

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE TWENTY-THIRD DAY OF JULY, NINETEEN HUNDRED SEVENTY-NINE, AT 3:00 P.M. IN THE GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY.

A. ROLL CALL

Stewart U. Taylor, Chairman, Stonehouse District
Abram Frink, Vice-Chairman, Roberts District
John E. Donaldson, Jamestown District
Jack D. Edwards, Berkeley District
David W. Ware, Jr., Powhatan District (arrived at 3:27 P.M.)

James B. Oliver, Jr., County Administrator
John E. McDonald, Assistant to the Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - July 9, 1979

Mr. Edwards moved for approval of the minutes of July 9, 1979, as printed. The motion carried by a unanimous roll call vote.

C. Presentation of Resolution of Appreciation to Mr. William F. Pettengill.

Mr. Taylor read a Resolution of Appreciation for Mr. William F. Pettengill who was retiring from the Social Services Board.

Mr. Taylor moved for approval of the resolution. The motion carried by a unanimous roll call vote.



RESOLUTION

WHEREAS, WILLIAM F. PETTENGILL served the citizens of James City County as a member of the Board of Supervisors for two consecutive terms from January, 1964 to December, 1967 and, again from January, 1968 to January, 1971; and as a member for two terms on the Social Services Board from January, 1968 to January, 1972 and, again from July, 1973 to August, 1979; and

WHEREAS, WILLIAM F. PETTENGILL has served the citizens of James City County with true spirit and unselfish dedication during a time when the County underwent a transition from a rural to an urban community with the attendant growth in services and governmental complexity; and

WHEREAS, WILLIAM F. PETTENGILL has consistently demonstrated a special concern for the health, safety and welfare of the citizens of James City County;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that the Board wishes to extend its sincere appreciation and gratitude to WILLIAM F. PETTENGILL for his outstanding service to the County and its citizenry.

BE IT FURTHER RESOLVED that this resolution be spread upon the minutes of this meeting of the Board of Supervisors to be preserved in perpetuity.

D. BOARD CONSIDERATIONS

1. Case No. SP-38-78 - Busch Properties - R-3 Residential Area

Mr. William C. Porter, Jr., Director of Planning, presented this item to the Board. He indicated the Site Plan Review Committee had recommended approval of the site plan for this project in accordance with the following conditions:

1. Provide an 8" line from manhole #9 to cleanout #1, and replace cleanout #1 with a manhole. Bring the connection for the last unit of Building #3 (DR-16) into the new manhole.
2. Provide earthen perimeter dikes around the project, in lieu of straw bales, in accordance with the "Erosion and Sedimentation Control Handbook".
3. Earthen dikes should lead to sediment basins, which must be provided at drainage outfalls. Provide design details for sediment basins and outfall structures. Sediment basins must be cleaned periodically as needed.
4. Outfalls from the sediment basins must be protected to the bottom of the slope by either paved ditches or culverts to prevent erosion of the slopes.
5. All swales and ditches on site, that are greater than 3%, must be paved or protected from erosion by rip rap. If rip rap is used and found to be ineffective at controlling erosion in certain locations, paved ditches must be added at those locations.
6. All erosion control items must be installed within 30 days of the beginning of the project.
7. Provide "Erosion and Sedimentation Control Agreement" and Bond or Letter of Credit in the amount of \$15,000. If any of the erosion control items are not installed or maintained as noted, the bond will be forfeited at that time to complete those items needing correction rather than waiting until the end of the project.

Mr. Taylor moved for approval of the site plan for this project with the above stated conditions.

The motion carried by a unanimous roll call vote.

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E. MATTERS OF SPECIAL PRIVILEGE

Although Highway Matters had inadvertently been excluded from the agenda, Mr. Oliver asked Mr. Frank Hall, Resident Engineer, if he had anything to bring before the Board.

Mr. Hall reported work had commenced on the Ironbound Road project and that Jack Massie was the contractor.

Mr. Hall also reported a certain section along Route 168 had been renumbered. However, due to so many businesses having their letterheads and advertisements denoting the old Rt. 168 number, the Highway Department would probably maintain signs showing both numbers for the time being.

Mr. Dave Hertzler, developer of Seasons Trace, made some brief comments in reference to the proposed turf farm under consideration for the Warhill Tract. Mr. Hertzler said he had been in touch with some individuals in Jacksonville, Florida regarding a similar project and his concerns about this project were now even more intensified. He asked that the Board of Supervisors give careful consideration to this project before making any decision.

F. REPORTS OF THE COUNTY ADMINISTRATOR

1. Consultant Review of the Anheuser-Busch Turf Farm Project

Mr. Oliver in answer to Mr. Hertzler's concerns, stated the Planning Commission's public hearing for this matter was scheduled for August 21 and that the only reference at this meeting is that of an informational memorandum informing the Board members that a consultant had been retained to help analyze the proposal for this project. He indicated that due to expertise of the Boyer Engineering, Inc. firm in this field and because of that firm's specific experience on similar projects, they had been selected to perform this consulting service for James City County.

2. Utility Rate Study Worksession and Presentation

Mr. Oliver indicated that the agenda had purposely been kept light in order to allow time for the Utility Rate Study presentation. He also recognized the fact that several members of the Industrial Development Authority (Mr. Vaughan, Mr. Poulson and Mr. Dresser) as well as several members of the Planning Commission (Mr. Scruggs.

Mr. Bryant, Mr. Sutton and Mrs. Cary) had indicated their active concern regarding this very important study by being present today.

A utility Rate Study worksession was presented through the efforts of John McDonald, Assistant to the Administrator, Eric E. Zicht, Civil Engineer, Frank M. Morton, III, County Attorney and Wayland N. Bass, Director of Public Works.

At the conclusion of the Rate Study worksession, Mr. McDonald asked that the public hearing for this matter be scheduled for August 27 or September 10, 1979. He stated that after the initial public hearing the staff would be prepared to hold whatever worksessions are deemed necessary by the Board. Mr. McDonald said it was hoped that a standard Operating Policy and Rate Schedule could be adopted in the fall, with an effective date of January 1, 1980. This would bring all seven service areas under one uniform policy of operation as well as one uniform set of rates.

After some discussion, it was decided that September 10, 1979 would be the most appropriate date for the public hearing involving the Operating Policy and Rate Schedule for Water and Sewer services.

Mr. Donaldson congratulated the Administrator and staff members for a well organized presentation.

(e) For the addition to any existing electrical installation, the fee shall be based on the number of outlets to be installed at the following rates:

100 outlets.....	\$10.00
Over 100 outlets.....	10.00 plus \$0.10 for each outlet over 100

(f) For the installation of fixed or stationary appliances and/or associated electrical connections or outlets to any existing electrical installation, the fee shall be two dollars for each such fixed and/or stationary appliance. Fixed and/or stationary appliances include, but are not limited to, electric ranges, electric range tops, electric ovens, electric water heaters, dishwashers, garbage disposals, electric furnaces, electric clothes dryers, electric baseboard heating units and electric powered exhaust fans.

(g) For the installation of electrical service in new construction wherein the installation is limited to wiring from meter base to service panel (as for shall office complexes), the fee schedule set forth in (b) above shall be reduced by \$5.00 dollars.

(h) For reinspections, see Section 4-82.

Sec. 4-8.4 Mechanical permits.

(a) For the installation of mechanical systems or equipment in new construction, the fee shall be at the rate of three-tenths of one percent of the contract price or current retail value of all services, labor, materials, and equipment; provided, that the minimum fee shall be fifteen dollars. Mechanical systems and/or equipment shall include, but shall not be limited to, storage tanks for flammable and/or combustible liquids or gases, other than electric heating and/or cooling systems, fire suppression systems, elevators, dumbwaiters, moving stairs and/or walkways, manlifts, special hoisting or conveying equipment, and free-standing fireplaces and solid fuel stoves when such fireplaces and/or stoves are installed in conjunction with other mechanical equipment. When the permit is for only a solid fuel stove and/or a free-standing fireplace, the minimum fee shall be \$5.00.

(b) For the replacement, repair or alteration of mechanical systems or equipment, such as those listed in (a) above, in existing buildings or structures, the fee shall be at the rate of three-tenths of one percent of the value of all services, labor, materials and equipment; provided, that the minimum fee shall be five dollars. The foregoing is also applicable to the installation of solid fuel stove inserts in fireplaces.

(c) For the installation of one kitchen hood vent and not more than three bathroom vents in a single family dwelling, the total fee shall be \$5.00.

(d) For the installation of fire alarm systems, music systems and/or burglar alarm systems in occupancies other than one and two family dwellings, the fee shall be at the rate of three-tenths of one percent of the contract price or current retail value of all services, labor, materials, and equipment; provided, however, that the minimum fee shall be \$5.00.

(e) For the installation of standpipes, the fee shall be \$5.00 for each riser plus \$1.00 for each floor served by that riser, including the first floor and basement.

(f) In other new construction, the permit fee for the installation of any equipment involving gas, liquid, and/or solid fuel piping (see article 6, BOCA Basic Mechanical Code), a separate permit fee of \$10.00 shall be added to the permit fee set forth in (b) above. If the installation only involves piping, the fee shall be \$15.00.

(g) For reinspections, see Section 4-82.

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Sec. 4-8.5 Elevator and Amusement Park Rides Operating Permit:

For mechanical elevators, escalators, dumbwaiters, moving walks, moving stairways, and/or non lifts, in accordance with the 1973 Uniform Statewide Building Code, the fee shall be:

- (1) \$20.00 for the semi-annual inspection.
- (2) \$25.00 for the maintenance inspection.

Sec. 4-8.6 Sign Permits:

For erection, alteration or repair of any sign or outdoor advertising display, the fee shall be fifty cents per square foot of surface area. Area shall be computed in accordance with the Zoning Ordinance, Section 20-129, covering gross sign area. For remission, see Sec. 4-87.

Sec. 4-9 Refunds:

No fee paid for any permit covered under Section 4-8 of this code shall be refunded unless the permit application is denied and a permit is not issued or if the permit is issued in error. If a permit is revoked, abandoned, or the project for which the permit is obtained is discontinued, a portion of the permit fee may be refunded after deducting \$5.00 for administrative costs plus \$5.00 for each normal inspection that has been made. (See Sec. 117.8 of the BOCA Basic Building Code.) No permit fee, the value of which is \$5.00 or less shall be refunded.

ARTICLE II. SUPPLEMENTAL REGULATIONS**Sec. 4-11. Ordinary repairs.**

For exception of ordinary repairs, see Sec. 102 of the BOCA Basic Building Code.

Sec. 4-12. Service Reconnect Inspection.

See Section 1502.4 of the BOCA Basic Building Code and amendments thereto.

ARTICLE VI. REGISTRATION AND QUALIFICATIONS OF CONTRACTORS AND TRADESMEN.**Division 3. Plumbers.****Sec. 4-49. Certified plumbers defined and classified; plumbing defined.**

(a) For the purposes of this chapter the term "certified plumbers" shall be taken to mean a natural person to whom:

- (1) A current certificate of qualification as a plumber has been granted by the board of plumbing examiners of the county; or
- (2) A current certificate of qualification or equivalent has been granted by a political subdivision of the state which the board has established a reciprocal agreement on the qualification of plumbers; provided, that such certificate has been endorsed and recorded in the office of the division of building inspection.

(3) A homeowner may only obtain a permit if he is to do the work himself.

(b) For the purpose of this chapter there shall be three classes of certificates of qualification for plumbers:

- (1) Master plumbers;
- (2) Journeyman plumbers;
- (3) Maintenance plumbers.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor brought to the attention of the staff that a number of his constituents had voiced strong objections to representatives of the County's Building Inspection Department coming onto their property and taking pictures. He said they were especially irritated in reference to the letters they received subsequent to these inspections, whereby they were told they would have to tear down all unsafe structures.

A discussion regarding this matter ensued, wherein Mr. Oliver indicated the Building Inspections Department was simply attempting to enforce regulations as set forth in the State Code in reference to unsafe structures.

Mr. Taylor also referred to a situation involving an individual who wanted to give one acre of land to each of his children but found that a fifty foot right-of-way would be necessary in order to accomplish this.

Mr. William C. Porter, Jr., Director of Planning, stated that when an individual wished to subdivide a piece of property it was a requirement of the County Subdivision Ordinance that there has to be public road frontage or a waiver of same granted by the Planning Commission. Mr. Porter also pointed out that the State Highway Department will not accept into the State System any road having less than three dwellings located on it.

In referring to an inquiry he had received, Mr. Taylor asked Mr. Porter if a dirt road which had only three houses on it would be eligible for consideration as a rural addition.

Mr. Porter explained that there were two separate categories-- Rural Additions and Dirt Streets--being two separate policies with two separate means of funding. The Rural Addition Program is a highway function and funded by that department. The Dirt Street Program is a James City County program, handled entirely by the County. Mr. Porter indicated he would be glad to check the maps and let Mr. Taylor know under which category the road referred to would fall.

Mr. Oliver also made some brief comments in regard to the unsafe structure program, stating that it has been impressed upon members of the County staff to use the best of public relations skills in contacting property owners involved in this situation. However, it is felt that the matter is in accordance with the law of the Commonwealth of Virginia and that the County should continue to enforce its program involving unsafe structures. Mr. Oliver also pointed out that property owners did not have to tear the structures down but could board up the doors and windows and place a placard on the premises indicating the condition of the structure.

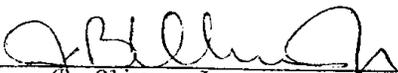
Mr. Oliver referred to an item in the Board members' reading files which indicated appointment to the Social Services Board of both Mr. Brady Graham and himself needed to be acted upon.

Mr. Donaldson moved for the reappointment of Mr. Graham and Mr. Oliver to the Social Services Board for terms of four years each, effective as of July 1, 1979. The motion carried by a unanimous roll call vote.

There were no other matters to come before the Board and Mr. Edwards moved to adjourn.

The motion carried by a unanimous roll call vote.

THE MEETING ADJOURNED AT 5:40 P.M.


James B. Oliver, Jr.
Clerk to the Board

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