lightfoot Flea Market. She cited it as a "fun" event, but also noted it provided revenue for vendors. Ms. Webb highlighted the positive, friendly atmosphere at the Flea Market and she extended a welcome to all to visit upon its opening pending the Board's approval.

2. Mr. David Otey, 109 Peter Lyall, addressed the Board as the representative for the applicant, Mr. Neil Jones, who was in attendance with his son, Mr. Chris Jones. He noted they had run the Flea Market operations for several years. Mr. Otey also thanked staff and particularly Mr. Riberio for his work on this application. He also noted the economic opportunity the Flea Market provided.

As there were no additional speakers, Ms. Larson closed the Public Hearing.

Mr. Hipple noted his endorsement of the Flea Market.

Ms. Larson reiterated coordinating the landscaping plan between the County staff and the applicant.

4. Eastern Virginia Regional Industrial Facility Authority

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Amy Jordan, Director of Economic Development, addressed the Board and introduced Mr. Todd Lynn of Patten, Wornom, Hatten & Diamonstein, L.C., the firm brought on to assist with the creation of the RIFA. She noted the highlights of the RIFA were presented at the September work session, but welcomed any questions. Ms. Jordan also noted the resolution and agreement were before the Board for approval.

Mr. Icenhour noted he had several comments for Board discussion.

Mr. McGlennon asked about the status of agreement from the participating localities in relation

to finality and ability to affect the nature of the agreement.

Mr. Lynn noted the organizational documents had been circulated to the participating localities for comments. He further noted synthesization of those comments was made and the documents were recirculated. Mr. Lynn provided an update on the work sessions within the respective localities and noted no pending comments were on the documents to his knowledge at the current time.

Mr. McGlennon noted that no localities had adopted the organizational documents at this time.

Mr. Lynn confirmed that point and noted that tonight's action would be the first formal vote on the document. He further noted a deadline pending on November 7 with GoVirginia funding for all the Ordinances to be passed, but noted that could be extended if necessary.

Ms. Larson opened the Public Hearing.

As no one wished to speak, Ms. Larson closed the Public Hearing.

Mr. Icenhour noted he sent an email to his fellow Board members and had spoken to Mr. Kinsman. Mr. Icenhour noted he had two concerns. One concern was Article 4, Paragraph 1, addressing two representatives with one Board member elected in the locality. Mr. Icenhour expressed concern over the proliferation of outside Boards and the pressure to participate which put demands on attendance of Board members and their respective schedules. He also noted the withdrawal clause of the agreement highlighting the voting process as well as the monetary obligations for current and subsequent general dues as a result of the withdrawal.

Mr. Kinsman addressed the Board citing possible workarounds to Mr. Icenhour's concerns. Mr. Kinsman referenced the provision that should a Board member be unable to attend a meeting, the selection of alternates would allow for the locality's representation. He noted the provisions for withdrawal were tied to the Code of Virginia and that any concerns about operational expenses were tied to the Board's authorization and knowledge of those expenses.

Ms. Sadler questioned the Code of Virginia with regards to the majority of the other localities granting permission to withdraw from the agreement.

Mr. Kinsman deferred to Mr. Lynn.

Mr. Lynn confirmed that point. He also noted that no operational dues could be approved without the Board's approval, thus eliminating anticipation of any dues. He further noted that no participation was necessary in projects if deemed so. Mr. Lynn also stated that if a project came forward and the Board declined participation in it, then there was no financial or legal obligation to it. He noted if James City County wanted to participate in a project, then negotiation for that project would be on the Participation Agreement terms acceptable to James City County.

Ms. Sadler asked what constituted a potential operating expense.

Mr. Lynn noted none were anticipated at this time as no locality wanted expense at this time. He further noted it is project-based, and if a locality opted for that project then expenses would be incurred.

Discussion ensued on this matter.

Mr. Hipple noted this was a regional effort to move economic development for localities offering a variety of resources such as land or capital to further local economies. He further



noted the protection of James City County citizens was of paramount importance.

Mr. Lynn confirmed that stating “the opportunity, not the obligation” was there as the locality determined its participation in a project it wanted.

Mr. McGlennon asked about the process initiative with regards to GoVirginia.

Ms. Jordan noted an earlier resolution for a GoVirginia grant. She explained that as part of that process, a RIFA was required by State Code for participation in a regional effort. The RIFA acted as a mechanism for the regional participation. She emphasized this presented James City County “a seat at the table.”

General discussion ensued on this matter.

## **I. BOARD CONSIDERATION(S)**

### **1. Contract Award - Forest Glen Neighborhood Drainage Repair - \$209,832**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Rick Koehl, Capital Projects Coordinator, addressed the Board noting the five areas of drainage repair in the Forest Glen Neighborhood. He further noted David A. Nice Builders, Inc. had won the bid and staff recommended approval of this project.

Mr. Icenhour asked about the location of Forest Glen Neighborhood.

Mr. Koehl indicated this was off Centerville Road.

Mr. Hipple noted this was a much needed project for his district with water issues in that area.

### **2. Resolution Approving a Plan to Finance and Refinance Certain Public Facilities Projects through the Issuance of Revenue and Refunding Bonds by the Economic Development Authority of James City County, Virginia**

A motion to Approve was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Sue Mellen, Director of Financial and Management Services, addressed the Board noting new financing and refinancing of bonds in relation to revised tax laws with the elimination of advanced refunding. Ms. Mellen introduced Mr. Chris Kulp from the Bond Counsel to give an overview of the Board’s role, the Economic Development Authority (EDA) role and the financing mechanism.

Mr. Kulp of Hunton Andrews Kurth LLP, Richmond, Virginia, addressed the Board with an overview of the financing structure and both parties’ roles. Mr. Kulp referenced the 2016 Master Trust Agreement and Master Financing Agreement that were implemented for the County for lease revenue financing that setup the accounts and structure. He highlighted the structure of the Debt Service Agreement and the County’s responsibility.

Mr. Icenhour asked about the two-fold bond financing and the maturity dates.

Mr. Kulp noted matched maturity, and no extension.

Mr. McGlennon noted the comprehensive review.

Discussion ensued on this matter.

3. Contract Award - Replacement Fire Apparatus - \$3,232,945

A motion to Approve was made by Michael Hipple, the motion result was Other.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Fire Chief Ryan Ashe addressed the Board noting the presentation of two Contract Awards for replacement of fire apparatus and an ambulance. He noted the replacements entailed one ladder truck at Station 3 and two ladder and rescue vehicles at Station 1. Chief Ashe highlighted the financing details.

4. Contract Award - Replacement Ambulance - \$259,653

A motion to Approve was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Chief Ashe noted the replacement ambulance would be for Station 3.

At approximately 6:12 p.m., Ms. Larson recessed the Board of Supervisors meeting for the James City Service Authority Board of Directors meeting.

At approximately 6:15 p.m., Ms. Larson reconvened the Board of Supervisors meeting.

## **J. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon, attired in a fire helmet, praised the Open House at the Fire Station. He noted the attendance of young people and County citizen response. Mr. McGlennon further noted the fire personnel's appreciation to the Board for recent changes to its pension calculations. He stated Mr. Stevens joined him in a tour of the Roberts District. Mr. McGlennon mentioned the opportunity to be at the dedication of the new middle school, James Blair Middle School, with several Board members and Mr. Stevens.

Mr. Icenhour noted he had taken a 12-day European trip and in his travels, he noted and questioned how the town boundaries, abundance of open space and preservation of countryside had been maintained over time. He attended the School Liaison Committee meeting, Greater Peninsula Workforce Development Board meeting where an unprecedented regional agreement was signed between two workforce development regions, and the dedication of James Blair Middle School. He complimented the young lady who sang the National Anthem at the dedication. Mr. Icenhour noted the availability of real ID driver's license (suitable for boarding airplanes) and the ability for veterans to have that information on licenses. He noted attending the local Vietnam Veteran chapter meeting where commemorative Vietnam veteran pins were given to County veteran residents and highlighted the program and its schedule. He further noted if communities were interested in recognizing their veterans to contact him. Mr. Icenhour and Mr. Jason Purse, Assistant County Administrator, noted the upcoming cobblestone removal and repaving in New Town. He further noted paving of roads

in his district.

Ms. Sadler welcomed Mr. Stevens and thanked him for the opportunity to discuss events in the Stonehouse District. She noted the ribbon-cutting ceremony at the Kensington School Hickory Neck location. Ms. Sadler attended an informational community meeting at the library for the new Walnut Farm development. She also joined Warhill High School students on the Manufacturing Day tour. Ms. Sadler extended sympathy to the Ware Family at the passing of Ms. Martha Ware, the matriarch of Toano.

Mr. Hipple attended numerous Hampton Roads Transportation Accountability Committee, Virginia Department of Transportation and special advisory committee meetings for Hampton Roads Transportation. He cited the volume of projects, schedule and funding necessary for this work. Mr. Hipple noted the Volunteer Fire Department Fish Fry in Toano. He extended a welcome to Mr. Stevens and noted their upcoming visit to the Powhatan District. He wished his sons, Michael, Jr. and Sam, happy birthday.

Ms. Larson noted the upcoming 50th birthday celebration of Thomas Nelson Community College with Mr. McGlennon representing the Board and Ms. Jordan along with fellow EDA staff representatives joining them. She expressed her thanks to them citing the importance of the community partnership. Ms. Larson and Mr. Hipple worked the Food Bank during Elected Officials Day and noted that with the closure of Farm Fresh, the Food Bank had a significant reduction in donations. She stressed community support with donations to the Food Bank. Ms. Larson attended the School Liaison meeting noting a pre-budget meeting to review the Capital Improvements Plan and coordinating student enrollment with cost. She noted the request to move primaries at local schools and the necessary scheduling changes. Ms. Larson highlighted some outreach plans to the real estate community. She also noted the Tourism Council meetings continue and changes to the Chamber. Ms. Larson, at the invitation of the Stormwater Program Advisory Committee, toured the Mill Creek watershed to view stream restoration projects. She expressed her appreciation for staff's hard work and results in this area. Ms. Larson also extended a welcome to Mr. Stevens.

## **K. REPORTS OF THE COUNTY ADMINISTRATOR**

### **1. County Administrator's Report**

Mr. Stevens thanked everyone for the warm welcome. He thanked staff members for their patience, particularly Mr. Bill Porter and Mr. Kinsman. Mr. Stevens noted he was looking forward to meeting community and business leaders he had not already met. He also thanked the Board for the opportunity to work with them and the community. Mr. Stevens stated Mr. Porter's Interim County Administrator Report was in the Agenda Packet, but noted the Board Calendar needed amending to officially add the following dates: November 11, 2018 at 10 a.m. (Virginia Association of Counties conference in Hot Springs, Virginia) and December 6, 2018 at 8:30 a.m. (Joint meeting with School Board).

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Stevens mentioned the Stormwater Management Workshop offered by the County on October 13, 8:30-10:30 a.m. He provided the details for registration. Mr. Stevens also mentioned the Absentee Voting procedure and contact information. He noted that staff was tracking Hurricane Michael and encouraged preparedness, further noting staff would continue to monitor and update as needed.

Ms. Sadler requested Mr. Stevens look into the property at 6925 Richmond Road and provide a progress report on the fire clean-up at that location for the next meeting.

#### **L. CLOSED SESSION**

A motion to Enter a Closed Session was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:36 p.m., the Board of Supervisors entered a Closed Session.

At approximately 7 p.m., the Board of Supervisors re-entered Open Session.

##### **1. Closed Session Certification**

A motion to Certify the Closed Session was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

##### **2. 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; appointments to the Chesapeake Bay Board and Wetlands Board**

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon noted Mr. Charles Roadley was reappointed to the Chesapeake Bay Board and the Wetlands Board, with the appointments of Mr. Louis Botts and Ms. Haley Dunn as alternates for five-year terms.

#### **M. ADJOURNMENT**

##### **1. Adjourn until 4 p.m. on October 23, 2018, for the Work Session**

A motion to Adjourn was made by Sue Sadler, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 7:02 p.m., Ms. Larson adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 23, 2018**  
**4:00 PM**

---

**A. CALL TO ORDER**

**B. ROLL CALL**

**Board of Supervisors**

John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Vice Chairman, Jamestown District  
P. Sue Sadler, Stonehouse District  
Michael J. Hipple, Powhatan District  
Ruth M. Larson, Chairman, Berkeley District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**Board of Directors**

Michael J. Hipple, Vice Chairman, Powhatan District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Jamestown District  
Ruth M. Larson, Berkeley District  
P. Sue Sadler, Chairman, Stonehouse District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney  
M. Douglas Powell, General Manager, James City Service Authority (JCSA)

Ms. Larson requested a motion to amend the Agenda to include an item for the Chamber of Commerce Alliance.

A motion to Amend the Agenda was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Sadler, Icenhour, McGlennon, Larson

At approximately 4 p.m., Ms. Sadler called the James City Service Authority Board of Directors meeting to order, noting it was a continuation from the October 9, 2018 meeting.

Mr. Powell called Roll to which all Board members confirmed their presence.

**C. BOARD DISCUSSIONS**

1. Strategic Plan Update - Fiscal Year 2020

Ms. Larson welcomed Mr. Jason Purse, Assistant County Administrator, to the meeting.

Mr. Purse addressed the Board noting a change to the Fiscal Year 2020 budget season kick-

off with earlier presentation and discussion of potential upcoming projects in the budget as they related to the Strategic Plan. He noted the long-range plans as well as departmental plans and their respective yearly terms allowed the Board to see priorities and projects as presented by the department directors. Mr. Purse stated this was a preliminary view and discussion with more definitive numbers would be coming later in the budget process.

Mr. Doug Powell, JCSA General Manager, addressed the Board noting that JCSA was not anticipating any major changes to its FY 2020 budget. He further noted the initiatives were highlighted in the first two goal areas of the Strategic Plan: sustainable long-term water supply and modern infrastructure, facilities and technology systems. Mr. Powell's PowerPoint presentation detailed options under each category indicating a continual dedication of funds to the Alternative Water Supply Fund and the Repair and Replacement Fund. He also noted that Mr. Stevens had contacted the Newport News City Manager and scheduled a meeting for both Mr. Powell and himself to meet with their respective counterparts to discuss water issues.

Ms. Larson asked about the meter replacement project and appropriations.

Mr. Powell clarified there was appropriated funds in the FY 2020 Budget and that the project would be fully funded with that allocation.

Mr. McGlennon asked about the Supervisory Control and Data Acquisition (SCADA) as an upgrade or replacement.

Mr. Powell noted he referred to SCADA as an upgrade, but clarified that the system's ISDN lines would be replaced with newer technology. He further noted other options were being reviewed for that change, referencing replacement of the lines as the "backbone of that system."

Mr. McGlennon asked about the Army Corps of Engineers' permit and the timeframe on that work.

Mr. Powell noted the primary issue at the time was the sturgeon and the coordination among several federal agencies on that issue. He further noted he had no set timeline as yet.

Mr. Purse noted that Ms. Sue Mellen, Director of Financial and Management Services, was in attendance if questions arose. He further noted the departmental directors were available as well should specific questions arise during the meeting. Mr. Purse noted that within the Information Resources Management budget presentation was a continuation of elements from previous budget cycles like the online Tyler software and the County permit link for Planning and other divisions. He highlighted Human Resources and a payroll system upgrade as well as asset management through General Services as he continued the PowerPoint presentation. Mr. Purse noted these projects linked the County-owned properties and enhanced efficiency in monitoring and tracking these items throughout the County.

Mr. McGlennon asked when the software would be upgraded across the board for the County's services.

Mr. Patrick Page, Director of Information Resources Management, addressed the Board. He noted that when all the systems were in place then it would be time to review and reevaluate those systems. Mr. Page noted a 10-year timeline was in place on the payroll system, which was already several years in effect. He further noted a review of the system as well as the County's needs determined what, if any, changes to the system would be necessary.

Mr. Icenhour asked about different software within different departments and the communication issues.

Mr. Page noted the various software packages from different vendors for departments created a need for separate interfaces. He further noted the past few packages for Tyler and Community Development as well as asset management had originated from the same vendor which helped with the interface issues but there were still other issues. Mr. Page explained that contact with the vendors for a interface solution, at a cost, was an option and if not, then County programmer analysts created the interfaces.

Mr. Purse noted acquisition of business analytics software assisted with interdepartmental communication and needs and linking resources.

Mr. Page noted the link to the Fire and Police Departments' data and the ties to the business analytics system. He further noted that departmental directors and staff, familiar with their data, worked with programmer analysts. Mr. Page cited Fire Station 6 and its use in that capacity.

Mr. Purse stated this information would be on the website with updates for citizens to view in relation to Capital Projects.

Mr. Hipple stressed the staff work on code and compliance as programs were implemented. He thanked everyone involved.

Mr. Page noted the fiber optic cable expansion project in the PowerPoint presentation. He highlighted the installation of underground fiber optic cable for the County in three loops for communication, public safety and schools. Mr. Page noted the Williamsburg-James City County School system had a separate cable system from the County cable system, but further noted some shared capabilities and enhancement.

Mr. Purse noted Economic Development was the next area for discussion. He further noted a connection to the first point in relations to work being done by Parks and Recreation. Mr. Purse highlighted additional bullet points in the PowerPoint presentation with market studies and a technology zone.

Ms. Mellen noted the first bulleted project was already in the two-year budget plan, previously presented to the Board.

Mr. Purse reiterated that a majority of the projects highlighted were already in the two-year budget plan. He further noted that he would highlight additional projects not already allocated in the two-year plan.

Ms. Larson asked Ms. Amy Jordan, Director of Economic Development, about the timeline on the economic market study.

Ms. Jordan responded with regards to funding that several months of development would be likely. She noted that the Jamestown absorption would be done in conjunction with the Shaping Our Shores discussion and cited several projects in the Grove area and utility capacity.

Mr. Purse noted the Police Department's goals and operational initiatives had been highlighted in FY 2019 with the addition of three officers followed by three more for FY 2020.

Mr. Purse continued the presentation highlighting Parks and Recreation and noted some new projects were listed for the department. He further noted the first point, based on community surveys, focused on funding in a 5-year Capital Improvements Plan (CIP) to acquire property and to construct a park in the Grove area.

Mr. McGlennon noted the Grove area had expressed interest in a pool. He highlighted pool facilities in the County and noted the southern area of the County's needs and facilities.

Mr. Purse stated options were available and would be reviewed for presentation to the Board at a later date. Mr. Purse also addressed the next point which focused on the James City County Marina and funding to complete Phase I with Phase II funding to come in three years.

Mr. McGlennon addressed generating interest within the Peninsula regarding a regional dredging project. He noted this would be in conjunction with the Army Corps of Engineers. Mr. McGlennon further noted the areas of Fort Eustis, Hampton and Newport News, as well as other areas, might have possible interest in the dredging. He further noted dredging at the marina, but emphasized more comprehensive dredging also and contacting regional groups.

Mr. Hipple noted he would look into transportation committees.

Mr. Purse continued the presentation highlighting additional staffing times at the Abram Frink Jr. Community Center, possible conversion of existing tennis courts to pickleball courts and possible fee increases for some programs and facilities based on market analysis.

Discussion ensued.

Mr. Purse next addressed Human Resources in the presentation. He highlighted the second and final year of the Compensation Study salary adjustments as part of the Evergreen Study for FY 2020. Mr. Purse noted employee engagement areas and training opportunities that spanned orientation to retirement.

Ms. Larson inquired if yearly training or online modules addressing topics such as Sexual Harassment were required.

Mr. Purse replied yes, noting the recent Harassment training for County employees. He noted a more standardized schedule would be upcoming.

Mr. Stevens noted that specific groups like Fire, Police and the JCSA had more scheduled training due to regular certification requirements. He further noted that general County employees usually needed more refresher training. Mr. Stevens added that those types of preventive training would be reviewed prior to presentation to the Board.

Mr. Purse followed up noting the increase in staff training and the positive responses to that training.

Mr. McGlennon asked about certification programs. He noted Mr. Powell had previously mentioned difficulty in attracting potential employees with specialized skills. Mr. McGlennon questioned ways to identify those skills and needs and working with Thomas Nelson Community College (TNCC) for program development, as well as addressing these needs with other localities.

Ms. Larson reiterated working with the Williamsburg-James City County schools and TNCC for program development to fill JCSA's positions.

Mr. Purse noted that Economic Development had contacted TNCC regarding workforce development.

Mr. Icenhour noted he spoke with Ms. Jordan prior to the meeting about the V3 program (Virginia Values Veterans) and area businesses' participation in the program. He also noted that state level contacts could serve as resources and further the development of this



program's opportunities in the County.

Mr. Hipple echoed Ms. Larson's comments on utilization of the schools and potential work development programs. He cited "growing our own right here at home" to meet local needs.

Mr. McGlennon also noted that staff could be a viable option for training as well.

Mr. Purse moved to the Social Services section of the PowerPoint presentation. He cited the Community, Outreach, Network, Educate, Care, Thrive (CONNECT) Program, in conjunction with Fire/EMS and Police, had been introduced last month. He noted the Workforce Housing Taskforce and its anticipated recommendations for future budgets.

Ms. Larson noted her recent attendance at the Colonial Services Board legislative breakfast and further noted the outlook was not good. She cited Medicare expansion and its impact on residents.

Ms. Rebecca Vinroot, Director of Social Services, addressed the Board about the Medicare expansion and the calculations for costs for County residents. She detailed the billing and recouping of expenses.

Ms. Larson noted a significant number of County residents use the Colonial Services Board. She further noted the impact to the County and its budget, in addition to legislative action.

Mr. Icenhour asked if this should be added to the legislative agenda.

Mr. Kinsman noted it was in place already.

Ms. Vinroot noted the County's Social Services department was working with the Williamsburg Health Foundation to train people to become application assisters. She cited County statistics on recipients using the service, Ms. Vinroot further noted two sessions, slated for November and December, would be available for the application assister training.

Ms. Sadler asked about the use of volunteers for this service.

Ms. Vinroot noted approximately 50 people per training session was the goal to assist as many citizens with applications as necessary. She further noted contacting local organizations and services about the workshops.

Discussion ensued.

Ms. Mellen added that the County's funding impact had increased for the Colonial Behavioral Health program as a result of diminished state funding. She addressed the budget allotments and past yearly trends.

Discussion ensued.

Mr. Purse introduced the Fire Department as the next part of the presentation. He highlighted construction of the 6th fire station and public safety training facility with TNCC.

Ms. Larson asked if initiatives about pay in relation to the departure of Fire Department employees had helped.

Chief Ryan Ashe, Fire Department, noted the incentive pay program had helped a lot. He further noted the addition of the incentive pay had strengthened both the retention and recruitment levels. Chief Ashe stated the department was in the midst of a qualified hiring

process with 11 potential candidates. He cited departmental statistics for staffing and overtime hours.

Mr. Hipple asked about the next big retirement wave in about eight years.

Chief Ashe noted there have been some retirements, but large hire periods traditionally generated more retirements. He further noted approximately 28 retirements would take place from 2021-2030. Chief Ashe stated it was a challenge to keep up with retirements, grow the department and add a fire station.

Mr. McGlennon noted it was an attribute to the department how many people stayed until their retirements.

The Board members echoed that sentiment.

Mr. Purse addressed Community Development as the next department in the presentation. He noted the Comprehensive Plan was updated every five years and that cycle was upcoming. He further noted the areas for review and implementation in the PowerPoint presentation.

Mr. McGlennon asked if these implementations would fall under comprehensive or tune-up.

Mr. Purse responded this would be an update to ensure everything was as needed.

Mr. Paul Holt, Director of Community Development, addressed the Board noting an early work session with staff to present a substantive update.

Mr. Purse noted under General Services that the goals had previously been presented to the Board. He highlighted an update on the study of County office space needs, plans for asphalt repair/preplacement and curbside recycling programs.

Mr. Hipple addressed County space needs and discussed one centralized facility to house County departments. He cited the savings of maintenance at one facility.

Ms. Larson asked about the General Services facility and capacity on Tewing Road.

Ms. Grace Boone, Director of General Services, addressed the Board stating the space limitations at that location were due to more equipment and employees.

Mr. Hipple noted the Jolly Pond site offered possibilities for housing equipment.

Ms. Larson stated that while studying the County's office space needs, the school division should be considered with the addition to James Blair Middle School. She noted past conversations about incorporating the two groups.

Ms. Boone noted the schools had provided numbers that would be incorporated into the study for review. She further noted that when the Request for Proposal (RFP) goes out, she will follow up to ensure that data was incorporated. Ms. Boone also stated that projects would be evaluated based on the comprehensive plan and the yearly plans.

Mr. Hipple reiterated the need to look at one central multi-use County facility and its benefits. He cited the savings of traveling for multiple meetings across numerous County locations.

Ms. Boone highlighted the department's goals and costs regarding the recycling program. She noted the RFPs were currently out for bid, but that an increase was expected for the service as recycling breakout had changed.

Discussion ensued.

Ms. Larson noted she had asked Mr. Stevens about garbage pickup in the County.

Mr. McGlennon noted there was a report on solid waste collection, though outdated, that could provide information as an option.

Discussion ensued regarding options and small business costs at the transfer station.

Mr. Purse highlighted the Stormwater CIP Projects in the presentation.

Mr. Hipple stressed the importance of informing citizens on how the County protected its streams and waterways. He noted the visual impact of various projects and maximizing video presentation.

Discussion ensued.

Ms. Larson thanked Ms. Boone and staff for their hard work after the storm damage.

Mr. Purse addressed the final issue of the presentation with administration. He noted development of a citizen satisfaction survey and other initiatives. He further noted the Freedom of Information Act (FOIA) software, which was the last piece of software for this year. Mr. Purse added the FOIA software linked the various departments for information and public requests. He followed up with the operational initiative for open space preservation and other alternatives in that area. He detailed required criteria for different programs such as Purchase of Development Rights (PDR).

Mr. McGlennon asked about an earlier discussion on PDR and alternatives, especially regarding the impact of borrowing in terms of bonds.

Mr. Purse said the focus had been on the grant funding, not the bond issue.

Ms. Mellen said the alternative programs would be identified, then followed by the different funding options.

Discussion ensued.

At approximately 5:27 p.m., Ms. Larson recessed the Board for a short break.

At approximately 5:33 p.m., Ms. Larson reconvened the Board meeting.

## 2. Legislative Update Discussion

Mr. Kinsman addressed the Board noting his compilation of its list from previous meetings. He noted the list represented a draft of items the Board could amend, remove and so forth. Mr. Kinsman further noted that a formalized copy would be presented to the Board at its first November meeting for approval and resolution adoption. At the second November meeting, Mr. Kinsman said legislators would be present to see if anyone was interested in carrying any items the Board passed.

In the PowerPoint presentation, Mr. Kinsman identified the two parts of legislation to be introduced: Legislation to be Introduced on behalf of the County and Legislation Supported by the County. Mr. Kinsman shared the items listed under Introduction. The first item was the

“Junk Car Bill” that had been before the Board several times previously, citing the inoperative motor vehicle regulations. Mr. Kinsman noted the difficulty of older non-homeowner associations in relation to the criteria for this section of the Virginia Code. He further noted the use of a charter amendment as it applied to James City County. Mr. Kinsman stated the “either/or” criteria would be addressed based on an amendment to lots equal to or less than two acres.

Ms. Larson encouraged citizen input to local legislators.

Discussion ensued.

Mr. Kinsman noted the next three requests, from Mr. Icenhour, addressed increased protection for localities against developers who had not met all previous land development obligations as well as prohibition of the recording of remaining subdivision sections in conjunction with unmet obligations. He noted these amendments addressed stopping further development and reevaluation of surety based on prior misdeed.

Mr. McGlennon asked about the definition of a developer. Mr. Kinsman stated a very detailed definition was in the Code.

Mr. Icenhour inquired about adjusting bonds for inflation using the Marshall and Swift Building Index. He noted some bonds had extended over several years and expressed concern if the bond was called, would sufficient funds exist to cover the expense of the project.

Mr. Kinsman noted auto-renewal on the majority of the County’s bonds for developers. He further noted that the County addressed the bond renewal date if the developer was not performing the stated project work. Mr. Kinsman stated that if bonds were not taken on the auto-renewal system, they could be taken on a two- or three-year basis. He further noted this impact would need to be determined on a staff level.

Discussion ensued.

Mr. Kinsman addressed the next group of amendments pertaining to dogs as requested by Mr. McGlennon and Ms. Sadler. He highlighted the amendments, which covered restitution for emotion distress and damage, appropriate outside enclosure per dog size and strength and fines for owners whose non-hunting dogs were pack roaming off-property.

Mr. McGlennon asked about invisible fencing in regards to the appropriate enclosure.

Mr. Kinsman noted the fencing would have to be appropriate to the dog’s size and strength.

Mr. McGlennon asked if the developer amendments would apply to all localities and if so, while this list of legislative amendments originated with James City County, that this list be shared with those neighboring localities.

Mr. Kinsman confirmed he would share this list. He then noted the next section of the PowerPoint presentation addressed Legislation Supported by the County. He highlighted six new items with the remainders carry-over items. Mr. Kinsman noted impact fees, proffers, underground utilities, House Bill 1615 (which impacts schools as polling areas) and increased funding for Virginia Department of Emergency Management. He further noted the carry-over items included state funding for tourism, support widening of I-64 to 295, maintenance of new and existing secondary roads, application of transient occupancy tax to travel companies and internet sales and enhance rail service on the Peninsula and to Richmond.

Mr. McGlennon inquired about funding on the rail service.

Discussion ensued.

Mr. Kinsman continued the presentation with additional carry-over items: support TNCC in its efforts to build the Advanced Integrated Manufacturing Center in the County, substance abuse and mental health treatment and tax equity between cities and counties.

Ms. Sadler stated she did not support the tax equity between cities and counties. She noted the task of maintaining the County roads.

Discussion ensued.

Mr. Kinsman continued the carry-over items: allow advertisement of required public notices on a locality's website and through other means instead of publication in a newspaper having general circulation (a cost saver for the County), state funding for public education (Pre-K, K-12 and higher education), adequate funding for public libraries, no new state mandates and eliminate or adequately fund existing state mandates, legislative programs of the Virginia Municipal League, the Virginia Association of Counties and the Virginia Coalition of High Growth Communities, continued funding of the Stormwater Local Assistance Funds and state funding for mandated services provided by Community Services Boards with a revision that Medicaid expansion adjustments would not disproportionately impact the Colonial Behavioral Health.

Mr. McGlennon addressed an item not on the list - redistricting. He noted the need for Board discussion on the matter. He proposed to bring forward a resolution addressing non-partisan redistricting at both the state and local level. Mr. McGlennon referenced the federal court and the redrawing of districts and asked the Board to consider ways to have a less disruptive process. He suggested a citizens committee that would develop a set of principles for use by staff in developing proposed lines which would be presented to the Board.

Discussion ensued.

Mr. Hipple referenced 2.3 Underground Electric Utilities and the aesthetics of the work done in the community. He stressed the various vendors in the area and the need for standardized guidelines across the County for conformity.

### 3. Request for Funds for the Williamsburg Chamber and Tourism Alliance

A motion to Authorize was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

Ms. Larson requested an amended budget item for \$400,000 for the Williamsburg Chamber and Tourism Alliance. She cited further discussion on this request would be required for the next year with the Board as well as between the Chamber and the localities. Ms. Larson noted the County's Tourism Contingency would support this request.

Ms. Mellen confirmed the source and explained the continued changes with Senate Bill 942 and monetary allocations.

Discussion ensued.

The Board thanked Ms. Larson, Mr. Kinsman and Ms. Mellen for their hard work.

Ms. Larson asked for a motion on the amended budget item for the Williamsburg Chamber and Tourism Alliance.

Mr. Icenhour asked if Board Requests and Directives could be added as the last item under Board Discussions at work sessions. He noted it allowed for open discussion and easier communication with Board members. He further noted it made the discussion open on the record and if the procedural change could be effective at the next work session.

The Board unanimously agreed to that change.

#### **D. CLOSED SESSION**

A motion to Enter a Closed Session for the Board of Supervisors was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

A motion to Enter a Closed Session for the Board of Directors was made by James Icenhour Jr, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

At approximately 6:35 p.m., the Board of Supervisors entered into Closed Session.

At approximately 6:35 p.m., the Board of Directors entered into Closed Session.

At 7:15 p.m., the Board of Directors and the Board of Supervisors re-entered Open Session.

##### **1. Certification**

A motion to Certify the Closed Session of the Board of Supervisors was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Sadler, Icenhour Jr, Larson

A motion to Certify the Closed Session of the Board of Directors was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Larson, McGlennon, Icenhour, Sadler

##### **2. Consideration of a personnel matter, the performance evaluation of the County Attorney pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia**

##### **3. JCSA Board of Directors - Consideration of a personnel matter, the performance evaluation of the JCSA General Manager, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia**

#### **E. ADJOURNMENT**

##### **1. Adjourn until 5 p.m. on November 13, 2018, for the Regular Meeting**

A motion to Adjourn the Board of Supervisors was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Larson, McGlennon, Icenhour, Sadler

A motion to Adjourn the Board of Directors was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Larson, McGlennon, Icenhour, Sadler

At approximately 7:16 p.m., Ms. Sadler adjourned the Board of Directors.

At approximately 7:16 p.m., Ms. Larson adjourned the Board of Supervisors Work Session.

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Bradley J. Rinehimer, Chief of Police

**SUBJECT:** Grant Award - Comprehensive Community Corrections Act Grant, Department of Criminal Justice Services - \$746

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**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:04 PM
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:04 PM
Publication Management	Burcham, Nan	Approved	10/17/2018 - 2:10 PM
Legal Review	Kinsman, Adam	Approved	10/18/2018 - 9:25 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 1:04 PM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:49 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM



**MEMORANDUM**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Comprehensive Community Corrections Act Grant, Department of Criminal Justice Services - \$746

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On June 25, 2018, Colonial Community Corrections was awarded the Comprehensive Community Corrections Act Grant in the amount of \$727,761. This award was \$746 more than the amount appropriated by James City County for Fiscal Year 2019.

It is hereby requested the Board of Supervisors appropriate the \$746 for use by Colonial Community Corrections in funding personnel costs.

HAD/nb  
GA-CCCA-PSA-mem

Attachment

**RESOLUTION**

**GRANT AWARD - COMPREHENSIVE COMMUNITY CORRECTIONS ACT GRANT,**

**DEPARTMENT OF CRIMINAL JUSTICE SERVICES - \$746**

WHEREAS, In Fiscal Year 2019, Colonial Community Corrections was awarded \$727,761 in General Funds by the Department of Criminal Justice Services for the Comprehensive Community Corrections Act/Pretrial Services Act Grant No. 19-W6342CC19; and

WHEREAS, James City County appropriated \$727,015, less \$746, than the awarded amount.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the appropriation of an additional \$746 for the Department of Criminal Justice Services Grant No. 19-W6342CC19.

Revenue:

Commonwealth of Virginia	<u>\$746</u>
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Expenditure:

Personnel	<u>\$746</u>
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Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

GA-CCCA-PSA-res

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Dawn Oleksy, Environmental Sustainability Coordinator

**SUBJECT:** Acceptance of the FY19 DEQ Litter Grant in the amount of \$13,889 to be used toward community outreach and education, litter cleanups and Household Hazardous Waste collections.

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**ATTACHMENTS:**

	Description	Type
☐	DEQ Litter Grant Memo FY19	Cover Memo
☐	FY19 DEQ Litter Grant Resolution	Resolution
☐	DEQ FY19 Litter Grant Letter	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
General Services	Boone, Grace	Approved	10/16/2018 - 4:15 PM
Publication Management	Daniel, Martha	Approved	10/16/2018 - 4:21 PM
Legal Review	Kinsman, Adam	Approved	10/17/2018 - 11:32 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 9:22 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:48 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM

**M E M O R A N D U M**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Dawn Oleksy, Environmental Coordinator

SUBJECT: Grant Award - Virginia Department of Environmental Quality - \$13,889

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The FY 19 Virginia Department of Environmental Quality Litter Prevention and Recycling Grant was awarded to James City County in the amount of \$13,889.

The attached resolution appropriates the grant amount of \$13,889 to the Special Projects/Grants Fund in support of the litter prevention, beautification and recycling programs.

The Litter Grant Fund is appropriated by the James City Clean County Commission to educate and encourage residents, local businesses and industry to enhance both the physical and visual environment. Examples of annual programs and activities supported by the litter grant include the Annual Spring Cleanup, Community Outreach and Environmental Education, Household and Hazardous Chemical Collections and Computer Recycling.

Staff recommends adoption of the attached resolution.

DO/nb  
GA-VDEQ-mem

Attachment

**RESOLUTION**

**GRANT AWARD - VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY - \$13,889**

WHEREAS, the Department of Environmental Quality has awarded James City County a Litter Prevention and Recycling Grant in the amount of \$13,889.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation to the Special Projects/Grants Fund.

Revenue:

Litter Control Grant	<u>\$13,889</u>
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Expenditure:

Litter Control Grant	<u>\$13,889</u>
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\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

GA-VDEQ-res

Dawn Oleksy

**From:** Prina Chudasama <prina.chudasama@deq.virginia.gov>  
**Sent:** Monday, October 15, 2018 12:43 PM  
**To:** Dawn Oleksy  
**Subject:** FY2019 Litter Grant Award Letter



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 1111 E. Main

Street, Suite 1400, Richmond, Virginia 23219

Mailing address: P.O.

Box 1105, Richmond, Virginia 23218

[www.deq.virginia.gov](http://www.deq.virginia.gov)

David K. Paylor  
Director

(804) 698-4020  
1-800-592-5482

Matthew I. Brinkler  
Secretary of Natural Resources

October 10, 2018

Mr. Bill Porter  
Acting County Administrator, County of James City  
101 Mount Bay Rd, Bldg D  
Williamsburg, VA 23185

Dear Mr. Porter,

I am pleased to inform you that a grant award of **\$13,889.00** has been approved for the **County of James City** Litter Prevention and Recycling Program activities for the period July 1, 2018 to June 30, 2019. Processing of the grant awards is underway, and a payment for this amount should be received within the next two weeks if funds can be transferred electronically (EDI) or in thirty days if processing by check is required.

If you have any questions or need additional information, please contact Prina Chudasama at [prina.chudasama@deq.virginia.gov](mailto:prina.chudasama@deq.virginia.gov) or at (804)698-4159.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sanjay Thirunagari'.

Sanjay Thirunagari  
Manager, Recycling and Litter Programs  
Division of Land Protection & Revitalization

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Bradley J. Rinehimer, Chief of Police

**SUBJECT:** Grant Award - Naloxone for Law Enforcement - \$2,025

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:06 PM
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:06 PM
Publication Management	Burcham, Nan	Approved	10/17/2018 - 2:10 PM
Legal Review	Kinsman, Adam	Approved	10/18/2018 - 9:25 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 1:06 PM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:51 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:16 AM

## MEMORANDUM

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Bradley J. Rinehimer, Chief of Police  
SUBJECT: Grant Award - Naloxone for Law Enforcement - \$2,025

---

The James City County Police Department has been awarded a continuation grant for Naloxone for Law Enforcement from the Virginia Department of Criminal Justice Services for \$2,025 for the purchase of Naloxone. This continuation grant allows the Department to purchase additional devices to replace used or outdated devices.

Naloxone is an FDA approved nasal spray intended for immediate administration during a heroin/opioid overdose. The grant funds are to be used to purchase approximately 54 Naloxone devices to be distributed to patrol officers to use should they encounter potential victims of heroin/opioid overdoses. Law enforcement officers are often first on the scene of an emergency and having the ability to administer Naloxone in a timely manner can improve a patient's chances of survival.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/nb  
GA-NaloxoneSpray-mem

Attachment



**RESOLUTION**

**GRANT AWARD - NALOXONE FOR LAW ENFORCEMENT - \$2,025**

WHEREAS, the James City County Police Department has been awarded a continuation grant for Naloxone for Law Enforcement from the Virginia Department of Criminal Justice Services (DCJS) for \$2,025 for the purchase of Naloxone; and

WHEREAS, the grant requires no match; and

WHEREAS, the funds are to be used to purchase approximately 54 Naloxone devices to be distributed to patrol officers to use should they encounter potential victims of heroin/opioid overdoses.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants Fund:

Revenue:

DCJS - FY 19 Naloxone Continuation	<u>\$2,025</u>
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Expenditure:

DCJS - FY 19 Naloxone Continuation	<u>\$2,025</u>
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\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

GA-NaloxoneSpray-res

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Federal Grant Award - Bulletproof Vest Partnership - \$27,092

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:03 PM
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:03 PM
Publication Management	Burcham, Nan	Approved	10/17/2018 - 2:08 PM
Legal Review	Kinsman, Adam	Approved	10/18/2018 - 9:26 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 1:37 PM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:47 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:14 AM

## MEMORANDUM

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Bradley J. Rinehimer, Chief of Police  
SUBJECT: Federal Grant Award - Bulletproof Vest Partnership - \$27,092

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The James City County Police Department has been awarded a Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for \$27,092 (\$13,546 federal funds; \$13,546 local match). The funds are to be used to purchase approximately 24 new and replacement bulletproof vests for officers.

BVP has typically been a recurring grant program made available each year to law enforcement agencies throughout the United States. This grant expires August 31, 2020, which allows us to replace vests as needed, or purchase vests for new officers throughout the grant period.

Each sworn officer within the Department is offered a bulletproof vest as part of his/her normal issued equipment. Unless recalls are made or the vest is damaged, the lifespan of vests is typically five years. The vests used by the Department are engineered for superior performance and integrate high-performance ballistic materials with a temperature-regulating carrier for maximum comfort.

The grant requires a match of \$13,546, which is available in the Grants Match Account.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/md  
FGA-BulletPrfVest-mem

Attachment

**RESOLUTION**

**FEDERAL GRANT AWARD - BULLETPROOF VEST PARTNERSHIP - \$27,092**

WHEREAS, the James City County Police Department has been awarded a Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for \$27,092 (\$13,546 federal funds; \$13,546 local match); and

WHEREAS, the grant requires a match of \$13,546, which is available in the Grants Match Account; and

WHEREAS, the funds are to be used to purchase approximately 24 new and replacement bulletproof vests for officers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants Fund:

Revenues:

BVP - FY 18	\$13,546
Grant Match Account	<u>\$13,546</u>
Total	<u>\$27,092</u>

Expenditure:

BVP - FY 18	<u>\$27,092</u>
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\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	___	___	___
ICENHOUR	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___
LARSON	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Nathan R. Green, Commonwealth's Attorney

**SUBJECT:** Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,995

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/22/2018 - 11:11 AM
Board Secretary	Purse, Jason	Approved	10/22/2018 - 11:14 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 1:36 PM
Board Secretary	Purse, Jason	Approved	10/29/2018 - 1:39 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 1:42 PM
Publication Management	Burcham, Nan	Approved	10/29/2018 - 1:51 PM
Legal Review	Kinsman, Adam	Approved	11/2/2018 - 9:28 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2018 - 9:31 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:14 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:12 AM

**MEMORANDUM**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth's Attorney

SUBJECT: Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,995

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The Williamsburg-James City County Commonwealth's Attorneys' office participates in the Virginia Forfeited Asset Sharing Program managed by the Virginia Department of Criminal Justice Services (DCJS). This program provides disbursement of funds received from the forfeiture of assets from drug enforcement activities to be used according to § 19.2-386.14 (D) of the *Code of Virginia*, "all forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement but shall not be used to supplant existing programs or funds."

The Williamsburg-James City County Commonwealth's Attorneys' office has entered a Memorandum of Understanding with the Tri-Rivers Drug Task Force (TRDTF). Through TRDTF, funds are routinely received through assets forfeited in arrests involving the manufacturing or distribution of dangerous narcotics in James City County as well as from similar cases the other members of the TRDTF conduct. These funds are also shared with the James City County Police Department who are members of the TRDTF. The specific sharing percentages are detailed in the Memorandum of Understanding with the other members of the TRDTF. Funds may also be received, however, through local distribution of narcotics cases not investigated by TRDTF.

The expenditure of forfeited funds is restricted to law enforcement activities specified by DCJS.

Funds have been dispersed to the Williamsburg-James City County Commonwealth's Attorneys' office in the amount of \$1,995.

Staff recommends acceptance of the funds and adoption of the attached resolution.

NRG/md  
AF-VAForfASProg

Attachment

**RESOLUTION**

**ACCEPTANCE OF FUNDS -**

**VIRGINIA FORFEITED ASSET SHARING PROGRAM - \$1,995**

WHEREAS, the Williamsburg-James City County Commonwealth's Attorneys' office participates in the Virginia Forfeited Asset Sharing Program managed by the Virginia Department of Criminal Justice Services (DCJS); and

WHEREAS, this program provides disbursement of funds received from the forfeiture of assets from drug enforcement activities to be used according to § 19.2-386.14 (D) of the *Code of Virginia*, "all forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement but shall not be used to supplant existing programs or funds"; and

WHEREAS, funds have been dispersed to the Williamsburg-James City County Commonwealth's Attorneys' Office in the amount of \$1,995.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts, and appropriates, the funds from DCJS to the Special Projects/Grants Fund.

Revenue:

CA State Asset Forfeit Funds \$1,995

Expenditure:

CA State Asset Forfeit Funds \$1,995

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

VOTES

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

AF-VAForfASProg

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Kitty Hall, Director of Purchasing Division

**SUBJECT:** Contract Awards - Annual Stormwater Construction and Repairs Services

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Purchasing	Hall, Kitty	Approved	10/23/2018 - 11:48 AM
Financial Management	Mellen, Sue	Approved	10/29/2018 - 9:19 AM
Publication Management	Burcham, Nan	Approved	10/29/2018 - 10:25 AM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 10:56 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:44 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:14 AM



## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Kitty Hall, Directory of Purchasing

SUBJECT: Contract Awards - Annual Stormwater Construction and Repairs Services

---

A Request for Proposal (RFP) was solicited from qualified firms to simplify the purchasing process and speed up work when stormwater construction and repairs assistance is required by having firms pre-selected based upon their qualifications per the requirements of the Virginia Public Procurement Act and establishing an "in place" contract for needed professional services.

Interested firms responded to the RFP by describing their interest, qualifications, project approach and experience in performing similar work. A panel of staff members representing Capital Projects and Stormwater and Resource Protection evaluated the proposals and selected the most qualified firms. The contracts have an initial term of one year with four additional one-year options available to the County. The RFP included Cooperative procurement provisions allowing Williamsburg-James City County Public Schools and other entities to use the architectural firms if they so choose.

Firms selected for contract award are:

EQR  
Finish Line  
David Nice Builders, Inc.  
Toano Contractors  
Gilley Construction  
Henry S. Branscome, LLC

Staff recommends approval of the attached resolution awarding a contract to the firms listed above.

KH/nb  
CA-ConstmRprServ-mem

Attachment

**RESOLUTION**

**CONTRACT AWARDS - ANNUAL STORMWATER CONSTRUCTION AND**

**REPAIR SERVICES**

WHEREAS, a Request for Proposals has been advertised and evaluated for annual stormwater construction and repair services; and

WHEREAS, the firms listed below were determined to be the best qualified to provide the required services.

EQR  
Finish Line  
David Nice Builders, Inc.  
Gilley Construction  
Toano Contractors, Inc.  
Henry S. Branscome, LLC

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contracts for annual stormwater construction and repairs services to the firms listed in this resolution.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

CA-ConstrnRprServ-res

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Kitty Hall, Director of Purchasing Division

**SUBJECT:** Contract Awards - Annual Building Envelope Technical Support Services

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Purchasing	Hall, Kitty	Approved	10/23/2018 - 11:51 AM
Financial Management	Mellen, Sue	Approved	10/29/2018 - 9:18 AM
Publication Management	Burcham, Nan	Approved	10/29/2018 - 10:27 AM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 10:55 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:43 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:13 AM

## MEMORANDUM

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Kitty Hall, Director of Purchasing  
SUBJECT: Contract Awards - Annual Building Envelope Technical Support Services

---

A Request for Proposal (RFP) was solicited from qualified firms to simplify the purchasing process and speed up work when building envelope technical support services are required by having firms pre-selected based upon their qualifications per the requirements of the Virginia Public Procurement Act and establishing an “in place” contract for needed professional services.

Interested firms responded to the RFP by describing their interest, qualifications, project approach and experience in performing similar work. A panel of staff members representing Capital Projects and Stormwater and Resource Protection evaluated the proposals and selected the most qualified firms. The contracts have an initial term of one year with four additional one-year options available to the County. The RFP included Cooperative procurement provisions allowing Williamsburg-James City County Public Schools and other entities to use the architectural firms if they so choose.

Firms selected for contract award are:

TAM Consultants  
ECS-Mid Atlantic

Staff recommends approval of the attached resolution awarding a contract to the firms listed above.

KH/nb  
CA-TechSuppSys-mem

Attachment

**RESOLUTION**

**CONTRACT AWARDS - ANNUAL BUILDING ENVELOPE**

**TECHNICAL SUPPORT SERVICES**

WHEREAS, a Request for Proposals has been advertised and evaluated for annual building envelope and technical support services; and

WHEREAS, the firms listed below were determined to be the best qualified to provide the required services.

TAM Consultants  
ECS Mid-Atlantic

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contracts for annual building envelope technical support services to the firms listed in this resolution.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	___	___	___
ICENHOUR	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___
LARSON	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

CA-TechSuppSys-res

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Ellen Cook, Principal Planner

**SUBJECT:** Initiation of Consideration of Amendments to the Zoning and Subdivision Ordinances to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity

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**ATTACHMENTS:**

	Description	Type
☐	Staff Memorandum	Staff Report
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	10/25/2018 - 1:35 PM
Development Management	Holt, Paul	Approved	10/25/2018 - 1:35 PM
Publication Management	Burcham, Nan	Approved	10/25/2018 - 1:37 PM
Legal Review	Kinsman, Adam	Approved	10/25/2018 - 3:41 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:01 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:51 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:16 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Ellen Cook, Principal Planner

SUBJECT: Initiation of Consideration of Amendments to the Zoning and Subdivision Ordinances to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity

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At the Board of Supervisors Work Session on May 22, 2018, the Board of Supervisors expressed interest in examining and discussing regulations to protect the drinking water supply and areas of public health and water quality sensitivity. Such regulations could enhance the consistency of the County's Zoning and Subdivision Ordinances with the water quality goals, strategies and actions found in the Environment Chapter of the 2035 Comprehensive Plan, adopted in 2015. Examples of regulations in adjacent localities that address these issues are the Reservoir Protection Ordinance in Newport News and the Watershed Management and Protection Area Overlay District in York County.

In order to more fully consider possible protection approaches to best fit James City County, staff recommends that the Board of Supervisors adopt the attached resolution to formally initiate consideration of such amendments to the Zoning and Subdivision Ordinances and refer this matter to the Planning Commission's Policy Committee.

EC/md  
PublicWaterAmend-mem

Attachment:

1. Initiating Resolution

**RESOLUTION**

**INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING AND SUBDIVISION**

**ORDINANCES TO ADDRESS PROTECTIONS FOR THE PUBLIC WATER SUPPLY AND**

**AREAS OF PUBLIC HEALTH AND WATER QUALITY SENSITIVITY**

WHEREAS, the Code of Virginia § 15.2-2286 and County Code § 19-10 and § 24-13 permit the Board of Supervisors of James City County, Virginia (the “Board”) to, by resolution, initiate amendments to the regulations of the Subdivision and Zoning Ordinances that the Board finds to be prudent; and

WHEREAS, the 2035 Comprehensive Plan Environment Chapter includes Strategy No. 1 to protect and improve the quality of water in County watersheds, wetlands and waterways; and

WHEREAS, water supply and water quality protection issues are inherently regional in nature and several adjacent localities have adopted regulations addressing these issues; and

WHEREAS, amendments to the Zoning and Subdivision Ordinances are necessary in order to identify and protect the public water supply and areas of public health and water quality sensitivity; and

WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare and good zoning practice warrant the consideration of amendments to the Zoning and Subdivision Ordinances.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby initiate staff review of the entirety of Chapter 19, Subdivisions, and Chapter 24, Zoning of the James City County Code to amend the Subdivision and Zoning Ordinances, respectively, to address protections for the public water supply and areas of public health and water quality sensitivity. The Planning Commission shall hold at least one public hearing on the consideration of amendment of said Ordinances and shall forward its recommendation thereon to the Board of Supervisors in accordance with the law.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.



**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Max Hlavin, Deputy County Attorney; Jason Purse, Assistant County Administrator

**SUBJECT:** Resolution to authorize the execution of encroachment agreements for landscape improvements within Kings Way and Queens Path right-of-way in order for the roads to be accepted into the VDOT system.

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Encroachment Agreement	Exhibit
☐	Subdivision Plat	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/25/2018 - 3:42 PM
Publication Management	Daniel, Martha	Approved	10/25/2018 - 3:50 PM
Legal Review	Kinsman, Adam	Approved	10/25/2018 - 3:53 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:00 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:46 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:14 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Max Hlavin, Deputy County Attorney  
Jason Purse, Assistant County Administrator

SUBJECT: Right-of-Way Encroachment Agreements - Kings Way and Queens Path

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Proffers associated with the Promenade at John Tyler development require the improvement of Kings Way and Queens Path (the "Roads") and their dedication into the Virginia Department of Transportation ("VDOT") Secondary Street System. All abutting property owners have signed a subdivision plat dedicating the required right-of-way; however, because portions of the Roads were in existence prior to dedication, they contain some landscape improvements within the proposed right-of-way. VDOT is willing to accept the Roads with the existing improvements upon the County's execution of Encroachment Agreements with the relevant property owners. Under the proposed agreements, the abutting property owners are responsible for all maintenance, costs and liabilities associated with the landscape improvements and the County can terminate its authorization at any time. The County is authorized to permit encroachments into the public right-of-ways under Section 15.2-2009 of the Code of Virginia. The terms of the enclosed agreements have been reviewed and approved by the Virginia Attorney General's Office on behalf of VDOT.

The enclosed resolution authorizes the County Administrator to execute Encroachment Agreements with owners abutting Kings Way and Queens Path, as appropriate.

MH/JP/md  
ROWEncroachKW-QP-mem

Attachment

**RESOLUTION**

**RIGHT-OF-WAY ENCROACHMENT AGREEMENTS - KINGS WAY AND QUEENS PATH**

WHEREAS, property owners along Kings Way and Queens Path (collectively, the “Owners”) have executed a subdivision plat in order to dedicate public right-of-way containing portions of those roads; and

WHEREAS, after dedication of the right-of-way, Kings Way and Queens path are to be accepted into the Virginia Department of Transportation (“VDOT”) Secondary Street System; and

WHEREAS, part of the right-of-way to be dedicated for Kings Way and Queens Path contains landscape improvements installed and maintained by the Owners; and

WHEREAS, VDOT is willing to allow the existence of landscape improvements within the Kings Way and Queens Path right-of-way upon the execution of Encroachment Agreements between the County and the Owners; and

WHEREAS, pursuant to Section 15.2-2009 of the Code of Virginia, the Board of Supervisors is willing to allow landscape improvements to encroach into the right-of-way, subject to certain terms.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute those documents necessary to enter into Encroachment Agreements between the County of James City, Virginia and owners of property along Kings Way and Queens Path, containing terms substantially similar to those contained in the meeting materials and approved by the Virginia Attorney General’s Office on behalf of the Virginia Department of Transportation.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

Parcel ID Number: 4812200022

ENCROACHMENT AND MAINTENANCE AGREEMENT

THIS ENCROACHMENT AND MAINTENANCE AGREEMENT is made this \_\_\_ day of \_\_\_\_\_, 2018 by and between \_\_\_\_\_, a Virginia corporation (hereafter referred to as “Owner”), and James City County, a political subdivision of the Commonwealth of Virginia (hereinafter referred to as “James City County”).

WHEREAS, James City County is the owner of certain right of way located, lying and being in James City County, Virginia known and designated as Kings Way and Queens Path (hereafter referred to as the “Right of Way”);

WHEREAS, Owner is fee simple owner of a parcel of land located, lying and being in James City County, Virginia, known as Parcel 22, Williamsburg Crossing (the “Property”) having a tax map parcel identification number of 4812200022, immediately adjacent to the Right of Way;

WHEREAS, there are landscaping improvements owned and used by Owner as part of the Property that encroach into portions of the Right of Way;

WHEREAS, Owner desires to be allowed to maintain the landscaping improvements that encroach into the Right of Way in their present locations and James City County, pursuant to Section 15.2-2009 of the Code of Virginia, is willing to allow the Owner to do so subject to the terms, provisions, and conditions set forth in this Agreement.

NOW, THEREFORE, WITNESSETH, that for and in consideration of the premises herein, the obligations and agreements of the parties herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged by each of the parties hereto, Owner and James City County hereby agree as follows:

1. The encroachments of landscaping owned and used by Owner in conjunction with the Property are shown and depicted on that certain plat entitled “VDOT RECORD DRAWINGS FOR KINGS WAY & QUEENS PATH” prepared by AES Consulting Engineers dated May 5, 2017 (the property and landscape improvements referred to together as “Areas of Encroachment”).
2. Subject to the terms, provisions, and conditions set forth herein, James City County will allow Owner to maintain the existing Areas of Encroachment in the present locations; however, Owner may not expand or enlarge the Areas of Encroachment. Owner may replace and maintain vegetation with similar vegetation that is no larger than and occupies no more space than the vegetation being replaced.
3. Owner shall be solely responsible for obtaining any other third-party agreements, land use permits or approvals necessary to maintain the landscaping within the Areas of Encroachment and for any expenses incurred in obtaining such agreements, permits, or approvals.
4. Owner shall be responsible for maintaining the Areas of Encroachment in a neat, clean, and attractive state and in accordance with the Virginia Department of Transportation regulations

and standards. Owner shall perform the periodic cutting, trimming, pruning and other routine maintenance needed to keep the Areas of Encroachment in such state.

5. The Areas of Encroachment shall not obstruct, interfere with, or impede drainage within the Right of Way and shall be in accordance with the Virginia Department of Transportation regulations and standards.
6. Owner, at its sole cost, shall remove, dispose of, and clean-up all debris generated by the installation and/or maintenance of the Areas of Encroachment.
7. The Virginia Department of Transportation, its employees, agents, contractors, and/or assigns, shall have the right to remove any landscaping placed within the Right of Way.
8. Owner shall obtain and maintain insurance to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of this Agreement and the operations permitted hereunder up to \$1,000,000.00 per occurrence to protect James City County and the Commonwealth of Virginia. James City County may require a valid certificate or letter of insurance from the Owner's carrier evidencing such insurance. The Owner shall comply with any surety and bond requirements as requested by the Virginia Department of Transportation.
9. Owner and occupants of the Property shall indemnify and hold James City County harmless from any liabilities arising from any activity related to the Areas of Encroachment.
10. The Owner shall at all times give strict attention to the safety and rights of the travelling public, James City County, its employees, contractors, agents, successors and assigns, and the Virginia Department of Transportation, its employees, agents, contractors and/or assigns.
11. James City County may terminate this Agreement at any time and may require the owner or occupant of the Property to remove the Areas of Encroachment and, after fifteen (15) calendar days, pending such removal, may charge the owner of the Property compensation for the use of such portion of the street, road, or other public right-of-way the equivalent of what would be the tax upon the land so occupied if it were owned by the owner of the Property. If removal is not accomplished within the time ordered, James City County may (i) impose penalties for each day that the Areas of Encroachment are allowed to continue, or (ii) may remove the Areas of Encroachment and charge the cost thereof to the owner or occupant of the Property, and may collect the cost in any manner provided by law for the collection of state or local taxes. In the event Owner fails to maintain the landscaping, terms and conditions of this Agreement, or Virginia Department of Transportation regulations and standards, and such failure is not cured within ten (10) calendar days following receipt of written notice from the Virginia Department of Transportation, its employees, agents, contractors and/or assigns, then any and all costs incurred by the Virginia Department of Transportation shall become a lien against the Property until fully paid, together with interest at the legal rate of interest then in effect.
12. Any notice to be given to Owner shall be given and delivered Owner at the address of the owner shown on the then-current real estate tax records of James City County for the Property.

13. This Agreement shall be recorded in the land records of the Circuit Court of the James City County and the City of Williamsburg, Virginia. It shall be binding upon and inure to the benefit of the parties hereto, their heirs, successors and assigns and shall run with the title of the Property hereby affected.
14. This Agreement is executed in the Commonwealth of Virginia and shall be governed by the laws of the Commonwealth of Virginia.

*Remainder of page left intentionally blank.*

*Signature pages to follow.*



WITNESS the following signatures and seals, hereunto duly authorized:

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF \_\_\_\_\_, to-wit:

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

My Registration Number: \_\_\_\_\_

**James City County, a political subdivision of  
the Commonwealth of Virginia**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Authorized by Resolution adopted 11/13/2018

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF \_\_\_\_\_, to-wit:

Acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

My Registration Number: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
County Attorney or designee



CERTIFICATION OF SOURCE OF TITLE (PARCEL 2)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY CSPB 2002-CX54 TYLER HIGHWAY, LLC, A VIRGINIA GENERAL PARTNERSHIP TO WILLIAMSBURG CROSSING ASSOCIATES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED DATED AUGUST 21, 2015 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 150016767.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR WILLIAMSBURG CROSSING ASSOCIATES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY

Signature: [Handwritten Signature] 10/25/17 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 2

COMMONWEALTH OF VIRGINIA STATE OF NEW YORK
CITY/COUNTY OF WESTCHESTER

I, MATT J. HYBEL A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 25th DAY OF OCTOBER, 2017.
MY COMMISSION EXPIRES:
NOTARY REGISTRATION NUMBER:

Notary Public, State of New York
No. 01HY6311526
Qualified in Westchester County
Commission Expires Sept. 15, 2018
Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

CERTIFICATION OF SOURCE OF TITLE (PARCEL 6)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY BAY COMMUNITY BANK, (WHOSE NAME WAS THE BANK OF WILLIAMSBURG) A VIRGINIA CHARTERED BANK TO UNION BANK AND TRUST COMPANY, A VIRGINIA CHARTERED BANK BY DEED DATED OCTOBER 24, 2008 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 080026795.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR UNION BANK AND TRUST COMPANY, A VIRGINIA CHARTERED BANK

Signature: [Handwritten Signature] 11/01/2017 DATE
Printed Name and Title: [Handwritten Name and Title]

MEAGAN COLLINS JONES
Notary Public
Commonwealth of Virginia
7090654
My Commission Expires Feb 28, 2019

CERTIFICATE OF NOTARIZATION FOR PARCEL 6

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Montgomery

I, Meagan Collins Jones A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 1st DAY OF November, 2017.
MY COMMISSION EXPIRES: Feb 28, 2019
NOTARY REGISTRATION NUMBER: 7090654

Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

CERTIFICATION OF SOURCE OF TITLE (PARCEL 7)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY UNIVERSITY SQUARE ASSOCIATES, A VIRGINIA GENERAL PARTNERSHIP TO M & D MEGA PROPERTIES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED DATED JUNE 6, 2011 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 110012429.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR M & D MEGA PROPERTIES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY

Signature: [Handwritten Signature] Nov 8/2017 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 7

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Virginia Beach

I, Heidi Marie Macemore A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 8 DAY OF November, 2017.
MY COMMISSION EXPIRES: April 30, 2017
NOTARY REGISTRATION NUMBER: 75621623

HEIDI MARIE MACEMORE
NOTARY PUBLIC
REGISTRATION # 7562623
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
APRIL 30, 2021
Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

CERTIFICATION OF SOURCE OF TITLE (PARCEL 12)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY JEFFERSON-PILOT LIFE INSURANCE COMPANY TO UNIVERSITY SQUARE ASSOCIATES BY DEED DATED AUGUST 6, 1987 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY IN DEED BOOK 357, PAGE 125 AND DECLARATION OF CONDOMINIUM RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY IN DEED BOOK 821, PAGE 212.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR LA FONTAINE OWNERS ASSOCIATION, INC

Signature: [Handwritten Signature] 11-17-17 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 12

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF James City

I, Pierre Forget A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 17th DAY OF November, 2017.
MY COMMISSION EXPIRES: 06/30/2021
NOTARY REGISTRATION NUMBER: 7540059

Pierre Forget
Commonwealth of Virginia
Notary Public
Commission No. 7540059
My commission expires 6/30/2021
Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

PRESTON C. JUDSON
Lic. No. 003130
5/1/2017
LAND SURVEYOR

CERTIFICATION OF SOURCE OF TITLE (PARCEL 22)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY UNIVERSITY SQUARE ASSOCIATES, A VIRGINIA GENERAL PARTNERSHIP TO RIVERSIDE HOSPITAL, INC., A VIRGINIA NON-STOCK CORPORATION AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 970014731.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR RIVERSIDE HOSPITAL, INC., A VIRGINIA NON-STOCK CORPORATION

Signature: [Handwritten Signature] 11/16/17 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 22

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Newport News

I, Debra C Conner A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 9th DAY OF November, 2017.
MY COMMISSION EXPIRES: 12/30/2020
NOTARY REGISTRATION NUMBER: 746631

Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

CERTIFICATION OF SOURCE OF TITLE (PARCEL 23)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY WILLIAMSBURG CROSSING, LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO UNIVERSITY SQUARE ASSOCIATES A VIRGINIA GENERAL PARTNERSHIP BY DEED DATED DECEMBER 9, 2013 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 130028135.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR UNIVERSITY SQUARE ASSOCIATES

Signature: [Handwritten Signature] 10-27-17 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 23

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Virginia Beach

I, Valerie Barco Kupper A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

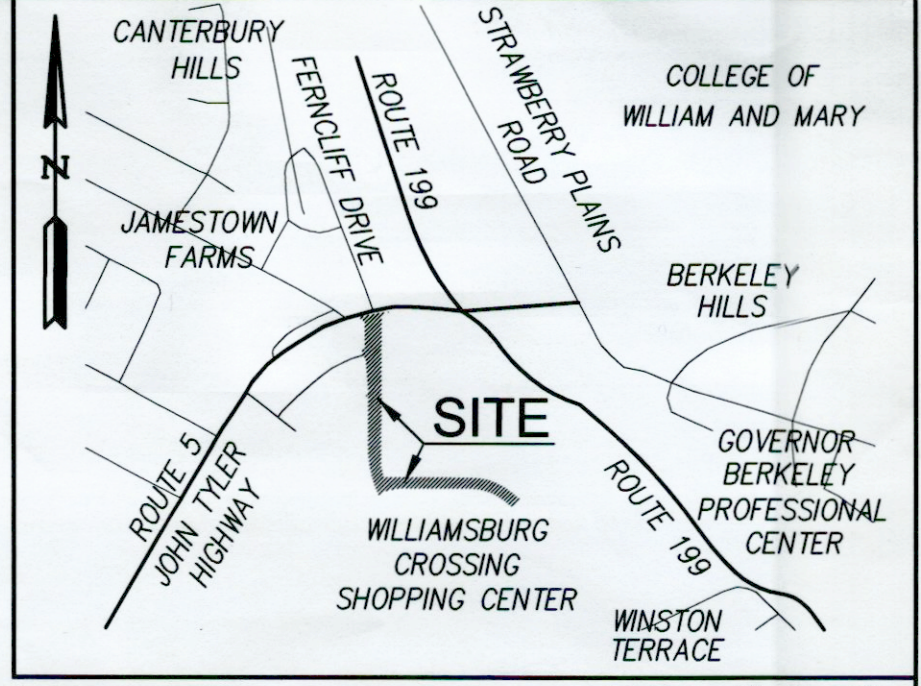
GIVEN UNTO MY HAND THIS 27th DAY OF October, 2017.
MY COMMISSION EXPIRES: 8-31-21
NOTARY REGISTRATION NUMBER: 7551343

Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE OR BELIEF, THIS PLAT COMPLIES WITH ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF JAMES CITY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY.

Signature: [Handwritten Signature] 5/1/17 DATE
PRESTON C. JUDSON, L.S. #003130



LOCATION MAP: SCALE: 1"=2000'±

CERTIFICATION OF SOURCE OF TITLE (PARCEL 29)

THIS IS TO CERTIFY THAT THE LAND SHOWN HEREON WAS CONVEYED BY UNIVERSITY SQUARE ASSOCIATES, A VIRGINIA GENERAL PARTNERSHIP TO FRANCISCUS AT PROMENADE LLC, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED DATED MAY 20, 2016 AND RECORDED IN THE CLERK'S OFFICE OF THE CLERK OF THE CIRCUIT COURT OF THE COUNTY OF JAMES CITY AS INSTRUMENT NO. 160010182.

OWNER'S CERTIFICATION

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

FOR FRANCISCUS AT PROMENADE LLC, A VIRGINIA LIMITED LIABILITY COMPANY

Signature: [Handwritten Signature] 10-24-17 DATE
Printed Name and Title: [Handwritten Name and Title]

CERTIFICATE OF NOTARIZATION FOR PARCEL 29

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Virginia Beach

I, Valerie Barco Kupper A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS 29th DAY OF October, 2017.
MY COMMISSION EXPIRES: 8-31-21
NOTARY REGISTRATION NUMBER: 7551343

Signature: [Handwritten Signature]
NOTARY PUBLIC SIGNATURE

CERTIFICATE OF APPROVAL

THE BOUNDARY LINE ADJUSTMENT, EASEMENT DEDICATION, PROPERTY LINE EXTINGUISHMENT AND RIGHT-OF-WAY DEDICATION SHOWN ON THIS PLAT IS APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING SUBDIVISION REGULATIONS AND MAY BE ADMITTED TO RECORD.

Signature: [Handwritten Signature] 21 Nov 2017 DATE
VIRGINIA DEPARTMENT OF TRANSPORTATION

SUBDIVISION AGENT OF THE COUNTY OF JAMES CITY DATE

STATE OF VIRGINIA
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.
THIS DAY OF 20
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO THE RECORD AS THE LAW DIRECTS. AM/PM
INSTRUMENT #
TESTE: MONA A. FOLEY, CLERK

Table with 4 columns: 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

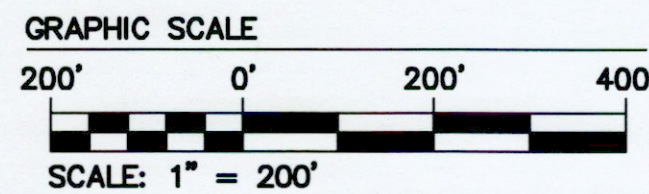
BOUNDARY LINE ADJUSTMENT & PROPERTY LINE EXTINGUISHMENT SHOWING RIGHT-OF-WAY DEDICATION OF KINGS WAY AND QUEENS PATH ON PROPERTIES OWNED BY:
UNION BANK AND TRUST COMPANY, M & D MEGA PROPERTIES, LLC, LA FONTAINE OWNERS ASSOCIATION, INC., RIVERSIDE HOSPITAL, INC., UNIVERSITY SQUARE ASSOCIATES AND WILLIAMSBURG CROSSING ASSOCIATES, LLC
BERKELEY DISTRICT JAMES CITY COUNTY VIRGINIA

Project Contacts: PCJ/JFS
Project Number: W08642-22
Scale: NOTED Date: 05/01/2017
Sheet Number
1 OF 3

S:\JOBS\664222-KingsWay & Queens Path Plat & VDOT As-Built\Survey\Plans\664222RW 4-17-17.DWG, 10/20/2017 11:03:15 AM, mika.apperson



**JOHN TYLER HIGHWAY - STATE ROUTE 5**  
**VARIABLE WIDTH R/W**  
 PROJ. #0199-047-F03, PE-103, RW-206, C-504  
 D.B. 775, PG. 736

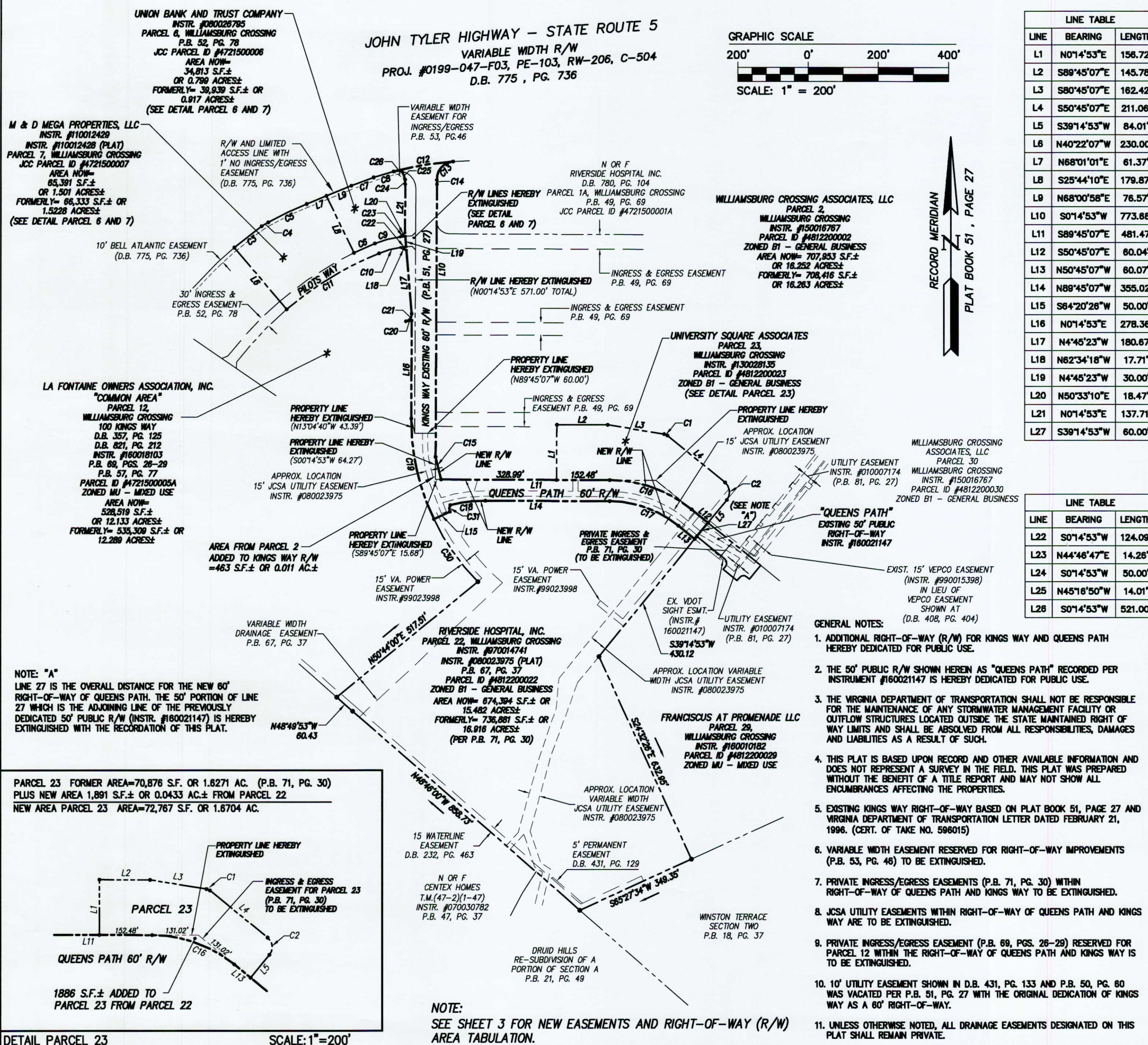


LINE	BEARING	LENGTH
L1	N0°14'53"E	156.72'
L2	S89°45'07"E	145.78'
L3	S80°45'07"E	162.42'
L4	S50°45'07"E	211.06'
L5	S39°14'53"W	84.01'
L6	N40°22'07"W	230.00'
L7	N68°01'01"E	61.37'
L8	S25°44'10"E	179.87'
L9	N68°00'58"E	76.57'
L10	S0°14'53"W	773.88'
L11	S89°45'07"E	481.47'
L12	S50°45'07"E	80.04'
L13	N50°45'07"W	60.07'
L14	N89°45'07"W	355.02'
L15	S64°20'26"W	50.00'
L16	N0°14'53"E	278.36'
L17	N4°45'23"W	180.67'
L18	N62°34'18"W	17.71'
L19	N4°45'23"W	30.00'
L20	N50°33'10"E	18.47'
L21	N0°14'53"E	137.71'
L27	S39°14'53"W	60.00'

CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	30°00'00"	20.00'	10.47'	5.36'	10.35'	S85°45'07"E
C2	90°00'00"	35.00'	54.98'	35.00'	49.50'	S5°45'07"E
C3	4°46'20"	1187.73'	98.93'	49.49'	98.90'	N52°01'03"E
C4	1°20'00"	941.42'	21.91'	10.96'	21.91'	N60°01'24"E
C5	7°19'37"	941.42'	120.39'	60.28'	120.30'	N64°21'13"E
C6	3°47'31"	987.73'	65.37'	32.70'	65.36'	N68°08'35"E
C7	3°18'42"	1185.86'	67.39'	33.70'	67.38'	N69°40'23"E
C8	3°46'00"	892.35'	58.66'	29.34'	58.65'	N73°12'44"E
C9	13°48'55"	303.50'	73.18'	36.77'	73.00'	S74°57'49"W
C10	13°26'43"	273.50'	64.18'	32.24'	64.03'	S74°46'42"W
C11	18°25'28"	957.73'	307.97'	155.33'	306.65'	S58°50'37"W
C12	11°00'36"	892.35'	171.48'	86.00'	171.21'	N80°35'51"E
C13	88°23'45"	50.00'	77.14'	48.62'	69.71'	S41°34'10"W
C14	2°52'35"	248.00'	12.45'	6.23'	12.45'	S11°25"E
C15	6°22'26"	595.00'	66.19'	33.13'	66.16'	N13°27'30"W
C16	39°00'00"	370.00'	251.85'	131.02'	247.02'	S70°15'07"E
C17	39°00'00"	310.00'	211.01'	109.78'	206.98'	N70°15'07"W
C18	14°37'14"	395.00'	100.80'	50.67'	100.52'	S82°56'16"W
C19	25°54'28"	655.00'	296.17'	150.68'	293.68'	N12°42'20"W
C20	3°15'40"	298.40'	16.87'	8.44'	16.87'	S82°24'00"W
C21	85°32'17"	20.00'	29.86'	18.50'	27.16'	N38°00'46"E
C22	3°08'33"	273.50'	15.00'	7.50'	15.00'	N83°04'20"E
C23	2°46'54"	303.50'	15.00'	7.50'	15.00'	S83°17'14"W
C24	4°50'56"	158.00'	13.37'	6.69'	13.37'	N2°10'36"W
C25	32°17'01"	45.00'	25.36'	13.02'	25.02'	N20°44'38"W
C26	27°14'11"	50.00'	23.77'	12.11'	23.55'	N88°42'50"E
C30	19°05'09"	655.00'	218.19'	110.11'	217.18'	N35°12'09"W
C31	55°44'08"	20.00'	19.46'	10.58'	18.70'	S5°12'19"W

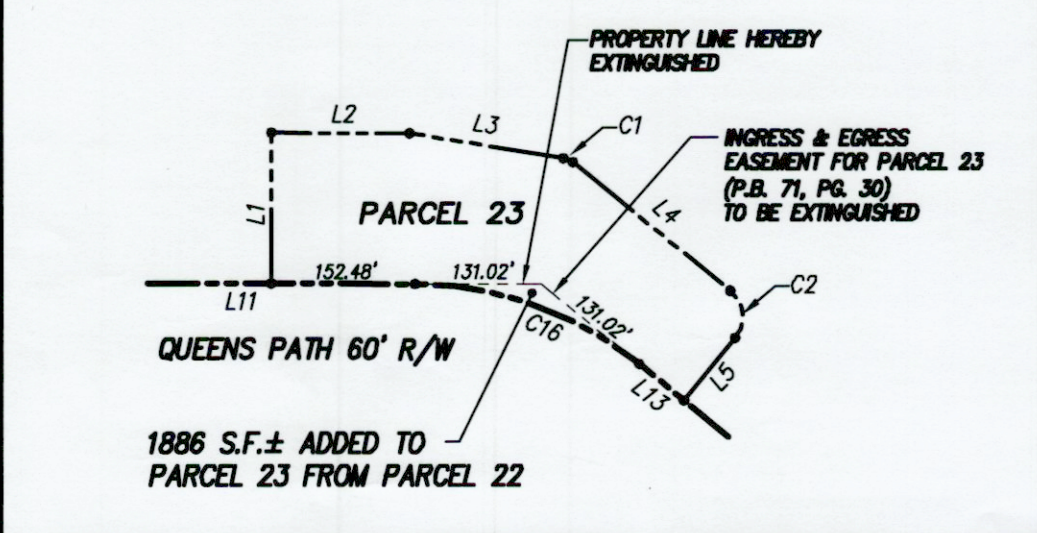
LINE	BEARING	LENGTH
L22	S0°14'53"W	124.09'
L23	N44°46'47"E	14.26'
L24	S0°14'53"W	50.00'
L25	N45°16'50"W	14.01'
L26	S0°14'53"W	521.00'

CURVE #	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CHORD BEARING
C27	7°54'58"	50.00'	67.99'	40.43'	62.88'	S38°42'36"E
C28	3°39'25"	303.50'	19.37'	9.69'	19.37'	S86°31'54"W
C29	3°30'33"	273.50'	16.75'	8.38'	16.75'	N86°23'53"E



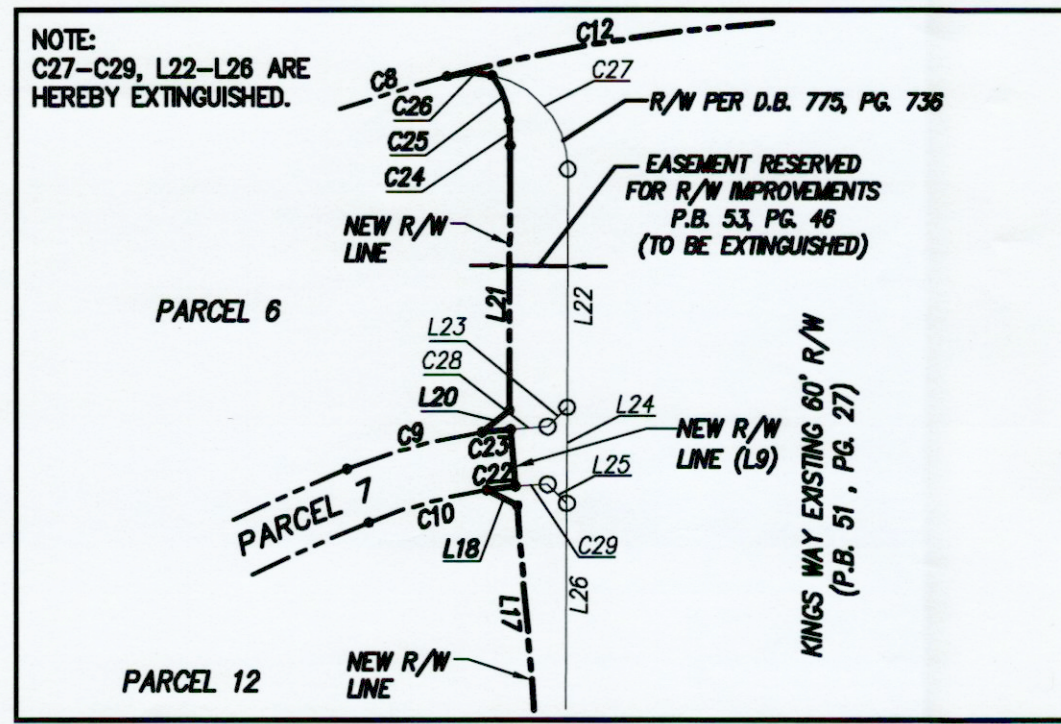
NOTE: "A"  
 LINE 27 IS THE OVERALL DISTANCE FOR THE NEW 60' RIGHT-OF-WAY OF QUEENS PATH. THE 50' PORTION OF LINE 27 WHICH IS THE ADJOINING LINE OF THE PREVIOUSLY DEDICATED 50' PUBLIC R/W (INSTR. #180021147) IS HEREBY EXTINGUISHED WITH THE RECORDATION OF THIS PLAT.

PARCEL 23 FORMER AREA=70,876 S.F. OR 1.6271 AC. (P.B. 71, PG. 30)  
 PLUS NEW AREA 1,891 S.F.± OR 0.0433 AC.± FROM PARCEL 22  
 NEW AREA PARCEL 23 AREA=72,767 S.F. OR 1.6704 AC.



DETAIL PARCEL 23 SCALE: 1"=200'

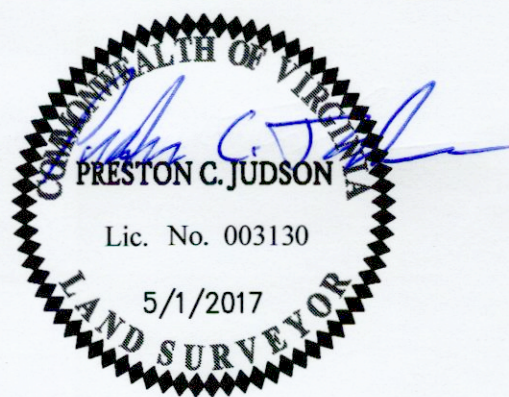
- GENERAL NOTES:
- ADDITIONAL RIGHT-OF-WAY (R/W) FOR KINGS WAY AND QUEENS PATH HEREBY DEDICATED FOR PUBLIC USE.
  - THE 50' PUBLIC R/W SHOWN HEREIN AS "QUEENS PATH" RECORDED PER INSTRUMENT #180021147 IS HEREBY DEDICATED FOR PUBLIC USE.
  - THE VIRGINIA DEPARTMENT OF TRANSPORTATION SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ANY STORMWATER MANAGEMENT FACILITY OR OUTFLOW STRUCTURES LOCATED OUTSIDE THE STATE MAINTAINED RIGHT OF WAY LIMITS AND SHALL BE ABSOLVED FROM ALL RESPONSIBILITIES, DAMAGES AND LIABILITIES AS A RESULT OF SUCH.
  - THIS PLAT IS BASED UPON RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT A SURVEY IN THE FIELD. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ALL ENCUMBRANCES AFFECTING THE PROPERTIES.
  - EXISTING KINGS WAY RIGHT-OF-WAY BASED ON PLAT BOOK 51, PAGE 27 AND VIRGINIA DEPARTMENT OF TRANSPORTATION LETTER DATED FEBRUARY 21, 1996. (CERT. OF TAKE NO. 598015)
  - VARIABLE WIDTH EASEMENT RESERVED FOR RIGHT-OF-WAY IMPROVEMENTS (P.B. 53, PG. 46) TO BE EXTINGUISHED.
  - PRIVATE INGRESS/EGRESS EASEMENTS (P.B. 71, PG. 30) WITHIN RIGHT-OF-WAY OF QUEENS PATH AND KINGS WAY TO BE EXTINGUISHED.
  - JCSA UTILITY EASEMENTS WITHIN RIGHT-OF-WAY OF QUEENS PATH AND KINGS WAY ARE TO BE EXTINGUISHED.
  - PRIVATE INGRESS/EGRESS EASEMENT (P.B. 69, PGS. 26-29) RESERVED FOR PARCEL 12 WITHIN THE RIGHT-OF-WAY OF QUEENS PATH AND KINGS WAY IS TO BE EXTINGUISHED.
  - 10' UTILITY EASEMENT SHOWN IN D.B. 431, PG. 133 AND P.B. 50, PG. 60 WAS VACATED PER P.B. 51, PG. 27 WITH THE ORIGINAL DEDICATION OF KINGS WAY AS A 60' RIGHT-OF-WAY.
  - UNLESS OTHERWISE NOTED, ALL DRAINAGE EASEMENTS DESIGNATED ON THIS PLAT SHALL REMAIN PRIVATE.



DETAIL PARCEL 6 AND 7 SCALE: 1"=100'

STATE OF VIRGINIA  
 CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
 THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO  
 THE RECORD AS THE LAW DIRECTS. @ \_\_\_\_\_ AM/PM  
 INSTRUMENT # \_\_\_\_\_  
 TESTE: \_\_\_\_\_  
 MONA A. FOLEY, CLERK

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

BOUNDARY LINE ADJUSTMENT & PROPERTY LINE EXTINGUISHMENT SHOWING  
 RIGHT-OF-WAY DEDICATION OF KINGS WAY AND QUEENS PATH  
 ON PROPERTIES OWNED BY:  
 UNION BANK AND TRUST COMPANY, M & D MEGA PROPERTIES, LLC,  
 LA FONTAINE OWNERS ASSOCIATION, INC.,  
 RIVERSIDE HOSPITAL, INC.,  
 UNIVERSITY SQUARE ASSOCIATES AND  
 WILLIAMSBURG CROSSING ASSOCIATES, LLC

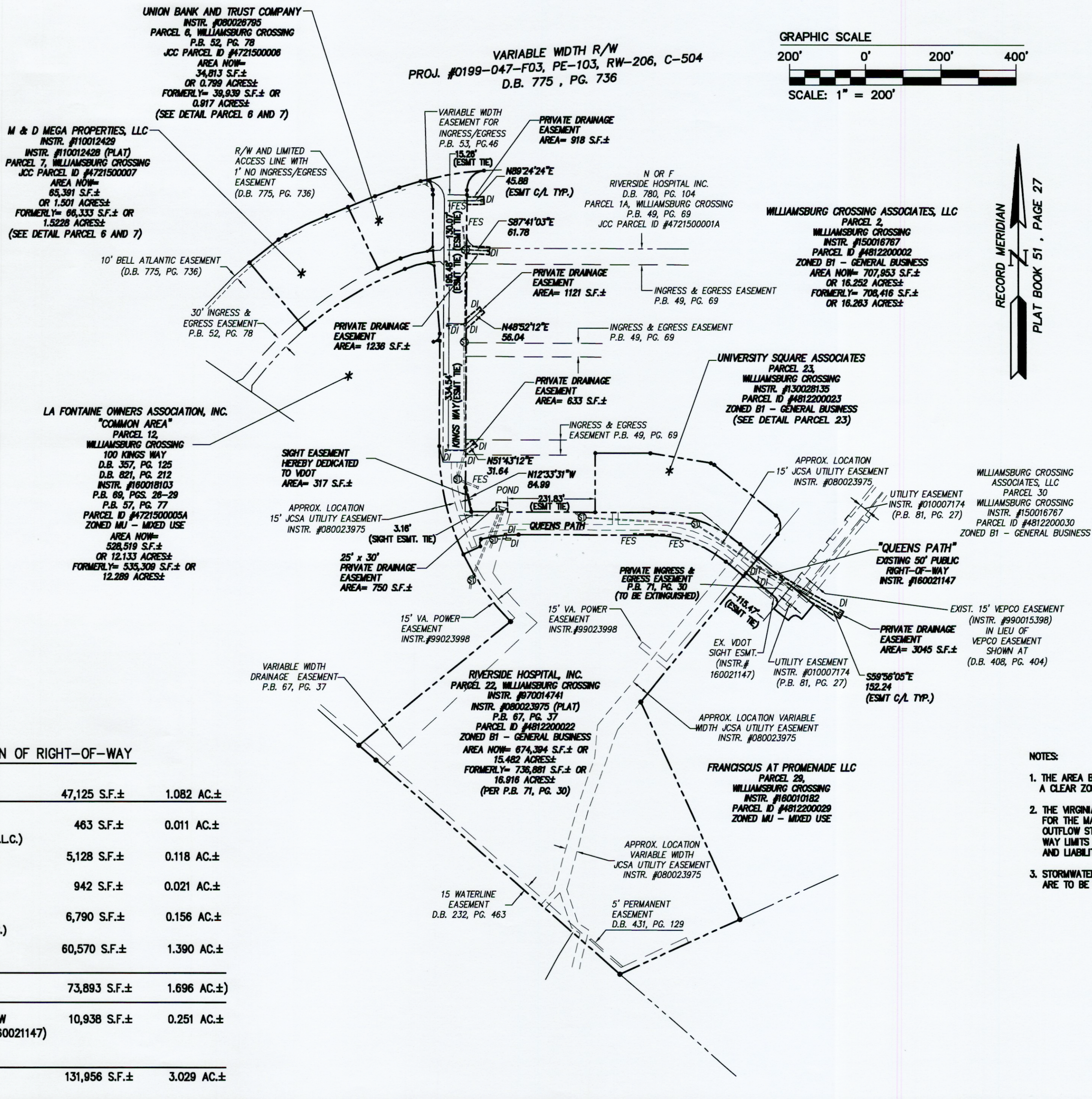
BERKELEY DISTRICT      JAMES CITY COUNTY      VIRGINIA

Project Contacts: PCJ/JFS  
 Project Number: W08642-22  
 Scale:      Date:  
 NOTED      05/01/2017  
 Sheet Number  
**2 OF 3**

S:\JOBS\1864222-KingsWay & Queens Path Plat & VDOT As-Built\Survey\Plans\1864222RW 4-17-17.DWG, 10/20/2017 11:16:39 AM, mtk.e.apperson



S:\JOBS\864222-KingsWay & Queens Path Plat & VDOT As-Built\Survey\Plats\Plats\864222RW 4-17-17.DWG, 10/20/2017 11:17:10 AM, mika.apperson



**AREA TABULATION OF RIGHT-OF-WAY**

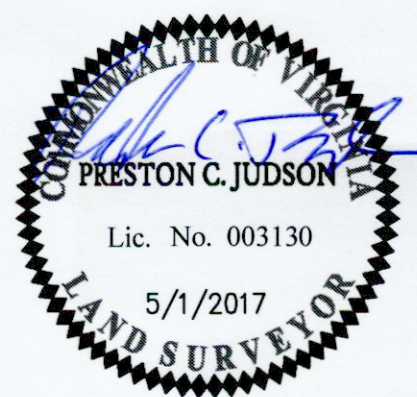
EXISTING AREA	S.F.±	AC.±
EXISTING AREA KINGS WAY R/W	47,125 S.F.±	1.082 AC.±
PARCEL 2 (WILLIAMSBURG CROSSING ASSOCIATES, L.L.C.)	463 S.F.±	0.011 AC.±
PARCEL 6 (UNION BANK AND TRUST COMPANY)	5,128 S.F.±	0.118 AC.±
PARCEL 7 (M & D MEGA PROPERTIES, LLC)	942 S.F.±	0.021 AC.±
PARCEL 12 (LA FONTAINE OWNERS ASSOCIATION, INC.)	6,790 S.F.±	0.156 AC.±
PARCEL 22 (RIVERSIDE HOSPITAL, INC.)	60,570 S.F.±	1.390 AC.±
<b>(TOTAL NEW AREA ADDED TO R/W)</b>	<b>73,893 S.F.±</b>	<b>1.696 AC.±</b>
PREVIOUSLY DEDICATED 50' PUBLIC R/W (FOR QUEENS PATH - INSTRUMENT #160021147) (FRANCISCUS AT PROMENADE LLC)	10,938 S.F.±	0.251 AC.±
<b>TOTAL AREA OF R/W</b>	<b>131,956 S.F.±</b>	<b>3.029 AC.±</b>

**NOTES:**

1. THE AREA BETWEEN 2 AND 7 FEET ABOVE GROUND SHALL BE MAINTAINED AS A CLEAR ZONE TO PRESERVE SIGHT LINES AND ACCOMMODATE PEDESTRIANS
2. THE VIRGINIA DEPARTMENT OF TRANSPORTATION SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ANY STORMWATER MANAGEMENT FACILITY OR OUTFLOW STRUCTURES LOCATED OUTSIDE THE STATE MAINTAINED RIGHT OF WAY LIMITS AND SHALL BE ABSOLVED FROM ALL RESPONSIBILITIES, DAMAGES AND LIABILITIES AS A RESULT OF SUCH.
3. STORMWATER MANAGEMENT OUTFALL PIPES UNDER QUEENS PATH FROM POND ARE TO BE PRIVATELY MAINTAINED.

STATE OF VIRGINIA  
 CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.  
 THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
 THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO  
 THE RECORD AS THE LAW DIRECTS. @ \_\_\_\_ AM/PM  
 INSTRUMENT # \_\_\_\_\_  
 TESTE: \_\_\_\_\_  
 MONA A. FOLEY, CLERK

Rev.	Date	Description	Revised



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

**BOUNDARY LINE ADJUSTMENT & PROPERTY LINE EXTINGUISHMENT SHOWING RIGHT-OF-WAY DEDICATION OF KINGS WAY AND QUEENS PATH ON PROPERTIES OWNED BY:**  
 UNION BANK AND TRUST COMPANY, M & D MEGA PROPERTIES, LLC,  
 LA FONTAINE OWNERS ASSOCIATION, INC.,  
 RIVERSIDE HOSPITAL, INC.,  
 UNIVERSITY SQUARE ASSOCIATES AND  
 WILLIAMSBURG CROSSING ASSOCIATES, LLC

BERKELEY DISTRICT      JAMES CITY COUNTY      VIRGINIA

Project Contacts: PCJ/JFS  
 Project Number: W08642-22  
 Scale: 1"=200'      Date: 05/01/2017  
 Sheet Number  
**3 OF 3**



**ITEM SUMMARY**

DATE: 11/13/2018  
TO: Board of Supervisors  
FROM: Rebecca Vinroot, Director of Social Services  
SUBJECT: Grant Award - Kinship Navigator Program - \$40,000

---

**ATTACHMENTS:**

	Description	Type
▣	Grant Award - Kinship Navigator Program - \$40,000	Cover Memo
▣	Grant Award - Kinship Navigator Program - \$40,000	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	10/26/2018 - 8:15 AM
Community Services	Vinroot, Rebecca	Approved	10/26/2018 - 8:16 AM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 8:29 AM
Legal Review	Kinsman, Adam	Approved	10/26/2018 - 10:06 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:01 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:50 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Grant Award - Kinship Navigator Program - \$40,000

---

James City County Department of Social Services (JCC DSS) has been chosen as an awardee of the Kinship Navigator Grant Program in the amount of \$40,000 by the Virginia Department of Social Services. These one-time, 100% reimbursable funds, are being made available to enhance Kinship Navigator Programs to assist kinship caregivers in utilizing services to meet the needs of the children they are raising and to promote effective partnerships among public and private agencies to ensure kinship caregiver families are served.

JCC DSS currently offers both formal and informal services and supports to kinship caregivers, such as case management to assess needs and arrange necessary services to provide support, education and information to caregivers. However, additional outreach is needed to ensure that all of the kinship caregivers in our area are aware of and have access to supportive services, such as financial benefits, therapeutic services and training.

JCC DSS plans to partner with Williamsburg Department of Human Services, York-Poquoson Department of Social Services, Williamsburg-James City County (WJCC) Schools, Colonial Behavioral Health, WJCC Community Action Agency, Peninsula Agency on Aging, the 9th District Court Services Unit and other local faith-based and non-profit organizations in the outreach and coordination efforts to ensure that all kinship caregivers have the services and support for the children in their care.

These funds are to be used for any activity related to enhancing our program, including hiring staff. Due to the anticipated increased volume in kinship caregivers needing assistance, JCC DSS is requesting the creation of a temporary part-time Kinship Navigator position. This position will be responsible for providing outreach to the community and establishing a more formalized network of support for local kinship caregivers.

Staff respectfully requests that the Board accept the allocation in the amount of \$40,000 and approve the creation of one new temporary part-time position for FY 19.

RV/nb  
GA-KinshipNProg-mem

Attachment



**RESOLUTION**

**GRANT AWARD - KINSHIP NAVIGATOR PROGRAM - \$40,000**

WHEREAS, James City County Department of Social Services (JCC DSS) has been chosen as an awardee of the Kinship Navigator Grant Program in the amount of \$40,000 by the Virginia Department of Social Services; and

WHEREAS, these one-time, 100% reimbursable funds, are being made available to enhance Kinship Navigator Programs to assist kinship caregivers in utilizing services to meet the needs of the children they are raising and to promote effective partnerships among public and private agencies to ensure kinship caregiver families are served; and

WHEREAS, due to the anticipated increased volume in kinship caregivers needing assistance, JCC DSS is requesting the creation of a temporary part-time Kinship Navigator position, which will be responsible for providing outreach to the community and establishing a more formalized network of support for local kinship caregivers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of the grant award, the creation of one new position and the following appropriation amendment to the Virginia Public Assistance Fund:

Revenue:

From The Commonwealth \$40,000

Expenditure:

Administration - Staff and Operations \$40,000

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Paul D. Holt, III, Director of Community Development and Planning

**SUBJECT:** Resolution to Waive Building Permit Fees for Repairing Damage Caused by the Tropical Storm Michael and Tornado in James City County

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	10/26/2018 - 1:39 PM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 1:41 PM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 8:00 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:03 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:52 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:16 AM

**M E M O R A N D U M**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Resolution to Waive Building Permit Fees for Repairing Damage Caused by the Tropical Storm Michael and Tornado in James City County

---

In October 2018, Tropical Storm Michael passed through James City County causing damage and extensive power outages. A State of Emergency was declared for the County and by the Governor for all of Virginia as well.

As part of the storm, the National Weather Service confirmed a tornado in the Norge area and in total, it has been estimated that the storm caused more than \$1.6 million in damage to 32 structures.

The attached Resolution would waive building permit fees for repairing those structures.

PDH/nb  
WveBldgPFees-mem

Attachment

**RESOLUTION**

**RESOLUTION TO WAIVE BUILDING PERMIT FEES FOR REPAIRING DAMAGE CAUSED**

**BY TROPICAL STORM MICHAEL AND THE TORNADO IN JAMES CITY COUNTY**

WHEREAS, on October 12, 2018, Tropical Storm Michael passed through James City County causing damage and extensive power outages; and

WHEREAS, as part of the storm, the National Weather Service confirmed a tornado in the Norge area; and

WHEREAS, the storm and tornado caused damage to more than 30 structures; and

WHEREAS, the Governor of the Commonwealth of Virginia declared a State of Emergency due to the storm; and

WHEREAS, the James City County Board of Supervisors desires to assist property owners with repairing damage to their structures caused by the storm and tornado.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby waives any building permit fees directly related to repairing damage caused by the storm and tornado that traversed the County on October 12, 2018.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

WveBldgPFees-res

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Sale of County Property Located at 6213 Old Mooretown Road

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution
☐	Exhibit A	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/23/2018 - 11:59 AM
Publication Management	Daniel, Martha	Approved	10/23/2018 - 12:07 PM
Legal Review	Kinsman, Adam	Approved	10/25/2018 - 3:41 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:03 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:53 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:17 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Sale of County Property Located at 6213 Old Mooretown Road

---

In 1996, James City County (the "County") purchased 6213 Old Mooretown Road (the "Property") for \$11,000. The County has not identified any current or future need for the Property. The Property is adjacent to 6221 Old Mooretown Road, currently owned by Strait Gate Temple Church (the "Church").

In 2017, the County was contacted by the Church regarding the County's willingness to sell 6213 Old Mooretown Road. The Church desires to use the Property for additional parking for its congregation.

The Church proposes to purchase the Property for \$36,400. Staff recommends that should the County sell the Property the sale be conditioned on the Church submitting a plat satisfactory to the County Planning Division extinguishing the property line between 6221 Old Mooretown Road and 6213 Old Mooretown Road and recording such plat with the Williamsburg-James City County Circuit Court.

The attached resolution authorizes the County Administrator to execute those documents necessary to transfer the Property to the Church for \$36,400 subject to the conditions described herein.

EP/md  
6213OldMooretwn-mem

Attachment

**RESOLUTION**

**SALE OF COUNTY PROPERTY LOCATED AT 6213 OLD MOORETOWN ROAD**

WHEREAS, James City County (the “County”) currently owns a certain parcel of land located in the County of James City, containing approximately 0.8 acres located at 6213 Old Mooretown Road and further identified as James City County Real Estate Tax Parcel No. 3220100114 (the “Property”); and

WHEREAS, the Property is situated adjacent to 6221 Old Mooretown Road, which is currently owned by Strait Gate Temple Church (the “Church”); and

WHEREAS, the Church has offered to purchase the Property for \$36,400 so that it may use the property for parking for its congregation; and

WHEREAS, the County has not identified any current or future need for the Property; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the County should sell the Property to the Church for \$36,400 conditioned on the Church submitting a plat satisfactory to the County Planning Division extinguishing the property line between 6221 Old Mooretown Road and 6213 Old Mooretown Road and recording such plat with the Williamsburg-James City County Circuit Court.

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 those documents necessary for the sale and transfer of the Property to Strait Gate Temple Church.

BE IT FURTHER RESOLVED that the sale of the Property is conditioned on the Church submitting a plat satisfactory to the County Planning Division extinguishing the property line between 6221 Old Mooretown Road and 6213 Old Mooretown Road and recording such plat with the Williamsburg-James City County Circuit Court.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

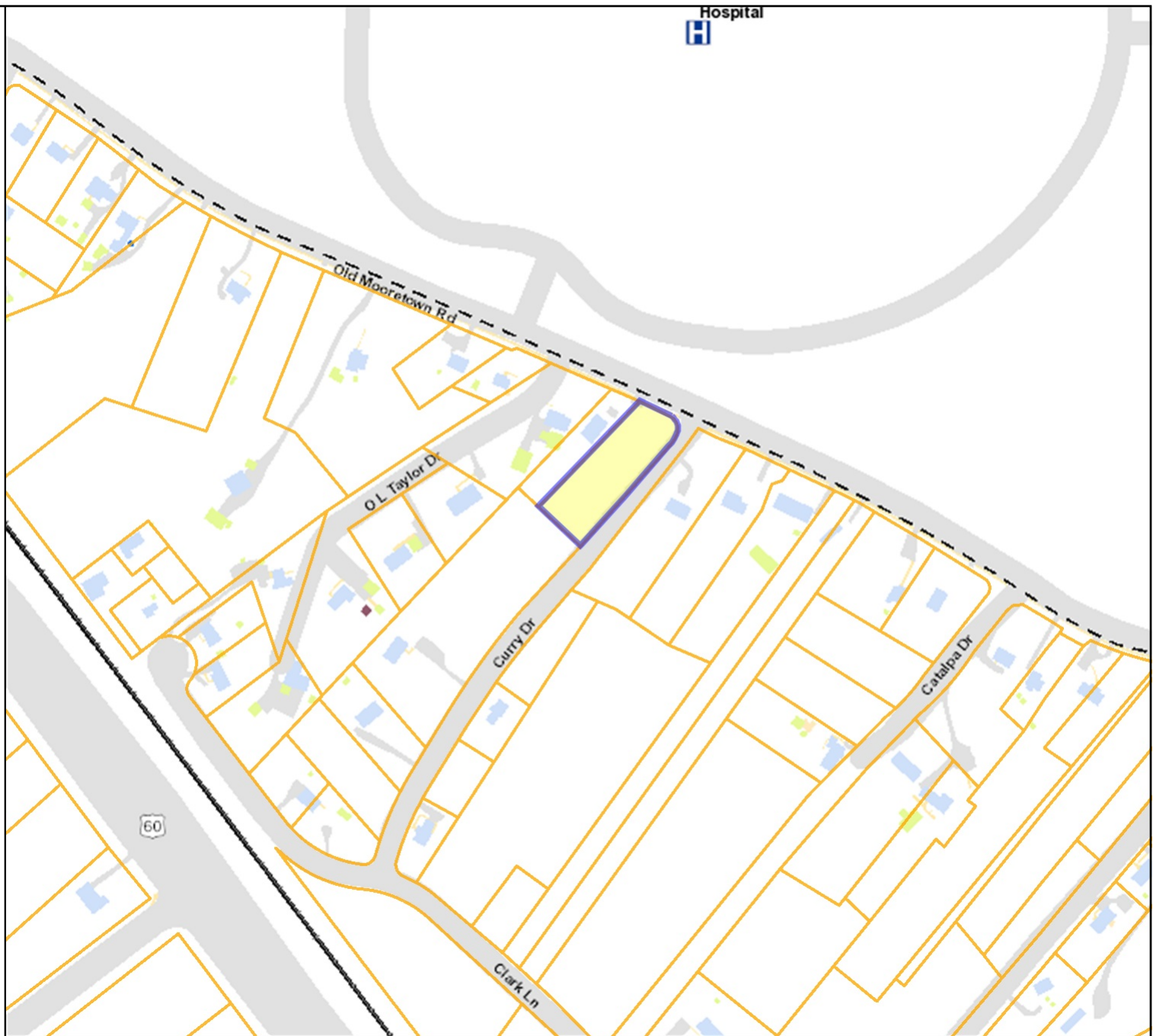
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

# James City County, Virginia

## Legend

□ Parcels



Feet



1:4,514 / 1"=297 Feet

**Title:**

**Date: 10/22/2018**

*DISCLAIMER: 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.*



**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Conveyance of County Property Located at 1653 Green Mount Parkway

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution
☐	Exhibit A	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/26/2018 - 10:06 AM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 10:10 AM
Legal Review	Kinsman, Adam	Approved	10/26/2018 - 10:25 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:00 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:45 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:14 AM

**MEMORANDUM**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Conveyance of County Property Located at 1653 Green Mount Parkway

---

James City County (the “County”) currently owns a certain parcel of land located in the County of James City at 1653 Green Mount Parkway and further identified as James City County Real Estate Tax Parcel No. 6010100004B (the “Property”).

Green Mount Associates, L.L.C. (“Green Mount”) conveyed the Property to the County in 2007 for public right-of-way. The County recently approved a site plan for Green Mount to extend construction of Green Mount Parkway over the Property. This site plan requires the County to quitclaim 0.0930 acres of the Property to allow for an adjustment to the right-of-way.

Staff recommends the Board of Supervisors convey that 0.0930-acre portion of the Property to Green Mount.

EP/nb  
CRProp-1653GMtPkwy-mem

Attachments

**RESOLUTION**

**CONVEYANCE OF COUNTY PROPERTY LOCATED AT 1653 GREEN MOUNT PARKWAY**

WHEREAS, James City County (the “County”) currently owns a certain parcel of land located in the County of James City at 1653 Green Mount Parkway and further identified as James City County Real Estate Tax Parcel No. 6010100004B (the “Property”); and

WHEREAS, the County purchased the Property on June 29, 2007, from Green Mount Associates, L.L.C. (“Green Mount”) for a future public right-of-way; and

WHEREAS, the County agrees to convey a 0.0930 acre portion of the Property to Green Mount to allow for an adjustment to the right-of-way and construction of a road; and

WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that the County should convey that 0.0930 acre portion of the Property to Green Mount.

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 those documents necessary for the conveyance of that 0.0930 acre portion of the Property to Green Mount Associates, L.L.C.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

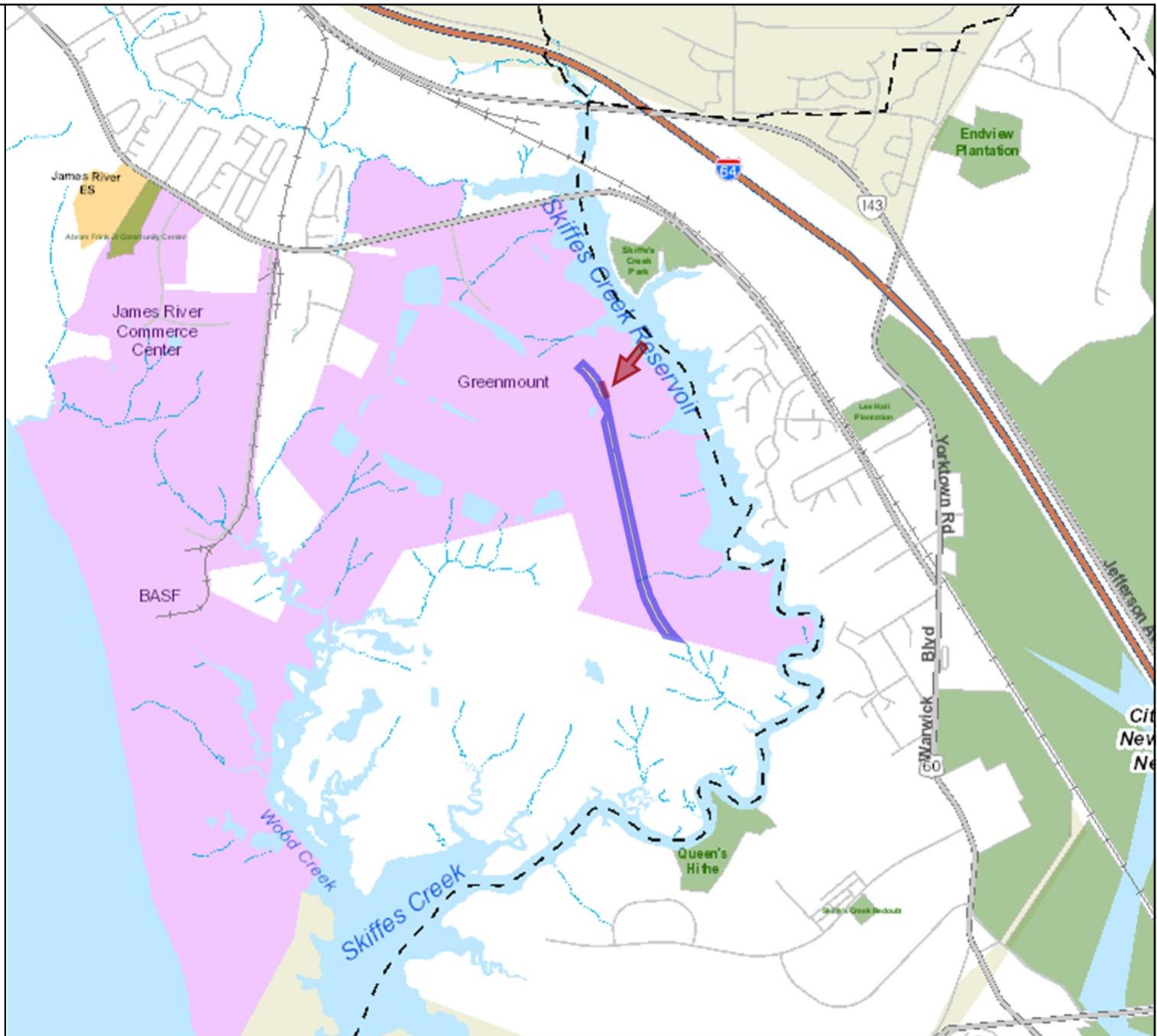
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

CRProp-1653GMtPkwy-res

# James City County, Virginia

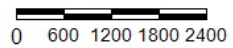
## Legend



**Title: Green Mount**

**Date: 10/22/2018**

Feet



1:36,112 / 1"=2,377 Feet

*DISCLAIMER: 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.*

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Alex Baruch, Senior Planner

**SUBJECT:** SUP-18-0024. Christ Community Church Multipurpose Building

---

**ATTACHMENTS:**

	<b>Description</b>	<b>Type</b>
☐	Staff Report	Staff Report
☐	Resolution	Resolution
☐	Location Map	Backup Material
☐	Master Plan	Backup Material
☐	Unapproved Minutes of the October 17, 2018 Planning Commission Meeting	Backup Material
☐	Multipurpose Building Elevation	Backup Material
☐	Public Facilities Report	Backup Material
☐	Environmental Constraints Analysis	Backup Material
☐	Natural Resources Inventory	Backup Material
☐	Rural Lands Narrative	Backup Material

**REVIEWERS:**

<b>Department</b>	<b>Reviewer</b>	<b>Action</b>	<b>Date</b>
Development Management	Holt, Paul	Approved	10/26/2018 - 1:28 PM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 1:31 PM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 8:02 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:04 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 9:07 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:17 AM

**SPECIAL USE PERMIT-18-0024. Christ Community Church Multipurpose Building**

**Staff Report for the November 13, 2018. Board of Supervisors Public Hearing**

**SUMMARY FACTS**

Applicant: Ms. Milissa Cheves, DJG, Inc.  
Land Owner: Christ Community Church Wesleyan, Inc.  
Proposal: Place of public assembly (existing) with a proposed multipurpose building expansion  
Location: 9001 Richmond Road  
Tax Map/Parcel No.: 1020100009  
Project Acreage: +/- 19.2 acres  
Zoning: A-1, General Agricultural  
Comprehensive Plan: Rural Lands  
Primary Service Area: Outside (PSA)  
Staff Contact: Alex Baruch, Planner

**PUBLIC HEARING DATES**

Planning Commission: October 17, 2018, 7:00 p.m.  
Board of Supervisors: November 13, 2018, 5:00 p.m.

**FACTORS FAVORABLE**

1. With the proposed conditions, staff finds the proposal will not impact the surrounding zoning and development.
2. With the proposed conditions, staff finds the proposal consistent with the recommendations of the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."

**FACTORS UNFAVORABLE**

With the attached Special Use Permit (SUP) conditions, staff finds no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Approval, subject to the proposed conditions.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted 7-0 to recommend approval of this application to the Board of Supervisors.

**PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING**

None.

**PROJECT DESCRIPTION**

Christ Community Church has been operating as a church at this location for many years and has proposed the addition of a multipurpose building to the property. In August 2017, the Zoning Ordinance was amended and the amendments changed the places of

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**SPECIAL USE PERMIT-18-0024. Christ Community Church Multipurpose Building**

**Staff Report for the November 13, 2018. Board of Supervisors Public Hearing**

public assembly use to a specially permitted use. The proposed addition of the multipurpose building to the property requires that the entire property come into conformance with the current Zoning Ordinance.

The Master Plan shows the addition of up to 50 parking spaces to be constructed for the multipurpose building. The Master Plan shows one entrance at an existing median crossover.

**PLANNING AND ZONING HISTORY**

- Site plan approved the construction of the church in 1987 (SP-0039-1987).
- Site plan approved the cemetery and access road on December 18, 2001 (SP-0108-2001).
- Site plan approved the recreation field on June 4, 2014 (SP-0021-2014).

**SURROUNDING ZONING AND DEVELOPMENT**

- Located on Richmond Road.
- Surrounding Zoning Designations Include:
  - a. A-1, General Agricultural, to the north, south, east and west, primarily residential or undeveloped parcels.

**COMPREHENSIVE PLAN**

- Rural Lands are areas containing farms, forests and scattered houses, exclusively outside of the PSA, where a lower level of public service delivery exists or where utilities and urban services

do not exist and are not planned for in the future. Rural Land uses are intended to help protect and enhance the viability of agricultural and forestal resources as important components of the local economy.

Community Character Corridor (CCC):

- This portion of Richmond Road is designated as a CCC and a wooded buffer type is recommended. A wooded CCC is characterized as an area having natural wooded areas along the road, with light to moderate traffic and minimal existing or planned commercial development. The objective of this buffer type is to visually screen the development from the road. Ideally, existing vegetation should be preserved or supplemented to create a wooded buffer that preserves open space and wildlife habitat to maintain the natural character of the County. SUP Condition No. 4 states that the side landscape buffer along the driveway shall meet the Landscape Ordinance and the CCC buffer along Richmond Road shall meet the wooded buffer standards.
- While this use would replace some wooded area with more intense development, staff finds this proposal is substantially consistent with the Rural Lands Development Standards (page 179) for the following reasons:
  - a. Comprehensive Plan: Locating structures and uses outside of sensitive areas.

*Staff Analysis: The place of public assembly is proposing to locate the multipurpose building and uses outside sensitive areas.*

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**SPECIAL USE PERMIT-18-0024. Christ Community Church Multipurpose Building**

**Staff Report for the November 13, 2018. Board of Supervisors Public Hearing**

- b. Comprehensive Plan: Maintaining existing topography, vegetation, trees and tree lines to the maximum extent possible, especially along roads and between uses.

*Staff Analysis: The tree line will meet the Landscape Ordinance between the adjacent property and the driveway. Only necessary clearing for the construction of the multipurpose building footprint will be timbered.*

- c. Comprehensive Plan: Discouraging development on farmland, open fields and scenic roadside vistas.

*Staff Analysis: 9001 Richmond Road has been used as a church since the late 1980s. The SUP will apply to the entire property with no additional uses shown as future uses on the property.*

- d. Comprehensive Plan: Encouraging enhanced landscaping to screen developments located in open fields using a natural appearance or one that resembles traditional hedgerows and windbreaks.

*Staff Analysis: The SUP conditions indicate a requirement for landscaping between parcels per the Landscape Ordinance to screen the driveway from an existing residential driveway. The CCC Buffer will also meet the Board of Supervisor's adopted policy per the Master Plan and SUP Condition No. 4.*

- e. Comprehensive Plan: Locating new service or neighborhood access roads so that they follow existing contours and old roadway corridors whenever feasible.

*Staff Analysis: The proposal will use the existing driveway location.*

- f. Comprehensive Plan: Generally limiting the height of structures to an elevation below the height of surrounding mature trees and scaling buildings to complement the character of the existing community.

*Staff Analysis: The place of public assembly exists on the property and the multipurpose building will be set back from Richmond Road further than the existing structure. The multipurpose building shall meet the height limit in the district.*

- g. Comprehensive Plan: Minimizing the number of street and driveway intersections along the main road by providing common driveways and interconnection of developments.

*Staff Analysis: Only one entrance to the property is shown. The place of public assembly will share a driveway with the adjacent parcel to the west.*

- h. Comprehensive Plan: Utilizing lighting only where necessary and in a manner that eliminates glare and brightness.

*Staff Analysis: The proposed development would meet the lighting section of the Zoning Ordinance to limit glare and brightness of proposed lighting. Proposed SUP Condition No. 5 will require the light poles to not exceed 20 feet from finished grade.*

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**SPECIAL USE PERMIT-18-0024. Christ Community Church Multipurpose Building**

**Staff Report for the November 13, 2018. Board of Supervisors Public Hearing**

- Surrounding Comprehensive Plan Designations Include:
  - a. Rural Lands to the north, south, east and west consisting of mostly residential or undeveloped properties.

**PUBLIC IMPACTS**

1. Anticipated Impact on Public Facilities and Services:

- a. *Streets.* No turn lanes or warrant analyses are required for this project because this project will have low traffic generation on weekday peak hours as shown in the table below.

	<i>Peak AM Trip Generation (trips)</i>	<i>Peak PM Trip Generation (trips)</i>
Church (560)	13.08	16.1

- b. The adjacent property driveway will be relocated to enter the property from the existing church driveway per the Virginia Department of Transportation standards.
- c. Richmond Road is a four-lane divided highway that has the capacity to serve a place of public assembly. This section of Richmond Road operated at Level of Service (LOS) A-C in 2010 and is projected to continue to operate at LOS C or better through 2034.
- d. This project passes the Adequate Transportation Facilities Test.
- e. *Schools/Fire/Utilities.* This area of the County is served by Fire Station 1 on Forge Road in Toano. This parcel is outside the PSA and is served by private well and private septic system. A new septic system will be installed for the

multipurpose building with this proposal. The Health Department will review the proposed septic system at the site plan stage.

2. Anticipated Impact on Environmental/Cultural/Historical:

- a. *Environmental.* The Stormwater and Resource Protection Division has reviewed the preliminary stormwater management approach and will continue to work with the applicant through the site plan process if approved.
- b. *Cultural/Historic.* The subject properties are shown as moderately sensitive areas on the Comprehensive Plan’s Archaeologically Sensitive Areas Map (CC-1, page 101). An archaeological study will need to be submitted in accordance with SUP Condition No. 3.

3. Anticipated Impact on Nearby and Surrounding Properties: No bell or external sound system is proposed with this application. Landscaping described in SUP Condition No. 4 will mitigate visual impacts to adjacent properties. While there will be significant activity and traffic on Sundays, moderate to low activity is expected to be taking place on-site for much of the week.

**PROPOSED CONDITIONS**

- Proposed conditions are provided in Attachment No. 1.

**STAFF RECOMMENDATION**

Approval subject to the proposed conditions (Attachment No. 1).

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**SPECIAL USE PERMIT-18-0024. Christ Community Church Multipurpose Building**

**Staff Report for the November 13, 2018. Board of Supervisors Public Hearing**

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AB/nb  
SUP18-24ChristCChurch

Attachments:

1. SUP Conditions Resolution
2. Location Map
3. Master Plan
4. Unapproved Minutes of the October 17, 2018 Planning Commission meeting
5. Multipurpose Building Elevations
6. Public Facilities Report
7. Environmental Constraints Analysis
8. Natural Resources Inventory
9. Rural Lands Narrative

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

## RESOLUTION

### CASE NO. SUP-18-0024. CHRIST COMMUNITY CHURCH MULTIPURPOSE BUILDING

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Christ Community Church Wesleyan, Inc. (the "Owner") owns property located at 9001 Richmond Road, further identified as James City County Real Estate Tax Map Parcel No. 1020100009 (the "Property"); and

WHEREAS, on behalf of the Owner, Ms. Milissa Cheves of DJG, Inc., has applied for an SUP to allow a place of public assembly on the Property as shown on the exhibit titled "Christ Community Church Multi-Purpose Building," prepared by DJG, Inc. and dated July 24, 2018; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-18-0024; and

WHEREAS, the Planning Commission, following its public hearing on October 17, 2018, recommended approval of the application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-18-0024 as described herein with the following conditions:

1. *Master Plan:* This SUP shall be valid for a place of public assembly (the "Project") located at 9001 Richmond Road, further identified as James City County Real Estate Tax Map Parcel No. 1020100009 (the "Property"). Development of the Project on the Property shall occur generally as shown on the exhibit drawn by DJG, Inc. entitled "Christ Community Church Multi-Purpose Building," dated July 24, 2018 (the "Master Plan"), with any deviations considered pursuant to Section 24-23(a)(2) of the James City County Code (the "County Code"), as amended.
2. *Architectural Elevations/Design:* The multipurpose building shown on the Master Plan shall use design materials that are substantially in accord with the front elevation as shown on the document entitled "Front Elevation," prepared by DJG, Inc. and dated August 20, 2018. Such determination shall be made by the Director of Planning prior to site plan approval for the multipurpose building.
3. *Archaeological:* A Phase I Archaeological Study for the Property, excluding the existing structures, shall be submitted to and approved by the Director of Planning prior to land disturbance approval for the Project. A treatment plan shall be submitted to and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as being eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a

treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to preliminary approval within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' Guidelines for Preparing Archaeological Resource Management Reports and the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

4. *Landscaping:* A landscape plan for the portion of the Property adjacent to Richmond Road shall be submitted for review and approval by the Director of Planning with the initial plan of development for the Project. The landscape plan shall show landscaping meeting the 50-foot wooded Community Character Corridor landscape buffer per the Community Character Corridor Buffer Treatment Guidelines policy. All landscaping on the landscape plan shall be installed or guaranteed prior to the issuance of the initial final Certificate of Occupancy for the Project. The amount of any surety guaranteeing installation of landscaping shall be determined by the Director of Planning or designee.
5. *Exterior Lighting:* All new exterior light fixtures on the Property, including new building lighting, shall have recessed fixtures with no lens, bulb or globe extending below the casing. All new light poles shall not exceed 20 feet in height from finished grade unless otherwise approved by the Director of Planning. A lighting plan indicating no glare outside the boundaries of the Property shall be submitted for any new lighting. The lighting plan shall be approved by the Director of Planning or designee prior to site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the property line or any direct view of the lighting source from the adjoining properties.
6. *Commencement of Construction:* Final site plan approval for the Project shall be obtained within 36 months from the date of approval of the SUP or the SUP shall be void.
7. *Severability:* The SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

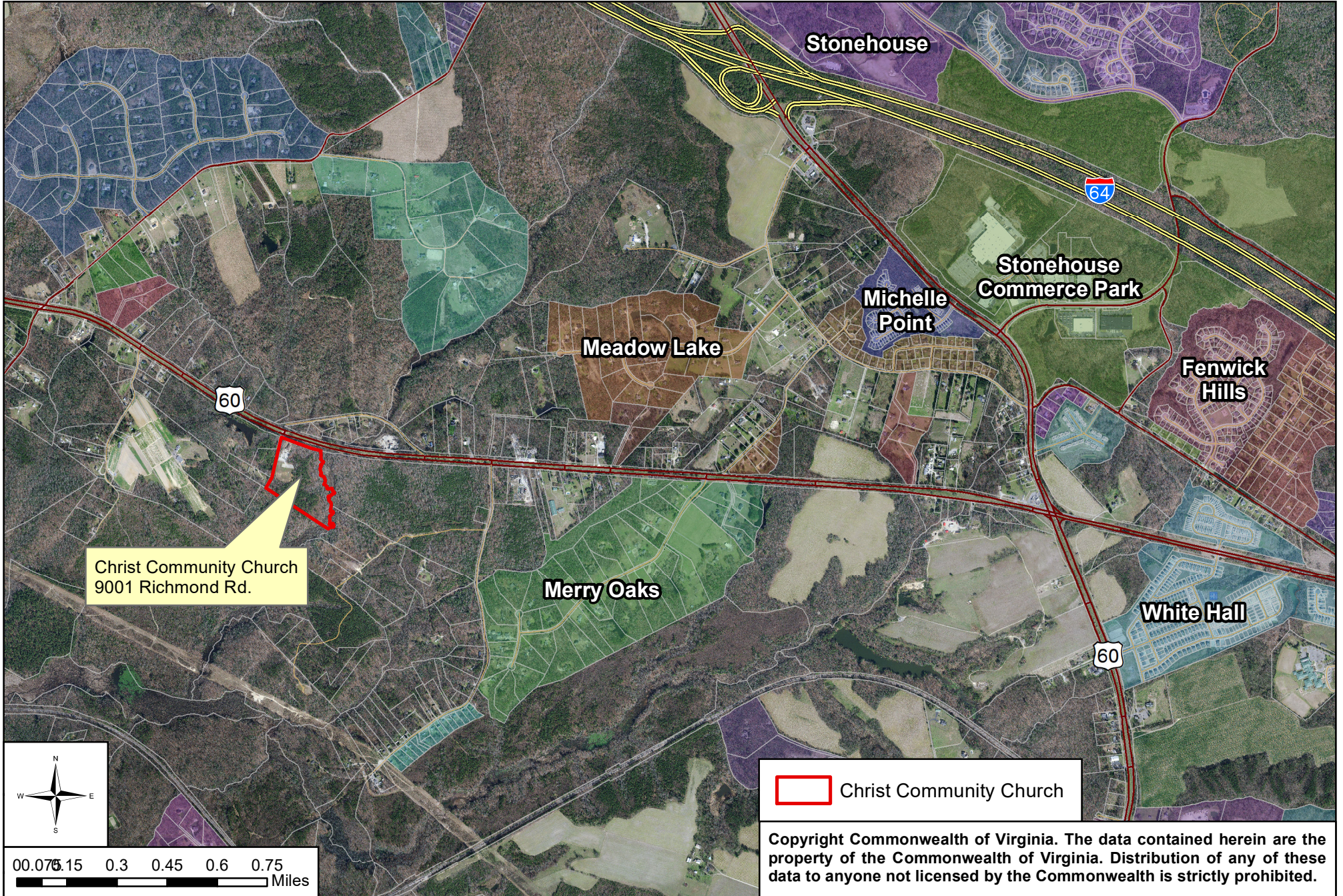
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

SUP18-24ChristCChurch-res



# JCC-SUP-18-0024, Christ Community Church Multipurpose Building





# SITE NARRATIVE:

THE EXISTING SITE IS 19.2 ACRES. 2.76 ACRES OF THE SITE IS CURRENTLY DEVELOPED, INCLUDING AN EXISTING CHURCH BUILDING, ASPHALT ENTRANCE ROAD AND GRAVEL PARKING AREAS. THE PROPOSED WORK FOR THIS PROJECT INCLUDES THE CONSTRUCTION OF A 11,079 SQUARE FOOT METAL FRAME MULTI-PURPOSE BUILDING. SITE DEMOLITION WILL CONSIST OF CLEARING AND GRUBBING OF APPROXIMATELY 0.73 ACRES OF A VEGETATED STAND OF MIXED HARDWOODS AND CONIFERS, DEMOLITION OF THE EXISTING GRAVEL PARKING AREAS AND ASSORTED SITE STRUCTURES AND LANDSCAPING. SITE WORK WILL INCLUDE GRADING, EROSION CONTROL, SITE DRAINAGE, STORMWATER FACILITIES, SANITARY DRAIN FIELD AND WATER WELL, ASPHALT AND GRAVEL PARKING LOTS, SIDEWALKS, SIGNAGE, SITE LIGHTING AND LANDSCAPING.

THE PROPOSED USE FOR THE MULTI-PURPOSE BUILDING SHALL INCLUDE CHURCH ACTIVITIES SUCH AS FELLOWSHIP DINNERS, GENERAL MEETINGS, YOUTH RECREATION, AND VACATION BIBLE SCHOOL EVENTS. THERE SHALL BE ONE MAIN HALL WITH SEVEN OTHER ROOMS, INCLUDING THREE MEETING ROOMS, TWO TABLE/CHAIR STORAGE ROOMS, ONE PANTRY AND ONE KITCHEN. THE HOURS OF OPERATION SHALL INCLUDE WEDNESDAY AND SUNDAYS. THE BUILDING WILL REMAIN LOCKED UNLESS A CHURCH EVENT IS OCCURRING.

## OPEN SPACE DATA:

TOTAL SITE ACREAGE:	19.2 AC.
EXISTING OPEN SPACE:	18.26 AC. 95.1%
EXISTING IMPERVIOUSNESS:	0.94 AC. 4.9%
EXISTING BUILDING:	0.12 AC.
SIDEWALKS:	0.02 AC.
ASPHALT DRIVE:	0.23 AC.
PARKING AREAS:	0.57 AC.
PROPOSED OPEN SPACE:	17.86 AC. 93%
PROPOSED IMPERVIOUSNESS:	1.34 AC. 7%
EXISTING BUILDING:	0.12 AC.
EXISTING ASPHALT DRIVE:	0.18 AC.
BUILDING FOOTPRINT:	0.25 AC.
ASPHALT PARKING LOT AREA:	0.42 AC.
GRAVEL PARKING LOT AREA:	0.31 AC.
SIDEWALKS AND PAVER MEMORIAL:	0.04 AC.
TOTAL DISTURBED AREA:	3.21 ACRES

## BUILDING DATA:

TOTAL FLOOR AREA:	11,079 SF
HEIGHT OF BUILDING:	26'-8"
NO. OF FLOORS:	1
CLASSIFICATION GROUP:	A-3 (ASSEMBLY)
CONSTRUCTION TYPE:	II-B (NON-COMBUSTIBLE, UNPROTECTED)
SECTION 506 AREA INCREASE MODIFICATION DUE TO FRONTAGE:	11,210 SF ALLOWABLE AREA

# PROPERTY INFORMATION:

ADDRESS: 9001 RICHMOND ROAD  
TOANO, VIRGINIA 23168

PROPERTY OWNER: CHRIST COMMUNITY CHURCH, WESLEYAN INC.

TAX MAP: 10201 00009 - LRSN 12085

PARCEL SIZE: 19.2 ACRES

HYDROLOGIC UNIT CODE AND WATERSHED:  
VAH05 JL5 - WATERSHED, LOWER CHICKAHOMINY RIVER (HUC10-0208020606)  
VAH06 JL27- SUBWATERSHED, DIASCUND CREEK-MILL CREEK (HUC12-020802060603)

ZONING: TARGET PROPERTY:  
9001 RICHMOND ROAD = (A-1) GENERAL AGRICULTURE

ADJACENT PROPERTY:  
9041 RICHMOND ROAD = (A-1) GENERAL AGRICULTURE  
9021 RICHMOND ROAD = (A-1) GENERAL AGRICULTURE  
140 CAMP ROAD = (A-1) GENERAL AGRICULTURE  
170 HILL LANE = (A-1) GENERAL AGRICULTURE  
101 IVY HILL ROAD = (A-1) GENERAL AGRICULTURE  
9200 BARNES ROAD = (A-1) GENERAL AGRICULTURE  
9002 RICHMOND ROAD = (A-1) GENERAL AGRICULTURE  
8994 RICHMOND ROAD = (A-1) GENERAL AGRICULTURE

FLOOD ZONE (FLOOD PLAIN): THE ENTIRE PROPERTY APPEARS TO BE IN ZONE X, AREAS OF MINIMAL FLOODING. REFERENCE:  
FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER 51095C 0038D, MAP REVISED DECEMBER 16, 2015.

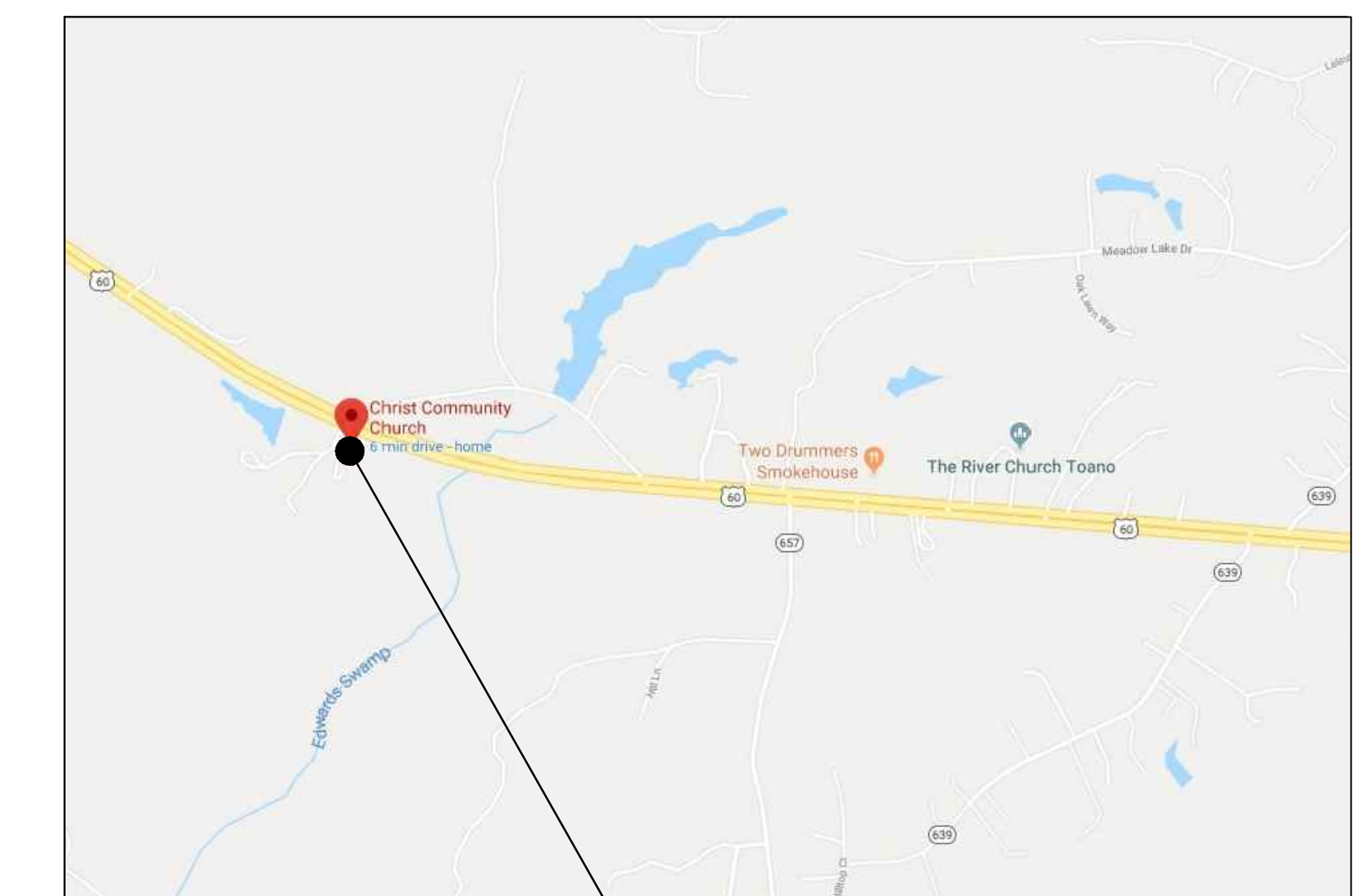
## ZONING:

- ZONING DESIGNATION: (A1) GENERAL AGRICULTURE
- SETBACK REQUIREMENTS: 75' FROM PROPERTY LINE
- STRUCTURE SETBACK: 15' SIDE YARD & 35' REAR YARD
- PARKING SETBACK: NONE

## PARKING REQUIREMENTS:

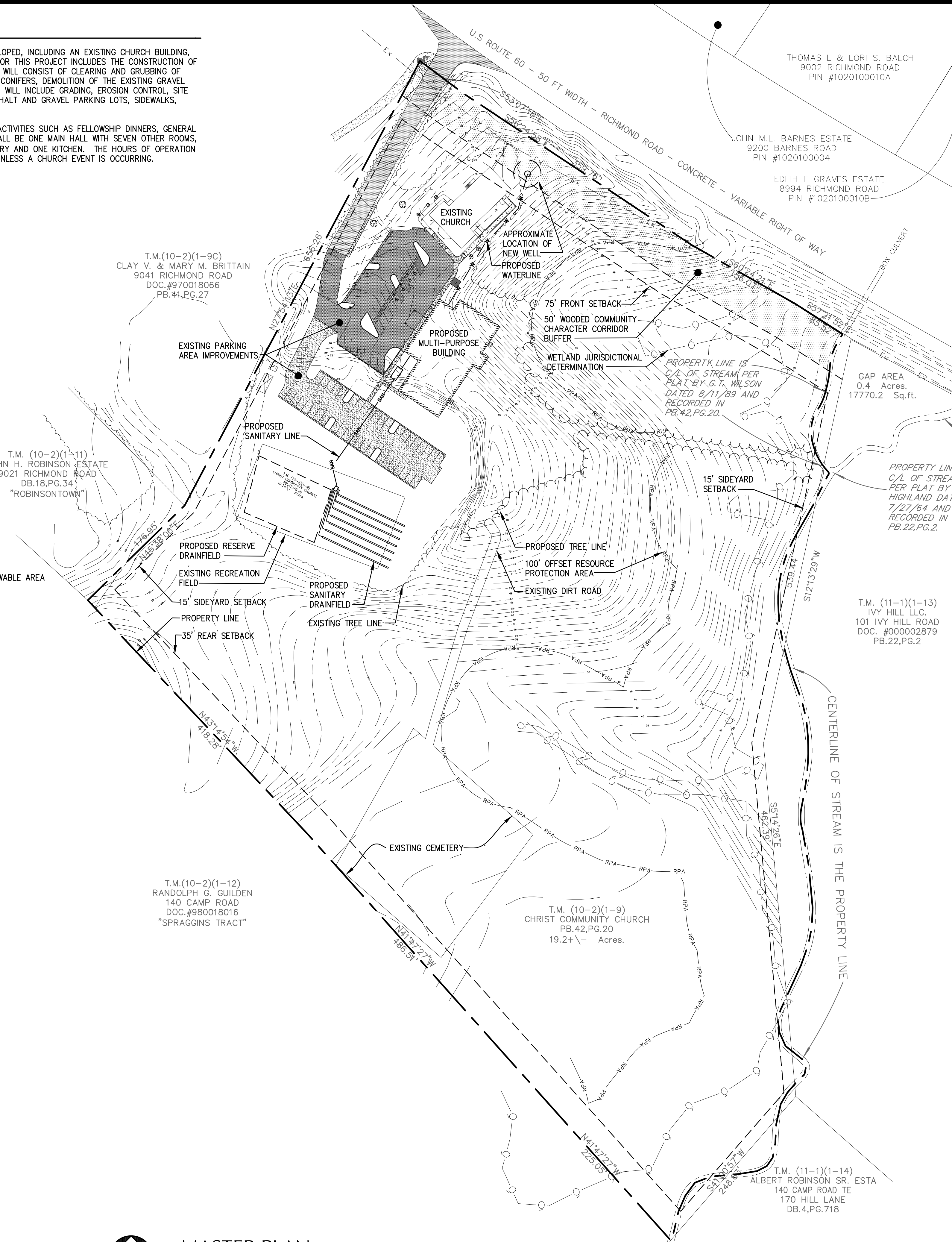
EXISTING CHURCH: USE CATEGORY: SPACES REQUIRED:	C 1 SPACE PER 5 SEATS, TOTAL EXISTING SEATS 130: = 26 SPACES
MULTI-USE BUILDING: USE CATEGORY: SPACES REQUIRED:	B 1 SPACE PER 5 SEATS, MAIN ROOM SEATING: 250 SEATS = 50 SPACES (PLANNED SEATING WILL CONSIST OF BANQUET TABLES (30 TABLES AND A STAGE AREA))
TOTAL SITE SPACES REQUIRED:	76
TOTAL HANDICAPPED SPACES REQUIRED:	4
TOTAL SITE SPACES PROVIDED:	76
PAVED PARKING SPACES:	34
GRAVEL PARKING SPACES:	42
TOTAL HANDICAPPED SPACES PROVIDED:	4

## VICINITY MAP



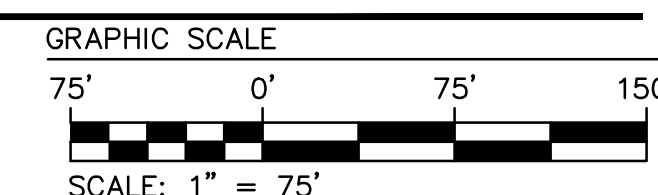
SCALE 1" = 1000 FT

PROJECT LOCATION:  
9001 RICHMOND ROAD  
TOANO, VIRGINIA 23168



## MASTER PLAN

SCALE: 1" = 75'



ENGINEERS  
ARCHITECTS  
PLANNERS

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(757) 253-2319 FAX

www.djginc.com

CHRIST COMMUNITY CHURCH

MULTI-PURPOSE BUILDING

JCC PLAN SUP 18-0024

TOANO, VIRGINIA

## REVISIONS

NO.	DATE	DESCRIPTION

COMMISSION NUMBER	2160330
SCALE:	AS SHOWN
DESIGNED:	MC
DRAWN:	MC
CHECKED:	DFB
DATE:	07.24.18

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SHEET TITLE

MASTER PLAN

SHEET NUMBER

C-101

2 OF 3



**Unapproved Minutes of the October 17, 2018  
Planning Commission Special Meeting**

**SUP-18-0024. Christ Community Church Multipurpose Building**

Mr. Alex Baruch, Senior Planner, stated that Ms. Milissa Cheves of DJG, Inc. has submitted an application for a place of public assembly at 9001 Richmond Road. to construct a multi-purpose building at the existing Christ Community Church. Mr. Baruch stated that the property is currently zoned A-1, General Agricultural and is designated Rural Lands on the 2035 Comprehensive Plan Land Use Map.

Mr. Baruch stated that the church was built between the late 80s and early 90s and has been in operation since that time. Mr. Baruch stated that in August 2017, the Zoning Ordinance was amended to change the places of public assembly use to a specially permitted use in A-1. Mr. Baruch further stated that the proposed addition of the multipurpose building to the property requires that the entire property come into conformance with the current Zoning Ordinance.

Mr. Baruch stated that staff finds this proposal to be compatible with surrounding development and consistent with the 2035 Comprehensive Plan and the Zoning Ordinance. Mr. Baruch stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors subject to the proposed conditions.

Mr. Richardson opened the floor for questions from the Commission.

Mr. Haldeman inquired about how the proposed entrance road would merge with the adjacent property owner's entrance road.

Mr. Baruch clarified that based on comments from the Virginia Department of Transportation, it was determined that the adjacent property owner's drive would come off the larger entrance road for the Church.

Mr. Richardson opened the Public Hearing.

As no one wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Richardson opened the floor for discussion by the Commission.

Mr. Polster stated that he appreciated the additional detail provided on this application in regard to the stormwater facility and the amount of impervious cover over the property.

Ms. Leverenz complimented the applicant and staff on the comprehensiveness of the application.

Mr. Haldeman made a motion to approve SUP-18-0024.

On a roll call vote the Commission voted to recommend approval of SUP-18-0024, Christ Community Church Multipurpose Building

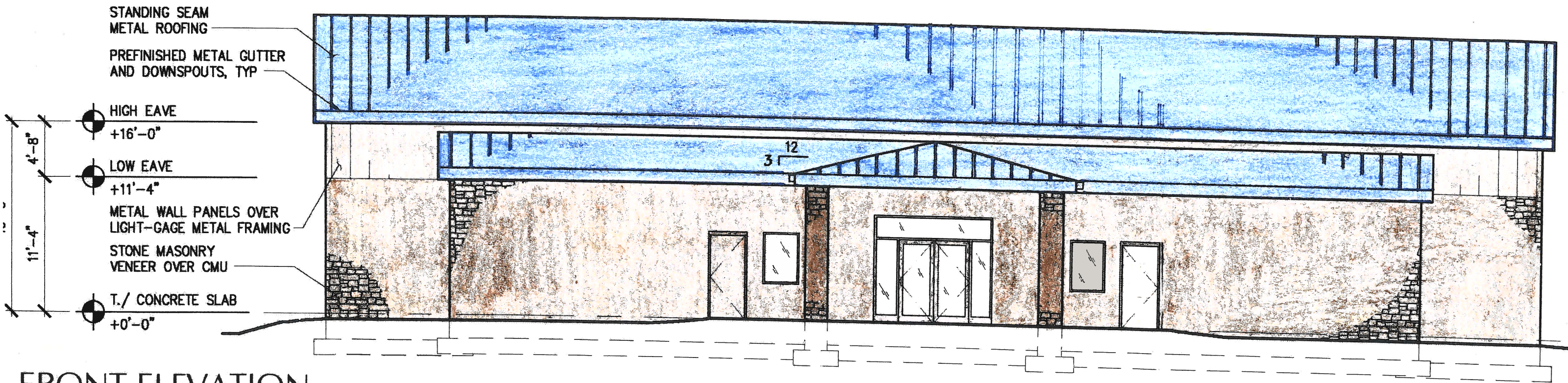


SUP-18-0024

PLANNING DIVISION

AUG 20 2018

RECEIVED



STANDING SEAM METAL ROOFING  
PREFINISHED METAL GUTTER AND DOWNSPOUTS, TYP

HIGH EAVE  
+16'-0"

LOW EAVE  
+11'-4"

METAL WALL PANELS OVER LIGHT-GAGE METAL FRAMING  
STONE MASONRY VENEER OVER CMU

T./ CONCRETE SLAB  
+0'-0"

FRONT ELEVATION

SCALE: 1/8" = 1'-0"

# Adequate Facilities Report



**CHRIST**   
**Community Church**

**Exists to Compassionately Reach and  
Serve the Community with the Love of Christ**

Toano, Virginia

September 21, 2018

SUP 18-0024

DJG# 2160330



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449 McLaws Circle • Williamsburg, VA • 23185  
[www.djginc.com](http://www.djginc.com)

## **Adequate Facilities Report**

### **Project Description:**

Christ Community Church is located at 9001 Richmond Road, Toano, VA. The existing church building site is zoned A1 Agriculture. This zoning class requires a special use permit to be submitted for proposed assembly uses.

The proposed project includes the construction of an 11,079 square foot prefabricated metal frame multi-purpose building, regrading of an existing gravel parking lot with a conversion to asphalt pavement, and construction of an ancillary gravel parking lot. A septic drain field and water well will also be constructed.

### **Roads:**

The site is accessible from US Route 60 West (Richmond Road). The entry driveway is combined with an adjacent property owner's driveway. US Route 60 West is classified as an "Other Principal Arterial" by the VDOT 2014 Approved Functional Classification Map and has a posted speed limit of 55 MPH along this segment of the road. The site is located within the VDOT non-urbanized Hampton Roads Planning boundary.

The roadway is currently a four-lane divided highway with crossovers. The site is accessed through an existing median crossover. Turn lane warrant analysis per Section 3 Figure 3-27, Appendix F of the VDOT Road Design Manual, finds the site requires no additional turn lanes or tapers. The right lane turn treatment are 11 PHV (Peak Hour Volume) for right turns and 671 PHV for approach.

VDOT indicates that the existing combined driveway is not within VDOT standards. The adjacent property driveway shall be relocated to enter the property from the existing Church driveway rather than US Route 60 West.

### **Water & Sewer:**

The site is located outside of the James City County Planning Service Area.

The existing church utilizes an existing well, septic system and septic field. The proposed multi-purpose building shall be serviced by a new well, septic system, and septic field. . The day of the week dictates the daily water needs for the existing church and new multipurpose building. Use of both buildings at the same time is not anticipated. Special events include events such as potlucks and holiday events



Existing Church Average Daily Flows:

Sunday Morning:	600 gpd
Wednesday evenings:	750 gpd
Special Events:	800 gpd
All other days:	15 gpd

Multi-Purpose Building Average Daily Flows:

Wednesday evenings:	750 gpd
Special Events:	1,000 gpd
All other days:	15 gpd

**Schools:**

The site is in the school district for Stonehouse Elementary School, Toano Middle School and Warhill High School. The proposed use change for the site is for “place of public assembly”. The proposed Multi-Purpose Building will not generate any additional school age children living in the district of the Church. Therefore, the proposed use change will not have any adverse effect on the school system capacity.

**Fire Stations**

Fire and Emergency Services are provided to the site by the James City - Bruton Volunteer Fire Department and Rescue Squad, also known as Fire Station 1. The Station, located in the middle of downtown Toano on Forge Road, was constructed in the spring of 2017.

**Libraries**

James City County Library, also known as Williamsburg Regional Library, is located about 6 miles away from the site at 7770 Croaker Road. No additional dwelling units are proposed as a part of this project which results in no additional demand for library services.

# Environmental Constraints Analysis



Toano, Virginia

September 10, 2018

SUP 18-0024

DJG# 2160330



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[www.djginc.com](http://www.djginc.com)

## **Environmental Constraints Analysis**

### **Project Description:**

Christ Community Church is located at 9001 Richmond Road, Toano, VA. The existing church building site is zoned A1 Agriculture. This zoning class requires a special use permit to be submitted for proposed assembly uses.

The proposed project includes the construction of an 11,079 square foot prefabricated metal frame multi-purpose building, regrading of an existing gravel parking lot with a conversion to asphalt pavement, and construction of an ancillary gravel parking lot. A septic drain field and water well will also be constructed.

### **Hydrologic Features:**

This site contains Edward's Swamp which is the stream that comprises the east property line of the site's parcel. This same stream is the receiving stream for the site's drainage. Army Corp of Engineers wetland delineation and Resource Protection Area (RPA) determination have been performed for the site. See page Appendix for delineation and RPA.

Edward's Swamp and the site is located in the Diascund Creek Watershed. The Diascund Creek Watershed drains into the Chickahominy River then James River and ultimately into the Chesapeake Bay and Atlantic Ocean.

The entire property is located within the Zone X, which are areas of minimal flooding. See Appendix for FEMA flood insurance rate map (FIRM) 51095C 00380, Map revised December 16, 2015.

### **Physical Features:**

The site topography within the proposed area of construction varies from approximately elevation 53 to 81 and has some areas of steep slopes of 25% or greater. Approximately 12,545 square feet of steep slopes are proposed to be disturbed. All steep slopes will be treated with blanket erosion and sediment control measures. They are located at the rear of the proposed building. Steep slopes were determined from a field topography survey performed on Feb 11, 2008 by His Land Surveying, Inc. of Providence Forge Virginia.

The soils within the site's limit of disturbance are craven-uchee complex (11C), emporia complex (15F) and udorthents, loamy (35). 11C soils are in the Hydrologic Soil Group (HSG) 'D'. The 15F soils are in in HSG "B" and 35 soils are in HSG "C".

Soils information for this area was obtained from the USDA Natural Resource Conservation Service Soils maps:

Craven-uchee complex (6 to 10 percent slopes) - This complex consists of moderately well drained craven soils and well drained uchee soils. Areas of this



complex are on side slopes and narrow ridge tops. Slopes are uneven and complex and are 100 to 500 feet long. Permeability is moderately slow. The seasonal high water table ranges between 2 to 5 feet below the surface. The runoff class is medium.

Emporia complex (25 to 50 percent slopes) - This soil comprises most of the parcel. Emporia complex consists of areas of deep, very steep, well drained emporia soils and areas. This complex is on side slopes along creeks and drainage ways. Slopes are convex and irregularly shaped and range from 50 to 150 feet long. Permeability is moderate in the upper part of the subsoil and moderately slow in the lower part. A perched high water table is at a depth of 3 to 4.5 feet in winter and spring. The runoff class is medium.

Udorthents, loamy (2 to 30 percent slopes) - This soil consists of deep, well drained and moderately well drained loamy soil material in areas where the soils have been disturbed during excavation and grading. Permeability ranges from moderately rapid to slow. The water table location is highly variable. The runoff class is high.

#### **Prohibited or Restricted Development Areas:**

All required setbacks shall be in accordance with the James City Zoning Ordinance.

Corp of Engineer wetland delineation and RPA boundary determination has been completed and is attached. No development is proposed within the properties RPA boundary.

#### **Existing Conditions and Proposed Work:**

The existing site parcel is 19.2 acres. 2.76 acres of the site is currently developed, including an existing church building, asphalt entrance road and gravel parking areas.

Site demolition will consist of clearing and grubbing of approximately 0.73 acres of a vegetated stand of mixed hardwoods and conifers, demolition of the existing gravel parking areas and assorted site structures. Total disturbed area shall be 2.94 acres.

Pervious and impervious area are as follows:

Existing Open Space – 18.26 acres  
Existing Impervious – 0.94 acres  
Proposed Open Space – 17.86 acres  
Proposed Impervious – 1.34 acres

The proposed work includes construction of an 11,079 square foot prefabricated metal Multi-Purpose Building, regrading of an existing gravel parking lot with a conversion to asphalt pavement, and construction of an ancillary gravel parking lot. A septic drain field and water well will also be constructed.





Stormwater runoff from shall be directed to a proposed level one bioretention area and a level one extended detention pond. The Virginia Runoff Reduction Method (VRRM) spreadsheet was utilized for water quality calculations. Shallow grass swales direct runoff from the parking areas to one bioretention filter that will be installed on site. An underdrain is provided in a stone reservoir that discharges into the extended detention pond. A backwater valve is proposed on the underdrain to prohibit water from accumulating in the detention pond and backing up into the bioretention stone reservoir. Overflows from the filter will discharge over a riprap weir and into a new detention pond. The detention pond will serve as a sediment trap prior to site stabilization.

The site was designed to minimize adverse effects to the environment while providing the necessary improvements for church operations.



## FEMA Floodplain Map:

PANEL 0036 11960000 FT

76°50'37.5"  
37°24'22.5"



**MAP NUMBER**  
**51095C0038D**

**MAP REVISION**

**LEGEND**



**SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Area to be protected from 1% annual chance flood by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.



**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.



**OTHER FLOOD AREAS**

**ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



**OTHER AREAS**

**ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.  
**ZONE D** Areas in which flood hazards are undetermined, but possible.



**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**



**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

- 1% annual chance floodplain boundary
- 0.2% annual chance floodplain boundary
- Floodway boundary

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

**Soils Data:**



# Custom Soil Resource Report for James City and York Counties and the City of Williamsburg, Virginia



# Preface

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Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<http://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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# Soil Map

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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map



Map Scale: 1:5,300 if printed on A landscape (11" x 8.5") sheet.






































Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84





### MAP LEGEND

- Area of Interest (AOI)**
- Area of Interest (AOI)
- Soils**
-  Soil Map Unit Polygons
-  Soil Map Unit Lines
-  Soil Map Unit Points
- Special Point Features**
-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot
-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features
- Water Features**
-  Streams and Canals
- Transportation**
-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads
- Background**
-  Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: James City and York Counties and the City of Williamsburg, Virginia  
 Survey Area Data: Version 14, Sep 24, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 15, 2011—Jun 4, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

James City and York Counties and the City of Williamsburg, Virginia (VA695)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
10B	Craven fine sandy loam, 2 to 6 percent slopes	1.7	2.3%
11C	Craven-Uchee complex, 6 to 10 percent slopes	12.2	17.2%
15E	Emporia complex, 15 to 25 percent slopes	16.4	23.1%
15F	Emporia complex, 25 to 50 percent slopes	23.5	33.1%
17	Johnston complex	11.4	16.1%
19B	Kempsville-Emporia fine sandy loams, 2 to 6 percent slopes	2.7	3.8%
29B	Slagle fine sandy loam, 2 to 6 percent slopes	1.6	2.2%
35	Udorthents, loamy	1.4	2.0%
W	Water	0.0	0.0%
<b>Totals for Area of Interest</b>		<b>70.9</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified

## Custom Soil Resource Report

by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## James City and York Counties and the City of Williamsburg, Virginia

### 10B—Craven fine sandy loam, 2 to 6 percent slopes

#### Map Unit Setting

*National map unit symbol:* 41pm  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 57 to 61 degrees F  
*Frost-free period:* 165 to 193 days  
*Farmland classification:* All areas are prime farmland

#### Map Unit Composition

*Craven and similar soils:* 80 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Craven

##### Setting

*Landform:* Marine terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

##### Typical profile

*H1 - 0 to 9 inches:* fine sandy loam  
*H2 - 9 to 53 inches:* clay  
*H3 - 53 to 80 inches:* sandy clay loam

##### Properties and qualities

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* Medium  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.2 inches)

##### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* D

### 11C—Craven-Uchee complex, 6 to 10 percent slopes

#### Map Unit Setting

*National map unit symbol:* 41pq  
*Elevation:* 200 to 700 feet



## Custom Soil Resource Report

*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 57 to 61 degrees F  
*Frost-free period:* 165 to 193 days  
*Farmland classification:* Farmland of statewide importance

### Map Unit Composition

*Uchee and similar soils:* 35 percent  
*Craven and similar soils:* 35 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Craven

#### Setting

*Landform:* Marine terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

#### Typical profile

*H1 - 0 to 9 inches:* fine sandy loam  
*H2 - 9 to 53 inches:* clay  
*H3 - 53 to 80 inches:* sandy clay loam

#### Properties and qualities

*Slope:* 6 to 10 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* High  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)  
*Depth to water table:* About 24 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.2 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 3e  
*Hydrologic Soil Group:* D

### Description of Uchee

#### Setting

*Landform:* Marine terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

#### Typical profile

*H1 - 0 to 24 inches:* loamy fine sand  
*H2 - 24 to 56 inches:* sandy clay loam  
*H3 - 56 to 65 inches:* sandy loam

#### Properties and qualities

*Slope:* 6 to 10 percent  
*Depth to restrictive feature:* More than 80 inches

## Custom Soil Resource Report

*Natural drainage class:* Well drained

*Runoff class:* Very low

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.20 to 1.98 in/hr)

*Depth to water table:* About 42 to 60 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water storage in profile:* Moderate (about 6.6 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 2s

*Hydrologic Soil Group:* B

## **15E—Emporia complex, 15 to 25 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 41px

*Elevation:* 20 to 150 feet

*Mean annual precipitation:* 40 to 55 inches

*Mean annual air temperature:* 57 to 61 degrees F

*Frost-free period:* 165 to 193 days

*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Emporia and similar soils:* 75 percent

*Minor components:* 5 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Emporia**

#### **Setting**

*Landform:* Marine terraces

*Landform position (three-dimensional):* Riser

*Down-slope shape:* Convex

*Across-slope shape:* Convex

*Parent material:* Marine deposits

#### **Typical profile**

*H1 - 0 to 13 inches:* fine sandy loam

*H2 - 13 to 58 inches:* loam

*H3 - 58 to 75 inches:* sandy clay loam

#### **Properties and qualities**

*Slope:* 15 to 25 percent

*Depth to restrictive feature:* More than 80 inches

*Natural drainage class:* Well drained

*Runoff class:* Medium

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to high  
(0.06 to 1.98 in/hr)

*Depth to water table:* About 36 to 54 inches

## Custom Soil Resource Report

*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 6e  
*Hydrologic Soil Group:* B

### Minor Components

#### Johnston

*Percent of map unit:* 5 percent  
*Landform:* Flood plains  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

## 15F—Emporia complex, 25 to 50 percent slopes

### Map Unit Setting

*National map unit symbol:* 41py  
*Elevation:* 20 to 150 feet  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 57 to 61 degrees F  
*Frost-free period:* 165 to 193 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Emporia and similar soils:* 75 percent  
*Minor components:* 5 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Emporia

#### Setting

*Landform:* Marine terraces  
*Landform position (three-dimensional):* Riser  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

#### Typical profile

*H1 - 0 to 13 inches:* fine sandy loam  
*H2 - 13 to 58 inches:* loam  
*H3 - 58 to 75 inches:* sandy clay loam

#### Properties and qualities

*Slope:* 25 to 50 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained

## Custom Soil Resource Report

*Runoff class:* Medium

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to high  
(0.06 to 1.98 in/hr)

*Depth to water table:* About 36 to 54 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water storage in profile:* Moderate (about 8.4 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* None specified

*Land capability classification (nonirrigated):* 7e

*Hydrologic Soil Group:* B

### **Minor Components**

#### **Johnston**

*Percent of map unit:* 5 percent

*Landform:* Flood plains

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Linear

*Across-slope shape:* Linear

## **17—Johnston complex**

### **Map Unit Setting**

*National map unit symbol:* 41q0

*Elevation:* 0 to 150 feet

*Mean annual precipitation:* 40 to 55 inches

*Mean annual air temperature:* 57 to 61 degrees F

*Frost-free period:* 165 to 193 days

*Farmland classification:* Not prime farmland

### **Map Unit Composition**

*Johnston and similar soils:* 75 percent

*Minor components:* 25 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Johnston**

#### **Setting**

*Landform:* Flood plains

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Alluvium

#### **Typical profile**

*H1 - 0 to 34 inches:* silt loam

*H2 - 34 to 60 inches:* fine sandy loam



## Custom Soil Resource Report

### Properties and qualities

*Slope:* 0 to 2 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Very poorly drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* High (1.98 to 5.95 in/hr)  
*Depth to water table:* About 0 inches  
*Frequency of flooding:* Frequent  
*Frequency of ponding:* Frequent  
*Available water storage in profile:* High (about 10.1 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 7w  
*Hydrologic Soil Group:* A/D

### Minor Components

#### Bohicket

*Percent of map unit:* 5 percent  
*Landform:* Salt marshes  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

#### Axis

*Percent of map unit:* 5 percent  
*Landform:* Salt marshes  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

#### Levy

*Percent of map unit:* 5 percent  
*Landform:* Salt marshes  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

#### Nimmo

*Percent of map unit:* 5 percent  
*Landform:* Flats  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear

#### Tomotley

*Percent of map unit:* 5 percent  
*Landform:* Marine terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex

## 19B—Kempsville-Emporia fine sandy loams, 2 to 6 percent slopes

### Map Unit Setting

*National map unit symbol:* 41q2  
*Elevation:* 20 to 400 feet  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 57 to 61 degrees F  
*Frost-free period:* 165 to 193 days  
*Farmland classification:* All areas are prime farmland

### Map Unit Composition

*Kempsville and similar soils:* 50 percent  
*Emporia and similar soils:* 30 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Kempsville

#### Setting

*Landform:* Marine terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

#### Typical profile

*H1 - 0 to 14 inches:* fine sandy loam  
*H2 - 14 to 55 inches:* sandy clay loam  
*H3 - 55 to 68 inches:* fine sandy loam

#### Properties and qualities

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.57 to 1.98 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.4 inches)

#### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* A

### Description of Emporia

#### Setting

*Landform:* Marine terraces

## Custom Soil Resource Report

*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Marine deposits

### Typical profile

*H1 - 0 to 13 inches:* fine sandy loam  
*H2 - 13 to 58 inches:* loam  
*H3 - 58 to 75 inches:* sandy clay loam

### Properties and qualities

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to high  
(0.06 to 1.98 in/hr)  
*Depth to water table:* About 36 to 54 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 8.4 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* B

## 29B—Slagle fine sandy loam, 2 to 6 percent slopes

### Map Unit Setting

*National map unit symbol:* 2sgy1  
*Elevation:* 70 to 330 feet  
*Mean annual precipitation:* 32 to 51 inches  
*Mean annual air temperature:* 47 to 70 degrees F  
*Frost-free period:* 158 to 206 days  
*Farmland classification:* All areas are prime farmland

### Map Unit Composition

*Slagle and similar soils:* 83 percent  
*Minor components:* 3 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Slagle

#### Setting

*Landform:* Marine terraces  
*Landform position (two-dimensional):* Summit, shoulder  
*Landform position (three-dimensional):* Tread, riser, rise  
*Down-slope shape:* Convex  
*Across-slope shape:* Convex  
*Parent material:* Loamy marine deposits

## Custom Soil Resource Report

### Typical profile

*Ap - 0 to 8 inches:* fine sandy loam  
*Bt - 8 to 51 inches:* sandy clay loam  
*C - 51 to 70 inches:* sandy loam

### Properties and qualities

*Slope:* 2 to 6 percent  
*Depth to restrictive feature:* More than 80 inches  
*Natural drainage class:* Moderately well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.57 in/hr)  
*Depth to water table:* About 18 to 36 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Available water storage in profile:* Moderate (about 9.0 inches)

### Interpretive groups

*Land capability classification (irrigated):* None specified  
*Land capability classification (nonirrigated):* 2e  
*Hydrologic Soil Group:* C

### Minor Components

#### Myatt

*Percent of map unit:* 3 percent  
*Landform:* Depressions  
*Landform position (two-dimensional):* Footslope  
*Landform position (three-dimensional):* Dip  
*Down-slope shape:* Concave  
*Across-slope shape:* Linear

## 35—Udorthents, loamy

### Map Unit Setting

*National map unit symbol:* 41qq  
*Elevation:* 30 to 120 feet  
*Mean annual precipitation:* 40 to 55 inches  
*Mean annual air temperature:* 57 to 61 degrees F  
*Frost-free period:* 165 to 193 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Udorthents and similar soils:* 75 percent  
*Minor components:* 3 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*



## Description of Udorthents

### Setting

*Landform:* Marine terraces

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Convex

*Across-slope shape:* Convex

### Properties and qualities

*Slope:* 0 to 70 percent

*Depth to restrictive feature:* More than 80 inches

*Runoff class:* High

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

## Minor Components

### Bethera

*Percent of map unit:* 3 percent

*Landform:* Depressions

*Landform position (three-dimensional):* Tread

*Down-slope shape:* Concave

*Across-slope shape:* Concave

## W—Water

### Map Unit Setting

*National map unit symbol:* 41r1

*Mean annual precipitation:* 40 to 55 inches

*Mean annual air temperature:* 57 to 61 degrees F

*Frost-free period:* 165 to 193 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Water:* 100 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Description of Water

### Properties and qualities

*Depth to restrictive feature:* More than 80 inches

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

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## Custom Soil Resource Report

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## **National Wetland Inventory:**



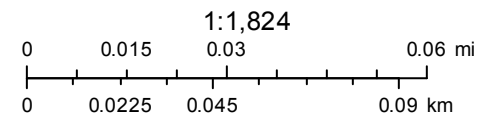
# Christ Community Church



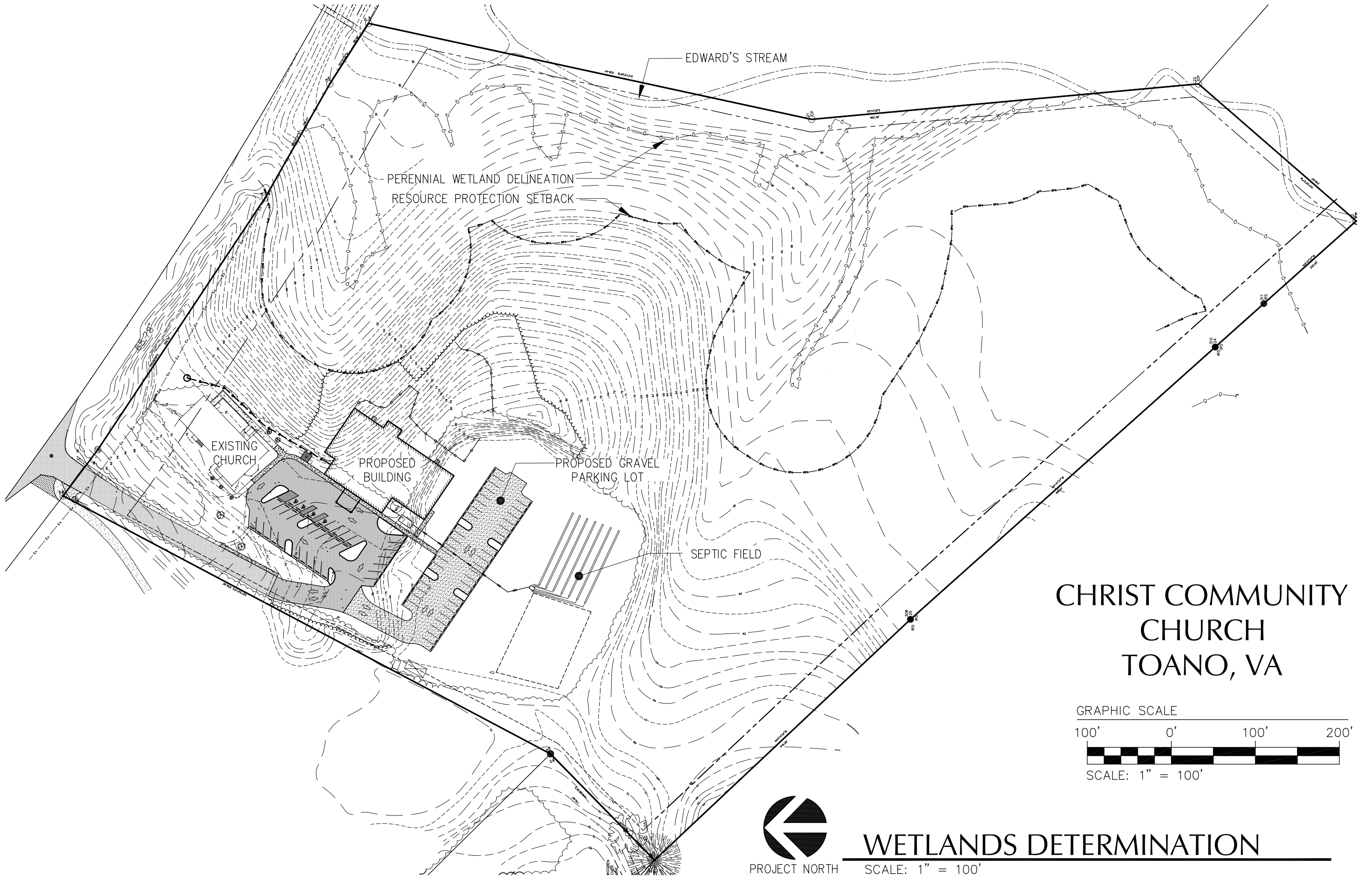
September 9, 2018

## National Wetlands Inventory

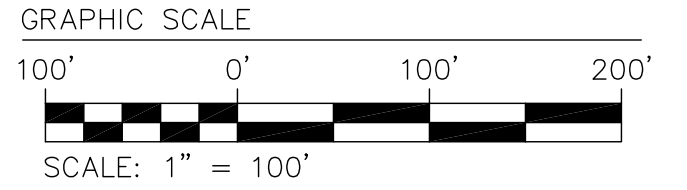
- |  |   |  |
|--|---|--|
|  Estuarine and Marine Deepwater |  Freshwater Emergent Wetland       |  Lake     |
|  Estuarine and Marine Wetland   |  Freshwater Forested/Shrub Wetland |  Other    |
|  |  Freshwater Pond                   |  Riverine |



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



# CHRIST COMMUNITY CHURCH TOANO, VA



PROJECT NORTH

## WETLANDS DETERMINATION

SCALE: 1" = 100'

# Natural Resources Inventory



**CHRIST**   
**Community Church**

**Exists to Compassionately Reach and  
Serve the Community with the Love of Christ**

Toano, Virginia

September 10, 2018

SUP 18-0024

DJG# 2160330



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## Natural Resources Inventory

### **Project Description:**

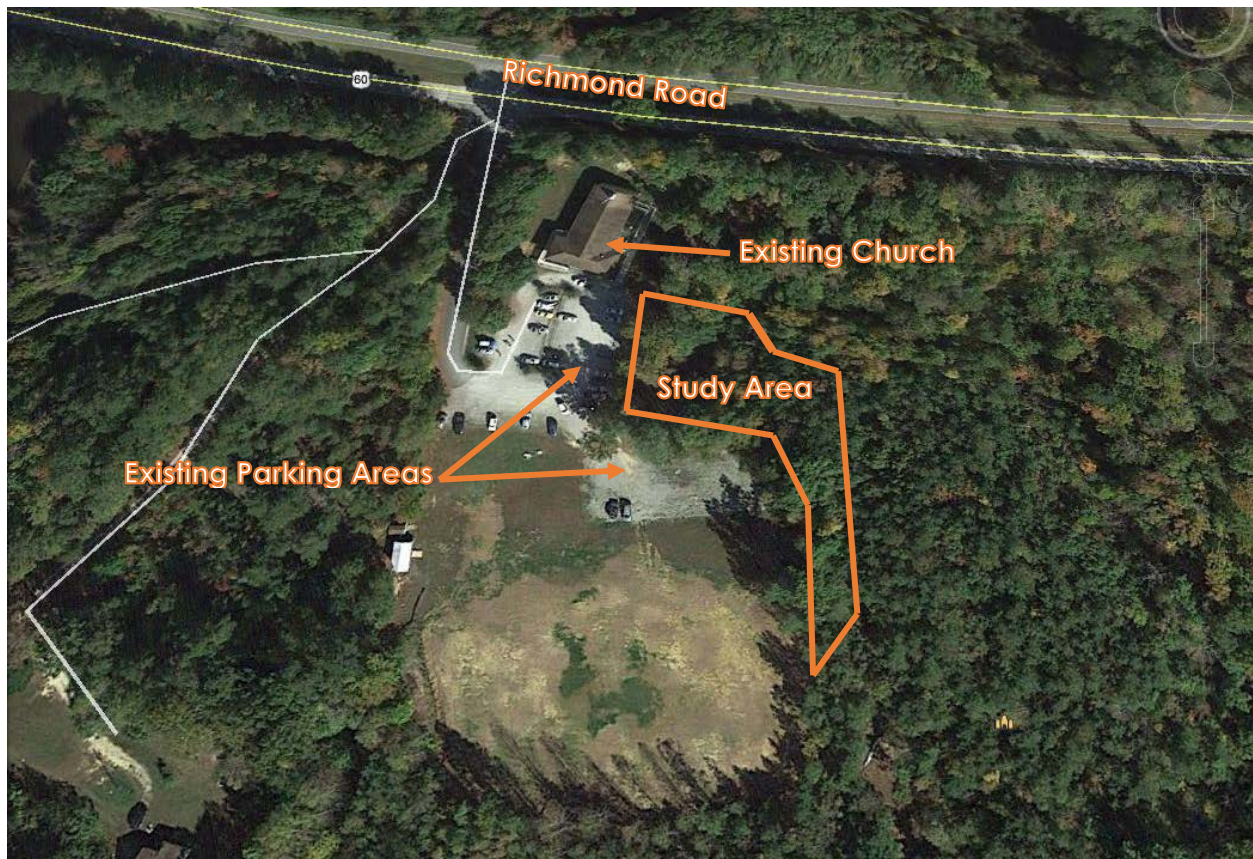
Christ Community Church is located at 9001 Richmond Road, Toano, VA. The existing church building site is zoned A1 Agriculture. This zoning class requires a special use permit to be submitted for buildings with proposed assembly uses.

The SUP requires a natural resources inventory to identify rare plants, animals and ecosystems as ranked by VA Natural Heritage and Global entities as S1, S2, S3, G1, G2 and G3.

This report provides an assessment of the location of the proposed building and associated stormwater facilities that necessitate the clearing of an existing forested area.

### **Study Area:**

The study area includes the wooded area of the site that will be cleared. This area is adjacent to the existing gravel parking areas. See figure 1, 2 and 3 attached.





## Research and Analysis:

Desktop analysis utilized three sources to generate lists of rare, threatened and endangered (RTE) plant, animal and critical habitats for the study area.

U.S. Fish & Wildlife Service Environmental Conservation Online System (ECOS) and Information for Planning and Consultation (IPaC) identified possible critical areas within James City County for RTE occurrences. The Virginia Natural Heritage Data Explorer (NHDE) was accessed in order to determine whether any ranked documented natural heritage resources (NHRs) are located within the study area. RTE lists include species that have a state or federal status as well as those with global or state rankings. Virginia Natural Heritage state rarity rank are defined as follows. 'G' denotes global status.

S1 (G1) – Extremely rare, usually 5 or fewer occurrences in the state.

S2 (G2) – Very rare, usually between 5 to 20 occurrences in the state.

S3 (G3) – Rare to uncommon, usually between 20 and 100 occurrences in the state.

Habitat types and natural communities present within the study area were identified using most recent aerial imagery and ground photographs taken in 2015 and 2016. These habitat types were then cross-referenced with the list of RTE species for James City County and a determination was made as to the likelihood of each species being present within the study area.

### Study Area Ecological Description

The study area is comprised of a single community type described as a young successional temperate deciduous forest.



Vantage from upper gravel parking lot, looking at proposed building area.

### RTE Species

Research revealed no NHRs are documented within the study area. However, results from the NHDE indicate the possible presence of 6 RTE species within James City County. See Table 1.

**Table 1 - Natural Heritage Resources**

**Your Criteria**

Taxonomic Group: Select All; State Conservation Status Rank: Select All State Legal Status: Select All  
 County: James City; Watershed (8 digit HUC): Select All Planning District: Select All  
 Virginia Coastal Zone: Select All  
 Search Run: 9/9/2018 16:11:53 PM

**Result Summary**

Total Species returned: 6

Total Communities returned: 0

Common Name/Natural Community	Scientific Name	Global Conservation Status Rank	State Conservation Status Rank	Federal Legal Status	State Legal Status	Statewide Occurrences	Virginia Coastal Zone
FISH Atlantic Sturgeon	<a href="#">Acipenser oxyrinchus</a>	G3	S2	LE	LE	2	Y
AMPHIBIANS							
Mabee's Salamander	<a href="#">Ambystoma mabeei</a>	G4	S1S2	None	LT	17	Y
VASCULAR PLANTS							
Sensitive Joint- vetch	<a href="#">Aeschynomene virginica</a>	G2	S2	LT	LT	22	Y
Small Whorled Pogonia	<a href="#">Isotria medeoloides</a>	G2?	S2	LT	LE	55	Y
New Jersey Rush	<a href="#">Juncus caesariensis</a>	G2G3	S2	SOC	LT	13	Y
Narrow-leaved Spatterdock	<a href="#">Nuphar sagittifolia</a>	G5T2	S1	SOC	LT	2	Y

**Source: VA Natural Heritage Data Explorer**

## RTE Species Habitat Evaluation

Source: USDA, NatureServe Explorer and US Fish and Wildlife Service.

Atlantic Sturgeon – The Atlantic Sturgeon lives within large rivers and near-shore environments. The study area does not support habitat for this species.

Mabee's Salamander – This species occurs with fish-free vernal ponds or ephemeral coastal plain sinkholes, with surrounding forests composed of mixed hardwoods that support a pine component. The study area does not support habitat for this species because the area is not located near a pond or sinkhole. It is located outside the Army Corp of Engineers wetlands jurisdictional determination and the 100' Resource Protection Area. See attached Natural Wetlands Inventory.

Sensitive Joint-Vetch – This plant is located in freshwater to slightly brackish tidal marshes and adjacent wet ditches along the James, Chickahominy, Mattaponi, Pamunkey, Rappahannock and Potomac Rivers as well as their associated tributaries. The study area does not support habitat for this species because it does not contain tidal marshes or any wet ditches.

Small Whorled Pogonia – This species occurs in acidic mesic to dry-mesic forests, most often in mature mixed beech-oak forests. They are often found on slopes near small streams. This study area does not support habitat for this species because the area is a young forest and is not located directly adjacent a stream.

New Jersey Rush – The New Jersey Rush is located in bogs, sphagnous sweeps in powerline rights-of-way and peaty edges of beaver ponds. This study area does not support habitat for this species because it is composed of young forest and does not contain any boggy areas.

Narrow-leaved Spatterdock – This species is located in freshwater tidal aquatic beds and mud flats. The study area does not support habitat for this species because it is composed of young forest and no tidal areas.

### **Conclusion:**

A review of literature, aerial photography, a field visit and site photographs indicates that the study area does not support habitats for the 6 RTE species possible in James City County. Therefore it is concluded that the project should not effect any RTE species because it is highly unlikely that any of these resources occur within the study area.



**Figure 1.** Photo of existing church as viewed from upper gravel parking area.



**Figure 2.** Photo of existing church as viewed from beyond lower gravel parking area. Study area is located to right of gravel driveway.





**Figure 3.** Photo viewed from gravel driveway looking at peninsula shaped area of study. See study area photo on page 1.



# Christ Community Church



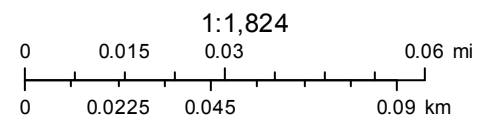
September 9, 2018

## National Wetlands Inventory

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland

- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond

- Lake
- Other
- Riverine



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# Rural Lands



**CHRIST**   
Community Church

Exists to Compassionately Reach and  
Serve the Community with the Love of Christ

Toano, Virginia

September 19, 2018

SUP 18-0024

DJG# 2160330



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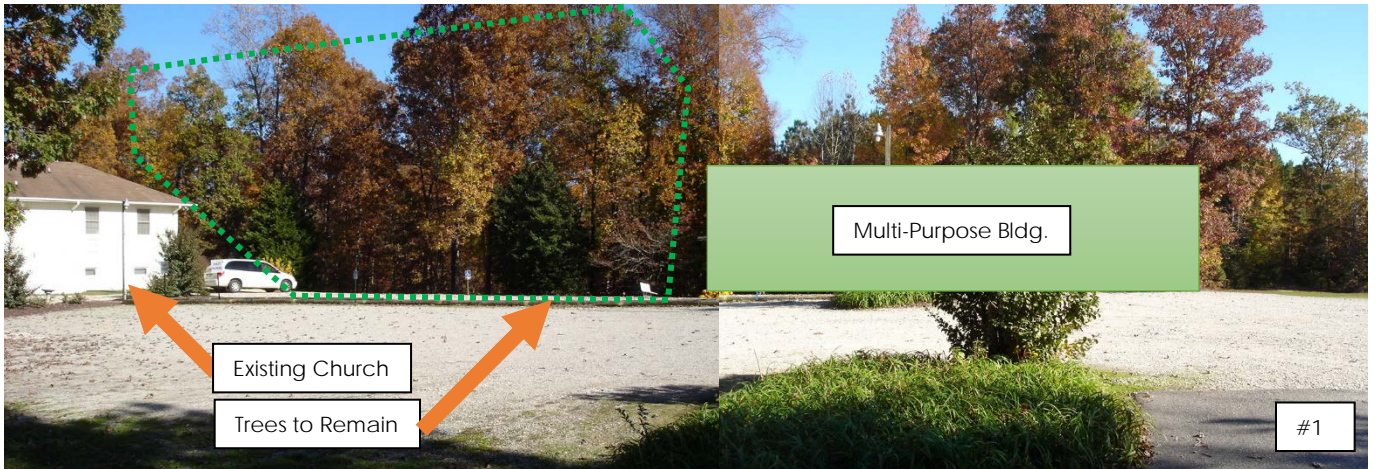
## Rural Lands Report

### **Project Description:**

Christ Community Church is located at 9001 Richmond Road, Toano, VA. The proposed project includes the construction of an 11,079 square foot prefabricated metal frame multi-purpose building. The building use shall include fellowship dinners, general meetings, youth recreation and a yearly week long vacation bible school event.

### **Use and Character Compatibility:**

The site design of the proposed building was guided by James City County's Rural Land Development Standards. By virtue of the building's main use, the project does not increase residential units. The proposed height of the building is below the height of the surrounding mature trees. See photo #1 below.



The project will clear the minimum amount of trees to include the building footprint and necessary stormwater improvements. Two existing gravel parking lots will be improved instead of adding additional parking lots.

Building lighting will be provided where necessary for user safety. All fixtures shall be recessed with no lens, bulb, or globe extending below the casing. The relocated existing light pole shall not exceed 20 feet in height from finished grade. No glare outside property boundary shall occur.



Visibility of the new building from Richmond Road/Rt 60 will be limited or non-existent. No existing mature trees along Richmond Road will be removed. Looking at the site from Richmond Road travel west the existing church can be seen. The 50 foot wooded Community Character Corridor buffer obscures much of the building. It is setback from the edge of pavement of Richmond Rd East 115 feet. See photo #2 and #3.



The proposed building will be set back from the same edge of pavement 230 feet. Both buildings are situated at a higher elevation than Richmond Road. With the proposed building setting back so far from the road the visual perspective will obscure most or all of the of the building.





The proposed plan will utilize the existing crossover to maintain the highway's rural character. The new building will not be seen traveling east on Richmond Road.



Richmond Road existing crossover entrance.

#4

Site design shall maintain naturalized landscape perimeters in accordance with the Rural Lands Comprehensive Plan Development Standards.



View looking east along Richmond Road

#5

**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: Proposed Amendment to the County Charter

---

**ATTACHMENTS:**

	Description	Type
☐	memo	Cover Memo
☐	reso	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/26/2018 - 10:29 AM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 10:32 AM
Legal Review	Kinsman, Adam	Approved	10/26/2018 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:01 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:51 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:16 AM

## MEMORANDUM

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: Amendment to the Charter of James City County

---

One item in your proposed 2019 Legislative Program requests that the General Assembly amend the James City County Charter by adding a new Section 7.5. The proposed amendment would allow County staff to define and regulate inoperative motor vehicles situated on property equal to or less than two (2) acres in accordance with Virginia Code Section 15.2-905 instead of Virginia Code Section 15.2-904. Importantly, this would change the definition of an “inoperative motor vehicle” on parcels equal to or less than two (2) acres to “any motor vehicle, trailer or semitrailer which is not in operating condition; or does not display valid license plates; or does not display an inspection decal that is valid or does display an inspection decal that has been expired for more than 60 days.”

Section 15.2-202 of the Virginia Code requires that a public hearing be held prior to amending the Charter.

I recommend adoption of the attached resolution.

ARK/nb  
CharAmnd-JCC-mem

Attachment



**RESOLUTION**

**AMENDMENT TO THE CHARTER OF JAMES CITY COUNTY**

WHEREAS, James City County has developed a Legislative Program for the consideration of the 2019 session of the General Assembly which outlines certain legislative policies which the Board believes ought to guide the General Assembly and proposes certain legislation that would benefit the County; and

WHEREAS, the Board has carefully considered its Legislative Program and believes that it is in the best interest of the citizens of James City County; and

WHEREAS, the Board's Legislative Program includes a request that the General Assembly amend the James City County Charter to add a new Section 7.5 to define "inoperative motor vehicle" in accordance with the definition set forth in Section 15.2-905 of the Code of Virginia, 1950, as amended (the "Virginia Code") on parcels equal to or less than two (2) acres in size; and

WHEREAS, Section 15.2-202 of the Virginia Code requires that the Board of Supervisors advertise and hold a public hearing on the proposed Charter amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby affirms its compliance with Section 15.2-202 of the Virginia Code.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests that the General Assembly amend the James City County Charter to define "inoperative motor vehicle" in accordance with Section 15.2-905 of the Virginia Code on parcels equal to or less than two (2) acres in size.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Terry Costello, Deputy Zoning Administrator

**SUBJECT:** SUP-18-0011. 750 Blow Flats Road Borrow Pit Renewal and SUP-18-0023. 700 Blow Flats Road Borrow Pit Renewal

---

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Staff Report
☐	Resolution SUP-18-0011	Resolution
☐	Resolution SUP-18-0023	Resolution
☐	Location Map	Exhibit
☐	Branscome Property Master Plan Dated October 5, 2018	Exhibit
☐	USA Waste of Virginia Property Master Plan Dated October 5, 2018	Exhibit
☐	Unapproved Minutes of the October 17, 2018 Planning Commission Meeting	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	10/26/2018 - 3:56 PM
Development Management	Holt, Paul	Approved	10/26/2018 - 3:56 PM
Publication Management	Daniel, Martha	Approved	10/26/2018 - 4:04 PM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 8:02 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 9:04 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:54 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:17 AM

**SPECIAL USE PERMIT-18-0011. 750 Blow Flats Road Borrow Pit Renewal**  
**SPECIAL USE PERMIT-18-0023. 700 Blow Flats Road Borrow Pit Renewal**

**Staff Report for the November 13, 2018, Board of Supervisors Public Hearing**

**SUMMARY FACTS**

Applicant: Mr. Julian Lipscomb, Jr.  
Land Owners: Branscome, Inc.  
USA Waste of Virginia, Inc.  
Proposal: Continued operation of a borrow pit (i.e., surface mine for sand and clay).  
Locations: 700 and 750 Blow Flats Road  
Tax Map/Parcel Nos.: 6030100003, 6030100002, respectively  
Project Acreage: +/- 281 acres (Branscome property) and approximately 139 acres (USA Waste of Virginia property), for a total of +/- 420 acres  
Zoning: M-2, General Industrial  
Comprehensive Plan: General Industrial  
Primary Service Area: Inside  
Staff Contact: Terry Costello, Deputy Zoning Administrator

**PUBLIC HEARING DATES**

Planning Commission: October 17, 2018, 6 p.m.  
Board of Supervisors: November 13, 2018, 5 p.m.

**FACTORS FAVORABLE**

1. With the recommended conditions, the proposal is compatible with surrounding zoning and development.
2. The proposal is consistent with the recommendations for commercial and industrial development in lands designated General Industry by the adopted Comprehensive Plan.
3. The Virginia Department of Mines, Minerals and Energy (DMME) monitors use of the site with more stringent monitoring and reporting requirements than what is required by the Special Use Permit (SUP).

**FACTORS UNFAVORABLE**

1. With the attached SUP conditions for each application, staff finds that there are no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Approval, subject to the conditions in the attached resolution.

**PLANNING COMMISSION RECOMMENDATIONS**

At its October 17, 2018 meeting, the Planning Commission recommended approval of these applications by a vote of 7-0.

**PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING**

None.

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**SPECIAL USE PERMIT-18-0011. 750 Blow Flats Road Borrow Pit Renewal**  
**SPECIAL USE PERMIT-18-0023. 700 Blow Flats Road Borrow Pit Renewal**

**Staff Report for the November 13, 2018, Board of Supervisors Public Hearing**

**PROJECT DESCRIPTION**

Mr. Julian Lipscomb, Jr. has applied on behalf of Branscome Inc. and USA Waste of Virginia Inc. to permit the continued operation of a +/- 420-acre site to be used as a borrow pit.

The facility currently operates up to six days a week, during daylight hours. The total size of the project area is approximately 420 acres with previous SUP conditions limiting the amount of area that can be disturbed at any given time to 40 acres. However, with this renewal the applicant would like to increase this number to 60 acres. Utilizing the most current information available, staff has indicated the following:

- 182.09 acres are covered by the State Mining Permit (43.28 + 138.81).
- 36.00 acres are currently disturbed (1.57 + 34.43).
- 10.32 acres are currently being mined (0 + 10.32).
- 29.92 acres are to be mined in the near future (19.66 + 10.26).
- 56.00 acres are set aside to accommodate long-term goals (29.05 + 20.95).
- 14.72 acres have been reclaimed and associated bonds have been released since the last SUP renewal (14.72 + 0).

The applicant had previously proposed to create tidal wetlands on the three western peninsulas on the USA Waste of Virginia Landfills, Inc. property. The process of creating tidal wetlands would involve mining

to an elevation of -15 feet to mean sea level on portions of the peninsulas that would become inundated by water during high tide. The Stormwater and Resource Protection Division is receptive to the idea and would oversee and provide guidance set forth by conditions of the SUP. The largest peninsula to the south has not been previously mined and is set aside for future mining operations. The two other peninsulas have been previously mined and were both reclaimed and were released of their bonds by the state in 2001. In order to re-mine the two smallest peninsulas, the mine operators would have to apply for, and be approved for, an amendment to their current state mining permit. Per an existing SUP condition, the Office of Economic Development will aid the Stormwater and Resource Protection Division in delineating the limits of the tidal wetland to ensure that there will be viable land for future economic development. The limits of the tidal wetlands will be delineated over time to meet the demands of the market and possible changing environmental regulations.

There is an active mining permit from DMME for the borrow pit. All operational activities associated with the borrow pit are regulated by DMME. The borrow pit is being utilized as an area where sand and clay are mined for use as fill material in off-site building and roadway construction. The site is not open to the general public for the sale of materials. The Master Plan identifies the areas that are currently being mined, areas that have been released and areas that are currently under bond.

A Land Use Permit was required by the Virginia Department of Transportation (VDOT) that ran concurrently with the previous SUP. Since there is no new construction or changes proposed, a land use permit will not be required by VDOT as part of this proposal. If conditions change to warrant such a permit, VDOT has the ability to require it outside the County's process of obtaining an SUP.

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*



**SPECIAL USE PERMIT-18-0011. 750 Blow Flats Road Borrow Pit Renewal**  
**SPECIAL USE PERMIT-18-0023. 700 Blow Flats Road Borrow Pit Renewal**

**Staff Report for the November 13, 2018, Board of Supervisors Public Hearing**

A condition was added to these renewals to require archaeological studies in accordance with the County's Archaeological Policy. This is in response to the applicant's request to increase the acreage of disturbed land.

**PLANNING AND ZONING HISTORY**

- The Board of Supervisors approved Case Nos. SUP-38-91 and SUP-39-91 on September 8, 1992. This allowed for the continued operation of these facilities. A five-year limit was placed on the permits as a condition of approval in order to provide staff the opportunity to reevaluate the impacts of the operation.
- The Board of Supervisors approved Case Nos. SUP-30-97 and SUP-31-97 on December 22, 1997. This was a renewal of the previous SUPs that were issued in 1992. A three-year limit was placed on the permits.
- The Board of Supervisors approved renewal Case Nos. SUP-8-00 and SUP-9-00 on October 10, 2000. A five-year limit was placed on the permits.
- The Board of Supervisors approved renewal Case Nos. SUP-19-05 and SUP-20-05 on October 10, 2000. A five-year limit was placed on the permits.
- The Board of Supervisors approved renewal Case Nos. SUP-0009-2010 and SUP-0010-2010 on June 8, 2010. An eight-year limit was placed on the permits.

**SURROUNDING ZONING AND DEVELOPMENT**

- The properties are located on Blow Flats Road, bordered on the east and south by Skiffes Creek while Wood Creek is located to the west of the site. Property to the north of the site is the Walmart Distribution Center.
- Surrounding Zoning Designations Include:
  - M-2, General Industrial to the north (Walmart Distribution Center), east (BASF), and west (Greenmount Property).
  - Residences along Blow Flats Road zoned M-2, General Industrial.

**COMPREHENSIVE PLAN**

- The properties are designated General Industrial on the 2035 Comprehensive Plan Land Use Map.
- Recommended uses for the General Industrial District include industrial operations with office and commercial as secondary uses.
- Staff finds that this proposal is consistent with Comprehensive Plan as a primary use and is compatible with surrounding properties and zoning.
- Surrounding Comprehensive Plan Designations Include:
  - General Industrial to the north (Walmart Distribution Center).

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**SPECIAL USE PERMIT-18-0011. 750 Blow Flats Road Borrow Pit Renewal**  
**SPECIAL USE PERMIT-18-0023. 700 Blow Flats Road Borrow Pit Renewal**

**Staff Report for the November 13, 2018, Board of Supervisors Public Hearing**

- General Industrial to the east (BASF).
- General Industrial to the west (Green Mount Property).
- General Industrial and Mixed Use for the residences along Blow Flats Road.

**PUBLIC IMPACTS**

1. Anticipated Impact on Public Facilities and Services:

- a. *Traffic.* Access to the site is provided by a private road to the south-west of the Walmart Distribution Center. Trucks access this gravel road from an existing commercial entrance located at the end of Blow Flats Road. The applicant estimates that the site generates 90 truck trips on an average day and approximately 200 truck trips on a peak day. This is an increase from the data received at the last renewal which was 70 truck trips on an average day with 120 truck trips on a peak day. Historical data from the company has shown the busiest month generated 4,094 total trips and an average 152 daily trips. This number has slightly changed from the last renewal time that showed 4,000 total trips per month with an average 160 daily trips.
- b. *Schools/Fire/Utilities.* No impacts anticipated. The site is served by public water and sewer. Newport News Waterworks have been sent the proposal and staff has received no comments. James City Service Authority and the Fire Department have reviewed the proposals and have no comments.

- 2. Environmental: There is a Resource Protection Area (RPA) located on these properties. However, one condition of the SUP is that there is no encroachment in the RPA without written consent and only for the sole purpose of creating wetlands. The Stormwater and Resource Protection Division recommends including a time limit on the SUPs (proposed Condition No. 12) as has been included in past SUPs. The regulations regarding environmental protection change over time and having an opportunity to periodically review the conditions of the operation allows the County to address these changes, which is critical for the potential future redevelopment of the property for economic development purposes. DMME addresses environmental concerns associated with the borrow pit through the applicant's mining permit and operational plan; however, a condition is also proposed requiring the applicant to submit yearly progress reports to the County.

3. Nearby and Surrounding Properties:

- a. *Visual Impacts:* Access to the site is provided by a private road to the southwest of the Walmart Distribution Center. This road is approximately 5,300 feet in length and truck access to it is from an existing commercial entrance located at the end of Blow Flats Road. This site is not visible from any residential property and is surrounded by industrial sites.

**PROPOSED CONDITIONS**

- The full text of the proposed conditions is attached.

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**SPECIAL USE PERMIT-18-0011. 750 Blow Flats Road Borrow Pit Renewal**  
**SPECIAL USE PERMIT-18-0023. 700 Blow Flats Road Borrow Pit Renewal**  
**Staff Report for the November 13, 2018, Board of Supervisors Public Hearing**

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**STAFF RECOMMENDATION**

Approval, subject to the conditions in the attached resolution.

TC/nb  
SUPs750-700BFRd

Attachments:

1. Resolution SUP-18-0011
2. Resolution SUP-18-0023
3. Location Map
4. Branscome Property Master Plan dated October 5, 2018
5. USA Waste of Virginia Property Master Plan dated October 5, 2018
6. Unapproved Minutes of the October 17, 2018, Planning Commission Meeting

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

## RESOLUTION

### CASE NO. SUP-18-0011. 750 BLOW FLATS ROAD BORROW PIT RENEWAL

#### (BRANSCOME, INC.)

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Branscome, Inc. (the "Owner") owns the parcel of property located at 750 Blow Flats Road, further identified as James City County Real Estate Tax Map Parcel No. 6030100002 (the "Property"); and

WHEREAS, the borrow pit operation encompasses two properties, 700 Blow Flats Road and 750 Blow Flats Road (together, the "Site"); and

WHEREAS, on behalf of the Owner, Mr. Julian Lipscomb has applied to amend SUP-0010-2010 to allow for the continued operation of a borrow pit, as shown on the exhibit titled "Amendment Map Branscome, Inc. Lee's Pit U.S.G.S. Quadrangle: Hog Island," prepared by Drapen Aden Associates and dated October 5, 2018; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-18-0011; and

WHEREAS, the Planning Commission, following its public hearing on October 17, 2018, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-18-0011 as described herein with the following conditions:

1. *Master Plan.* The SUP shall be valid for a borrow pit at 750 Blow Flats Road, further identified as James City County Real Estate Tax Map Parcel No. 6030100002 (the "Property"). The borrow pit shall only be operated in those areas of the Property covered by the State Department of Mines, Minerals and Energy Mining Permit No. 10445AB (the "State Mining Permit"), as generally shown on the map submitted with the SUP request titled "Amendment Map Branscome Inc. Lee's Pit U.S.G.S. Quadrangle: Hog Island," and dated October 5, 2018.
2. *Erosion and Sediment Control.* An erosion and sediment control plan shall be submitted to, and approved by, the Stormwater and Resource Protection Division Director, or their designee, prior to any new land disturbance occurring on the Property. All approved erosion and sedimentation control measures shall be installed prior to any clearing or grading of any borrow pit cell.
3. *Disturbance.* No more than 60 acres of the site shall be disturbed at any one time.



4. Transitional Screening. A transitional screening buffer equal to or greater than 50 feet in width shall be provided along the perimeter of the Site. The transitional screening buffer shall be established and maintained in accordance with Chapter 24, Article 11, Division 4, Section 24-100 (a) *Transitional Screening* of the James City County Code, as amended.
5. Buffers. All buffer areas shall be flagged in the field prior to any new clearing so the equipment operators know the limits of their work. This flagging shall be inspected by the Stormwater and Resource Protection Division.
6. Hours of Operation. The hours of operation shall be limited to daylight hours, Monday through Saturday.
7. Mining Elevation. No mining shall occur below an elevation of +10 feet above mean sea level in order to keep the Property viable for future economic development.
8. Reclamation. Only “inert material” shall be used as fill during the reclamation of the Property. For the purposes of the SUP, “inert material” shall be defined as “clean soil, broken concrete, broken road pavement, rocks, bricks and broken concrete pipe.” Under no condition shall fly ash, demolition debris, organic waste material, lumber or household waste be used as fill.
9. Archaeology. A Phase I Archaeological Study for the Property shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources’ *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior’s *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior’s *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.
10. Annual Reporting. For as long as the SUP is valid, a report shall be prepared or verified by a licensed engineer or surveyor or permissible on-site verification by the Stormwater and Resource Protection Director, or their designee, documenting items A-H below. One such report shall be submitted to the Stormwater and Resource Protection Director, or their designee, between January 1 and January 31 of each year.

- a) The extent and depth of the area mined over the previous calendar year.
- b) The extent and depth of the area expected to be mined over the upcoming calendar year.
- c) A certification that no unauthorized encroachment has occurred into a Resource Protection Area (RPA), RPA buffer, the transitional screening buffer described above or any Natural Open Space easement.
- d) For areas that are wooded as of the date of issuance of this SUP, a delineation of any encroachment into such wooded areas.
- e) A certification as to the amount of disturbed acreage on-site.
- f) A certification that all fill used after the date of issuance of this permit is “inert material,” as defined above.
- g) A delineation of all areas that have been restored, but not yet released under the State Mining Permit. This delineation shall show final grades for the restored area as well as any stabilization and/or reforestation plan, with implementation time schedule, if applicable.
- h) A delineation of the extent of the areas covered by the State Mining Permit.

11. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

12. Validity. This SUP shall be valid until December 31, 2026.

\_\_\_\_\_  
 Ruth M. Larson  
 Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
 Teresa J. Fellows  
 Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

## RESOLUTION

### CASE NO. SUP-18-0023. 700 BLOW FLATS ROAD BORROW PIT RENEWAL

#### (SANIFILL OF VIRGINIA, INC.)

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted by Ordinance specific land uses that shall be subjected to a Special Use Permit (SUP) process; and

WHEREAS, Sanifill of Virginia, Inc. (the "Owner") owns the parcel of property located at 700 Blow Flats Road, further identified as James City County Real Estate Tax Map Parcel No. 6030100003 (the "Property"); and

WHEREAS, the borrow pit operation encompasses two properties, 700 Blow Flats Road and 750 Blow Flats Road (together, the "Site"); and

WHEREAS, on behalf of the Owner, Mr. Julian Lipscomb has applied to amend SUP-0009-2010 to allow for the continued operation of a borrow pit, as shown on the exhibit titled "Amendment Map Branscome, Inc. Lee's Pit U.S.G.S. Quadrangle: Hog Island," prepared by Drapen Aden Associates and dated October 5, 2018; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-18-0023; and

WHEREAS, the Planning Commission, following its public hearing on October 17, 2018, recommended approval of this application by a vote of 7-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-18-0023 as described herein with the following conditions:

1. Master Plan. The SUP shall be valid for a borrow pit at 700 Blow Flats Road, further identified as James City County Real Estate Tax Map Parcel No. 6030100003 (the "Property"). The borrow pit shall only be operated in those areas of the Property covered by the State Department of Mines, Minerals and Energy Mining Permit No. 10445AB (the "State Mining Permit"), as generally shown on the map submitted with the SUP request titled "Amendment Map Branscome Inc. Lee's Pit U.S.G.S. Quadrangle: Hog Island," and dated October 5, 2018.
2. Erosion and Sediment Control. An erosion and sediment control plan shall be submitted to, and approved by, the Stormwater and Resource Protection Division Director, or their designee, prior to any new land disturbance occurring on the Property. All approved erosion and sedimentation control measures shall be installed prior to any clearing or grading of any borrow pit cell.
3. Disturbance. No more than 60 acres of the site shall be disturbed at any one time.

4. Transitional Screening. A transitional screening buffer equal to or greater than 50 feet in width shall be provided along the perimeter of the Site. The transitional screening buffer shall be established and maintained in accordance with Chapter 24, Article 11, Division 4, Section 24-100 (a) *Transitional Screening* of the James City County Code, as amended.
5. Buffers. All buffer areas shall be flagged in the field prior to any new clearing so the equipment operators know the limits of their work. This flagging shall be inspected by the Stormwater and Resource Protection Division.
6. Hours of Operation. The hours of operation shall be limited to daylight hours, Monday through Saturday.
7. Mining Elevation. Areas on the Property may be mined to an elevation of -15 feet below mean sea level once delineated by the Stormwater and Resource Protection Director with the aid of the Office of Economic Development for the purpose of creating tidal wetlands. Soil side slopes between the elevations of +2 feet above and -2 feet below mean sea level shall be no steeper than 4:1. All other areas on the Property may be mined to an elevation of +10 feet above mean sea level in order to keep the Property viable for future economic development. Encroachment into the Resource Protection Area (RPA) will be allowed only after obtaining expressed written consent by the Stormwater and Resource Protection Director and only for the sole purpose of creating tidal wetlands.
8. Reclamation. Only “inert material” shall be used as fill during the reclamation of the Property. For the purposes of the SUP, “inert material” shall be defined as “clean soil, broken concrete, broken road pavement, rocks, bricks and broken concrete pipe.” Under no condition shall fly ash, demolition debris, organic waste material, lumber or household waste be used as fill.
9. Archaeology. A Phase I Archaeological Study for the Property shall be submitted to the Director of Planning for review and approval prior to land disturbance. A treatment plan shall be submitted and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II and Phase III studies shall meet the Virginia Department of Historic Resources’ *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior’s *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior’s *Professional Qualification Standards*. All approved



treatment plans shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon.

10. Annual Reporting. For as long as the SUP is valid, a report shall be prepared by, or verified by, a licensed engineer or surveyor or permissible on-site verification by the Stormwater and Resource Protection Director, or their designee, documenting items A-H below. One such report shall be submitted to the Stormwater and Resource Protection Director, or their designee between January 1 and January 31 of each year.
  - a) The extent and depth of the area mined over the previous calendar year.
  - b) The extent and depth of the area expected to be mined over the upcoming calendar year.
  - c) A certification that no unauthorized encroachment has occurred into a Resource Protection Area (RPA), RPA buffer, the transitional screening buffer described above or any Natural Open Space easement.
  - d) For areas that are wooded as of the date of issuance of this SUP, a delineation of any encroachment into such wooded areas.
  - e) A certification as to the amount of disturbed acreage on-site.
  - f) A certification that all fill used after the date of issuance of this permit is “inert material,” as defined above.
  - g) A delineation of all areas that have been restored, but not yet released under the State Mining Permit. This delineation shall show final grades for the restored area as well as any stabilization and/or reforestation plan, with implementation time schedule, if applicable.
  - h) A delineation of the extent of the areas covered by the State Mining Permit.
11. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.
12. Validity. This SUP shall be valid until December 31, 2026.

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Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

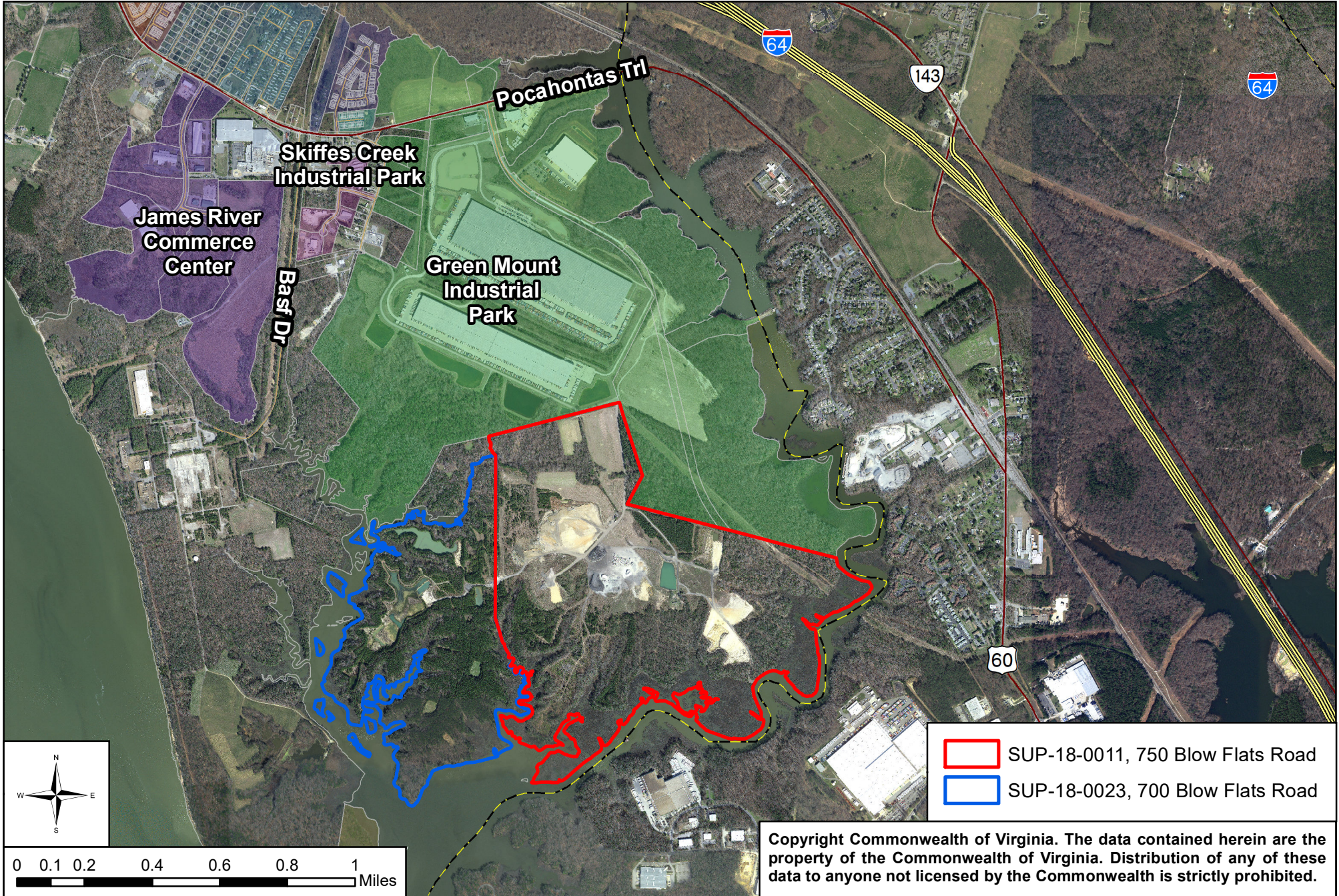
Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

SUP18-23-700BFRd-res

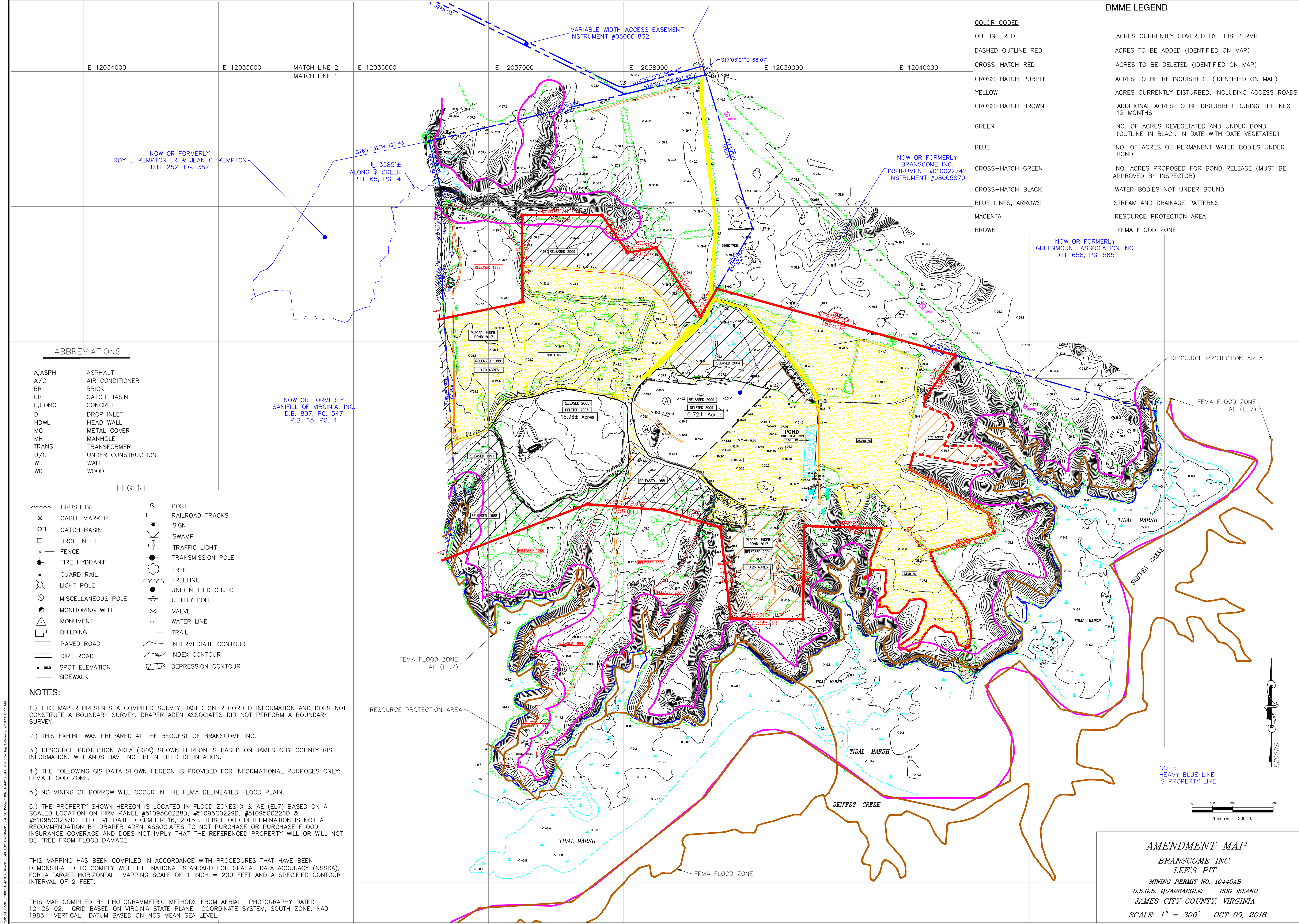


# JCC SUP-18-0011 & SUP-18-0023

## 750 & 700 Blow Flats Road Borrow Pit Renewal







COLOR CODED

OUTLINE RED

DASHED OUTLINE RED

CROSS-HATCH RED

CROSS-HATCH PURPLE

YELLOW

CROSS-HATCH BROWN

GREEN

BLUE

CROSS-HATCH GREEN

CROSS-HATCH BLACK

BLUE LINES, ARROWS

MAGENTA

BROWN

**DMME LEGEND**

ACRES CURRENTLY COVERED BY THIS PERMIT

ACRES TO BE ADDED (IDENTIFIED ON MAP)

ACRES TO BE DELETED (IDENTIFIED ON MAP)

ACRES TO BE RELINQUISHED (IDENTIFIED ON MAP)

ACRES CURRENTLY DISTURBED, INCLUDING ACCESS ROADS

ADDITIONAL ACRES TO BE DISTURBED DURING THE NEXT 12 MONTHS

NO. OF ACRES REVEGETATED AND UNDER BOND (OUTLINE IN BLACK IN DATE WITH DATE VEGETATED)

NO. OF ACRES OF PERMANENT WATER BODIES UNDER BOND

NO. ACRES PROPOSED FOR BOND RELEASE (MUST BE APPROVED BY INSPECTOR)

WATER BODIES NOT UNDER BOND

STREAM AND DRAINAGE PATTERNS

RESOURCE PROTECTION AREA

FEMA FLOOD ZONE

**ABBREVIATIONS**

A, ASPH	ASPHALT
A/C	AIR CONDITIONER
BR	BRICK
CB	CATCH BASIN
C, CONC	CONCRETE
DI	DROP INLET
HDWL	HEAD WALL
MC	METAL COVER
MH	MANHOLE
TRANS	TRANSFORMER
U/C	UNDER CONSTRUCTION
W	WALL
WD	WOOD

**LEGEND**

	BRUSHLINE		POST
	CABLE MARKER		RAILROAD TRACKS
	CATCH BASIN		SIGN
	DROP INLET		SWAMP
	FENCE		TRAFFIC LIGHT
	FIRE HYDRANT		TRANSMISSION POLE
	GUARD RAIL		TREE
	LIGHT POLE		TREELINE
	MISCELLANEOUS POLE		UNIDENTIFIED OBJECT
	MONITORING WELL		UTILITY POLE
	MONUMENT		VALVE
	BUILDING		WATER LINE
	PAVED ROAD		TRAIL
	DIRT ROAD		INTERMEDIATE CONTOUR
	SPOT ELEVATION		INDEX CONTOUR
	SIDEWALK		DEPRESSION CONTOUR

**NOTES:**

- 1.) THIS MAP REPRESENTS A COMPILED SURVEY BASED ON RECORDED INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. DRAPER ADEN ASSOCIATES DID NOT PERFORM A BOUNDARY SURVEY.
- 2.) THIS EXHIBIT WAS PREPARED AT THE REQUEST OF BRANSCOME INC.
- 3.) RESOURCE PROTECTION AREA (RPA) SHOWN HEREON IS BASED ON JAMES CITY COUNTY GIS INFORMATION. WETLANDS HAVE NOT BEEN FIELD DELINEATION.
- 4.) THE FOLLOWING GIS DATA SHOWN HEREON IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY: FEMA FLOOD ZONE.
- 5.) NO MINING OF BORROW WILL OCCUR IN THE FEMA DELINEATED FLOOD PLAIN.
- 6.) THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONES X & AE (EL.7) BASED ON A SCALED LOCATION ON FIRM PANEL #51095C0228D, #51095C0229D, #51095C0226D & #51095C0237D EFFECTIVE DATE DECEMBER 16, 2015. THIS FLOOD DETERMINATION IS NOT A RECOMMENDATION BY DRAPER ADEN ASSOCIATES TO NOT PURCHASE OR PURCHASE FLOOD INSURANCE COVERAGE AND DOES NOT IMPLY THAT THE REFERENCED PROPERTY WILL OR WILL NOT BE FREE FROM FLOOD DAMAGE.

THIS MAPPING HAS BEEN COMPILED IN ACCORDANCE WITH PROCEDURES THAT HAVE BEEN DEMONSTRATED TO COMPLY WITH THE NATIONAL STANDARD FOR SPATIAL DATA ACCURACY (NSSDA), FOR A TARGET HORIZONTAL MAPPING SCALE OF 1 INCH = 200 FEET AND A SPECIFIED CONTOUR INTERVAL OF 2 FEET.

THIS MAP COMPILED BY PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED 12-26-02. GRID BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983. VERTICAL DATUM BASED ON NGS MEAN SEA LEVEL.

**Draper Aden Associates**  
*Engineering • Surveying • Environmental Services*

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 757-599-5684  
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• Raleigh, NC  
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 • Northern Virginia  
 • Virginia Beach, VA  
 • Richmond, VA  
 • Blacksburg, VA  
 • Charlottesville, VA

**PARCEL ID #603010002 - LEE'S PIT**  
**750 BLOW FLATS ROAD SUP-18-0011**  
**BRANSCOME INC.**  
 JAMES CITY COUNTY, VIRGINIA

**REVISIONS**

DESIGNED BY:	N/A
DRAWN BY:	MJL
CHECKED BY:	RJE
SCALE:	1" = 300'
DATE:	10/05/2018
PROJECT NUMBER:	18070164-010504
<b>SHEET</b>	<b>1 OF 2</b>

**AMENDMENT MAP**  
**BRANSCOME INC.**  
**LEE'S PIT**  
 MINING PERMIT NO. 10445AB  
 U.S.G.S. QUADRANGLE: HOG ISLAND  
 JAMES CITY COUNTY, VIRGINIA  
 SCALE: 1" = 300' OCT 05, 2018

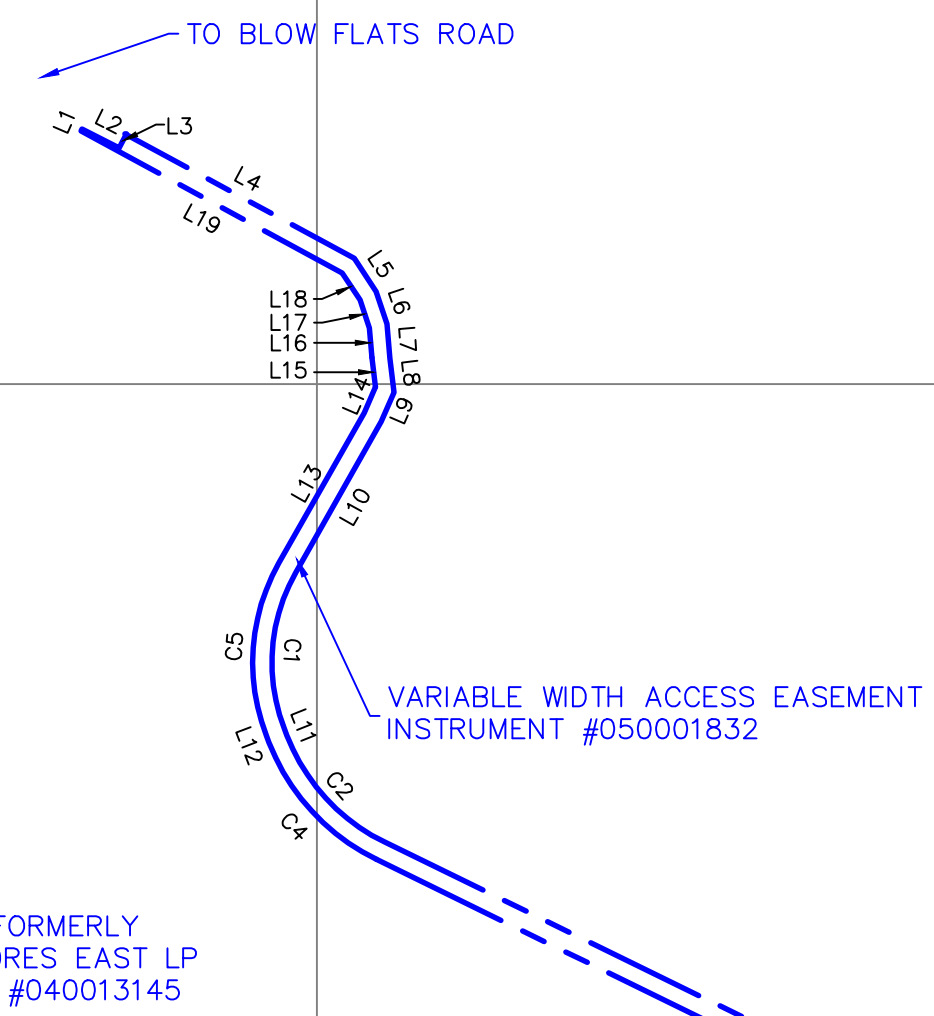


E 12034000 E 12035000 E 12036000 E 12037000 E 12038000 E 12039000 E 12040000 E 12041000 E 12042000

LINE	BEARING	DISTANCE
L1	N23°15'19"E	3.29
L2	S62°59'23"E	65.43
L3	N27°00'37"E	24.99
L4	S61°27'27"E	407.72
L5	S33°17'22"E	61.68
L6	S18°52'56"E	53.77
L7	S04°39'57"E	53.74
L8	S07°06'30"E	53.74
L9	S23°44'46"W	49.61
L10	S29°34'48"W	271.28
L11	S21°10'48"E	11.90
L12	N21°10'47"W	11.90
L13	N29°34'48"E	269.74
L14	N23°44'46"E	44.35
L15	N07°06'30"W	46.26
L16	N04°39'57"W	46.26
L17	N18°52'56"W	46.23
L18	N33°17'22"W	50.36
L19	N61°27'27"W	464.63

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	285.00	252.49	50°45'36"	244.31	S04°12'00"W
C2	310.00	231.44	42°46'33"	226.10	S42°34'05"E
C3	145.00	105.05	41°30'35"	102.77	S84°42'59"E
C4	340.00	253.84	42°46'35"	247.99	S42°34'05"E
C5	315.00	279.07	50°45'38"	270.03	S04°12'02"W

NOTE:  
HEAVY BLUE LINE  
IS PROPERTY LINE



NOW OR FORMERLY  
WALMART STORES EAST LP  
INSTRUMENT #040013145

NOW OR FORMERLY  
WALMART STORES EAST LP  
INSTRUMENT #040013145

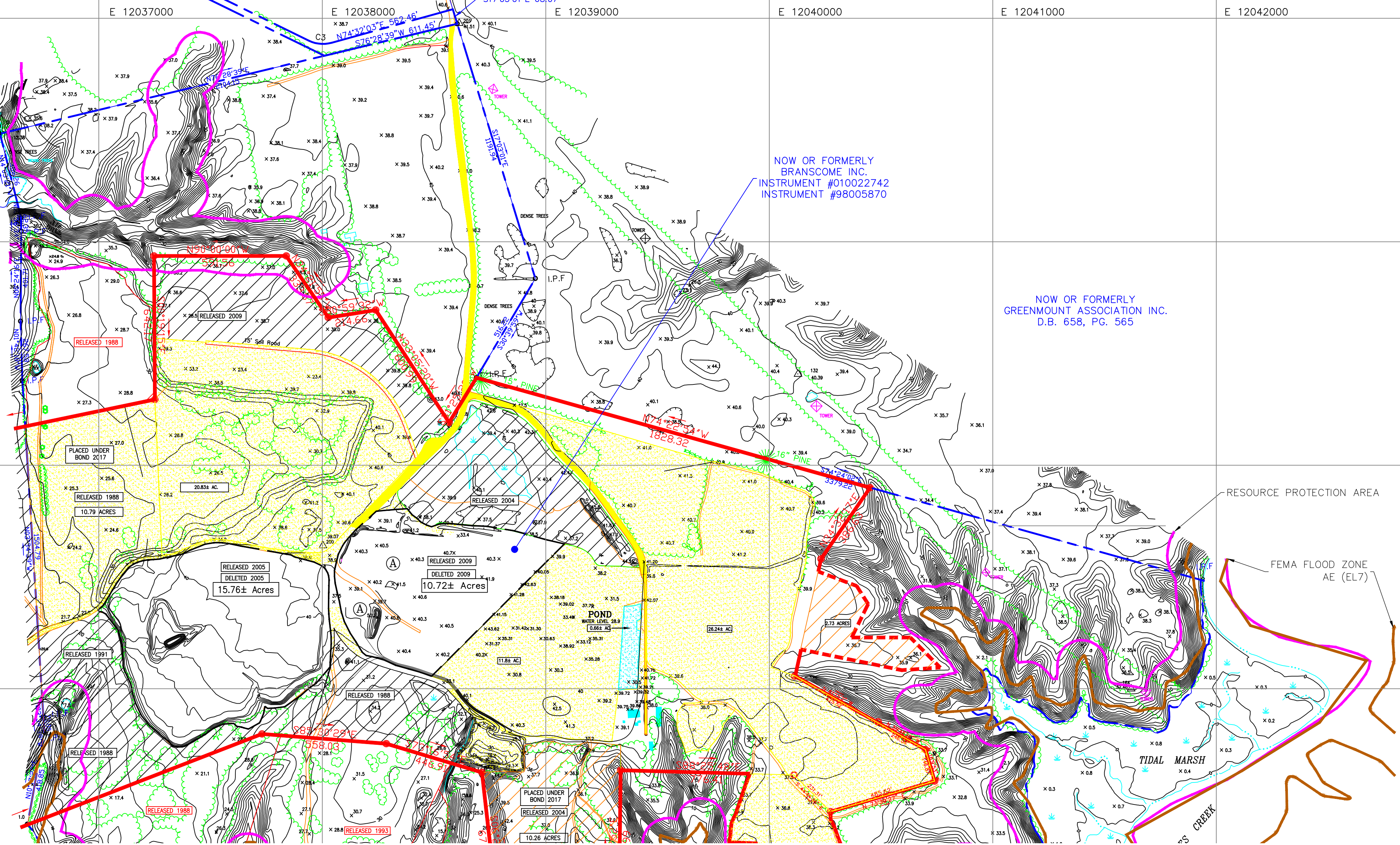
MATCH LINE 2  
MATCH LINE 1

NOW OR FORMERLY  
ROY L. KEMPTON JR & JEAN C.  
D.B. 252, PG. 357

± 3585±  
ALONG CREEK  
P.B. 65, PG. 4

NOW OR FORMERLY  
BRANSCOME INC.  
INSTRUMENT #010022742  
INSTRUMENT #98005870

NOW OR FORMERLY  
GREENMOUNT ASSOCIATION INC.  
D.B. 658, PG. 565



ABBREVIATIONS

- A, ASPH ASPHALT
- A/C AIR CONDITIONER
- BR BRICK
- CB CATCH BASIN
- C, CONC CONCRETE
- DI DROP INLET
- HDWL HEAD WALL
- MC METAL COVER
- MH MANHOLE
- TRANS TRANSFORMER
- U/C UNDER CONSTRUCTION
- W WALL
- WD WOOD

LEGEND

- BRUSHLINE
- CABLE MARKER
- CATCH BASIN
- DROP INLET
- FENCE
- FIRE HYDRANT
- POST
- RAILROAD TRACKS
- SIGN
- SWAMP
- TRAFFIC LIGHT
- TRANSMISSION POLE
- TPOC

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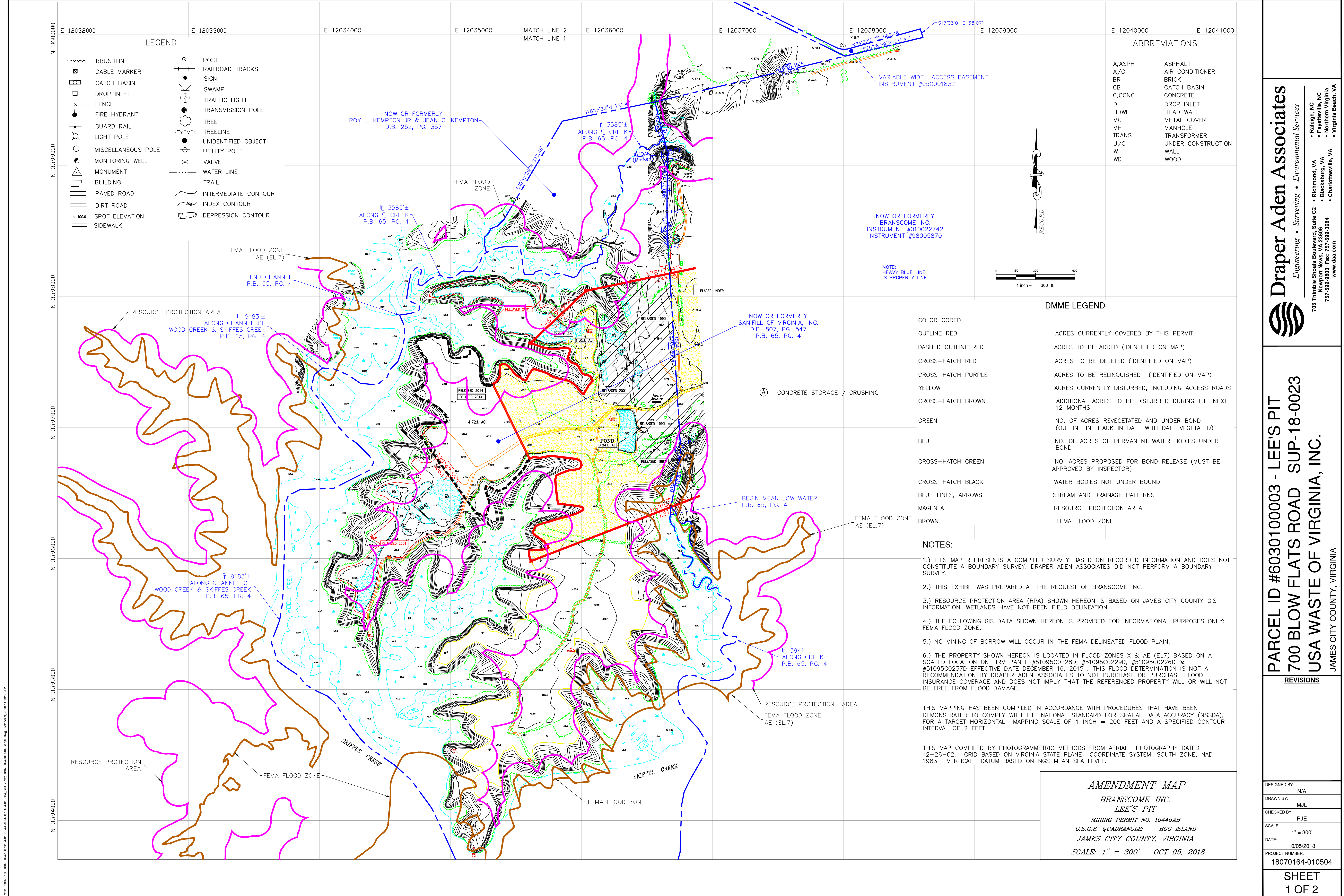
• Raleigh, NC  
• Fayetteville, NC  
• Northern Virginia  
• Virginia Beach, VA

PARCEL ID #6030100002 - LEE'S PIT  
750 BLOW FLATS ROAD SUP-18-0011  
BRANSCOME INC.  
JAMES CITY COUNTY, VIRGINIA

REVISIONS	
DESIGNED BY:	N/A
DRAWN BY:	MJL
CHECKED BY:	RJE
SCALE:	1" = 300'
DATE:	10/05/2018
PROJECT NUMBER:	18070164-010504
SHEET 2 OF 2	

D:\1818\18070164\010504\18070164-010504.dwg, SURV, 10/05/2018 11:11:10 AM



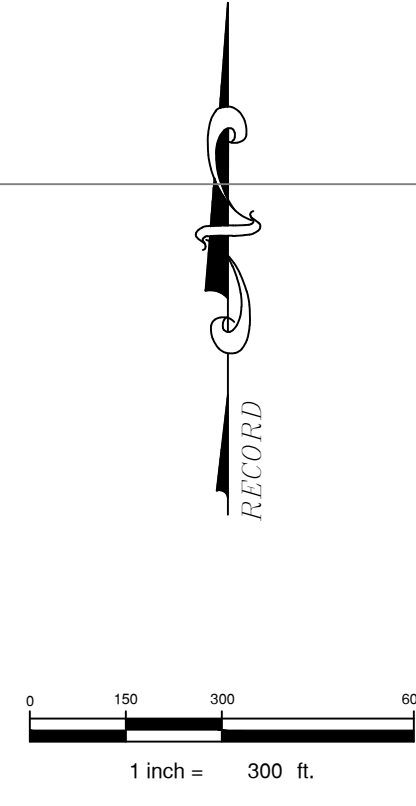


**LEGEND**

	BRUSHLINE		POST
	CABLE MARKER		RAILROAD TRACKS
	CATCH BASIN		SIGN
	DROP INLET		SWAMP
	FENCE		TRAFFIC LIGHT
	FIRE HYDRANT		TRANSMISSION POLE
	GUARD RAIL		TREE
	LIGHT POLE		TREELINE
	MISCELLANEOUS POLE		UNIDENTIFIED OBJECT
	MONITORING WELL		UTILITY POLE
	MONUMENT		VALVE
	BUILDING		WATER LINE
	PAVED ROAD		TRAIL
	DIRT ROAD		INTERMEDIATE CONTOUR
	SPOT ELEVATION		INDEX CONTOUR
	SIDEWALK		DEPRESSION CONTOUR

**ABBREVIATIONS**

A, ASPH	ASPHALT
A/C	AIR CONDITIONER
BR	BRICK
CB	CATCH BASIN
C, CONC	CONCRETE
DI	DROP INLET
HDWL	HEAD WALL
MC	METAL COVER
MH	MANHOLE
TRANS	TRANSFORMER
U/C	UNDER CONSTRUCTION
W	WALL
WD	WOOD



**DMME LEGEND**

COLOR CODED	
OUTLINE RED	ACRES CURRENTLY COVERED BY THIS PERMIT
DASHED OUTLINE RED	ACRES TO BE ADDED (IDENTIFIED ON MAP)
CROSS-HATCH RED	ACRES TO BE DELETED (IDENTIFIED ON MAP)
CROSS-HATCH PURPLE	ACRES TO BE RELINQUISHED (IDENTIFIED ON MAP)
YELLOW	ACRES CURRENTLY DISTURBED, INCLUDING ACCESS ROADS
CROSS-HATCH BROWN	ADDITIONAL ACRES TO BE DISTURBED DURING THE NEXT 12 MONTHS
GREEN	NO. OF ACRES REVEGETATED AND UNDER BOND (OUTLINE IN BLACK IN DATE WITH DATE VEGETATED)
BLUE	NO. OF ACRES OF PERMANENT WATER BODIES UNDER BOND
CROSS-HATCH GREEN	NO. ACRES PROPOSED FOR BOND RELEASE (MUST BE APPROVED BY INSPECTOR)
CROSS-HATCH BLACK	WATER BODIES NOT UNDER BOND
BLUE LINES, ARROWS	STREAM AND DRAINAGE PATTERNS
MAGENTA	RESOURCE PROTECTION AREA
BROWN	FEMA FLOOD ZONE

- NOTES:**
- 1.) THIS MAP REPRESENTS A COMPILED SURVEY BASED ON RECORDED INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY. DRAPER ADEN ASSOCIATES DID NOT PERFORM A BOUNDARY SURVEY.
  - 2.) THIS EXHIBIT WAS PREPARED AT THE REQUEST OF BRANSCOME INC.
  - 3.) RESOURCE PROTECTION AREA (RPA) SHOWN HEREON IS BASED ON JAMES CITY COUNTY GIS INFORMATION. WETLANDS HAVE NOT BEEN FIELD DELINEATION.
  - 4.) THE FOLLOWING GIS DATA SHOWN HEREON IS PROVIDED FOR INFORMATIONAL PURPOSES ONLY: FEMA FLOOD ZONE.
  - 5.) NO MINING OR BORROW WILL OCCUR IN THE FEMA DELINEATED FLOOD PLAIN.
  - 6.) THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONES X & AE (EL.7) BASED ON A SCALED LOCATION ON FIRM PANEL #51095C0228D, #51095C0229D, #51095C0228D & #51095C0237D EFFECTIVE DATE DECEMBER 16, 2015. THIS FLOOD DETERMINATION IS NOT A RECOMMENDATION BY DRAPER ADEN ASSOCIATES TO NOT PURCHASE OR PURCHASE FLOOD INSURANCE COVERAGE AND DOES NOT IMPLY THAT THE REFERENCED PROPERTY WILL OR WILL NOT BE FREE FROM FLOOD DAMAGE.

THIS MAPPING HAS BEEN COMPILED IN ACCORDANCE WITH PROCEDURES THAT HAVE BEEN DEMONSTRATED TO COMPLY WITH THE NATIONAL STANDARD FOR SPATIAL DATA ACCURACY (NSSDA), FOR A TARGET HORIZONTAL MAPPING SCALE OF 1 INCH = 200 FEET AND A SPECIFIED CONTOUR INTERVAL OF 2 FEET.

THIS MAP COMPILED BY PHOTOGAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED 12-26-02. GRID BASED ON VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983. VERTICAL DATUM BASED ON NGS MEAN SEA LEVEL.

**AMENDMENT MAP**  
**BRANSCOME INC.**  
**LEE'S PIT**  
 MINING PERMIT NO. 10445AB  
 U.S.G.S. QUADRANGLE: HOG ISLAND  
 JAMES CITY COUNTY, VIRGINIA  
 SCALE: 1" = 300' OCT 05, 2018

**Draper Aden Associates**  
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 www.daa.com

• Raleigh, NC  
 • Fayetteville, NC  
 • Northern Virginia  
 • Virginia Beach, VA

**PARCEL ID #603010003 - LEE'S PIT**  
**700 BLOW FLATS ROAD SUP-18-0023**  
**USA WASTE OF VIRGINIA, INC.**  
 JAMES CITY COUNTY, VIRGINIA

**REVISIONS**

DESIGNED BY:	N/A
DRAWN BY:	MJL
CHECKED BY:	RJE
SCALE:	1" = 300'
DATE:	10/05/2018
PROJECT NUMBER:	18070164-010504
<b>SHEET</b>	
<b>1 OF 2</b>	



E 12032000 E 12033000 E 12034000 E 12035000 E 12036000 E 12037000 E 12038000 E 12039000 E 12040000 E 12041000

N 3602000

N 3601000

N 3600000

N 3599000

N 3598000

N 3597000

TO BLOW FLATS ROAD

VARIABLE WIDTH ACCESS EASEMENT  
INSTRUMENT #050001832

NOW OR FORMERLY  
WALMART STORES EAST LP  
INSTRUMENT #040013145

LINE	BEARING	DISTANCE
L1	N23°15'19"E	3.29'
L2	S62°59'23"E	65.43'
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NOW OR FORMERLY  
WALMART STORES EAST LP  
INSTRUMENT #040013145

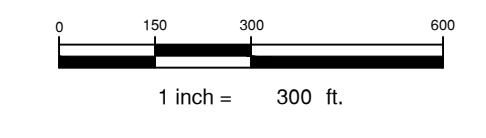
S17°03'01"E 68.07'

NOW OR FORMERLY  
BRANSCOME INC.  
INSTRUMENT #010022742  
INSTRUMENT #98005870

NOTE:  
HEAVY BLUE LINE  
IS PROPERTY LINE

ABBREVIATIONS

A, ASPH	ASPHALT
A/C	AIR CONDITIONER
BR	BRICK
CB	CATCH BASIN
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DI	DROP INLET
HDWL	HEAD WALL
MC	METAL COVER
MH	MANHOLE
TRANS	TRANSFORMER
U/C	UNDER CONSTRUCTION
W	WALL
WD	WOOD



LEGEND

	BRUSHLINE		POST
	CABLE MARKER		RAILROAD TRACKS
	CATCH BASIN		SIGN
	DROP INLET		SWAMP
	FENCE		TRAFFIC LIGHT
	FIRE HYDRANT		TRANSMISSION POLE
	GUARD RAIL		TREE
	LIGHT POLE		TREELINE
	MISCELLANEOUS POLE		UNIDENTIFIED OBJECT
	MONITORING WELL		UTILITY POLE
	MONUMENT		VALVE
	BUILDING		WATER LINE
	PAVED ROAD		TRAIL
	DIRT ROAD		INTERMEDIATE CONTOUR
	SPOT ELEVATION		INDEX CONTOUR
	SIDEWALK		DEPRESSION CONTOUR

NOW OR FORMERLY  
ROY L. KEMPTON JR & JEAN C.  
D.B. 252, PG. 357

± 3585'±  
ALONG CREEK-  
P.B. 65, PG. 4

FEMA FLOOD ZONE  
AE (EL.7)

END CHANNEL  
P.B. 65, PG. 4

RESOURCE PROTECTION AREA  
± 9183'±  
ALONG CHANNEL OF  
WOOD CREEK & SKIFFES CREEK  
P.B. 65, PG. 4

NOW OR FORMERLY  
SANIFILL OF VIRGINIA, INC.  
D.B. 807, PG. 547  
P.B. 65, PG. 4

(A) CONCRETE STORAGE / CRUSHING

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PARCEL ID #603010003 - LEE'S PIT  
700 BLOW FLATS ROAD SUP-18-0023  
USA WASTE OF VIRGINIA, INC.  
JAMES CITY COUNTY, VIRGINIA

REVISIONS
DESIGNED BY: N/A
DRAWN BY: MJL
CHECKED BY: RJE
SCALE: 1" = 300'
DATE: 10/05/2018
PROJECT NUMBER: 18070164-010504
SHEET 2 OF 2

P:\1811\1811001\1811001.dwg (1811001.dwg) - 10/5/2018 11:11:56 AM  
 PLOT: 1811001.dwg (1811001.dwg) - 10/5/2018 11:11:56 AM  
 PLOT: 1811001.dwg (1811001.dwg) - 10/5/2018 11:11:56 AM

**Unapproved Minutes of the October 17, 2018  
Planning Commission Special Meeting**

**SUP-18-0011. 750 Blow Flats Road Borrow Pit Renewal and SUP-18-0023. 700 Blow Flats Road Borrow Pit Renewal**

Ms. Terry Costello, Deputy Zoning Administrator, stated that Mr. Jay Lipscomb has applied on behalf of USA Waste of Virginia, Inc. and Branscome, Inc. to renew their Special Use Permits (SUPs) in order to continue the operation of borrow pits located at 700 and 750 Blow Flats Road. Ms. Costello stated that both parcels are zoned M-2, General Industrial and are designated as General Industry on the Comprehensive Plan.

Ms. Costello stated that the borrow pit operation involves excavating topsoil, dirt, sand and clay from the property for use at other sites. Ms. Costello further stated that there is an active mining permit from the Virginia Department of Mines, Minerals and Energy (DMME), and impacts associated with the borrow pits are overseen by the state through the applicant's operational plan.

Ms. Costello stated that SUPs (one for each property) were approved by the Board of Supervisors in 1992 to allow for the continued operation of these facilities. Ms. Costello stated that at that time, in order to give staff the opportunity to reevaluate the impacts of the operation, a five-year time limit was placed on the SUPs as a condition of approval. Ms. Costello stated that in 1997, the SUPs were reevaluated and renewed for a subsequent three years. Ms. Costello stated that in 2000, and again in 2005, the SUPs were renewed with a five-year time limit as a condition of the approval. Ms. Costello stated that in 2010, the SUPs were renewed with an eight-year time limit. Ms. Costello stated that the existing SUPs will expire on December 31, 2018.

Ms. Costello stated that as part of the current renewal process, the applicant has requested that the SUPs be renewed without any time limit. Ms. Costello stated that staff recommends an eight-year time limit on the SUPs due to constantly evolving regulations regarding environmental protection. Ms. Costello stated that staff finds having an opportunity to review the conditions of the operation allows the County to address these changes and any other impacts. Ms. Costello stated that the intentions of the applicant and the County are for this property to be redeveloped for economic development purposes in the future or have the capability for such redevelopment.

Ms. Costello noted that all agencies have reviewed both SUP renewal applications and recommend approval with the proposed conditions.

Ms. Costello stated that recommended uses for the General Industrial District include industrial operations with office and commercial as secondary. Ms. Costello stated that staff finds the proposal to be consistent with the 2035 Comprehensive Plan, the Zoning Ordinance and surrounding development. Ms. Costello stated that staff recommends that the Planning Commission recommend approval of this application to the Board of Supervisors, subject to the conditions listed in the staff report.

Mr. Richardson opened the floor for questions from the Commission.



Mr. Jack Haldeman inquired if the DMME was responsible for overseeing the reclamation of the land.

Ms. Costello confirmed.

Mr. Tim O'Connor inquired if land would need to be reclaimed before the operation could exceed 60 acres of disturbed land.

Mr. Paul Holt, Director of Community Development and Planning, stated that staff would defer to the applicant for this question; however, he believes that some areas may remain open but unused while other areas are actively used to comprise the allowable acreage.

Mr. Richardson opened the Public Hearing.

Mr. Julian H. Lipscomb, Jr., Environmental Manager, Branscome, Inc., 3144 Hollow Oak Drive, provided the Commission with a history of the property and the ongoing mining activities. Mr. Lipscomb noted that Branscome oversees the permits and mining activities on both properties and has an agreement to mine for their benefit when needed. Mr. Lipscomb noted that the Branscome property is constantly in use; however, the USA Waste property has not been mined for two years. Mr. Lipscomb further stated that the plan for the properties is ultimately to reclaim them for development purposes. Mr. Lipscomb requested that the Commission consider recommending the SUP be approved in perpetuity.

Mr. Frank Polster noted that he had spoken with the applicant just prior to the start of the meeting. Mr. Polster requested that the applicant discuss the state and local requirements that they are required to abide by.

Mr. Lipscomb stated that the DMME oversees the reclamation of borrow pits throughout the state. Mr. Lipscomb stated that inert fill from construction sites is used to backfill the mined areas which is compacted layer by layer to bring the area back to developable grades.

Mr. Polster inquired who was responsible for inspecting the borrow pit reclamation and when inspections were done.

Mr. Lipscomb stated that the DMME inspects the property a minimum of twice a year. Mr. Lipscomb further stated that the property is also inspected at the federal level by the Mine Safety and Health Administration.

Mr. Polster inquired about County inspections.

Mr. Lipscomb stated that the SUP requires that they provide an annual report to the County of how many acres are disturbed. Mr. Lipscomb stated that County Zoning and Environmental staff visit the site and assess the property to determine which areas meet the criteria of active land disturbance. Mr. Lipscomb further stated that maps for the active land disturbance were then created based on the site visit.

Mr. Polster inquired if this was an annual report.

Mr. Lipscomb confirmed.

Mr. Danny Schmidt inquired about the portion of the property adjacent to the creek and whether it was permissible to remove sand and clay from that area and, if so, would that create a tidal wetland.

Mr. Lipscomb stated they were leaving that option open for USA Waste to use the area for Wetlands Mitigation Credits.

Mr. Schmidt noted that he had concerns about sediment impacting the wetlands.

Mr. Lipscomb stated that the area had already been mined and reclaimed and that vegetation has been established on the slopes. Mr. Lipscomb noted that they had received an honorable mention from the DMME for mine reclamation.

Ms. Leverenz inquired if, over the years, there have been changes in environmental regulations that would warrant setting a time limit for the SUP.

Ms. Costello stated that there have not been changes in the Resource Protection Area or the Flood Plain maps; however, staff would like to ensure the opportunity to amend the SUP conditions should changes take place in the future.

Mr. Haldeman asked for confirmation that the current term of the SUP was longer than the initial term.

Mr. Lipscomb confirmed. Mr. Lipscomb noted that the eight-year term was a compromise at the last renewal.

As no one else wished to speak, Mr. Richardson closed the Public Hearing.

Mr. Richard opened the floor for discussion by the Commission.

Mr. Haldeman stated that he was inclined to support the application; however, he was not comfortable with no term limit.

Ms. Leverenz inquired if the term limit could be set at 10 years.

Mr. Holt stated that the Commission could forward a recommendation to the Board of Supervisors. Mr. Holt further stated that if the Commission recommends a 10-year term, staff would look at whether there are any substantive differences or impacts with a 10-year term opposed to an eight-year term.

Mr. Polster inquired if any change in operation during the term of the SUP would trigger County review.

Mr. Holt stated that unless it was an owner or applicant request, the change would be picked up on the subsequent renewal application.

Ms. Leverenz inquired if by-right uses could occur without review.

Mr. Holt responded that the SUP would not prohibit other uses that are permitted in the M-2 Zoning District.

Mr. Haldeman stated that he did not have a strong opinion whether the term should be eight or 10 years.

Mr. O'Connor stated that his concern in approving the SUP in perpetuity is that should one or both of the properties be sold at some future date, the new owner may not be as good a steward as the applicant. Mr. O'Connor further stated that he would support an eight-year term.

Mr. Krapf made a motion to recommend approval of SUP-18-0011 and SUP-18-0023 subject to the conditions in the staff report.

Mr. Holt inquired if Mr. Krapf's intention was to recommend the eight-year term.

Mr. Krapf confirmed.

On a roll call vote the Commission voted to recommend approval of SUP-18-0011, 750 Blow Flats Road Borrow Pit Renewal and SUP-18-0023, 700 Blow Flats Road Borrow Pit Renewal (7-0).

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Patrick O. Teague, Human Resource Director

SUBJECT: Revision to Chapter 5 Benefits, to include the addition of 8 hours of Volunteer Leave.

---

**ATTACHMENTS:**

	Description	Type
☐	Chapter 5 Cover Memo	Cover Memo
☐	Chapter 5 Revised Policy	Backup Material
☐	Chapter 5 Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Human Resources	Teague, Patrick	Approved	10/8/2018 - 12:32 PM
Publication Management	Daniel, Martha	Approved	10/8/2018 - 1:29 PM
Legal Review	Kinsman, Adam	Approved	10/17/2018 - 11:31 AM
Board Secretary	Fellows, Teresa	Approved	10/22/2018 - 10:55 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 9:09 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:16 AM



**MEMORANDUM**

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Patrick O. Teague, Director of Human Resources  
SUBJECT: Revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual

---

Volunteering is an important activity both to improve the community and to provide team building activities to staff.

Staff proposes revisions to Chapter 5 of the James City County Personnel Policies and Procedures Manual to revise Section 5.4 B Number 7 to add 8 hours of Annual Volunteer Leave to the 8 hours of School Leave currently provided. This is an annual allotment and does not pay out nor carry over year to year.

A copy of the proposed changes is attached.

Staff recommends approval of the proposed changes.

POT/md  
JCCCh5Revisions-mem

Attachments

## CHAPTER 5

### EMPLOYEE BENEFITS

[Section 5.1 Policy - General](#)

[Section 5.2 Eligibility - General](#)

[Section 5.3 Holidays](#)

[Section 5.4 Leave](#)

[Section 5.5 Family and Medical Leave Act \(FMLA\)](#)

[Section 5.6 Health Related Benefits](#)

[Section 5.7 Retirement, Disability, and Life Insurance](#)

[Section 5.8 Workers' Compensation \(Policy\) \(Procedures\)](#)

[Section 5.9 Tax-Related Benefits](#)

[Section 5.10 Credit Union](#)

[Section 5.11 Employer Assisted Home Ownership Program](#)

[Section 5.12 Optional, Employee-Paid Benefits](#)

Chapter 5  
Employee Benefits

7.

Type	<i>Volunteer &amp; School Leave</i>
Eligibility	Employees in full-time and part-time regular and limited-term positions except those hired on or after 1/1/2014 into part-time regular and limited-term positions which have fewer than 780 annual authorized hours.
Purpose	<p><i>School Leave may be used by an employee to provide paid absences to perform volunteer work in a school, to meet with a teacher or administrator concerning the employee's children, step-children, or children over whom the employee has custody, or to attend a school function in which such a child is participating. School leave may be used for these purposes in a public or private elementary, middle, or high school, or a licensed preschool or daycare center.</i></p> <p><i>Volunteer Leave may be used by an employee to provide paid absences to perform volunteer work as part of an organized service project through a recognized nonprofit or governmental organization.</i></p>
Guidelines	<p>Employees in full-time regular and limited-term positions may take up to eight (8) hours of School Leave per fiscal year <i>and up to eight (8) hours of Volunteer Leave per fiscal year.</i></p> <p>Employees in part-time regular and limited-term positions may take up to one day as defined in Section 5.4.A.3.a.</p>

**RESOLUTION**

**REVISIONS TO CHAPTER 5 OF THE JAMES CITY COUNTY**

**PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the James City County Personnel Policies and Procedures Manual is an important document that guides decisions; and

WHEREAS, it is the practice of the County to revise and update policies to reflect changes and improvements; and

WHEREAS, volunteering both improves the community and provides staff valuable team building opportunities; and

WHEREAS, staff recommends revisions to Chapter 5 of the Personnel Policies and Procedures Manual to update the current annual benefit of 8 hours of School Leave to include the addition of 8 hours of Annual Volunteer Leave.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that revisions to the Personnel Policies and Procedures Manual listed above and set forth in the staff memorandum are adopted, effective November 13, 2018.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

JCCCh5Revisions-res



**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Bradley J. Rinehimer, Chief of Police

**SUBJECT:** Federal Grant Award - Department of Justice, Office on Violence Against Women - \$416,248

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:03 PM
Police	Rinehimer, Bradley	Approved	10/17/2018 - 2:06 PM
Publication Management	Burcham, Nan	Approved	10/17/2018 - 2:09 PM
Legal Review	Kinsman, Adam	Approved	10/18/2018 - 9:25 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 9:17 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:47 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Federal Grant Award - Department of Justice, Office on Violence Against Women - \$416,248

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James City County has been awarded a continuation grant (Improving Criminal Justice Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking) by the Office on Violence Against Women (OVW) at the Department of Justice, in the amount of \$416,248. The grant award period is from October 1, 2018 to September 30, 2021.

The purpose of this grant is twofold: 1) to centralize and coordinate police enforcement, prosecution or judicial responsibility for sexual assault, domestic violence, dating violence and stalking cases in teams or units of police officers, prosecutors, parole and probation officers or judges; and 2) develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides.

The continued grant awarded funds will maintain four part-time positions (project coordinator, victim advocate, domestic violence pretrial officer and the domestic violence probation officer) and will continue to fund 10 hours per week increase and health care coverage for the domestic violence prosecutor attached to the Williamsburg-James City County Commonwealth Attorney's office. The renewed funding from OVW will also fund travel - OVW mandated technical assistance and training funds; equipment; supplies; contracts for interpretation and translation services and curfew monitoring services; transportation services for victims; rent and costs associated with providing training to stakeholders in the greater Williamsburg area.

Staff recommends the appropriation of \$416,248 to the Special Projects/Grants Fund.

BJR/nb  
GA-OVW-mem

Attachment

**RESOLUTION**

**FEDERAL GRANT AWARD - DEPARTMENT OF JUSTICE,**

**OFFICE ON VIOLENCE AGAINST WOMEN - \$416,248**

WHEREAS, James City County has been awarded a continuation grant by the Office on Violence Against Women at the Department of Justice in the amount of \$416,248; and

WHEREAS, the grant award period is from October 1, 2018 to September 30, 2021; and

WHEREAS, the funds are to be used for personnel, travel, equipment, supplies, contracts and other costs associated with holding of targeted training events.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriations to the Special Projects/Grants Fund:

Revenue:

Office on Violence Against Women Grant	<u>\$416,248</u>
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Expenditure:

Office on Violence Against Women Grant	<u>\$416,248</u>
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Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

GA-OVW-res

**ITEM SUMMARY**

**DATE:** 11/13/2018

**TO:** The Board of Supervisors

**FROM:** Nathan R. Green, Commonwealth Attorney

**SUBJECT:** Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	10/22/2018 - 11:11 AM
Board Secretary	Purse, Jason	Approved	10/22/2018 - 11:13 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 1:40 PM
Board Secretary	Purse, Jason	Approved	10/29/2018 - 2:17 PM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 2:31 PM
Publication Management	Burcham, Nan	Approved	10/29/2018 - 2:34 PM
Legal Review	Kinsman, Adam	Approved	11/2/2018 - 9:28 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2018 - 9:32 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:49 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM



**M E M O R A N D U M**

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - Victim's Witness Grant Program - \$183,260

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The Commonwealth Attorney has been awarded a \$183,260 grant (federal share \$137,445; state share \$45,815) from the Victim's Witness Grant Program through the State Department of Criminal Justice Services. The grant will fund the personnel costs for the continuation of three positions to provide comprehensive information and direct services to crime victims and witnesses. The Commonwealth Attorney has been successful in obtaining this grant for more than 13 years, and plans to apply for this grant in the future.

The attached resolution appropriates these funds to the Special Projects/Grants Fund through June 30, 2019.

Staff recommends approval of the attached resolution.

NRG/md  
GA-VictWitnsProg-mem

Attachment

**RESOLUTION**

**GRANT AWARD - COMMONWEALTH ATTORNEY -**

**VICTIM'S WITNESS GRANT PROGRAM - \$183,260**

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a \$183,260 federal grant from the Victim's Witness Grant Fund (federal share \$137,445; state share \$45,815) through the State Department of Criminal Justice Services; and

WHEREAS, this grant would fund the personnel costs for the continuation of three full-time equivalent positions; and

WHEREAS, these positions provide comprehensive information and direct services to crime victims and witnesses beginning July 1, 2018, through June 30, 2019.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Special Projects/Grants Fund for Fiscal Year 2019 purposes described above:

Revenues:

Victim Witness Department of Criminal Justice Services (DCJS) Federal Revenue	\$137,445
Victim Witness DCJS State Revenue	<u>45,815</u>
Total	<u>\$183,260</u>

Expenditure:

Victim Witness	<u>\$183,260</u>
Total	<u>\$183,260</u>

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	___	___	___
ICENHOUR	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___
LARSON	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this day 13th day of November, 2018.

GA-FY19VictimsWitns-res

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Shawn Gordon, Chief Civil Engineer - Capital Projects

SUBJECT: Contract Award - Amblers House Exterior Restoration Project - \$498,916

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Exhibit 1	Exhibit
☐	Exhibit 2	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Capital Projects	Gordon, Shawn	Approved	10/26/2018 - 12:06 PM
General Services	Boone, Grace	Approved	10/26/2018 - 12:08 PM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 1:30 PM
Legal Review	Kinsman, Adam	Approved	10/29/2018 - 8:01 AM
Board Secretary	Mellen, Sue	Approved	10/29/2018 - 9:11 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:18 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:13 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: Shawn A. Gordon, Chief Civil Engineer - Capital Projects

SUBJECT: Contract Award - Amblers House Exterior Restoration Project - \$498,732

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The Amblers House Exterior Restoration Project, located at 2205 Jamestown Road and formerly known as the Vermillion House, will repair the exterior features of this structure that have fallen into disrepair. The proposed exterior restoration measures have been reviewed by the Department of Historic Resources to maintain the property listing on the National Register of Historic Places and the Virginia Landmarks Register. The proposed restoration will include repairs to the slate roof, cleaning and repairing the brick veneer and chimneys, repairing the original windows, replacing the storm windows, adding handrails to entry points, repair of the deck area on the flat roof over the kitchen, removal of asbestos in the basement, gutter replacement and painting. The proposal does not include restoration of the two outbuildings on the property.

James City County participated in a joint procurement for construction projects with Newport News Public Schools. The following entities participated: Newport News Public Schools (lead), James City County, Williamsburg-James City County Schools, James City Service Authority, York County, York County Schools, Hampton City Schools, City of Hampton, Poquoson City Public Schools, City of Poquoson, City of Newport News and New Horizons Regional Educational Center. Utilizing a Request for Proposal solicitation, Centennial Contractors Enterprises, Inc. was selected to complete project requests through the joint procurement.

Centennial Contractors Enterprises, Inc. provided a proposal, as part of this joint procurement partnership, in the amount of \$498,731.70 for the exterior restoration to the Amblers House.

Centennial Contractors Enterprises, Inc. has performed satisfactory work for James City County in the past and was determined to be a responsive and responsible bidder. In addition, the firm has completed numerous historic preservation restoration projects throughout Virginia and the Hampton Roads area. This project is part of the approved Tourism Investment Fund in the Capital Improvements Program budgets in FY 18 and FY 19.

Staff recommends approval of the attached resolution authorizing the contract award to Centennial Contractors Enterprises, Inc.

SAG/nb  
CA-AHExtRestProj-mem

Attachments:

1. Resolution
2. Exhibits



**RESOLUTION**

**CONTRACT AWARD - AMBLERS HOUSE EXTERIOR RESTORATION PROJECT- \$498,732**

WHEREAS, James City County participated in a joint procurement for construction projects with Newport News Public Schools; and

WHEREAS, Centennial Contractors Enterprises, Inc. provided a proposal, utilizing the joint procurement partnership, in the amount of \$498,732 for the exterior restoration to the Amblers House; and

WHEREAS, funding to complete this restoration project was previously authorized in the Tourism Investment Fund for the Capital Improvements Program budget in FY 18 and FY 19.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$498,732 to Centennial Contractors Enterprises, Inc., for the Amblers House Exterior Restoration Project.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

CA-AHExtRestProj-res





**AMBLERS HOUSE EXTERIOR  
RESTORATION PROJECT**

**2205 JAMESTOWN ROAD  
(FRONT ELEVATION VIEW)**





# Amblers House Exterior Restoration Project



1 inch = 450 feet  
0 225 450 Feet



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.

Copyright James City County GIS Office 10/30/2018  
M:\Departments\General\_Services\Shawn\Ambler.mxd

**ITEM SUMMARY**

DATE: 11/12/2018  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: 2019 Legislative Agenda

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**ATTACHMENTS:**

	Description	Type
☐	memo	Cover Memo
☐	reso	Resolution
☐	Legislative Agenda	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	10/26/2018 - 10:25 AM
Publication Management	Burcham, Nan	Approved	10/26/2018 - 10:31 AM
Legal Review	Kinsman, Adam	Approved	10/26/2018 - 10:32 AM
Board Secretary	Fellows, Teresa	Approved	10/29/2018 - 8:57 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 9:11 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:13 AM



**MEMORANDUM**

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: 2019 Legislative Program

---

Attached for your consideration is a resolution approving James City County's 2019 Legislative Program. Also attached is the 2019 Legislative Program.

I recommend adoption of the attached resolution.

ARK/md  
JCC2019LegislPrg-mem

Attachment

**RESOLUTION**

**2019 LEGISLATIVE PROGRAM**

WHEREAS, James City County has developed a Legislative Program for the consideration of the 2019 session of the General Assembly which outlines certain legislative policies which the Board believes ought to guide the General Assembly and proposes certain legislation that would benefit the County; and

WHEREAS, the Board has carefully considered its Legislative Program and believes that it is in the best interests of the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the County's 2019 Legislative Program and commends it to the County's representatives in the General Assembly for action.

BE IT FURTHER RESOLVED that a copy of the County's 2019 Legislative Program be forwarded to the County's elected representatives to the General Assembly.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

JCC2019LegislPrg-res



## **JAMES CITY COUNTY 2019 LEGISLATIVE PROGRAM**

### **Part I. Legislation Introduced on Behalf of the County**

- 1-1. AMEND THE JAMES CITY COUNTY CHARTER TO ADD § 7.5 TO ALLOW JAMES CITY COUNTY TO REGULATE INOPERATIVE MOTOR VEHICLES PURSUANT TO VIRGINIA CODE § 15.2-905 ON LOTS EQUAL TO OR LESS THAN TWO ACRES.

James City County requests an amendment to its Charter to allow it to regulate inoperative motor vehicles under the provisions of § 15.2-905 only on lots equal to or less than two (2) acres. All other lots would be regulated under the current provisions set forth in Virginia Code § 15.2-904.

- 1-2. AMEND VIRGINIA CODE § 15.2-2242 TO ALLOW LOCALITIES THE OPTION OF INCREASED PROTECTION AGAINST DEVELOPERS WHO HAVE NOT MET ALL PREVIOUS LAND DEVELOPMENT OBLIGATIONS.

James City County requests an amendment of Virginia Code § 15.2-2242 to permit all localities the option of disallowing personal, corporate, or property bonds to secure the completion of public facilities for developers who have not met all previous land development obligations. In addition, the County desires the ability to increase its allowance for estimated administrative costs, inflation, and potential damage to existing roads or utilities be greater than 25% of the estimated construction costs, but not exceeding 50% of the estimated construction costs.

Currently, this ability is only given to localities operating under the Urban County Executive form of government.<sup>1</sup>

- 1-3. AMEND VIRGINIA CODE § 15.2-2241.A.5 TO ALLOW LOCALITIES TO PROHIBIT CERTAIN DEVELOPERS FROM RECORDING REMAINING SECTIONS OF A SUBDIVISION IF PREVIOUS LAND DEVELOPMENT OBLIGATIONS REMAIN UNMET.

James City County requests an amendment of Virginia Code § 15.2-2241.A.5 to allow localities the ability to prohibit developers who have not met previous land development obligations from recording remaining sections of a subdivision.

- 1-4. AMEND VIRGINIA CODE § 15.2-2259 TO ALLOW THE PLANNING COMMISSION OR OTHER AGENT TO WITHHOLD ACTION ON A SUBDIVISION PLAT IF DEVELOPMENT OBLIGATIONS FOR PRIOR RECORDED SECTIONS REMAIN UNMET.

James City County requests the amendment of Virginia Code § 15.2-2259 to allow the local planning commission or other agent to withhold action when a proposed plat represents a section

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<sup>1</sup> Va. Code § 15.2-851.1.A



of a valid preliminary subdivision plan and land development obligations for prior recorded sections of that preliminary subdivision plan have not been satisfied in accordance with all development agreements.

- 1-5. AMEND VIRGINIA CODE §§ 3.2-6540 AND 3.2-6540.1 TO PERMIT COURTS TO ORDER RESTITUTION FOR EMOTIONAL DISTRESS IN ADDITION TO ACTUAL DAMAGES CAUSED BY DANGEROUS OR VICIOUS DOGS.

James City County requests the amendment of Virginia Code §§ 3.2-6540 and 3.2-6540.1 to permit courts to order restitution for emotional distress caused by the actions of a dangerous or vicious dog.

- 1-6. AMEND TITLE 3.2 OF THE VIRGINIA CODE TO PERMIT LOCALITIES TO REQUIRE THAT, WHILE THEY ARE OUTSIDE, ALL DOGS BE CONTAINED IN AN ENCLOSURE APPROPRIATE TO THEIR SIZE AND STRENGTH.

- 1-7. AMEND TITLE 3.2 OF THE VIRGINIA CODE TO PERMIT LOCALITIES TO IMPOSE CIVIL FINES UPON OWNERS OF DOGS WHO ALLOW THE DOGS TO ROAM IN PACKS OF TWO DOGS OR MORE WHILE OFF THE OWNER'S PROPERTY, EXEMPTING DOGS USED FOR LAWFUL HUNTING ACTIVITY.



## **JAMES CITY COUNTY 2019 LEGISLATIVE PROGRAM**

### **Part II. Position/Legislation Supported by the County**

#### 2-1. IMPACT FEES

The County strongly urges the General Assembly to revise existing impact fee laws to encourage the use of statutorily-calculated impact fees in lieu of cash proffers.

#### 2-2. PROFFERS

The County strongly urges the General Assembly to repeal Virginia Code § 15.2-2303.4. In the alternative, the County urges the General Assembly to broaden the areas defined in Virginia Code § 15.2-2303.4 that may be covered by a small area comprehensive plan.

#### 2-3. UNDERGROUND ELECTRIC UTILITIES

The County urges the General Assembly to revise applicable State Corporation Commission laws, rules, and regulations to require Dominion Energy to place new, relocated, replaced, or improved electric distribution lines underground.

#### 2-4. HOUSE BILL 1615

The County supports House Bill 1615, which seeks to change the primary date from the second to the third Tuesday in June.

#### 2-5. INCREASED FUNDING FOR VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT

The County supports increased funding for the Virginia Department of Emergency Management without negatively affecting the Emergency Management Performance Grant to localities.

#### 2-6. STATE FUNDING FOR TOURISM

The County urges the General Assembly to increase funding for the Virginia Tourism Corporation (“VTC”) to promote tourism in Virginia generally, and the Historic Triangle in particular.

#### 2-7. SUPPORT WIDENING OF I-64 TO 295

James City County supports the immediate widening of I-64 to 295 given the volumes of traffic and the burden on the County’s Emergency Responders.

2-8. MAINTENANCE OF NEW AND EXISTING SECONDARY ROADS

James City County opposes any legislation that would transfer to counties the responsibilities to construct, maintain or operate new or existing roads. Should such transfer of responsibilities occur, the state must provide continuing funding for the costs incurred by the localities.

2-9. APPLICATION OF TRANSIENT OCCUPANCY TAX TO TRAVEL COMPANIES AND INTERNET SALES

James City County supports a clarification of Virginia Code § 58.1-3819 et seq., to make sure that the transient occupancy tax applies to the entire amount charged for rooms by travel companies and on Internet sales regardless of any discounted rates paid by such companies for such rooms. This would provide equal taxing of room sales by Virginia businesses and Internet sales companies.

2-10. ENHANCE RAIL SERVICE ON THE PENINSULA AND TO RICHMOND

The County supports improving commuter rail system from Richmond through the Peninsula to connect urban centers for commuters and provide transportation alternatives for tourism.

2-11. SUPPORT THOMAS NELSON COMMUNITY COLLEGE IN ITS EFFORTS TO BUILD THE ADVANCED INTEGRATED MANUFACTURING (AIM) CENTER IN JAMES CITY COUNTY.

James City County was provided the Thomas Nelson Community College capital project requests to the state and supports the AIM Center being built on the James City County campus.

2-12. SUBSTANCE ABUSE AND MENTAL HEALTH TREATMENT

James City County supports maintaining State funding for mental health and substance abuse treatment in jails and juvenile detention facilities given the overwhelming percentage of adults and juveniles in the system diagnosed with mental health and/or substance abuse conditions.

2-13. TAX EQUITY BETWEEN CITIES AND COUNTIES

James City County supports equal taxing authority for cities and counties.

2-14. ALLOW ADVERTISEMENT OF REQUIRED PUBLIC NOTICES ON A LOCALITY'S WEBSITE AND THROUGH OTHER MEANS INSTEAD OF PUBLICATION IN A NEWSPAPER HAVING GENERAL CIRCULATION

James City County requests an amendment of Virginia Code § 15.2-107.1 to provide that wherever newspaper advertisement is required for public notices, a locality may instead publish such notice on its website and shall also provide, at the request of any citizen of the Commonwealth, notice by electronic or telephonic means or through the U.S. postal mail.

2-15. STATE FUNDING FOR PUBLIC EDUCATION, PRE-K, K-12 AND HIGHER EDUCATION

The County supports restoring the funding cuts made to pre-K and K-12 funding. In addition, the County supports restoring the funding cuts made to higher education which could cripple some of the most



prestigious higher education institutions in the world, including the College of William & Mary.

2-16. ADEQUATE FUNDING FOR PUBLIC LIBRARIES

James City County supports the State maintaining funding to public libraries to make sure that the State and the localities maintain their proportionate share of funding.

2-17. NO NEW STATE MANDATES AND ELIMINATE OR ADEQUATELY FUND EXISTING STATE MANDATES

James City County calls upon the General Assembly to oppose unfunded mandates and to reduce existing State mandates commensurate with any reduction in State funding to localities.

2-18. LEGISLATIVE PROGRAMS OF THE VIRGINIA MUNICIPAL LEAGUE, THE VIRGINIA ASSOCIATION OF COUNTIES AND THE VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES

James City County supports the legislative programs of the Virginia Municipal League, the Virginia Association of Counties and the Virginia Coalition of High Growth Communities.

2-19. JAMES CITY COUNTY SUPPORTS CONTINUED FUNDING OF THE STORMWATER LOCAL ASSISTANCE FUNDS (“SLAF”)

James City County supports providing continued state funding to the Department of Environmental Quality for Stormwater Local Assistance Funds.

2-20. STATE FUNDING FOR MANDATED SERVICES PROVIDED BY COMMUNITY SERVICES BOARDS

James City County supports Colonial Behavioral Health in its mission to provide needed services to individuals and families affected by mental illness, intellectual disabilities and substance use disorders and encourages the General Assembly to adequately fund state mandated services and programs for all Community Services Boards; in particular, James City County requests that any adjustments to funding related to Medicare expansion not disproportionately impact Colonial Behavioral Health.

2-21. NONPARTISAN REDISTRICTING.

James City County supports nonpartisan redistricting at the state and local levels.

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director of Financial and Management Services

SUBJECT: FY 2018 School Year-End Spending Plan Appropriation-\$1,857,399

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**ATTACHMENTS:**

	Description	Type
☐	FY 2018 School Year-End Spending Plan Appropriation-\$1,857,399	Cover Memo
☐	FY 2018 School Year-End Spending Plan Appropriation-\$1,857,399	Resolution
☐	FY 2018 School Year-End Spending Plan Appropriation-\$1,857,399	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Financial Management	Mellen, Sue	Approved	11/2/2018 - 8:52 AM
Publication Management	Burcham, Nan	Approved	11/2/2018 - 8:54 AM
Legal Review	Kinsman, Adam	Approved	11/2/2018 - 9:28 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2018 - 9:31 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:48 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:15 AM

**MEMORANDUM**

DATE: November 13, 2018  
TO: The Board of Supervisors  
FROM: Suzanne R. Mellen, Director, Financial and Management Services  
SUBJECT: FY 2018 School Year-End Spending Plan Appropriation \$1,857,399

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At a meeting on October 19, 2018, the Williamsburg-James City County School Board (WJCC) adopted a spending plan for the FY 2018 year-end funds totaling \$2,051,469. These funds represent underspending for the fiscal year that ended on June 30, 2018. The School Division estimates that the total year end surplus is \$2,735,393. The remaining \$683,924 would be returned to the funding localities.

The City/County School Contract, most recently revised in April 2017, includes the following provision:

*Based on Section 22.1-100 of the Code of Virginia, local school funds unexpended in any year shall become part of the appropriated funds of the City and County for the School Board for the following year. However, based on a spending plan submitted by the School Board, unexpended local funds at year-end may be appropriated by the City and County for school purposes beyond those previously funded.*

The County share of the total local funding for FY 2018 was 90.54% and, as a result, \$2,476,625 would be returned to the County. The planned FY 2020 Capital Improvements Budget includes \$600,000 of anticipated surplus. The spending plan adopted by WJCC includes the following County funds of \$1,857,399:

Matthew Whaley Elementary School Entrance	\$13,581	
Toano Middle School Bleachers	\$45,265	
Cafeteria Table Replacement - Division-wide (67)	\$78,860	
Portable Field Light (10)	\$72,432	
Bus Replacement (6)	\$597,564	
Textbooks	\$276,649	
Replacement Box Truck	\$43,510	
Snow Removal Equipment, Backhoe, Bobcat, Spreader	\$54,324	
Central Office Parking Lot	\$25,804	-
Jamestown High School Entrance	\$116,434	
Warhill High School Track	\$461,075	
Berkeley Middle School Well Removal	\$71,901	

Attached is additional documentation provided by the School division regarding the request. The attached resolution, if adopted, approves the School Board's requested spending plan and appropriates the funding in the County's Capital budget in order to keep the FY 2019 operational base at the original County approved amount.

SRM/nb  
SchYrEndSpend2018-mem

Attachments



**RESOLUTION**

**FY 2018 SCHOOL YEAR-END SPENDING PLAN APPROPRIATION \$1,857,399**

WHEREAS, the Williamsburg-James City County School Board (WJCC) adopted a spending plan for the FY 2018 year-end funds totaling \$2,051,469 with the County share representing \$1,857,399; and

WHEREAS, the Board of Supervisors must approve a spending plan for these unspent local funds under the terms and conditions of the City/County School Contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the FY 2019 Capital Projects Fund for the following purposes:

**Revenue:**

Fund Balance	<u>\$1,857,399</u>
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**Expenditures:**

Matthew Whaley Elementary School Entrance	\$ 13,581
Toano Middle School Bleachers	45,265
Cafeteria Table Replacement - Division-wide (67)	78,860
Portable Field Light (10)	72,432
Bus Replacement (6)	597,564
Textbooks	276,649
Replacement Box Truck	43,510
Snow Removal Equipment, Backhoe, Bobcat, Spreader	54,324
Central Office Parking Lot	25,804
Jamestown High School Entrance	116,434
Warhill High School Track	461,075
Berkeley Middle School Well Removal	<u>71,901</u>
	<u>\$1,857,399</u>

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November 2018.

SchYrEndSpend2018-res

By State code Section 22.1-100, WJCC Schools cannot carry-over funds from one fiscal year to the next. Additionally, it is imperative that the division does not operate with a deficit. Financially conservative budgeting should thus result in a surplus at the end of a fiscal year.

The contract by which WJCC Schools operates requires the approval of a year-end spending plan by both city and county governing bodies. Any non-allocated funds must be returned to those governing bodies.

WJCC Schools ended the 2018 fiscal year with a surplus of \$2,735,392.54 million or 2.06% of the division's total operating budget's received revenue. Primarily, the surplus is a result of reduced costs associated with fuel, utilities and attrition. The amount of \$683,924 is being returned to James City County and the City of Williamsburg for future Capital Improvement Plan projects; therefore, the actual 2018 fiscal year surplus is \$2,051,469 or 1.5% of the division's total operating budget.

### **Fuel & Utilities**

WJCC conducts a 3-year analysis each budget cycle to evaluate trends. With the volatility of the oil market, this analysis provides baseline information, but it is still an estimate. In FY18, there were \$440,131 in savings from fuel and utilities. For the FY19 Budget and the opening of James Blair Middle School, these costs were evaluated further to apply potential savings to support the additional expenses to be incurred as a result of opening the new school.

### **Attrition**

Attrition occurs annually with the natural employment cycle of most organizations. Often, when WJCC employees retire or resign, a new employee will be hired with a lower total cost to the division. This natural transition occurs each year across the division in all job titles and cost centers. As with fuel costs, attrition savings can vary widely, especially when outside forces impact employees (e.g. recession, health care costs, cost of living, etc.)

In fiscal year 2018, \$2,048,381 in attrition savings was realized. This amount does not include unfilled positions and a significant amount of this is due to unfilled positions in the transportation department. As in previous years, WJCC had difficulty recruiting and retaining bus drivers and bus assistants.

For fiscal year 2019, estimated attrition savings of \$813,834 were utilized to balance the division's Operating Budget.

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### **Year-End Spending Plan**

WJCC Schools administration has proposed a spending plan that includes replacement of buses and maintenance vehicles, purchase of required textbooks, remodeling of school entrances, and purchase of other safety and maintenance-related items. Some of these items could not be delivered prior to June 30, 2018; therefore they are included in the year-end spending plan.



## **Safety - School Entrance Redesigns**

Currently, there are only two schools where the entrance redesigns have not been completed. All other schools have double entrance security systems where all guests enter through the front office prior to entering the main body of the building.

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### **Safety - Matthew Whaley Elementary Entrance Redesign**

This new layout has a natural flow pattern that directs visitors into the main office. The panic hardware and the existing interior vestibule doors will allow the vestibule to be locked during school hours.

The estimated costs to support this request is \$15,000.

### **Safety - Jamestown High School Entrance Redesign**

The improvements will include the design and addition of a new storefront wall system and a set of doors with egress hardware for a new security vestibule. The existing school store would be removed to allow for a new glass wall with two new entry doors into the existing space.

The estimated cost to support this request is \$128,600.

### **Safety/Maintenance - Toano Bleacher Replacement**

The bleachers at Toano Middle School are original to the facility. The bleachers no longer extend fully and require lots of manual force to open and they pose a safety risk.

The estimated cost to support this request is: \$49,994.

### **Safety - Warhill High School Track Replacement**

There is a depression at the track perimeter in close proximity to the trench drain that could potentially undermine the track and the existing trench drain has a considerable amount of debris. The track is ripping and tearing on the inside lanes as to prevent use. The track is not able to be used for official track meets. This is a safety issue caused by inclement weather and poor drainage.

The estimated cost to support this request is \$509,250

### **Safety - Berkeley Middle School Well Removal**

Demolition and remediation of the Berkeley Middle School Well that is located out beyond baseball fields. This has been in the proposed plan several times since FY16. Last year, this project was ranked 21st out of 21 projects by the School Board. It is a potential safety concern.

The estimated cost to support this request is: \$79,414.

### **Safety - Portable Field Lights**

The division currently has a total of 4 portable field lights. The field lights are used to light practice fields at Lafayette High School, and buildings/parking lots in the event of power outages. Currently, 8 portable field lights are rented for use by Jamestown High School and Warhill High School to light practice fields. The cost of each portable rental is \$82 per week. To date, \$10,530 has been spent on renting portable lights. Portable lights cost \$7,955 each. This request is to purchase 10 portable lights. Portable lights were not available for delivery prior to June 30, 2018.

The estimated cost to support this request is: \$80,000

### **Safety/Maintenance - Cafeteria Tables**

The condition of the cafeteria tables at 7 schools has been brought to the attention of operations and administrative staff as a concern due to the safety of the tables. Some tables have missing or broken seats. Additionally, the tables are missing latches that secure them in the closed position. A quote has been obtained to replace the tables (67) at DJM, JBB, JHS, LHS, LLE, TMS, & WHS in the amount of \$1300 each.

The estimated cost to support this request is: \$87,100

### **Maintenance - Operations Maintenance Vehicle**

A box truck was purchased in October 1999. It currently gets about 6 mpg. The rear steps are rusted out, the rear doors don't operate properly, and the fiberglass roof is deteriorating. This request is to replace the box truck.

The estimated cost to support this request is: \$48,056

### **Maintenance - Snow Removal Equipment**

Annually operations staff work to clear snow from school grounds. Snow removal by a contractor was not included in this year's budget (originally \$300,000 per year). By adding 2 snow blowers, a Skid Steer loader, and a new drop trailer, WJCC Schools operations staff will have the capacity to remove snow in a timely manner to reopen schools. New regulations require staff to obtain a CDL to use our current drop trailer. The new trailer would eliminate that requirement. The new skid steer could also be converted into a fork lift. The last fork lift was purchased in 1997.

The estimated cost to support this request is \$60,000

### **Maintenance - Central Office Parking Lot**

Currently, parking at Central office is inadequate. During events, meetings and professional development activities, participants have to park off site and walk to the central office building. Currently, we do not have enough parking to accommodate all regular occupants and participants in on-going daily meetings. Employees

have a reasonable expectation to park at their place of employment. This request will asphalt 10 existing spaces and add a minimum of 6 additional parking spaces. Current parking includes 4 required disabled parking spaces and only two visitor spaces. The number of employees who are based at central office is 125. The average number in the building each day is over 100 and the number of current parking spaces is 90.

The estimated cost to support this request is: \$28,500

### Maintenance/Safety - School Buses - Replacement

In 2014, WJCC developed a smooth bus replacement plan. The plan includes a proposed number of replacement buses each fiscal year, the age of the buses to be replaced and estimated future costs for each bus (including a 3% annual rate of inflation). The purchase of 6 replacement buses. Currently WJCC Schools has 23 buses with over 250,000 miles and 28 buses with between 200,000 and 250,000 miles.

Fiscal Year	Estimated Bus Cost \$ (3% Infl.)	Age Based		Estimated Future Cost	Mileage Based		
		Original Plan Age > 15 Years	Actual number of buses replaced		Mileage Between 150k & 200k	Mileage Between 200k & 250k	Mileage >250k
FY2014	110,000	8	9				
FY2015	113,300	1	9				
FY2016	109,000	15	10				
FY2017	109,000	10	10				
FY2018	112,270	0	8	*	31	28	23
FY2019	115,638	12		\$ 1,387,656			
FY2020	119,107	5		595,535			
FY2021	122,680	12		1,472,160			
FY2022	126,361	8		1,010,888			
FY2023	130,151	6		780,906			
FY2024	134,056	15		2,010,840			
FY2025	138,078	-		0			
FY2026	142,220	24		3,413,280			
FY2027	146,487	12		1,757,844			
FY2028	150,881	13		1,961,453			
FY2029	155,408	10		1,554,080			
FY2030	160,070	9		1,440,630			
FY2031	164,872	9		1,483,848			
FY2032	169,818	10		1,698,180			
FY2033	174,913	10		1,749,130			
FY2034	180,160	5		900,802			
<b>Total</b>		<b>160</b>	<b>46</b>	\$ 23,217,232	<b>31</b>	<b>28</b>	<b>23</b>

Replaced buses are used as spares, are sold at auction, or are used for parts.

The estimated cost is \$660,000



## Instruction - Textbooks

The replacement of some textbooks was removed from the 2018-19 budget development process to balance the operating budget. In addition, it was not possible to have some textbooks ordered to arrive by June 30, 2018. This request includes Science and Health textbooks that have not been replaced since 2003. Also, FY2019 is the year to adopt Math textbooks.

### Oceanography and Field Biology

- Last purchased in 2003
- Both courses have gone through curriculum revisions since that time
- Current textbooks are in poor condition
- Costs are based on average costs of textbooks in these content areas
- Adoption process planned for 2018-19 school year

Content	Course	Edition Type	Book	Cost per Unit	Quantity Needed	Total Cost
Science	Oceanography	Student	TBD	\$ 148.41	225	\$ 33,392.25
Science	Field Biology	Student	TBD	\$ 206.06	200	\$ 41,212.00
						<b>\$ 74,604.25</b>

### Algebra

- Last purchased in 2005
- SOLs were revised in 2016
- Costs are based on average costs of textbooks (digital and print) in this content area
- Adoption process planned for 2018-19 school year

Content	Course	Edition Type	Book	Cost per Unit	Quantity Needed	Total Cost
Math	Algebra	Student	TBD	\$114.97	1320	\$151,760.40
Math	Algebra	Teacher	TBD	\$ 161.44	45	\$7245.00
						\$159,005.40

### Health

- Last purchased in 2003
- SOLs were revised in 2015
- Costs based on average cost of textbooks in this content area
- Adoption process planned for 2018-19 school year

Content	Course	Edition Type	Book	Cost per Unit	Quantity Needed	Total Cost
HPE	MS Health	Student	MS Health	\$ 88.80	400	\$ 35,521.33
HPE	MS Health	Teacher	MS Health	\$ 184.31	15	\$ 2,764.70
HPE	HS Health	Student	HS Health	\$ 99.31	300	\$ 29,793.00
HPE	HS Health	Teacher	HS Health	\$ 193.31	20	\$ 3,866.20
						<b>\$ 71,945.23</b>

The total estimated cost to support this spending request is \$305,554.88

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: John H. Carnifax, Jr., Director of Parks and Recreation

SUBJECT: Revision to Joint Use of Powers

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**ATTACHMENTS:**

	Description	Type
☐	memo	Cover Memo
☐	resolution	Resolution
☐	joint use of powers agreement	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Parks & Recreation	Carnifax, John	Approved	11/1/2018 - 4:50 PM
Publication Management	Daniel, Martha	Approved	11/1/2018 - 4:58 PM
Legal Review	Kinsman, Adam	Approved	11/2/2018 - 9:28 AM
Board Secretary	Fellows, Teresa	Approved	11/2/2018 - 9:31 AM
Board Secretary	Purse, Jason	Approved	11/6/2018 - 8:16 AM
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 9:12 AM

## MEMORANDUM

DATE: November 13, 2018

TO: The Board of Supervisors

FROM: John H. Carnifax, Director of Parks and Recreation

SUBJECT: A Resolution to Approve Revisions to the Joint Exercise of Powers Agreement for the Colonial Group Home Commission

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In 1985 James City County, the City of Williamsburg, York County and the County of Gloucester entered into an agreement to operate the Colonial Group Home in accordance with Section 16.1-315 of the Code of Virginia. The purpose of this Commission is to:

- Allow participating jurisdictions greater flexibility and involvement in responding to the problem of crime in their communities;
- To provide more effective protection of society and promote efficiency and economy in the delivery of correctional services; to provide increased opportunities for offenders to make restitution;
- To permit participating jurisdictions to operate and utilize local community-based probation programs and services specifically designed to meet the rehabilitative needs of selected offenders;
- And to provide appropriate post-sentencing alternatives in localities for certain offenders with the goal of reducing the incidence of repeat offenders.

The existing Joint Exercise of Powers Agreement is in need of updating to reflect a revised funding formula and to be consistent with various changes in state law. A transition plan has been agreed upon by all localities and the new funding formula will now be based on utilization of services rather than the population of the localities. These changes have been incorporated into the revised Joint Exercise of Powers Agreement attached for your review.

Staff recommends approval of the attached resolution authorizing the County Administrator to execute the revised Joint Exercise of Powers Agreement for the Colonial Group Home Commission.

JHC/nb  
CGH-JntPwrsAgmt-mem

Attachment



**RESOLUTION**

**A RESOLUTION TO APPROVE REVISIONS TO THE JOINT EXERCISE OF POWERS**

**AGREEMENT FOR THE COLONIAL GROUP HOME COMMISSION**

WHEREAS, Section 16.1-315, of the Code of Virginia provides for the establishment of a joint or regional citizen juvenile detention home, group home or other residential care facility commission to assist in the administration of programs and facilities of courts not of record located within the member jurisdictions and to make provisions for the operation, control and management of the same; and

WHEREAS, the Colonial Group Home Commission was established in 1985 and by a Joint Exercise of Powers Agreement executed between the member localities of Gloucester County, James City County, York County and the City of Williamsburg; and

WHEREAS, the funding formula will now be based on utilization rather than population, amendments to the Joint Exercise of Powers Agreement for the Colonial Group Home Commission are necessary to reflect those revisions; and

WHEREAS, once executed by all member localities, the agreement shall be in full force and effect for a period of one year, at which time it shall automatically renew for consecutive one-year terms unless and until termination by any member jurisdiction; and

NOW, THEREFORE, BE IT RESOLVED by the James City County Board of Supervisors that the County Administrator is hereby authorized to execute the revised Joint Exercise of Powers Agreement for the Colonial Group Home Commission and approved as to form by the County Attorney.

\_\_\_\_\_  
Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 13th day of November, 2018.

THIS AGREEMENT is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2018 by and among the COUNTY OF YORK, and the COUNTY OF JAMES CITY, and the COUNTY OF GLOUCESTER, and the CITY OF WILLIAMSBURG, each a political subdivision of the Commonwealth of Virginia, sometimes hereinafter referred to as the "participating localities". This agreement replaces and supersedes in its entirety the original agreement dated December 5, 1985, creating the Colonial Group Home Commission with an effective date of July 1, 2017.

WHEREAS, a need exists to continue the Colonial Group Home Commission pursuant to Section 16.1-315, et. seq., of the Code of Virginia (1950), as amended, to assist in the administration of programs and facilities of courts not of record located within the jurisdictions and to make provisions for the operation, control, and management of the same; and

WHEREAS, such joint exercise of powers by these political subdivisions seems the most desirable plan for furnishing these services to the counties and city; and

WHEREAS, the parties hereto have acquired an improved tract of land and constructed a building for the purpose of providing these services; and

Now, THEREFORE, it is mutually agreed as follows:

1. There is hereby continued the Colonial Group Home Commission previously created by an agreement dated December 5, 1985, which shall have as its purpose the establishment and operation of a joint or regional juvenile detention home, group home or other residential care facility or facilities. Said Commission shall consist of nine members, one of whom shall be a staff member of the Ninth District Court Services Unit serving as a liaison, and the other eight

of whom shall consist of two members of each of the participating localities appointed by the governing body in the manner provided in Title 16.1, Article 13 (section 16.1-315 et. seq.) of the Virginia Code. One of the two members of the Commission appointed by each governing body shall be a staff representative of the appointing governing body and the other shall be a citizen representative.

2. The parties agree each with the other to participate as hereinafter provided in accomplishing the purposes for which the Commission is created, as set forth above, including without limitation operation of the Crossroads Program, the Community Court Alternatives Program, and similar programs which shall be in the future designed and implemented for the best interest of the parties hereto. All real property acquired shall be held by the parties as tenants in common with respective undivided interests at any given time equal to the percentage of their respective cumulative contributions toward such acquisition.
3. The Commission will prepare a budget for each fiscal year ending June 30. The Commission will submit a proposed budget for the next fiscal year to each participating locality no later than January 1 to meet their budget submission deadlines. Upon approval of such budget by all of the participating localities' governing bodies, each of them shall appropriate and contribute the approved share of the total budget.

The funding formula for contributions from each member shall, for the initial term of this agreement, be a hybrid formula of 75% General Population / 12.5% Juvenile Population / 12.5% Utilization.

The basis of the funding formula will change over the first four renewal terms of the agreement. The chart below provides the transition schedule:



	FY2018	FY2019	FY2020	FY2021	FY2022
General Population	75%	50%	25%		
Youth Population	12.5%	25%	37.5%	50%	
Utilization (5yr average)	12.5%	25%	37.5%	50%	100%

Revisions and/or extensions of the above transition schedule may be affected, pursuant to unanimous agreement of the Commission.

Population figures are determined by using the most current figures available from the Weldon Cooper Center for Public Service at the University of Virginia. The youth population figures will be the combinations of age ranges 10 to 14 and 15 to 19, also obtained from the Weldon Cooper Center. Utilization will be based on all services provided by the Colonial Group Home Commission and not limited to the Crossroads Community Youth Home.

Such costs and expenses may be subject to adjustment should the governing bodies of the participating localities fail to approve and provide funding sufficient to meet such costs and expenses. If one or more of the participating localities fails to approve the budget and appropriate the funds as hereinabove provided on or before June 30 of any fiscal year, then the administrative and fiscal agent of the Commission shall notify all participating localities of such failure on or before the 10<sup>th</sup> day of July of the next succeeding fiscal year.

4. The County of York, for a fee of one percent (1%) of gross appropriations, consents to serve as administrative and fiscal agent for the Colonial Group Home Commission should the Commission so request.
5. The agreement shall be in full force and effect for a period of one year, at which time it shall automatically renew for consecutive one-year terms unless and until terminated as hereinafter provided by any member jurisdiction.

6. The governing body of any participating locality may terminate this agreement by giving written notice of intent to terminate to each member jurisdiction no later than the 15<sup>th</sup> of February prior to the end of the one-year term then in effect. Any member which gives notice to terminate shall continue its participation to the end of the term then in effect and shall remain fully liable for payment of its contribution as required under Paragraph 3 above.
7. Within one year from the first day of August which follows any notice of termination, all assets shall be divided and paid over to the respective parties so entitled in the same proportion as cumulatively contributed after first making appropriate adjustment for any underpayment of contribution due from any member.
8. The Commission shall have the powers and duties provided by law.

IN WITNESS WHEREOF, the COUNTY OF YORK has caused this agreement to be signed in its behalf by NEIL A. MORGAN, COUNTY ADMINISTRATOR, and its corporate seal to be hereto affixed and attested by its Chief Deputy Clerk, pursuant to Resolution adopted by the Board of Supervisors on the \_\_\_\_ day of \_\_\_\_\_, 2018; and the COUNTY OF JAMES CITY has caused this agreement to be signed in its behalf by SCOTT STEVENS, COUNTY ADMINISTRATOR, and its corporate seal to be hereto affixed and attend by its Deputy Clerk, pursuant to Resolution adopted by the Board of Supervisors on the \_\_\_\_ day of \_\_\_\_\_, 2018; and the COUNTY OF GLOUCESTER has caused this agreement to be signed in its behalf by J. BRENT FEDORS, COUNTY ADMINISTRATOR, and its corporate seal to be hereto affixed and attested by its Deputy Clerk, pursuant to Resolution adopted by the Board of Supervisors on the \_\_\_\_ day of \_\_\_\_\_, 2018; and the CITY OF WILLIAMSBURG has caused this agreement to be signed in its behalf by ANDREW TRIVETTE, INTERIM CITY MANAGER, and its corporate seal to be hereto affixed and attested by its Deputy Clerk, pursuant to Resolution adopted by the Board of Supervisors on the \_\_\_\_ day of \_\_\_\_\_, 2018.

COUNTY OF YORK

By: \_\_\_\_\_  
County Administrator

ATTEST:

\_\_\_\_\_  
Chief Deputy Clerk

Approved as to form:

\_\_\_\_\_  
County Attorney

COUNTY OF JAMES CITY

By: \_\_\_\_\_  
County Administrator

ATTEST:

\_\_\_\_\_  
Deputy Clerk

Approved as to form:

\_\_\_\_\_  
County Attorney



COUNTY OF GLOUCESTER

By: \_\_\_\_\_  
County Administrator

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to form:

\_\_\_\_\_  
County Attorney

CITY OF WILLIAMSBURG

By: \_\_\_\_\_  
City Manager

ATTEST:

\_\_\_\_\_  
Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney

**ITEM SUMMARY**

DATE: 11/13/2018

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: 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

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 3:53 PM

**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Deputy Clerk  
SUBJECT: Appointment to the Chesapeake Bay and Wetlands Boards

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 3:55 PM



**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Deputy Clerk  
SUBJECT: Appointment to the Williamsburg Area Arts Commission

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 3:56 PM

**ITEM SUMMARY**

DATE: 11/13/2018  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Deputy Clerk  
SUBJECT: Adjourn until 4 p.m. on November 27, 2018 for the Work Session

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	11/6/2018 - 3:57 PM