

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 7TH DAY OF NOVEMBER, NINETEEN HUNDRED EIGHTY-EIGHT, AT 7:03 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  
 Thomas D. Mahone, Vice-Chairman, Jamestown District  
 Perry M. DePue, Powhatan District  
 Thomas K. Norment, Jr., Roberts District  
 Stewart U. Taylor, Stonehouse District

David B. Norman, County Administrator  
 Frank M. Morton, III, County Attorney

B. MINUTES - October 31, 1988

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: Norment, Taylor, Mahone, DePue, Edwards (5). NAY: (0).

C. PUBLIC HEARINGS

1. Case No. SUP-37-88. Lake Powell Waterline Extension

Mr. Marvin Sowers, Jr., Director of Planning, stated that Mr. Robert Emmett, of Wessex Hundred Development, Inc., had applied for a special use permit to allow the construction of a twelve-inch water transmission main along Lake Powell Road from 2705 Lake Powell Road south approximately 550 feet to the entrances of the Vineyards at Jockey's Neck Subdivision.

The Planning Commission, in accordance with staff recommendation, unanimously recommended approval with conditions shown in the resolution.

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

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

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

RESOLUTIONCASE NO. SUP-37-88. LAKE POWELL WATERLINE EXTENSION

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

WHEREAS, the Planning Commission of James City County, in accordance with the recommendation, unanimously recommended approval of Case No. SUP-37-88.

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-37-88 as described herein with the following conditions.

1. Construction, operation and maintenance of the water main shall comply with all local, State and Federal requirements.
2. The project shall comply with all State erosion and sediment control regulations as specified in the 1980 Virginia Erosion and Sediment Control Specifications.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. For pipeline construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on the adjacent property. It is intended that the present and future results of the proposed water transmission main do not create effects adverse to the public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
5. If construction has not commenced on the project within a period of 24 months from the date of issuance of this permit, it shall become void. Construction shall be defined as the clearing, grading and excavation of trenches necessary for the construction of the water main.

2. Case No. Z-18-88. Joseph S. Terrell

Mr. Sowers stated that Mr. Joseph S. Terrell had applied to rezone .165 acres from A-2, Limited Agricultural to LB, Limited Business at 3904 Midlands Road, with proffers which limit the property uses.

The Planning Commission, in accordance with staff recommendation, unanimously recommended approval of the case for the reasons that the proffered uses would reduce the potential for detrimental impacts on Ironbound Road as compared to a rezoning without such proffers, and the proposal is generally consistent with the Comprehensive Plan, surrounding development and zoning.

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 rezoning.

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

R E S O L U T I O N

CASE NO. Z-18-88. JOSEPH S. TERRELL

WHEREAS, in accordance with Section 15.1-431 of the Code of Virginia, and Section 20-15 of the James City County Zoning Ordinance, a public hearing was advertised, adjoining property owners notified of a rezoning of approximately .165 acres from A-2, Limited Agricultural to LB, Limited Business, with proffers, on property identified as Parcel (1-35) on James City County Real Estate Tax Map No. (38-4); and

WHEREAS, the Planning Commission, following its public hearing on September 27, 1988, unanimously recommended approval of Case No. Z-18-88, with proffers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia does hereby approve Zoning Case No. Z-18-88, and accepts the voluntary proffers.

D. CONSENT CALENDAR

Mr. Edwards asked if any Board member wished to discuss the item on the Consent Calendar.

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

1. Allocation for Independent Living Initiatives

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

RESOLUTIONAPPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Department of Social Services has provided funding to render services through the Independent Living Initiatives Program of the local Department of Social Services (Account No. 007-083-5726).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenues:

Revenue From the Commonwealth           \$1,600

Expenditures:

Independent Living Initiatives           \$1,600

E. BOARD CONSIDERATIONS1. Health Insurance Costs

A staff memorandum from Ms. Carol Luckam, Personnel Manager, reported that County employee health insurance premiums have increased 32% for Blue Cross/Blue Shield and 18% for Sentara, the health maintenance organization, due primarily to medical inflation.

Approval of the resolutions for transferral of monies to cover the budget increase and revision of the County Personnel Policies and Procedures Manual was requested.

Mr. Edwards made a motion to approve the resolutions.

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

RESOLUTIONCONTINGENCY TRANSFER

WHEREAS, the Board of Supervisors of James City County has been requested to consider a contingency transfer that would allow the County to continue to provide group health insurance as a benefit to employees.

THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes a transfer of \$22,894 from Operational Contingency to Account No. 001-193-0700, to continue to provide group health insurance as a benefit to employees.

## R E S O L U T I O N

### REVISION OF THE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Board of Supervisors of James City County wants to provide fair and adequate group health insurance for employees and their immediate family members; and

WHEREAS, the County offers employees more than one group health insurance option.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached revision of Section 5.13 of the Personnel Policies and Procedures Manual of James City County.

F. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR - None

I. BOARD REQUESTS AND DIRECTIVES

Mr. Mahone noted delayed postal delivery of mail to his home address.

Mr. Mahone commended the County Administrator for the foresight and leadership exhibited in his FY 1990 Budget Planning memorandum. Mr. Taylor echoed Mr. Mahone's statements.

Mr. Mahone voiced concurrence with the Employee Recognition memorandum and stated it was well done.

Mr. DePue asked staff to call him about the Recreation Center pool schedule for the holiday season, concerning the length of time closed.

Mr. DePue applauded the County Administrator's approach to fiscal planning, and stated that he hoped the Board would study the report to help in achieving its goals at budget time.

1. Virginia Peninsula Public Service Authority

Mr. Sanford Wanner, Business Manager, James City Service Authority stated that the Peninsula Planning District Commission requested each of the local jurisdictions within the PPDC to consider holding public hearings for creation of a regional authority, which would address mutual problems of refuse collection and solid waste disposal.

Mr. Wanner requested approval of the resolution showing the County's interest in the concept of a regional authority, and naming County Administrator David B. Norman and Supervisor Thomas D. Mahone as James City County representatives.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

VIRGINIA PENINSULA PUBLIC SERVICE AUTHORITY

WHEREAS, the James City County Board of Supervisors with other members of the Peninsula Planning District Commission have previously discussed solutions aimed at disposing of solid waste in the most efficient and equitable manner; and

WHEREAS, the Peninsula Planning District Commission on September 20, 1988, also have joined in discussion; and

WHEREAS, the Board of Supervisors of James City County is of the opinion that one of the most effective approaches toward the common goal, and the one that will best serve future interests of James City County and the interested localities, is the formation of an authority set forth in the Peninsula Planning District Commission minutes.

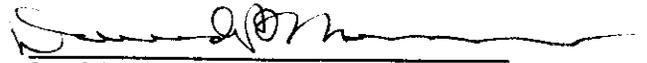
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, this 7th day of November 1988, that the Board endorses and approves the concept of a formation of a regional authority to address the disposal of solid waste in and for the counties and cities of the Peninsula Planning District Commission and others who might join in such a cooperative endeavor.

BE IT FURTHER RESOLVED that the Board appoints as its authority members David B. Norman, County Administrator, and Thomas D. Mahone, Supervisor Jamestown District in order that the formal "Notices of Public Hearing," "Resolutions Providing for the Creation" and "Articles of Incorporation" can be developed to satisfy the code requirements of the Virginia Water and Sewer Authorities Act.

Mr. Edwards convened the Board into executive session to discuss a legal matter pursuant to Section 2.1-344(a)(6) of the Code of Virginia, 1950, as amended, at 7:27 p.m.

Mr. Edwards reconvened the Board into open session at 9:20 p.m.

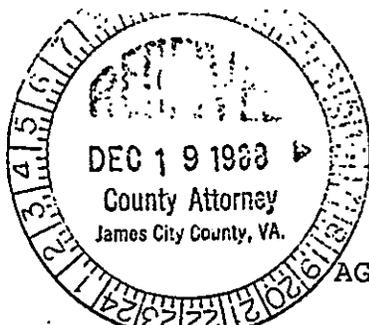
Mr. Edwards made a motion to adjourn.



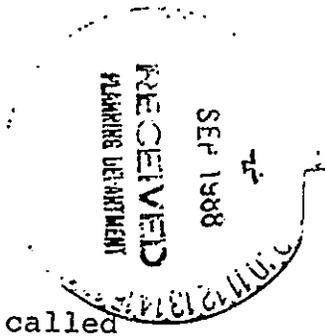
David B. Norman  
Clerk to the Board

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AGREEMENT

WHEREAS, Joseph and Essie Terrell, (hereinafter called "the Owner") owns certain real property in James City County, Virginia, (hereinafter called "the Property") and more particularly described as follows:

ALL that certain lot, piece or parcel of land, situate in Jamestown District, James City County, Virginia, as described in a certain Deed dated September 24, 1962, recorded in Deed Book 87, Page 257, it being the intention of the Grantor to hereby convey all of their interest in said property which is also described on the Tax Maps of James City County, Virginia, as Parcel (38-4) (1-35).

WHEREAS, the Owner has applied for rezoning the Property from the Limited Agricultural District, A-2, to the Limited Business District, LB; and

WHEREAS, the County of James City may be unwilling to rezone the Property from the Limited Agricultural District, A-2, to the Limited Business District, LB, because the Limited Business District, LB, zoning regulations may be deemed inadequate for the orderly development of the Property, because competing and incompatible uses may conflict; and

WHEREAS, more flexible and adaptable zoning methods are deemed advisable to permit the use of the Property; and

WHEREAS, the Owner is desirous of offering certain conditions for the protection of the community that are not applicable to land similarly zoned in addition to the regulations provided for in Limited Business District, LB,

NOW, THEREFORE, this agreement witnesseth that for and in consideration of the County of James City rezoning the Property from the Limited Agricultural District, A-2, to the Limited Business District, LB, and pursuant to Section 20-15 et seq of Chapter 20 of the Code of James City County, Virginia, the Owner agrees that in addition to the regulations provided for in the Limited Business

District, LB, he will meet and comply with all of the following conditions for the development of the Property.

CONDITIONS

All buildings or structures to be erected shall be used solely for one or more of the following uses:

- Banks or other financial institutions
- Office supply stores, secretarial and duplicating services
- Business, governmental and professional offices
- Doctors, dentist and other medical clinics or offices
- Contractor's offices without the storage of construction equipment or building materials
- Off street parking as required

*Joseph S. Terrell*  
Joseph S. Terrell

*Essie G. Terrell*  
Essie G. Terrell

STATE OF VIRGINIA  
COUNTY OF JAMES CITY, TO-WIT:

The foregoing was signed before me this 6th day of Sept., 1988, by Joseph S. and Essie G. Terrell.

*Joseph A. Abdino*  
Notary Public  
My Commission Expires: 4-27-90

VIRGINIA: City of Williamsburg and County of James City, to wit:  
In the Clerk's office of the Circuit Court of the City of Williamsburg and County of James City the 17th day of Nov, 1988. This Agreement was presented with certificate annexed and admitted to record at 3:35 o'clock  
Teste: Helene S. Ward, Clerk  
by Helene S. Ward  
Deputy Clerk

Section 5.13 Health Insurance (Rev. 11-7-88)

- A. Group Health Insurance Plan - The County shall provide at least one group health insurance option.
- B. Eligibility - All employees in full-time permanent and limited term positions and their spouses and dependent children are eligible for group health insurance coverage.
- C. Cost - The County pays the full cost of the coverage for the employee for at least one of the group health insurance options, and a portion of the cost for the employee's dependents.
- D. Details of Plan(s) - The plan(s) is (are) detailed in materials which may be obtained from the Personnel Department.

Section 5.14 Deferred Compensation

- A. Authority - The County sponsors a deferred compensation plan to allow County employees to defer a portion of their salary for retirement purposes. The plan is voluntary and is in accordance with appropriate federal and state laws.
- B. Eligibility - All employees in full-time and part-time permanent and limited term positions are eligible to participate in the deferred compensation plan.

Section 5.15 Flexible Benefits

- A. Premium Conversion - The County has adopted a program under Section 125 of the Internal Revenue Code which permits insurance premiums to be paid with pretax dollars. All employees who pay a portion of their County-sponsored insurance benefits are eligible to participate.
- B. Spending Accounts - The County has adopted a program under Section 125 of the Internal Revenue Code which permits employees to pay for certain health care and dependent care expenses with pretax dollars on a reimbursable basis. All employees in part-time and full-time permanent and limited term positions are eligible to participate.
- C. Details of Plans - The plans are detailed in materials which may be obtained from the Personnel Department.

Section 5.16 Credit Union

- A. Langley Federal Credit Union - The employees of James City County do not have their own credit union. However, the Langley Federal Credit Union welcomes County employees as members.