

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE SIXTEENTH DAY OF NOVEMBER, NINETEEN HUNDRED EIGHTY-SEVEN, AT 1:03 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

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

David B. Norman, County Administrator
 Darlene L. Burcham, Assistant County Administrator
 Frank M. Morton, III, County Attorney

B. MINUTES - November 2, 1987

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

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

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

C. PRESENTATIONS - Outstanding Service Employees

Mr. Edwards read notes of appreciation for outstanding service and presented plaques to the following employees:

Shirley Willis
 Jean Kuo
 Elizabeth Johnson
 Dispatchers in Central Dispatch

Mr. Edwards read a resolution for Darlene L. Burcham, Assistant County Administrator, who resigned her position to take employment as the Director of Human Services for the City of Norfolk, Virginia.

RESOLUTION OF APPRECIATION

DARLENE L. BURCHAM

WHEREAS, Darlene L. Burcham has provided long and exemplary service to James City County; and

WHEREAS, Darlene first served James City County as a Social Worker in 1966; and

WHEREAS, Darlene was hired as the Assistant to the Administrator for Community Services in December 1979 and promoted to Assistant County Administrator in October 1983, and she has been a major force in implementing significant County programs and overseeing improvements in many others; and

WHEREAS, Darlene's list of accomplishments includes the establishment of a County Police Department, a County Parks and Recreation program, the consolidation of the several human services agencies, a reorganization of the Community Development Department, the oversight

of the purchase of two district park sites, and the responsibility of the construction of the Law Enforcement Center, the Human Services Center, and the Recreation Center and has assumed the responsibility for spearheading the County's efforts to establish a reservoir at Ware Creek; and

WHEREAS, Darlene recently served as the Acting County Administrator from November 1986 to April 1987, a position she occupied with her usual dedication, determination, and grace; and

WHEREAS, Darlene has accepted the position of Director of Human Services for the City of Norfolk.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County wishes to extend its sincere appreciation to DARLENE L. BURCHAM for her commitment to James City County.

BE IT FURTHER RESOLVED that we wish Darlene the very best in her continuing service in local government, in all of her future endeavors, and express our thanks, on behalf of the resident of James City County.

Mr. Edwards stated that Mrs. Burcham was an exceptionally talented employee and that she would be greatly missed. He expressed the County's gratitude for her eight years of service.

Mr. DePue praised Mrs. Burcham for her exemplary record and stated that he felt honored to have worked with her.

Mr. Mahone complimented Mrs. Burcham for her diligence and perseverance in handling many issues at one time, and stated that he appreciated the job she had done for the County.

Mr. Taylor commended Mrs. Burcham for an outstanding job done throughout the years and noted that her efforts and accomplishments were appreciated by both County citizens and the Board.

Mr. Brown expressed his pleasure at the excellent job done by Mrs. Burcham and for her meticulous approach in making clear recommendations. He told Mrs. Burcham that she would be missed by all.

Mr. Norman agreed that Mrs. Burcham was a most competent professional administrator, and he expressed his gratitude for her time, dedication and support in helping him become established in his position, and he wished her the best in her new position.

D. HIGHWAY MATTERS

Mr. J.W. Brewer, Maintenance Supervisor for the Virginia Department of Transportation, was available for comments.

Mr. Taylor asked if a culvert was being installed in the ditch on Norman Davis Drive in Temple Hall Estates.

Mr. Brewer stated the work should be done by the end of the week.

Mr. Taylor remarked that residents should have access to their property regardless of whether a road is in place.

Mr. Norman mentioned that Wayland Bass had requested that the Virginia Department of Transportation install the culvert.

Mr. DePue again requested when the traffic light would be installed at Olde Towne Road and Longhill Road, and if the traffic study in Windsor Forest is being done or considered.

Mr. Brewer replied that the traffic light was being designed and should be in place by April. He answered that Mr. Morris, Traffic Engineer for VDOT, is currently working on the traffic study and information should be available in the next week or two.

Mr. DePue asked if a comprehensive study was being done for that intersection.

Mr. Brewer replied in the affirmative.

Mr. Edwards thanked Mr. Brewer for the information.

Mr. DePue noted the increasing traffic backup from Ironbound Road to Strawberry Plains at the Monticello traffic light during the early evening hours.

E. PUBLIC HEARINGS

1. Case No. SUP-28-87. Kenneth N. Friesen

Mr. Allen Murphy, Jr., Principal Planner, stated that Mr. Kenneth Friesen had applied for a special use permit to allow the placement of a mobile home to be used as a residence on approximately five acres. The property is zoned A-1, General Agricultural, and located at 223 Ivy Hill Road. He further stated that several other mobile homes are located in the area, and this acreage has natural vegetative screening along Ivy Hill Road. Mr. Murphy stated that staff recommends approval of the special use permit with conditions listed in the resolution.

Mr. Edwards opened the public hearing.

1. Ms. Sharon Horn, 17 Hilltop Court, inquired as to what effect the mobile home would have on the value of her property which is across Ivy Hill Road. She asked if the developed subdivision could be divided from the nondeveloped area. She further questioned if this mobile home would be a temporary residence.

Mr. Murphy replied the mobile home was to be a permanent residence.

Mr. Mahone asked if at least seven mobile homes were located nearby.

Mr. Murphy replied in the affirmative and mentioned that requirements were added to set the mobile home back 100 feet from the right-of-way with a screening of trees retained within 35 feet of front, side, and rear property lines.

2. Mr. William Gabeler, 7 Hilltop Court, spoke of his concern for permitting a mobile home to be placed on a five-acre lot, which might subsequently be subdivided further with additional mobile homes placed on those lots. He asked if permits would be required for the placement of each mobile home.

Mr. Mahone replied in the affirmative.

3. Mr. Michael Scruggs, representing the owner, stated that the five-acre lot could only be subdivided once, and residents owning mobile homes want to own property rather than stay in the rental market or in a mobile home park.

Mr. Edwards closed the public hearing.

Mr. Edwards asked if placement of the mobile home further south on the property would be acceptable to adjacent property owners.

Mr. Murphy replied in the affirmative.

Mr. DePue suggested a postponement to allow an opportunity to look at the property. He inquired if a special use permit notice sign was visible on the parcel.

Mr. Murphy replied in the affirmative.

Mr. Mahone stated that he had no concerns with the mobile home setback from the road and located in the middle of the parcel, making it less visible to neighbors, but his position in the future will be to put a time

limit of perhaps 12 years on a special use permit, the current minimum financing period for a new mobile home. Mr. Mahone continued that at the end of that period, the Board could consider issuing a new permit according to the conditions of the mobile home and other development in the surrounding community. He noted that the Board now has no control over the current unlimited time of a special use permit.

Mr. Taylor disagreed with Mr. Mahone, and stated he felt that a mobile home located on a five-acre lot would be appropriate. He further noted there is no entrance to the Merry Oaks subdivision from Ivy Hill Road.

Mr. DePue commented that the residents had been sensitive and responsible to the issue, but emphasized that they should understand that when a special use permit for a mobile home is approved, then another request can cite that approval as a precedent.

By consensus, the Board agreed to defer the case.

2. Case No. SUP-29-87. Sheldon Lumber Company, Inc.

Mr. Allen Murphy, Jr., Principal Planner, stated that Mr. Darrell Rickmond has applied on behalf of Mr. W. E. Sheldon for a special use permit to allow the construction of a 15,120 square foot one-story building for storing lumber materials in the Reservoir Protection Overlay District. Staff recommends approval of this application with the conditions as listed in the resolution.

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

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

Mr. Taylor stated that he felt that a few of the provisions of the Reservoir Protection Overlay District were unreasonable and costly to the developer.

Mr. Brown asked whether clearing was required for this project.

Mr. Murphy replied that some clearing was needed for a new structure in a nondeveloped area.

Mr. Brown asked for an explanation of Item 2, second sentence in the paragraph, in the November 12 memorandum which states, "The developer is required to execute an inspection and maintenance agreement with the Director of Public Works."

Mr. Murphy responded that the agreement provides for periodic inspection and maintenance, and grants authority to the Director to require repairs/alterations as necessary to assure the control measures meet stated performance criteria.

Mr. Brown questioned whether the statements in Item 1, "Without runoff controls, the sediment load will be reduced by approximately 70 pounds per year, or 27% below existing levels," and "With the proposed runoff controls, the total sediment load is estimated to be 50 pounds, representing a decrease of 80% from the existing level," were correct.

Mr. Murphy replied in the affirmative.

Mr. Brown inquired as to the purpose for the special use permit since the project is beneficial.

Mr. Edwards responded that with controls, the phosphorus level and sediment loads would be decreased and would result in additional benefits for the reservoir.

Mr. Mahone remarked that the shed would produce additional runoff into the reservoir.

Mr. Edwards suggested having a person who understands the analysis explain the details to the Board.

Mrs. Darlene Burcham, Assistant County Administrator, indicated each case must be examined on its own merits to determine the impacts on the reservoir.

Mr. Brown asked why the remaining requirements are needed if the project is beneficial. Mr. Brown made a motion to defer this case until the next meeting.

Mr. DePue inquired whether the applicant would be affected by a delay.

Mr. Sheldon replied in the affirmative.

Mr. Brown withdrew his motion.

Mr. Taylor stated that the owner of the Toano Auto Parts store advised him that the cost for a water analysis done on a one-acre parcel was a little less than \$5,000. Mr. Taylor felt that amount was unreasonable for a small building on the edge of the Overlay District.

Mr. Brown made a motion to amend the resolution by deleting Items 1, 2, 3, and 4.

Mr. DePue spoke in opposition to the motion. He mentioned support for ways to streamline cases because he was uncomfortable with the process, but this case was a good one because the water supply source is protected.

Mr. Brown stated he made the motion because no one had an answer as to why the requirements were being levied in this case.

Mr. Taylor agreed with Mr. Brown.

Mr. Mahone spoke in opposition to the amendment because this case affects the quality of our public water system that is being established.

Mr. Taylor asked the cost for the water analysis.

Mr. Darrell Rickmond replied \$5,000 was for construction of the facility, not for water analysis.

Mr. Taylor asked the cost of the items which would be deleted by the amended resolution.

Mr. Rickmond indicated \$20,000.

Mr. Edwards asked for a roll call on the amended motion.

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

Mr. Edwards asked for a roll call on the original motion.

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

Mr. Brown commented that staff should be prepared for justification of the items for each case and Mr. Taylor agreed.

R E S O L U T I O N

CASE NO. SUP-29-87. SHELDON LUMBER COMPANY, INC.

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

WHEREAS, the applicant has applied for a special use permit to allow the construction of a warehouse in the Reservoir Protection Overlay District on property identified as Parcel (1-30) on James City County Real Estate Tax Map No. (12-4).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County does hereby approve the issuance of Special Use Permit No. SUP-29-87 as described herein with the following conditions.

1. The execution of an Inspection/Maintenance Agreement prior to final site plan approval and as approved by the County Attorney for performance assurances pertaining to runoff control and reservoir protection measures.
2. A soil test shall be provided for approval by the Department of Public Works prior to final site plan approval to insure that the soils are suitable for infiltration trenches.
3. A vertical observation pipe shall be provided in the center of the infiltration trench. Details for this well shall be shown on the plan prior to final site plan approval. The depth of the pipe shall be equal to that of the trench.
4. Construction of the infiltration trenches shall be delayed until disturbed areas draining to the trenches are stabilized. This shall be noted on the site plan.
5. If construction of this facility has not begun within a 24-month period from the issuance of this permit, it shall become void. Construction shall be defined as clearing, grading, and the excavation and pouring of all footings covered by this permit.

F. CONSENT CALENDAR

Mr. Edwards asked if any Board member wished to remove any items from the Consent Calendar.

Mr. Mahone made a motion to approve the Consent Calendar.

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

1. Chickahominy Road Community Development Block Grant Contract

R E S O L U T I O N

AUTHORIZATION TO SIGN COMMUNITY DEVELOPMENT BLOCK GRANT CONTRACT

WHEREAS, the James City County Board of Supervisors authorized, by Resolution on March 16, 1987, the submission to the Virginia Department of Housing and Community Development (DHCD) of an application for a \$700,000 Community Development Block Grant (CDBG) to fund the Chickahominy Road Residential Improvement Project; and

WHEREAS, James City County has been notified of the award of the CDBG and has completed all actions required by DHCD prior to entering into a contract to receive the CDBG funds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the County Administrator to sign the Community Development Block Grant Contract and Assurances with the Virginia Department of Housing and Community Development.

2. Housing Rehabilitation Program GuidelinesR E S O L U T I O NADOPTION OF HOUSING REHABILITATION
PROGRAM GUIDELINES

WHEREAS, the Virginia Department of Housing and Community Development requires that a locality, which utilizes Community Development Block Grant funds for housing rehabilitation, have Program Guidelines adopted by its governing body; and

WHEREAS, the attached Housing Rehabilitation Program Guidelines are recommended for adoption by the Chickahominy Road Citizens Advisory Committee and the County Housing Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors adopts the attached Housing Rehabilitation Program Guidelines as the policies that shall govern the provision of housing rehabilitation assistance financed with Community Development Block Grant funds or with funds from the Revolving Rehabilitation Loan Fund.

3. Transfer of Property from Sanitary District No. 2 to the James City Service AuthorityR E S O L U T I O NTRANSFER OF CASH ASSETS FROM SANITARY DISTRICT NUMBER 2
TO THE JAMES CITY SERVICE AUTHORITY

WHEREAS, the Board of Supervisors of James City County and the Board of Directors of the James City Service Authority have mutually agreed to transfer all assets and liabilities of the Sanitary District Number 2 (District) to the James City Service Authority (Authority).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County hereby authorizes and directs the James City County Treasurer to transfer all cash assets of the District to the Authority on or within a reasonable time after the execution of both a properly documented deed transferring all real property and a Bill of Sale transferring all personal property of the District to the Authority.

BE IT FURTHER RESOLVED that the County Treasurer be authorized and directed to assign all subsequent revenues and receipts received by the District to the Authority in a manner consistent with the statutory requirements of said office.

4. Longhill Connector RoadR E S O L U T I O NLONGHILL CONNECTOR ROAD

WHEREAS, the Board of Supervisors of James City County has previously authorized the Longhill Connector Road project; and

WHEREAS, the Department of Transportation now requires a written agreement for this project before commencing construction.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County authorizes the Chairman to execute said agreement, subject to its review by the County Attorney.

G. BOARD CONSIDERATIONS**1. Revision of the Personnel Policies and Procedures Manual**

Ms. Carol Luckam, Director of Personnel, requested that the sick leave policy be changed to allow sick leave usage for an illness of an immediate family member requiring the employee's attendance to be approved by the department head with a limit set at five days per calendar year. She noted that some of the surrounding jurisdictions have this option included in their sick leave policy, and have experienced little abuse of the benefit.

Mr. DePue made a motion to approve the resolution.

Mr. Mahone indicated that allowing employees to use sick leave for the illness of a family member would not make us compatible in the job market or benefit the employer because the cost of doing business would be increased. He further stated that the employee would benefit, but he did not consider that would be a factor in hiring of personnel. He could not support the motion.

Mr. DePue expressed his support by stating that he felt being able to use sick leave for an illness of a family member would be greatly appreciated by the employee, would reduce their stress and instill a feeling of trust between employer and employee. He noted that the practice is fairly widespread now in the marketplace.

Mr. Brown inquired if paragraph three of Item C in Section 5.3 was entirely new.

Ms. Luckam replied in the affirmative and added that the use of sick leave is currently allowed for personal illness or for physician appointments which cannot be scheduled at other hours.

Mr. Brown asked if personal leave, proposed to be called funeral leave, was three days.

Mr. Taylor asked if the new proposal allows five funeral leave days rather than three.

Ms. Luckam confirmed that personal leave remains the same at three days of leave granted for the funeral of an immediate family member.

Mr. Mahone stated opposition to Section 5.3, Item E, which states, "Sick leave shall be accrued in increments no smaller than 15 minutes, and taken in increments no smaller than 30 minutes."

Ms. Burcham clarified that the reason for the accrual rate in increments of 15 minutes was for County employees who are not full-time. She explained that if only 15 minutes of sick leave is taken, the employee is charged for 30 minutes.

Mr. Brown suggested designating a certain number of personal days for employees to use at their discretion, and after having used those days, the employee would then have to take annual leave.

Mr. Edwards commented that some guidelines would be needed to make an appropriate proposal.

Mr. Frank Morton, III, County Attorney, stated that funeral leave could be taken more than once in a year, if deaths of immediate family members occur.

Ms. Luckam verified that the County now allows three days of personal leave for the funeral of an immediate family member, but staff is requesting a change in the sick leave policy to allow the use of up to five days a year for the illness of a family member.

Mr. Brown emphasized that complications make a policy more difficult to administer, and the change invites abuse of sick leave, but he would support the proposal.

Mr. DePue commented that priorities should be set and the Board should allow its good professional staff to handle such details, while it considers the broad issues, not the paragraphs.

Mr. Mahone noted two significant changes: 1) the addition of 66% to leave time allowed; and 2) allowance of sick leave for an illness of an immediate family member. He stated he could not support the motion.

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

2. 1988 County Legislative Program

Mr. Edwards inquired as to how the Board wished to proceed with discussion of the legislative program.

Mr. DePue suggested a brief statement might be made concerning the items not included in the report, and he felt the discussion should be by exception rather than by each item.

Mr. Edwards asked if any Board member wished to remove any item.

Mr. Taylor indicated he could not support the amortization of nonconforming signs and billboards and the nontidal wetlands issues. He made a motion to remove the former issue.

Mr. Mahone stated that the Growth Commission spent time to consider and recommend important issues for enhancement of the community.

Mr. DePue spoke in favor of the issues. He emphasized that seeking the legislation does not commit the Board to enact these ordinances. He concluded that he wants to be in a position to enact the legislation, if he so wishes.

Mr. Edwards stated that he supported allowing the localities to take action.

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

Mr. Taylor asked that the nontidal wetlands issue be deleted.

Mr. DePue stated a "systematic review of activities" does not mention actual restrictions.

Mr. Taylor indicated that he was opposed because restrictions were of no benefit to him or other citizens that he represents.

Mr. Brown mentioned concerns with "establishment of a program" that does not include permits, controls, or vote recommendation, and described the "systematic review of activities" as having no substance. He further mentioned distinction should be made between tidal and nontidal wetlands, as an inland swamp does not have the same concerns as a tidal wetland.

Mr. DePue added that he had similar concerns.

Mr. Mahone noted that controls have not been discussed that would apply to water flowing to the Chesapeake Bay, or the interest in clear water and a healthy environment.

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

Mr. Mahone made a motion to delete the Transportation section, which gives the County an option to induce a tax for money for local highway projects. He felt that that issue puts us in competition with the Highway Department, although the road system is not keeping up with the growth. He concluded that the Highway Department should solve transportation problems with the counsel received from the Board as it relates to priorities, requests and needs.

Mr. Brown stated that since the tax package and the 21st Century plan are now in place, he would support this motion.

Mr. Edwards indicated that he understood Mr. Brown's and Mr. Mahone's reasons for opposing the issue, but he felt the issue should be considered for the authority that the Board might realize from this option.

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

Mr. Mahone requested that the word "strongly" be removed from the last paragraph in the Local Revenues issue.

This request was approved by unanimous consent.

Mr. Edwards made a motion to approve the legislative package with the deletion of the Transportation issue.

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

Mr. Taylor asked that a note be sent with the legislative package to the General Assembly stating that the vote was not unanimous.

Mr. Edwards expressed that his preference was to send a regional agreement to the General Assembly.

Mr. DePue suggested sending the approved list with accompanying documents to York County and the City of Williamsburg, noting that a group study was not timely. He asked for the Board's acceptance of his suggestion.

Mrs. Burcham clarified that the staff recommendation is to forward the legislative package to our delegation for their support and not for introduction of the items.

Mr. Brown stated that the Growth Commission list has some controversial items, so his suggestion was to send the items which the Board approved with the statement that the other items are being studied.

Mr. Edwards and Mr. Mahone agreed with Mr. Brown's suggestion.

Mr. Stan Brown, speaking as Chairman of the former Williamsburg Regional Commission on Growth, asked for a list of the issues being sent to the delegation.

Mr. Edwards questioned whether we should forward the package to this session of the legislation because regional agreement should be reached before so doing, and that agreement should be reached by next year's session.

Mr. DePue commented that this list was a first sweep and should not need a group stamp to be sent to the legislation.

Mr. Brown informed Mr. Stan Brown that the issues included in the approved list were zoning powers, impact fees, housing, amortization of nonconforming signs and billboards, conservation easements, nontidal wetlands, and critical area protection program.

Mr. Edwards explained that staff recommends more analysis of the excluded items because gaining the approval of some of the issues by the General Assembly will be extremely difficult.

Mr. DePue emphasized that we need information on how to reply to the General Assembly after an issue has been introduced.

R E S O L U T I O NSUPPORT OF 1988 COUNTY LEGISLATIVE PROGRAM

WHEREAS, the goal of James City County is to provide for the health, safety and welfare of its citizens; and

WHEREAS, legislation enacted by both the state and local governments can facilitate the obtainment of this goal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Board respectfully requests the honorable members representing James City County in the General Assembly to use their good efforts to support the legislative items contained in the County's 1988 Legislative Program.

BE IT FURTHER RESOLVED that a copy of this resolution and Legislative Program shall be forwarded to each member of the General Assembly representing James City County.

H. PUBLIC COMMENT

1. Mr. John Charles, Chairman of the Parks and Recreation Commission, stated that the Commission met with citizens and subsequently unanimously recommended that the fee structure be altered for primary/secondary nonprofit independent schools located within the geographical boundaries of James City County and/or the City of Williamsburg. The pool user fee structure was proposed as 50% of the current six-month youth membership fee per participant for the length of the school contract not to exceed three months, plus the current lifeguard hourly rate.

He continued that this pool user fee for Walsingham Academy would not be considered a membership, but the school would be paying \$800 that the Recreation Center would not otherwise receive.

Mr. Brown expressed that having schools request the use of the recreation pool is a nice problem, but a difficult dilemma. Staff feels approval of this opens a wide range for the fee structure. Mr. Brown's opinion was that schools should be allowed to use the pool, and he stated his support of the request.

Mr. DePue questioned the amount of \$800 mentioned by Mr. Charles; staff indicated the amount would be \$555.

After discussion of the cost of a six-month youth membership fee, the number of swimmers and the hiring of a lifeguard, Mr. Charles agreed that the \$555 figure was correct.

Mr. DePue asked if the Recreation Commission had sufficient time to fully consider the request.

Mr. Charles replied that he had received input from both sides and had intensively studied the request for the past two weeks.

Mr. Edwards stated that a major problem with this request is fairness. He felt that the fee structure needed to be in place for a period of time and then reevaluated. He noted that he could not justify the fairness of a fee being reduced by approximately 80%, and felt that the Commission was being sympathetic with the first unhappy, vocal group.

Mr. Charles replied that the Commission was not intimidated by the citizens' group, but responded to the logic of the situation.

Mr. Edwards stressed the point that public funds should be impartially used by public groups. The reduction from \$3.84 to \$.74 per swimmer per hour is a large one, and inquired if the fee structure will be reduced for other groups.

Mr. Brown asked what fee the Aquatic Club pays.

Mrs. Burcham stated the Aquatic Club has a reciprocal agreement for Williamsburg/James City County residents and does not pay an additional charge. If a member, the young people pay a much lower rate. She further stated that the current fee for reserving a lane is \$10 per hour, and swimmers must pay an admission fee or have a membership to the facility. She noted that more non-residents are using the pool than anticipated when the Recreation Center opened.

Mr. DePue mentioned to Mr. Charles that he had requested by letter that a review of the fee structure be undertaken, but no action was taken on that request. The fee structure policy will be reviewed next spring.

Mrs. Burcham commented that the review would be a part of the budget process.

Mr. Charles defended the Recreation Commission's recommendation by stating that this situation shows an increase in interest and involvement in the community.

Mr. Edwards stated that a fee will be determined and set for next year, and Mr. Taylor agreed with that statement.

Mr. Mahone questioned if the Lafayette High swim team uses the facility.

Mrs. Burcham replied that swimming hours for Lafayette are early morning hours, 6:00 a.m. to 8:00 a.m.

Mr. DePue commented that this situation creates a third category in fees; public, nonpublic, and nonpublic/education.

Sister Marianna Walsh, principal of Walsingham Academy, informed the Board that the Academy representatives had met with the Recreation Commission regarding a review of the fee structure for private/independent schools who have a swim team. She stated that the Academy's budget was not sufficient to cover the fees of the existing fee structure, thereby leaving her two options of 1) dropping the program; or 2) reviewing the policy. She concluded that timeliness was an important factor to the Academy.

Mrs. J. W. Lavin, parent of a student on the Walsingham Academy Swim Team, asked for consideration of this recommendation on behalf of the fact that she has been a taxpaying citizen of James City County for 19 years. She appreciated the recommendation of the Parks and Recreation Commission and asked for the Board's approval of that recommendation.

Mr. Brown replied that the Board appreciates her arguments, but the facility is for public use.

Mr. Edwards made a motion to charge the fee for lane use on a three-month basis and to approve the fee structure recommendation of the Parks and Recreation Commission.

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

I. REPORTS OF THE COUNTY ADMINISTRATOR

1. Procedure for Considering Recommendations of the Williamsburg Regional Commission on Growth

Mrs. Burcham stated that staff recommends the formation of a temporary panel comprised of one Board/Council member, one Planning Commission member and one staff member from each locality. This panel would determine which recommendations to consider, would make periodic reports to the respective governing bodies, and would seek official support for agreed upon actions. She indicated that the panel would meet monthly for the next 18 months.

Mrs. Burcham continued that staff would evaluate the recommendations from the joint panel that apply to the County. Four work sessions during a 12-18 month period would be held for discussion of historical/environmental resources; housing, land use, and economic development; public services and transportation; and visual quality and urban design.

Mrs. Burcham was hopeful the Board would agree to this procedure for transmitting the recommendation to York County.

Mr. Edwards remarked that James City County was making the first decisions on the report.

Mr. DePue acknowledged the citizens' advisory groups would provide a good resource as the Board moves through the process.

Mr. Taylor spoke in opposition, stating that the process would be more "red tape" for individual rights and property.

Mr. Edwards made a motion to approve the recommendation for a temporary panel comprised of one Board/Council member, one Planning Commission member and one staff member from each locality.

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

2. Economic Development

Mr. Edwards announced a work session for economic development would be held following a break.

J. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone requested a resolution on Drunk Driving Week on the next agenda, and Mr. Brown asked that the Students Against Drunk Driving be included.

Mr. Brown reported that the Busch Gardens Halloween Party had 1,800 participants and was a tremendously successful program. He requested that a letter be written to Busch Gardens thanking them for the use of the facility.

Mr. Brown commended the Recreation Department for their clever video tapes.

Mr. Mahone announced the James City County Beautification Ground Breaking on Thursday, November 19, at the Upper County Park. He felt the beautification program would be an asset to our community, with results being evident in the next couple of years.

Mr. Mahone requested a work session with Mr. Russ Lowry of the Emergency Medical Services for some time in the future regarding the Emergency Response and Community-Right-to-Know Committee and the Superfund Amendments and Reauthorization Act of 1986 (SARA). He indicated that the Committee will be doing a great deal of hard work, such as defining hazardous materials transported daily across our County and discovering if products that businesses use are potential hazards. Staff will represent the Board on the Committee.

Mr. Mahone announced a SARA meeting at the Radisson Hotel in Hampton on November 30 from 9:00 a.m. to 4:00 p.m., and stated that he planned to attend that meeting.

Mr. Edwards stated that a special meeting is needed for a work session for personnel and utilities. The memorandum in the Reading File mentioned November 23 or November 30.

Mr. Norman replied that November 23 would be the better of the two dates.

Mr. Edwards agreed that the work session would be scheduled for Monday, November 23, at 7:00 p.m.

Mr. Edwards announced the regular Board of Supervisors meeting on December 21 at 1:00 p.m., with John McDonald's financial trends report at 3:00 p.m., and an invitation to the School Board for a 4:30 p.m. meeting.

Mr. Edwards made a motion to recess for a break and then go into a work session for economic development with the Industrial Development Authority at 3:34 p.m.

Mr. Edwards reconvened the Board into a work session at 3:49 p.m.

Those in attendance from the Industrial Development Authority were: Kenneth Axtell, Chairman; Hammond Branch; and Jon Nystrom.

Mr. David Norman indicated that he wished to explore with the Board its acceptance of the job description of the Economic Development Coordinator and the related strategy for the County's economic development efforts. He introduced Mr. John McDonald, Director of FMS, and indicated that Mr. McDonald would present some background material on commercial and industrial development trends. Following that, Mr. Norman would present the proposed economic development program.

Mr. McDonald made a brief presentation on commercial and industrial development trends over the last ten years, including that while the major indices indicated that the County has a comparatively healthy commercial/industrial tax base, the growth rates were not sufficient to allow both continued decreases in the tax rate and the construction of five new schools.

Mr. Norman began the presentation of his economic development program by asking whether the County wants to influence the economic growth, or just let the growth happen. The Virginia Department of Economic Development views James City County as a bedroom community, not particularly interested in businesses other than tourist-related ones.

Mr. Norman recommended that the position of Economic Development Coordinator be filled, with the person located in the Office of Development Management and with the County Administrator taking an active part in recruiting, building the program and directing the person during the first year of employment.

Mr. Norman continued that the roles and responsibilities and development strategy would need approval of the Board. He emphasized that knowing what is expected of the Coordinator is essential for recruitment.

He summarized the economic development process of leadership (committed to growth), strategy (develop and carry out), services (sewer, water, buildings), marketing (travel limited to State resources), and rewards (balanced growth of jobs/taxes) with the components of business recruitment, retention and expansion, and new business formation.

Mr. Brown commented that the Board thought the position should be filled once the reorganization was complete.

Mr. DePue noted that he liked the proposal, the way the concerns were addressed, and that the Coordinator would report to the County Administrator. He mentioned that he preferred having the Virginia Department of Economic Development and the Virginia Peninsula Economic Development Council make the sales rather than by the County Coordinator.

Mr. Edwards asked if the primary purpose was to provide information to businesses and to existing local businesses.

Mr. Norman replied that the County marketing would be with individuals rather than the market.

Mr. Edwards felt that our principal advantage is the County's quality of life. He continued that water is a regional problem and the tax base is of utmost importance. The County is not interested in getting every available business.

Mr. Brown stated that by participating with the State and VPEDC, our interests will prevent those things from happening.

Mr. Edwards emphasized that we want to be selective, careful, screen private information, etc.

Mr. DePue agreed. He mentioned that the State and VPEDC should send us only the best prospects.

Mr. Taylor stated that a person should be hired to do a job, but not with his hands tied behind his back. He indicated that the budget of the Economic Development Coordinator over a period of five years could be used for County utilities.

Mr. Thomas Norment, Jr., supervisor-elect, commented that during his campaign he took an assertive approach about hiring a person to establish contacts and make it known that James City County is interested in industrial development. He felt recruitment would be frustrating and hard to do if direction from the Board is not given.

Mr. Brown stated that the Board was committed to a cautious approach, and Mr. Edwards represents a large segment of the community who does not want us to actively pursue businesses.

Mr. DePue commented that the Board sets high standards.

Mr. Jon Nystrom commented that the community prefers aggressively seeking new businesses.

Mr. Edwards indicated that some of the citizens comment that they do not desire any more traffic congestion.

Mr. Brown stated that the County wants a cautious, conservative, sophisticated program.

Mr. DePue stated that the citizens would be glad to see a Sears' or Penney's.

Mr. Norman remarked that conditions are not favorable for those kinds of businesses at this time.

Mr. Taylor insisted that businesses will come when the timing is right.

Mr. Taylor stated that we need a response team, a selection of businesses, and that relocation of businesses will bring people with them. He further stated that he was not convinced that the Board would have any control over the Coordinator.

Mr. Kenneth Axtell, Chairman of the Industrial Development Authority, stated that a tax base in James City County was important. He stated his initial thought was that the Coordinator would be a proficient, motivated achiever, targeted to bring industry to the County.

Mr. DePue noted that businesses want to speak to the leaders of the County. He stated that as an advocate in full support of the program, he supported approval of the Coordinator position.

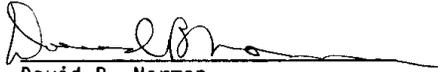
Mr. Brown remarked that the Board was not divided, but was interested in a focused, reasonable, responsible program.

Mr. Edwards asked whether the Board would be prepared if the vote was postponed for a week.

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The Board was in agreement, and Mr. Edwards recessed the meeting until Monday, November 23, at 7:00 p.m.

The Board recessed at 5:35 p.m.



David B. Norman
Clerk to the Board

0405w

HOUSING REHABILITATION
GRANT AND LOAN GUIDELINES

WATER AND SEPTIC IMPROVEMENT GRANTS

Eligible Households: Low and moderate income households with ownership interest in the property
 Eligible Improvements: Connection to public water, well and/or septic system installation or repair
 Maximum Dollar Amount: \$3,000
 Repayment Requirement: None

GRANTS

Eligible Households: Low income households with ownership interest in the property
 Eligible Improvements: Required housing rehabilitation
 Maximum Dollar Amount: combined total of rehab grant and water and septic grant can not exceed \$3000
 Repayment Requirement: None

FORGIVABLE LOANS

Eligible Households: Low income households which have paid real estate taxes on the property for previous two years
 Eligible Improvements: Required housing rehabilitation
 Maximum Dollar Amount: \$7,000
 Repayment Requirement: No repayment required unless the property is sold within five years
 Interest Rate: 0%
 Repayment Security: Deed of trust and note in the amount of loan which is decreased by 20% each year

DEFERRED PAYMENT LOANS

Eligible Households: Low and moderate income households with ownership interest in the property
 Eligible Improvements: Required housing rehabilitation
 Maximum Dollar Amount: Combined total of deferred loan and other loan and grant assistance can not exceed \$25,000
 Repayment Requirement: Repayment required upon sale of the property
 Interest Rate: 0%
 Repayment Security: Deed of trust and note in the amount of the loan signed by persons with ownership interest sufficient to assure repayment at the time of sale

AMORTIZING OR INSTALLMENT LOAN

Eligible Households: Low and Moderate Income households with ownership interest in the property
 Eligible Improvements: Required housing rehabilitation plus nonrequired work not exceeding 10% of the loan
 Maximum Dollar Amount: Combined total of amortizing loan and other loan and grant assistance can not exceed \$25,000
 Repayment Requirement: Repayment in equal monthly installments over a maximum of 15 years and monthly escrow payments for real estate taxes homeowners insurance
 Interest Rate: 3%
 Repayment Security: Deed of trust and note in the amount of the loan signed by persons with sufficient ownership and equity interest to assure repayment of the loan

HUD INCOME LIMITS
Effective 2/6/87

PERSONS PER HOUSEHOLD	LOW INCOME 50% of AREA MEDIAN	MODERATE INCOME 80% of AREA MEDIAN
1	10,400	16,650
2	11,900	19,000
3	13,350	21,350
4	14,850	23,750
5	16,050	25,250
6	17,250	26,700
7	18,400	28,200
8	19,600	29,700

LOAN/GRANT EXAMPLES

Assume the following household information:

Family of Four - 1 adult and 3 children
allowance for dependents $\$480 \times 3 = \$1,440$

House requires \$20,000 of repairs of which \$2,000 is water and
septic related.

Existing Monthly Housing Expenses

First Mortgage	\$125
Utilities	93
Homeowners Insur.	14
Real Estate Tax	<u>12</u>
Total	\$244

Example 1:

Gross Annual Household Income = \$6,000 (Low Income)
Adjusted Annual Household Income = \$4,560
30% of Adjusted Monthly Income = \$114
Maximum Repayment Ability = 0

Assistance Provided: Grant of \$3,000
Forgivable Loan of \$7,000
Deferred Loan of \$10,000

Example 2:

Gross Annual Household Income = \$12,000 (Low Income)
Adjusted Annual Household Income = \$10,560
30% of Adjusted Monthly Income = \$264
Maximum Repayment Ability = \$20

Assistance Provided: Grant of \$3,000
Forgivable Loan of \$7,000
Installment Loan of \$2,896 with 15
year term, monthly principle and
interest payments of \$20
Deferred Loan of \$7,104

James City County
Housing Rehabilitation Program Guidelines

I. Introduction

Upon adoption by the James City County Board of Supervisors the housing rehabilitation program guidelines contained in this document shall apply to all rehabilitation assistance provided from the Chickahominy Community Development Block Grant. Furthermore, with the exception of sections of the guidelines which specifically mention the Chickahominy target area these guidelines shall apply to rehabilitation assistance provided from the Revolving Rehabilitation Loan Fund, and from any other sources including subsequent CDBG projects.

The Rehabilitation Loan and Grant Program funded through the 1987 CDBG grant from the Virginia Department of Housing and Community Development shall be available to owner-occupants of homes located in the Chickahominy Target area (see map Attachment 1). In addition, elderly and handicapped persons with life rights to the property may qualify for grants, and forgivable or deferred loans under the program. Program beneficiaries shall be limited to low and moderate income households as defined by the U.S. Department of Housing and Urban Development (HUD). The various grant and loan programs described under III. Types of Assistance, are designed to assure that the program will not deny benefits to low income households due to insufficient income and to assure that after rehab, housing expenses are not increased to above 30% of monthly income.

II. Types of Properties

The types of properties which may qualify for housing rehabilitation assistance under this program include any residential structure including mobile homes whose owner occupants qualify for assistance. All homes rehabilitated with Chickahominy CDBG funds must be determined to be structurally and financially feasible to be rehabilitated to meet Section 8 Housing Quality Standards (HQS) in order to qualify for any assistance; except that assistance may be provided for water and septic improvements without the house being required to meet HQS. A household whose residence is determined to be infeasible to rehabilitate and located in the Chickahominy target area may apply for replacement housing assistance from Chickahominy CDBG funds.

Example 3:

Gross Annual Household Income = \$15,000 (Moderate Income)
Adjusted Annual Household Income = \$13,560
30% of Adjusted Monthly Income = \$339
Maximum Repayment Ability = \$95

Assistance Provided: Grant of \$2,000
Installment Loan of \$13,756, 15 year
term, monthly principle and
interest payments of \$95
Deferred Loan of \$4,243

III. Types of Assistance

GRANTS

Grants may be used by low income households, those with incomes below 50% of the area median income as defined by HUD, to finance the cost of eligible housing rehabilitation, including, but not limited to, water and septic system improvement expenses.

Grants may also be utilized by moderate income households, those with incomes between 50% and 80% of the area median income as defined by HUD, to cover the cost of septic system installation or improvements and water source improvements (cost of connection to public water or well improvements if public water is unavailable).

These grants will require no payback on the part of the program participant.

The maximum amount of the grant shall be \$3,000.

FORGIVABLE LOANS

Forgivable loans will be available to low income households only. Forgivable loans provide assistance with repayment waived under specified conditions.

The maximum amount of a forgivable loan shall not exceed \$7,000.

Forgivable loans shall be at 0% interest with repayment required only in the event that the property is sold within five years. Furthermore the amount of the required repayment is reduced by 20% each year on the anniversary of the loan.

Forgivable loans shall be secured by a deed of trust and accompanying note specifying the repayment terms.

In the case of elderly borrowers (over 62 years of age), the note may be terminated early in the event that the borrower is institutionalized on a long term basis and must sell the property due to the institutionalization.

AMORTIZING LOANS

Amortizing loans shall be available to owner occupant, low and moderate income households (income below 80% of the area median income as defined by HUD).

Amortizing loans shall be repaid on a schedule of equal monthly payments over a specified period of time at the end of which term, principal repayment and interest charges shall have been discharged.

The maximum amount of an amortizing loan shall be \$25,000.

Amortizing loans shall have an effective interest rate of 3% per annum.

The maximum term of an amortizing loan shall be the lesser of 15 years or a period of time not to exceed 75% of the remaining economic life of the property after rehab.

The monthly payment of an amortizing loan combined with other housing expenses shall not exceed 30% of the household's monthly adjusted gross income.

Amortizing loans shall be secured by a note and deed of trust.

Deferred payment loans shall be available to low and moderate income owner occupant households.

Repayment of a deferred loan shall be due and payable at the time of sale of the unit. The lien shall remain in place for no more than 50 years.

The maximum amount of a deferred payment loan is \$25,000.

Deferred loans shall be available only to finance the portion of the cost of eligible work which exceeds a household's ability to repay based on a standard of housing expense not to exceed 30% of adjusted household income.

Deferred loans shall be zero interest loans which shall be due in full upon sale of the property.

Deferred loans shall be secured by a deed of trust and note.

OTHER PROGRAMS

Persons may be referred to other programs as deemed appropriate after review of their application and assisted with the application process. Such programs may include, but not be limited to, Housing Partnerships, the Community Action Agency, Farmers Home, and/or the Virginia Housing Development Authority.

TANDEM PROGRAMS

The above described loan and grant programs may be used in combination with each other as summarized below:

Low Income Households (up to 50% of median)

- A grant up to \$3,000
- A grant up to \$3,000 plus a forgivable loan up to \$7,000
- A grant up to \$3,000 plus a forgivable loan up to \$7,000 plus either an amortizing or deferred payment loan or combination of amortizing and deferred payment loan of up to \$15,000.

Moderate Income Households (up to 80% of median)

- Grant up to \$3,000, for water and/or septic only.
- Grant up to \$3,000, for water and/or septic only, and either an amortizing loan or a deferred loan or combination of an amortizing and a deferred payment loan of up to \$22,000.
- Either an amortizing loan or a deferred payment loan combination of an amortizing and a deferred payment loan of up to \$25,000.

In no event shall the maximum amount of any assistance provided under this program exceed \$25,000 per housing unit.

IV. Joint Ownership

In the case of joint ownership, applicants may receive grant assistance if they occupy and have an ownership interest in the property.

An applicant may receive a forgivable loan if a sufficient person with ownership interest signs the deed of trust such that repayment is assured from their share if the property were sold prior to the expiration of the payback period.

An applicant with an ownership interest in the property may also receive a forgivable loan if the applicant occupies the property and has paid the real estate taxes on the property for at least the previous two years.

If the applicant is applying for a deferred loan the signers of the deed of trust must have sufficient ownership to assure repayment at the time of sale.

If the applicant is applying for an amortizing loan the applicant must also have sufficient equity in the home to assure repayment of the loan.

V. Asset Criteria

GRANTS, FORGIVABLE LOANS, AND DEFERRED LOANS

Applicants for grants, excluding grants for water and septic improvements, and applicants for forgivable and deferred loans will be allowed up to \$5,000 in financial assets including savings, checking accounts, certificates of deposit, stocks and bonds. Any amount of assets above the \$5,000 shall be reduced from the amount of the grant or loan.

AMORTIZING LOAN

In determining eligibility for a loan, assets may be considered to determine ability to pay back the loan.

VI. Application Processing

Applications shall be processed on a first come first serve basis. Applicants may call in, mail in, or walk in to submit a preliminary application. The date and time of receipt of the application shall be used to determine sequence of assistance. An applicant shall be informed in writing if at any time during processing it is determined that the applicant or property does not meet eligibility criteria.

Assistance from the Chickahominy CDBG shall be provided in two phases. In the case of applicants whose properties are infeasible to rehab until public water is available, an estimate of the required assistance will be made and funds in that amount will be reserved for those applicants.

Income eligible applicants for amortizing loans will be evaluated for credit worthiness and ability to pay. Credit worthiness shall be established by a credit report. Persons with a history of chronic lateness in payment, unsatisfied judgments or excessive long term debts will be referred for credit or budget counseling.

If in the opinion of the counselor that the credit problems have been resolved the application can continue to be processed.

VII. Inspection, Work-Writeup, and Bid Procedures

The Rehabilitation Specialist shall meet with the homeowner to determine the deficiencies and work to be done. The Rehabilitation Specialist shall then prepare a work write-up and cost estimate. The work write-up shall be reviewed and signed by the homeowner.

The Rehabilitation Specialist will recommend that either the work be advertised for bid or that three contractors taken consecutively from the programs list of prequalified contractors be invited to bid.

The bids shall be opened at a prescribed time announced when the bid package is distributed. The bids shall be reviewed and the lowest responsive bidder shall be awarded the contract; with the exception that if the homeowner has some objections to the lowest bidder being awarded the contract, they must give their reasons in writing and the Loan Review Committee may approve the next highest bidder as long as the next highest bid is within 10% of the lowest bid.

VIII. Rehabilitation Contract

The rehabilitation contract shall be between the Contractor and the Homeowner and shall be prepared by the Rehabilitation Specialist.

CONTRACT BONDING

Upon award of the contract the Contractor shall furnish assurance that he or she will complete all work and pay all costs incurred in the performance of his or her work. The assurance may be in one of the following forms: performance bond written by a recognized surety in an amount equal to the contract price, an irrevocable letter of credit written by a recognized lending institution, in an amount equal to the contract price or a certified check issued by a recognized financial institution and equal to 10% of the contract.

This assurance will be held by James City County Office of Community Development for at least 60 days following completion of the work. At that time, an inspection shall be performed by the Rehabilitation Specialist to determine if any discrepancies or violations must be corrected. If there are no problems the assurance shall be returned; if problems are found the Contractor shall be notified and the assurance shall be held until the problem has been corrected.

For persons receiving amortizing loans, minimum standards must be met. In addition, the homeowner may chose to include certain work listed as above as ineligible as long as the total amount of the nonrequired work does not exceed 10% of the total loan amount.

Persons receiving grants, forgivable loans or deferred loans may contract to do work listed above as ineligible only if they pay for the cost through their own resources or through an amortizing loan.

CONTRACTOR RESPONSIBILITIES

The contractor shall:

Obtain and pay for all permits and licenses necessary for the completion and execution of the work to be performed.

Carry during the life of the contract comprehensive liability insurance coverage of a minimum of \$300,000.

Perform all work in a workmanlike manner according to standard construction industry practices and shall leave the work in a finished condition as determined by acceptable building standards and by the James City County Office of Community Development or its designee.

Be totally responsible for any and all work performed by subcontractors, including materials they use.

Permit the U.S. Government, State Government, James City County Office of Community Development or their designees to inspect all work.

Keep the premises broom clean and orderly during the course of the work and remove all debris at the completion of the work.

Perform all work in conformance with applicable local codes and requirements, whether or not covered by the Work Write-up, Master Specifications, and or drawings.

Not assign the agreement without written consent of the owner and approval by James City County Office of Community Development.

Guarantee the work performed for a period of one year from the date of final acceptance of all work required by the agreement. Furthermore, furnish the owner in care of the James City County Office of Community Development, with all manufacturer's and supplier's written guarantees and warranties covering materials and equipment furnished under the contract.

WEATHERIZATION

Storm windows or insulated replacement windows. Adequate window and door caulking and/or weather stripping.

Insulation to bring the property up to the following R values:

- a. upper most ceiling.....R-30
- b. exterior walls (new).....R-19
- c. floors and crawlspace.(optional).....R-19

Storm doors

Screens may be installed on windows.

Smoke Detectors

Screen doors

Additional rooms may be added only when needed to alleviate overcrowding.

Air conditioning may be added when needed for health reasons such as respiratory problems.

The cost of wood stoves may be considered an eligible expense, to replace faulty, existing stoves currently used as a supplemental heat source.

Rehabilitation work considered by the Rehabilitation Specialist as necessary to correct incipient violations may be included as part of the rehabilitation costs.

INELIGIBLE REHABILITATION EXPENSES

Deck and porches, except to replace dangerous existing structures, or, if needed to improve accessibility to an entrance by the elderly or handicapped.

Rugs and new floor coverings when current floor covering is in good condition.

Cosmetic repairs such as interior painting except after repairs to walls and/or ceilings in a particular room.

Materials, equipment or fixtures which exceed the cost of such items included in the Master Specifications.

The Owner shall:

Not permit any changes or additions to the agreement, work write-up, or plans without written approval of the Contractor and the Rehabilitation Specialist. If extra work is approved, a change order shall be signed by the owner, contractor, and Rehabilitation Specialist.

Cooperate with the contractor to facilitate the performance of the work, including removal and replacement of rugs, covering and furniture as necessary.

Permit the Contractor to use, at no cost, existing utilities such as light, heat, power, and water necessary to carry out and complete the work.

IX. Inspections and Payments to the Contractor

The Contractor may request partial payments for work items completed. The number of allowed partial payment requests shall be specified in the rehabilitation contract and should generally not exceed two partial payments. The payment shall be for the cost of the work item as indicated in the itemized bid figures included in the contract, minus 5%, to be retained until final payment.

The Contractor must submit a pay request along with an itemized invoice to the homeowner or directly to the Rehabilitation Specialist. The Rehabilitation Specialist will then inspect the work and prepare a written inspection report. The homeowner, upon presentation of the pay request, shall sign the request to signify approval or provide a written list of discrepancies. After signature by the homeowner and the Rehabilitation Specialist a check request would be prepared and signed by the Program Administrator. A check to the contractor would then be drawn from the homeowner's grant/loan escrow account.

In addition to partial payment inspection, the Rehabilitation Specialist shall make periodic inspections of work in progress.

Upon final completion of the work, the Contractor shall submit a final pay request and invoice. A final inspection will be made by the Rehabilitation Specialist and a written inspection report will be prepared. A punch list shall be prepared which will list any items which require correction prior to final acceptance by the owner and the Rehabilitation Specialist. After all punch list deficiencies are corrected, a check request shall be prepared and final payment made.

X. Eligible and Required Property Improvements

All homes except those provided water and septic improvements only must meet Section 8 Housing Quality Standards after rehabilitation is completed. Therefore any improvements which are necessary in order for a property to meet HQS is an eligible property improvement. Additionally, the following types of improvements may be included: