

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 18TH DAY OF DECEMBER, NINETEEN HUNDRED EIGHTY-NINE, AT 1:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Thomas D. Mahone, Chairman, Jamestown District
Stewart U. Taylor, Vice-Chairman, Stonehouse District

Jack D. Edwards, Berkeley District
Perry M. DePue, Powhatan District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. PRESENTATIONS

1. Chairman's Employee Award

Mr. Mahone read the resolution, presented it and a gift certificate to Tom Hardin, Crime Prevention Officer, for his contribution of providing the McGruff Safe Halloween Party to the youth in our area.

Mr. Hardin expressed his appreciation to the Board.

2. Community Profile, Virginia Power - Milton Woodlief, Robert Ware

Mr. Keith Taylor, Economic Development Coordinator, introduced Robert Ware and Milton Woodlief of Virginia Power, who presented the community profile brochure, produced by Virginia Power, to the Board.

Mr. Edwards thanked Virginia Power for its erosion and sedimentation control efforts for protection of the County's environment.

3. Williamsburg Regional Library, Trotter Hardy

Mr. Trotter Hardy, Chairman of the Williamsburg Regional Library, introduced the new library director, Ms. Patsy J. Hansel.

C. MINUTES - November 20, 1989
December 4, 1989

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

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Mr. Mahone made a motion to approve the December 4, 1989, minutes as presented and the November 20, 1989, minutes with an amended page 16.

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

D. HIGHWAY MATTERS

Mr. Frank Hall, Resident Engineer, Virginia Department of Transportation, was in attendance.

Mr. Taylor asked for investigation of water running across Church Lane at Lake Toano.

Mr. Edwards thanked Mr. Hall for VDOT's responsiveness to the citizens' group submittal of alternate plans for Route 199 design at Route 5.

Mr. DePue asked for a formal response to his request of no U-turn on Route 60 West past the True Value Hardware store.

Mr. DePue asked that progress on Longhill Connector Road be continued.

Mr. Mahone asked again that the 3 intersections in Kingspoint, Crownpoint and Kingspoint, Overlook Drive and Crownpoint, and Southpoint and Archer's Hope, be repaired where school bus rear wheels miss the pavement.

Mr. DePue asked for information that he could relate to citizens who call during inclement weather.

Mr. Taylor requested assistance for a constituent, who had called asking why only a portion of Sycamore Landing Road was cleared during the recent snowfall.

E. PUBLIC HEARINGS

1. Case No. SUP-39-89. Edgar D. White, Jr.

Mr. Marvin Sowers, Director of Planning, stated that Mr. Edgar D. White, Jr., had submitted an application for a special use permit to allow the replacement of a manufactured home on 1.81 acres, which he owns at 5789 Centerville Road, zoned Z-1, General Agricultural, further identified as Parcel (1-57) on the James City County Real Estate Tax Map No. (31-1).

Staff recommended approval with conditions listed in the resolution.

Mr. Mahone opened the public hearing.

1. Mr. Edgar White, Jr., owner, requested time to comply with special use permit conditions.

Mr. Mahone closed the public hearing.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

CASE NO. SUP-39-89. EDGAR D. WHITE, JR.

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a Special Use Permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Edgar D. White, Jr.
Real Estate Tax Map ID:	(31-1)
Parcel No.:	(1-57)
Address:	5789 Centerville Road
District:	Powhatan
Zoning:	A-1
Conditions:	<ol style="list-style-type: none"> 1. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, the permit shall become void. A replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval. 2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards. 3. The number of bedrooms shall not exceed 3.

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4. Existing vegetation shall be maintained within 20 feet of all property lines except where clearing is required for utilities and necessary entrances.
5. The existing manufactured home shall be removed from the site within 30 days of the placement of the new manufactured home on the property.
6. The proposed manufactured home shall meet the requirements of the James City Service Authority prior to occupancy.

2. Case No. SUP-40-89. M. Wayne Beverly

Mr. Marvin Sowers, Director of Planning, stated that Mr. M. Wayne Beverly had submitted an application for a special use permit to allow the replacement of a manufactured home on 1.13 acres, which he owns at 7797 Richmond Road, zoned A-1, General Agricultural, further identified as Parcel (1-50B) on James City County Real Estate Tax Map No. (12-4).

Staff recommended denial of the application for the reasons that it did not meet administrative guidelines for manufactured home replacement since only one other manufactured home was within 2,000 feet, Hunter's Creek Subdivision had developed on adjoining property, and the application represented the continuance of nonconformance with multiple dwellings on a single lot.

Mr. Mahone opened the public hearing.

1. Mr. M. Wayne Beverly asked approval of the application for the reason that the replacement manufactured home is an investment with monthly rental income.

Mr. Mahone closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

Board discussion ensued regarding replacement of nonconforming manufactured homes and visibility of manufactured home from adjacent subdivision.

Mr. DePue made a substitute motion to postpone the case to allow staff and applicant time to prepare conditions of screening, etc., for Board consideration.

On a roll call, the vote was: AYE: Norment, Edwards, DePue, Mahone (4). NAY: 0. ABSTAIN: Taylor (1).

Mr. DePue asked staff to prepare alternatives to guidelines for the Board's consideration.

Mr. Norman stated the report would be scheduled for the second meeting in January.

3. Case No. SUP-45-89. Andrew R. New

Mr. Marvin Sowers, Director of Planning, stated that Mr. Andrew R. New had submitted an application for a special use permit to allow the placement of a manufactured home to be used as a temporary residence while constructing a permanent residence on .953 acres, zoned A-1, General Agricultural, located at 7640 Church Lane, further identified as Parcel (1-14A) on James City County Real Estate Tax Map No. (22-1).

Staff recommended approval of the application with no time limit other than that listed in Condition 1 of the resolution and with an amended Condition 3 of the resolution to read "The manufactured home shall be skirted."

Mr. Mahone opened the public hearing.

1. William R. Bland, Esq., representative for the owner, stated he was available for questions.

Mr. Mahone closed the public hearing.

Mr. Taylor made a motion to approve the resolution with staff amendment to condition 3.

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

R E S O L U T I O N

CASE NO. SUP-45-89. ANDREW R. NEW

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Special Use Permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Andrew R. New
Real Estate Tax Map ID:	(22-1)
Parcel No.:	(1-14A)
Address:	7640 Church Lane
District:	Stonehouse
Zoning:	A-1

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Conditions:

1. The manufactured home shall be removed within 30 days of completion and issuance of a certificate of occupancy for the single-family dwelling.
2. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, the permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
3. The manufactured home shall be skirted.

F. BOARD CONSIDERATIONS

1. Case No. SUP-32-89. Henry S. Branscome Concrete Plant

Mr. Sowers stated that the case, an application to amend Condition 1 of a previously approved special use permit (SUP-38-88), was postponed from the December 4, 1989, Board of Supervisors meeting to allow the applicant to comply with County Code regulations on a zoning violation on the site, located on the south side of Route 143, approximately 720 feet from the James City County/Newport News City line. The site is now in compliance with the zoning ordinance.

Staff recommended approval with the conditions listed in the resolution.

1. Mr. Grady Andrews stated that he felt the County should publish information in the local newspaper.

Mr. Norman noted the County has a new publication, For Your Information, a news letter to inform citizens about county activities.

Mr. Mahone responded that the County Code book was available at law offices, libraries and the County Government Complex.

Mr. Mahone made a motion to approve the resolution.

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

RESOLUTIONCASE NO. SUP-32-89. HENRY S. BRANSCOME CONCRETE PLANT

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, following its public hearing on November 14, 1989, unanimously recommended approval of Case No. SUP-32-89 to permit a concrete plant in the M-2, General Industrial District, on property identified as Parcel (1-3A) on James City County Real Estate Tax Map No. (60-1).

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-32-89 as described herein with the following conditions.

1. If construction has not commenced on this project by January 11, 1991, the special use permit shall become void. During this period, all permits pertaining to the construction shall be secured. Clearing and grading of the site shall be completed and footings and foundations shall be installed.
2. Site plan approval by the Development Review Committee of the Planning Commission shall be required.
3. All runoff from the concrete plant site shall drain to the existing detention basin prior to reaching Skiffe's Creek Reservoir.
4. The project shall comply with all State Erosion and Sediment Control Regulations as specified in the 1980 Virginia Erosion and Sediment Control Handbook.
5. The City of Newport News Department of Public Utilities shall be notified 24 hours prior to the start of construction.
6. An updated Spill Prevention Control and Counter Measure Plan as described in the Deed of Exchange shall be submitted to the City of Newport News Department of Public Utilities by January 15, 1989. This plan shall be resubmitted to the above department every two years after the above date.
7. If the septic system malfunctions or fails, the Health Department and the City of Newport News Department of Public Utilities shall be notified within 24 hours.

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2. Street Improvements - River Drive from White Oak Drive to Cedar Drive

Mr. John Horne, Manager, Development Management, stated that River Drive from White Oak Drive in Cypress Point subdivision qualified as a rural addition to the Secondary System of State Highways under the Virginia Department of Transportation Rural Addition Policy.

Staff recommended approval for funding and improvements of this section of River Drive under VDOT's Rural Addition Policy.

A brief discussion regarding widening travel surface, drainage improvements, and alignment of road to VDOT standards followed.

Mr. Mahone made a motion to approve the resolution.

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

R E S O L U T I O N

IMPROVEMENTS AND DEDICATION OF RIVER DRIVE FROM WHITE OAK

DRIVE TO CEDAR DRIVE - CYPRESS POINT SUBDIVISION

WHEREAS, the Virginia Department of Transportation Rural Addition Policy provides for the acceptance of certain streets into the Secondary System of State Highways pursuant to Section 33.1 - 72.1 of the Code of Virginia; and

WHEREAS, the James City County Board of Supervisors recommends that River Drive from White Oak Drive to Cedar Drive, more particularly described below, be accepted as a rural addition into the Secondary System of State Highways; and

WHEREAS, neither the original developer, the developers, nor successive developers retain a speculative interest in property abutting River Drive from White Oak Drive to Cedar Drive.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request that the Virginia Department of Transportation improve and include the following street in the Secondary System of State Highways as a rural addition pursuant to its Rural Addition Policy and the Code of Virginia, Section 33.1 - 72.1;

RIVER DRIVE:	50 foot right-of-way
FROM:	State Route 1013 (White Oak Drive)
TO:	Cedar Drive
DISTANCE:	480 feet (0.09 miles)

An unrestricted right-of-way of 50 feet along with drainage easements is guaranteed as evidenced by Plat of Cypress Point, Section 5, recorded June 22, 1959, in Plat Book 17, Page 34; Plat of Cypress Point, Section 6, recorded October 5, 1959, in Plat Book 17, Page 46; Plat of Cypress Point, Section 7, recorded October 5, 1959, in Plat Book 17, Page 47; and Deed of Easement dated June 17, 1987, recorded in deed book 355, Page 578, in the Clerk's Office of James City County, Virginia.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby commit to fund fifty percent (50%) of the actual street improvement costs which are estimated to be \$36,000.

BE IT STILL FURTHER RESOLVED that this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation along with a check in the amount of \$18,000; certified copies of plats indicating street right-of-way, drainage easements and place of recordation; and, a detailed record of current lot ownership.

3. Policy Changes - Internal Recruitment

Ms. Carol Luckam, Manager, Personnel, stated that revision of Section 2.5 of the Personnel Policies and Procedures Manual would allow the County to offer employment opportunities to employees first, effective immediately.

Mr. Mahone made a motion to approve the resolution.

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

R E S O L U T I O N

REVISION OF THE COUNTY PERSONNEL POLICIES

AND PROCEDURES MANUAL

WHEREAS, the Board of Supervisors is committed to retaining our quality and experienced employees; and

WHEREAS, the County wants to provide departments with the most efficient and effective means of recruiting for and filling vacant positions; and

WHEREAS, the County is committed to encouraging and developing employees for other opportunities within the organization; and

WHEREAS, this process has been proven successful in other jurisdictions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, adopts the attached revisions of Section 2.5 and Section 2.17 of the Personnel Policies and Procedures Manual of James City County.

Effective Date: December 18, 1989.

4. Policy Changes - Equal Employment Opportunity Chapter

Ms. Luckam stated that the policy revision would approve a new chapter in the Personnel and Procedures Manual to update the County's Equal Employment Opportunity Policy and Affirmative Action Plan, Discriminatory Harassment Policy, Aids Policy, and Equal Opportunity Chapter to be effective May 1, 1990.

Mr. Mahone made a motion to approve the resolution.

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

R E S O L U T I O N

REVISION OF THE COUNTY PERSONNEL POLICIES

AND PROCEDURES MANUAL

WHEREAS, James City County is an Equal Opportunity Employer; and

WHEREAS, the Board of Supervisors is committed to the adherence to and promotion of a policy of nondiscrimination in all actions affecting County employees; and

WHEREAS, the Board wants to provide a workplace free of unlawful and improper harassment and to take affirmative action to prevent such harassment from occurring; and

WHEREAS, the Board is committed to protecting individual rights and preserving human dignity.

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

Effective Date: May 1, 1990

5. School Bonds - Middle Schools

Mr. John McDonald, Manager, Financial and Management Services, stated the Williamsburg/James City County School Board had identified three projects, a new middle school, and Phase I renovations to James Blair and Berkeley schools, which would require bond financing. He further stated that renovation projects would be presented to the Board prior to February 21, the last date to amend or withdraw support of the bond sale, and that the borrowed funds would require appropriation by the Board of Supervisors for the projects.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

APPLICATION FOR VPSA FINANCING

WHEREAS, the Board of Supervisors of James City County believes it to be desirable to seek bond financing through the Virginia Public School Authority for design, engineering and construction of a new middle school and to renovate two additional middle schools.

NOW, THEREFORE, BE IT RESOLVED that the County Administrator is requested to prepare for submission to the Virginia Public School Authority a request to participate in the March 1990 VPSA bond sale in the amount of \$13,600,000.

6. Agricultural and Forestal Districts - Withdrawal Criteria

Mr. Horne stated that staff was providing the Board with recommendations for consistent criteria to be applied to Agricultural and Forestal District withdrawal requests. Staff had previously used three criteria: change in circumstances, serve a public purpose, harm the integrity of the AFD to define "good and reasonable cause" as required by the State.

Mr. Edwards made a motion to approve the resolution.

The Board discussed filing zoning application, with a 12-month time limit, while acreage is in an AFD, purpose of AFD is protection of land for future use, differences in each withdrawal request, and guidelines would give criteria for consistency.

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

R E S O L U T I O N

WITHDRAWAL FROM AGRICULTURAL AND FORESTAL DISTRICTS

WHEREAS, the Board of Supervisors has determined that Agricultural and Forestal Districts are a valuable tool to help protect the agricultural and forestal lands and industry in James City County; and

WHEREAS, premature withdrawals of land from the Districts is contrary to the intent of the Board in allowing the establishment of these Districts.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes the following policy relating to the withdrawal of lands from Agricultural and Forestal Districts

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during the terms of those Districts. This policy in no way supersedes the provisions for withdrawal by right under Sections 15.1-1511F or 15.1-1513D of the Code of Virginia.

1. It is the policy of the Board of Supervisors to discourage the withdrawal of properties from Agricultural and Forestal Districts during the terms of those districts.
2. The criteria for withdrawal during the terms of the districts are as follows:

In order to establish "good and reasonable cause," any request by a landowner to withdraw property from an Agricultural and Forestal District must submit written information to demonstrate compliance with the following criteria:

- A. The request is caused by a change in circumstances that could not have been anticipated at the time application was made for inclusion in the district.
- B. The request would serve a public purpose, as opposed to the proprietary interest of the landowner, that could not otherwise be realized upon expiration of the AFD.
- C. The request would not cause damage or disruption to the existing district.
- D. If the request for withdrawal is in conjunction with a proposal to convert the land use of a property to a different use than is currently in place on the property, the new land use would be in conformance with the Comprehensive Plan.

The Board shall weigh each of the above criteria in its deliberation, but may also use whatever other criteria as it deems appropriate for the individual case.

7. Chesapeake Bay Preservation Act

Mr. Sowers stated that several provision of the Chesapeake Bay Preservation Act became effective on October 1, 1989, including requirements that a complete reserve septic drainfield be established on each lot, and that a 100 foot buffer be established around certain sensitive areas specified in the Act, and that all plats recorded after October 1, 1989, shall comply with these requirements.

Staff recommended approval of the resolution.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O NCHESAPEAKE BAY ACT - VESTED RIGHTS

WHEREAS, James City County is desirous of complying with the Chesapeake Bay Preservation Act regulations effective October 1, 1989; and

WHEREAS, James City County must determine when and whether the regulations of the Act apply to specific projects or sites.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that only those site plans and subdivision plans having preliminary approval on or before October 1, 1989, shall have vested rights under the Chesapeake Bay Preservation Act.

8. Regional Transportation Financing Strategy

Mr. Horne stated that a report evaluating transportation financing strategies for the Hampton Roads area suggested the area would have to depend upon Federal, State, and Regional/Local funds to implement regional transportation needs. The report recommended the formation of a regional transportation financing authority to assist in regional transportation project construction. He further stated that approval of the resolution did not obligate the County to participate in the proposed authority, but authorized staff participation in the process of evaluating alternatives.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

WHEREAS, there are transportation needs in the Hampton Roads area that are not being met due to lack of funding; and

WHEREAS, the communities located within Planning Districts 21 and 22 are considering alternatives for providing additional revenues to meet intra-regional transportation needs; and

WHEREAS, James City County identifies that additional funds are necessary to meet transportation improvement requirements and has been asked to participate in the regional program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes staff to continue to participate in the evaluation of alternatives for meeting regional transportation needs.

9. Route 199 Design

Mr. Horne stated that the two Board appointed committees met with representatives of the Virginia Department of Transportation and interested citizens to discuss the design of Route 199. He further stated that the Route 5/Route 199 committee recommended Alternate 1A, which would relocate the intersection to the northwest and maintain access to Strawberry Plains for the initial design with Alternate 1B being installed at a later date.

Mr. Horne stated the Olde Towne Road committee recommended Alternate 2 with the addition of permanent ramps on to Route 199, with no access provided off Route 199 at Olde Towne Road, and additions or revisions as listed in the resolution.

1. Alvin Anderson, Esq., representative for Williamsburg Crossing, expressed his desire that the County would consider all options before ruling out access possibilities to Route 199.

After discussing the wording of the resolution, Mr. Mahone made a motion to approve the resolution.

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

R E S O L U T I O N

ROUTE 199 DESIGN

WHEREAS, VDOT is receiving public comment on the design of Route 199; and

WHEREAS, a Committee of the Board of Supervisors of James City County met with representatives of staff, VDOT and citizens to discuss the design of Route 199 at its intersection of Route 5; and

WHEREAS, the Committee agreed to recommend that the Board of Supervisors endorse Alternate 1A as an initial design with Alternate 1B (grade separated interchange) being installed at a later date. The Committee further agreed to consider additional alternatives offered by the owners of the Williamsburg Crossing Shopping Center at a later date; and

WHEREAS, a Committee of the Board of Supervisors reviewed the design of the intersection of Olde Towne Road and Route 199 and agreed to recommend that the Board endorse Alternate 2 with a slight modification to include the addition of on ramps onto Route 199. The group further recommended that the Board request VDOT to consider the following additions or revisions to the proposed design:

1. Minor movement of the Route 199 Corridor to the east to improve access to the Richardson property if the relocation is possible without significant impacts on adjacent residences.

2. Consider other locations for access to the Richardson property; possibly through Parcel (27A) to the south of the Fire Station.
3. Provision of at least an emergency access for the Fire Department if permanent ramps cannot be provided.
4. Straightening of the curve on Olde Towne Road to the north of Route 199, if such straightening does not have major impacts on adjacent residences.

WHEREAS, the Committee further recommends the first phase of construction of Route 199 include a connection to Longhill Road instead of Olde Towne Road. Should funding preclude this phasing, the Committee supports an at-grade connection to Olde Towne Road and a grade separation at a later date.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, supports the recommendation made by the Committee and expresses its desire for the Virginia Department of Transportation to consider these recommendations in the final design of Route 199.

Mr. Taylor, Vice Chairman, presented a plaque and gavel to Mr. Mahone for his service as Chairman of the Board of Supervisors during the last year.

Mr. Mahone acknowledged the presentation by noting his part in accomplishments of the past 8 years: County park system, Williamsburg/James City Recreation Center, 2 new schools, quality of James Terrace water, James City/York County sewage system, improvement of HRSD Williamsburg Treatment plant, change of Building E proposal resulting in cost savings, change in water rate system, hired an exceptional County Administrator and supporter of Ware Creek reservoir. Further, he did not support Board salary raises, but felt the Board was not overcompensated, and was proud of his record of not submitting expense reports.

Mr. Mahone advised the Board to be cautious in rezoning land when plans for the parcel are unknown; to continue rotation of the Board chairman for the benefit of the community; that cable coverage was an important activity to the community; and finally, that manufactured home special use permits need a 5 year time limit.

Individual comments from the Board included best wishes in the future and appreciation for: work well done, friendship and help given, attention to detail, sense of humility, and guardian of tax dollars.

Mr. Mahone responded that his service was a once in a lifetime experience.

6. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David Norman, County Administrator, stated the swearing-in of elected officials was scheduled for Friday, December 22, 1989, 10:30 a.m. in the office of the Commonwealth's Attorney; an executive session was needed pursuant to Section 2.1-344(a)(1)(3) of the Code of Virginia to consider a personnel matter and the disposition of publicly held property; and lighting of the Christmas tree was scheduled at 4:30 p.m.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Norment expressed appreciation to Sandy Wanner and James City Service Authority for their efforts in restoring water service to James Terrace area Friday, December 15, 1989.

Mr. DePue, echoed by the Board, wished staff a Merry Christmas and Happy New Year.

Mr. Mahone noted a School Board Association, Virginia Municipal League, Virginia Association of Counties conference on January 5, at the Richmond Marriott; mentioned a meeting with Virginia Department of Transportation early in 1990 in support of the ferry system for the James River Crossing, and stated that official notification had been received from the State Water Control Board that the County was in the Eastern Growth Water Management area effective December 6, 1989.

Mr. Mahone recessed the Board at 4:32 p.m. for the Christmas tree lighting ceremony.

Mr. Taylor left at 4:45 p.m.

Mr. Mahone convened the Board into a work session for Financial Trends at 4:45 p.m. Mr. Taylor was absent.

Mr. McDonald made a brief presentation on the County's financial trends over the last 10 years and the County's financial future in the next 5 years. He indicated that the County should expect some strong pressure to develop more local revenue sources, including increases in existing tax rates, but that the County's tax base and its existing rates were very healthy.

He stated that pressure for additional local revenue came from several sources. The State budget cuts would match the Federal budget cuts and more local funds would be needed to continue local programs. New service mandates, from teacher salaries to landfill linings, would cost money without the necessary State/Federal support. The economy was slowing, reassessment increases were much lower, new construction was slowing and commercial/industrial development was not keeping pace with residential growth. Formula shifts in school funding (both in the State formula and the split in the local funding formula with the City) would cause greater reliance on County funds because of the County's increasing wealth. Finally - pressure from debt service, enrollment growth, population increases and the costs of operating new schools over the next 5 years could result in a real estate tax rate of 88 cents by 1995, an increase of 22 cents over the existing 66 cents rate.

He concluded that while these projections assume that the County and the Schools address the immediate program needs, program expansion was assumed to be fairly moderate. Local governments, Statewide, would be facing many of these problems in the next few years.

Mr. Mahone recessed the Board for a James City Service Authority Board of Directors' work session at 5:15 p.m.

Mr. Mahone made a motion to convene the Board into executive session pursuant to Section 2.1-344 (a)(1)(3) of the Code of Virginia to consider a personnel matter and disposition of publicly held property at 5:30 p.m.

On a roll call, the vote was: AYE: Norment, Edwards, DePue, Mahone (4). NAY: (0).

Mr. Mahone reconvened the Board into open session at 6:00 p.m.

Mr. Norment made a motion to approve the executive session resolution.

On a roll call, the vote was: AYE: Norment, Edwards, DePue, Mahone (4). NAY: (0).

R E S O L U T I O N

MEETING DATE: DECEMBER 18, 1989

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

Mr. Mahone made a motion to approve the resolution of appointment of Deputy Clerk to Board of Supervisors.

On a roll call, the vote was: AYE: Norment, Edwards, DePue, Mahone (4). NAY: (0).

R E S O L U T I O NA P P O I N T M E N T O F D E P U T Y C L E R KT O T H E B O A R D O F S U P E R V I S O R S

WHEREAS, by Resolution dated July 12, 1988, the Board of Supervisors appointed the Assistant County Administrator as Deputy Clerk to the Board; and

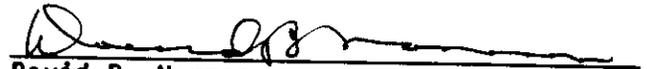
WHEREAS, it is the desire of the Board to revoke said Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that it hereby appoints the Acting Assistant County Administrator as Deputy Clerk to the Board to perform all duties of the Clerk to the Board in the absence of said Clerk.

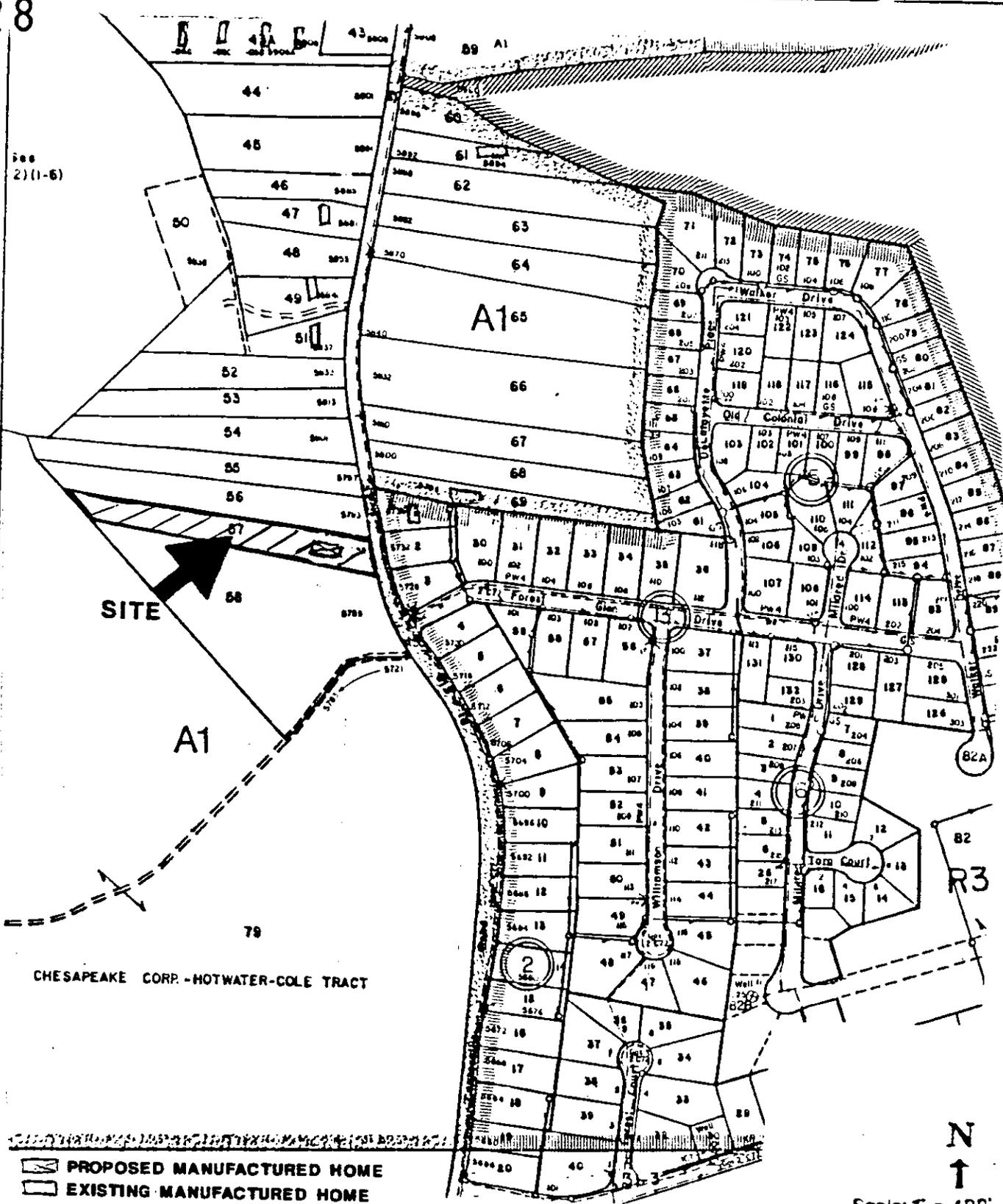
BE IT FURTHER RESOLVED that this Resolution shall be in full force and effective on January 1, 1990.

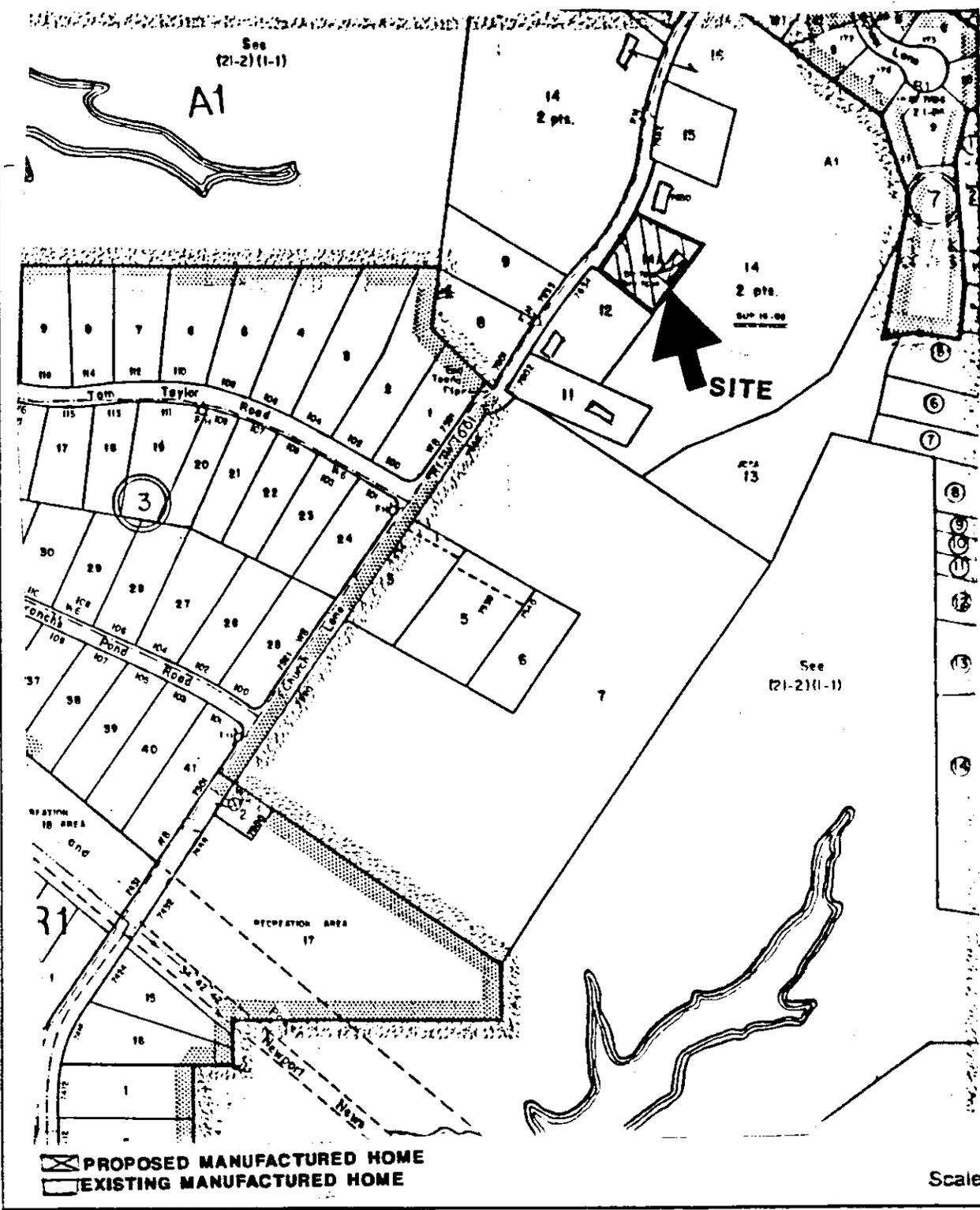
Mr. Mahone recessed the Board until January 8, 1990, at 5:30 p.m.

The Board recessed at 6:04 p.m.



David B. Norman
Clerk to the Board





Case #: SUP-45-89

Name: ANDREW R. NEW



JAMES CITY COUNTY/DEPARTMENT OF PLANNING & DEVELOPMENT

Section 2.4 Hours of Employment

- A. Full-Time Employment - Full-time employment refers to all positions so declared by the Board of Supervisors or the County Administrator. The employee filling a full-time position shall work the number of hours so designated by that department as full-time, which shall be a minimum of 37-1-2 hours per week, or 1,950 hours per year as a regular work schedule.
- B. Part-Time Employment - A part-time position is one which has as its regular work schedule, fewer hours per week or year than a comparable full-time position.
- C. Official Work Hours - The official hours of work for the County office and administrative personnel shall be 8:30 a.m. to 5:00 p.m. Monday through Friday with one hour for lunch. Because of differing requirements, schedules may vary from these times.

Section 2.5 Recruitment for Employment Vacancies

The Personnel Department shall work with a department with a vacant position to determine the recruitment required to obtain qualified applicants to fill the vacancy.

- A. Internal Recruitment Policy: In those instances where it is felt that employees within the organization may possess the knowledge, skills, and abilities required for a vacant position, the Department Manager may request that recruitment be restricted to James City County and James City Service Authority employees in full-time and part-time permanent, limited-term, temporary and on-call positions.
- B. External Recruitment Policy: In those instances where recruitment is not restricted exclusively within the organization, recruitment for the vacant position shall be conducted externally, and applications from the general public and from employees shall be accepted.

Recruitment is not necessary when a position becomes vacant within six months of a previous recruitment effort for a position performing similar duties and when there are qualified applicants on file from which to select for employment.

Section 2.6 Employment Applications

Persons seeking to apply for employment with James City County shall be referred to the Personnel Department. Applications shall be accepted only for posted vacancies, with the exception of police, fire and selected positions which experience high turnover or difficulty in recruitment. Specific positions must be designated on all employment applications to guarantee full review of the application in the selection process.

selected for a permanent or limited term position, is the date on which the employee was initially employed as a temporary employee, provided there has been no break in service.

- B. Purpose - The employment date is the effective date to determine length of service with the County for computing seniority, leave accrual, and service recognition.

Section 2.14 Reemployment

Any former employee of the County may reapply for employment. If selected, such employee shall be treated the same as if initially employed with the County.

Section 2.15 Reinstatement

A former employee may be reinstated to the employee's former position if that position has not been filled and not more than one year has passed since separation from employment. If such reinstatement occurs, a condition of the reinstatement shall be the reimbursement of all terminal leave payments. A reinstated employee shall retain the original employment date. All VSRS and health insurance benefits may be restored as permitted by those programs.

Section 2.16 Transfer

A transfer is a lateral move of an employee from one position to another position in the same salary grade, or a change in the assignment of a position from one department to another. Transfers shall be authorized by the Personnel Manager.

Section 2.17 Promotion

A promotion is the selection of an employee, after competition with internal or external applicants, to a different position at a higher salary grade. The Internal Recruitment Policy (Section 2.5A) encourages the promotion of employees.

Section 2.18 Career Ladder Advancement

A career ladder advancement is the progression of an employee from a position in a designated career ladder class to the higher level of that class. Such advancement shall occur upon meeting the minimum qualifications for the higher-level class and upon the recommendation of the department manager and concurrence of the Personnel Manager. The recommendation for advancement shall be based on a review of the employee's qualifications, experience and work performance.

Section 2.19 Demotions

- A. Demotion - A demotion is a reduction in the salary grade of an employee in conjunction with a change of job duties and responsibilities or positions.

Equal Opportunity Policy

Section 10.1 Policy

James City County is an Equal Opportunity Employer, and as such, the County provides equal opportunity to its employees and applicants for employment on the basis of merit without regard to national origin, race-color, sex, religion, handicap, age or pregnancy. This policy applies to recruiting, selection-hiring, transfer, promotion, demotion, layoffs, compensation, benefits, termination, County-sponsored training programs, leaves of absence, social and recreational programs, and the use of County facilities. Failure to comply with this policy on the part of any County employee will result in a prompt investigation and immediate and appropriate action.

The adoption of this Equal Opportunity Policy by the Board of Supervisors represents a reaffirmation of its adherence to and promotion of a policy of nondiscrimination in all actions affecting County employees.

Section 10.2 Affirmative Action Plan (AAP) Statement

This AAP is specifically tailored to the work force and available skills of James City County and contains specific actions with goals and responsibilities to meet identified needs. The guidelines and objectives contained in this plan are designed to assist the County and its employees to adhere to the concept of equal employment opportunity and to describe the procedures by which this commitment is to be implemented.

A. DISSEMINATION OF THE AAP

1. Internally:

- a. The AAP will be included in the Personnel Policies and Procedures Manual which is distributed to all supervisors.
- b. Each new employee will be given a copy of the County's EEO-AA Policy statement in the Employee Handbook, and it will be discussed in New Employee Orientation.
- c. A copy of the AAP will be kept in the Personnel Department and will be available for review by employees during normal working hours.
- d. Equal Employment Opportunity posters and the County's EEO-AA Policy statement will be posted on the bulletin boards at locations throughout the County.

2. Externally:
 - a. All recruiting sources used by the County will be informed in writing of the County's EEO-AA Policy on an annual basis.
 - b. All job applicants will be informed of the County's EEO-AA Policy at the time they apply for a vacant position by an EEO statement on all James City County application forms.
 - c. The general public will be informed of the County's EEO-AA Policy through an EEO-AA policy statement in all recruiting advertisements.

B. RESPONSIBILITIES FOR IMPLEMENTATION OF THE AAP

1. County Administrator
 - a. Oversee the implementation and progress of Affirmative Action programs and policies.
 - b. Evaluate the progress of the EEO-AA policies and objectives.
 - c. Require active, continuing participation of Department Managers, supervisors and other employees in the program's goals and objectives.
2. The Personnel Department
 - a. Develop, update and administer the County's AAP.
 - b. Assist Department Managers with the development of Affirmative Action objectives for their departments.
 - c. Monitor the recruiting efforts and progress of each department to assist them in diligently pursuing EEO-AA goals.
 - d. Make reports at least quarterly and annually to the County Administrator concerning the progress of the AAP.
 - e. Investigate and assist in the resolution of complaints of discrimination or harassment by employees or applicants and maintain records of complaints and the resolution of such.

- f. Maintain all personnel records in a manner consistent with applicable laws, rules and regulations as well as the requirements of the AAP.
 - g. Maintain records of applicant flow, placements, promotions, terminations and any other statistics useful in the determining the progress of the AAP.
 - h. Prepare the annual Equal Employment Opportunity Report (EEO-4 Report) for submission to the Equal Employment Opportunity Commission.
 - i. Maintain line items in budget for recruiting efforts, testing, training and other activities to promote Affirmative Action throughout the organization.
3. Department Managers and Supervisors
- a. Develop and implement Affirmative Action objectives for their departments with the assistance of the Personnel Department.
 - b. Promote the objectives of EEO-AA within their departments.
 - c. Monitor their department's progress in achieving EEO-AA objectives.
 - d. Select, hire, compensate, train, evaluate, and recommend for merit increases, promotion, transfer, demotion, leaves of absence, or termination of employees without regard to national origin, race-color, sex, religion, handicap, age or pregnancy.
 - e. Assist Personnel in investigating and following up on complaints of discrimination made in their departments.
4. Employees
- a. Treat each other with respect and without regard to national origin, race-color, sex, religion, handicap, age or pregnancy.
- C. COMPLAINT PROCEDURE

James City County employees and applicants who feel that they have been discriminated against in violation of the AAP or Federal Law may contact the Personnel Department

for assistance in resolving the complaint. Employees in permanent and limited-term positions, who have completed their probationary period, will also have recourse through the established employee Grievance Procedure (Section 8-9 in the Personnel Policies and Procedures Manual).

D. PROGRAM GOALS

See Appendix D - AAP Goals and Objectives

Section 10.3

Discriminatory Workplace Harassment Policy Statement

It is the policy of James City County to provide a workplace free of unlawful and improper harassment and to take affirmative action to prevent such harassment from occurring. Harassment of an employee or prospective employee on any basis of national origin, race-color, sex, religion, handicap, age or pregnancy will not be tolerated. Violation of this policy will result in disciplinary action, which may include termination.

A. PURPOSE - The purpose of this policy is to do the following:

1. to maintain a quality work environment;
2. to define harassment;
3. to ensure that unprofessional behavior that creates a hostile work environment will not be tolerated; and
4. to inform all employees that harassment is illegal.

B. BACKGROUND - In order to clarify what is an unlawful practice relative to national origin, race-color, sexual, religious, handicap, age or pregnancy harassment under the law, the Federal EEOC has issued guidelines on these subjects.

1. National Origin or Race-Color Harassment

Ethnic slurs and other verbal or physical conduct relating to an individual's national origin or race-color constitute unlawful harassment on the basis of national origin or race-color when this conduct:

- a. has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- b. has the purpose or effect of unreasonably interfering with an individual's work performance; or

- c. otherwise adversely affects an individual's employment opportunities.

2. Sexual Harassment

Sexual advances, whether verbal or physical in nature, are unlawful if:

- a. submission to such advances is an explicit or implicit condition of employment;
- b. submission to or rejection of such advances affects the job the employee holds; or
- c. the conduct substantially interferes with the employee's work performance by creating an intimidating, hostile or offensive working environment.

Sexual harassment includes the threat or insinuation that lack of sexual submission will adversely affect an employee's employment, evaluation, wages, advancement, assigned duties or shifts, or other conditions which affect an employee's livelihood. Sexual harassment can also take the form of sexual favoritism, which occurs when one employee's sexual involvement with the employer, a supervisor, or some other person with authority to make substantive employment decisions, influences employment decisions regarding benefits and-or promotions to the detriment of other employees.

3. Other Types of Discriminatory Harassment

Similar guidelines have been issued by the EEOC covering other types of workplace discriminatory harassment, such as harassment based on the religion, handicap, age or pregnancy of an employee. Guidelines have not been included here; however, the Personnel Department will provide them upon request.

4. General Harassment

In general, HARASSMENT includes, but is not limited to:

- a. Verbal Harassment - For example, epithets, derogatory comments or slurs on the basis of national origin, race-color, sex, religion, handicap, age or pregnancy.

- b. Physical Harassment - For example, assault, impeding or blocking movement, or any physical interference with normal work or movement when directed at an individual based on national origin, race-color, sex, religion, handicap, age or pregnancy.
- c. Visual Forms of Harassment - For example, derogatory posters, notices, bulletins, cartoons or drawings on the basis of national origin, race-color, sex, religion, handicap, age or pregnancy.
- d. Sexual Favors - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, upon which an employment benefit is conditioned, unreasonably interferes with an individual's work performance or creates an offensive work environment.

C. RESPONSIBILITY:

This policy applies to all employees of James City County, including but not limited to employees in full-time and part-time permanent, limited term, temporary, and on-call positions, and employees working under contract with the County.

1. The Personnel Department
 - a. Train employees to affirmatively prevent discriminatory harassment in the workplace.
 - b. Investigate and assist in the resolution of complaints of harassment by employees and maintain records of complaints and the resolution of such.
2. Department Managers and Supervisors
 - a. Ensure that the work environment is free from all types of unlawful discriminatory harassment.
 - b. Familiarize all employees under their direction with this policy.
 - c. Take prompt, appropriate action within their work units to resolve any complaint and to prevent the incidence of discriminatory harassment.

3. Employees

- a. Treat one another with respect and without regard to national origin, race-color, sex, religion, handicap, age or pregnancy.
- b. Cooperate with the Personnel Department during investigations and verification of reports of harassment.

D. COMPLAINT PROCEDURE:

All employees have the right to raise the issue of discriminatory harassment under Title VII. It is the County's position to deal with all such reported incidents of harassment in a fair, impartial and expedient manner. Any alleged violations of this policy will result in a prompt and fair investigation.

This procedure applies to all instances of alleged discrimination or harassment on the basis of national origin, race-color, sex, religion, handicap, age and pregnancy.

1. Preliminary Complaint - Filed Within 180 Days of Incident

Any employee who alleges he-she has been the victim of harassment on the basis of national origin, race-color, sex, religion, handicap, age or pregnancy should:

- a. request the harasser to stop the alleged harassment; and-or
- b. contact his-her supervisor; and-or
- c. contact the Personnel Department within 180 calendar days of the alleged incident. This preliminary complaint can be a verbal or written complaint.

2. Review of Preliminary Complaint

Upon receipt of the preliminary complaint, the supervisor and-or the Personnel Department will conduct an initial investigation in a timely manner to determine if there is any merit for a formal complaint to be filed. If no merit is found, the supervisor and-or the Personnel Department will meet with the parties involved to resolve the complaint.

3. Formal Complaint - Filed Within 10 Days of Preliminary Complaint

If an initial investigation is conducted and if no resolution of the preliminary complaint can be achieved, a formal complaint may be filed by the complainant. The complainant will be instructed to complete and sign a written statement and submit it to the Personnel Department within ten (10) calendar days from the request for a written complaint.

4. Personnel Department Contacts Person(s) Alleged to be Involved in Harassment - 10 Days to Respond

Upon receipt of the formal written complaint, the Personnel Department will contact the person(s) who allegedly engaged in the harassment on the basis of national origin, race- color, sex, religion, handicap, age, or pregnancy and inform him-her of the basis of the complaint and the opportunity to respond. That person will then have ten (10) calendar days to respond to the complaint. The response must be in writing and addressed to the Personnel Manager.

5. Review of Response and Findings

Upon receipt of the response, the Personnel Department may further investigate the formal complaint and will report the findings to the County Administrator. The County Administrator will then review the responses and findings, and determine whether harassment on the basis of national origin, race-color, sex, religion, handicap, age or pregnancy has occurred. Both parties will be notified of the County Administrator's determination within twenty (20) calendar days from the date the response was received by the Personnel Department. In terms of the County's internal investigation, the County Administrator's determination will be final and binding.

6. Determination - Harassment Occurred

If it is determined that harassment on the alleged basis has occurred, the findings will be known to the parties involved with recommendations to the involved appointing authorities to take disciplinary action up to and including termination. Recommended disciplinary action,

consistent with County policy, will be immediate and appropriate and will be determined by the severity and-or frequency of the offense.

7. Determination - No Harassment Occurred

If determination is that no harassment, as defined, occurred, all parties involved will be notified of the findings.

8. Failure to Report Within Established Time

An employee, who fails to report without good cause the occurrence of harassment within one hundred eighty (180) calendar days from the date of the alleged harassment incident occurred, will waive the opportunity to pursue the complaint procedures set forth in this policy. The Personnel Department will follow-up in the event of an employee's failure to follow these complaint procedures. Failure to file a formal written complaint within ten (10) calendar days from the preliminary complaint will be considered a complaint withdrawal. If the person against whom the complaint of harassment on the alleged basis is filed fails without good cause to respond to the complaint within ten (10) calendar days of notification, appropriate corrective and disciplinary action will be initiated.

9. Time Extension

When the interests of fairness and justice to the parties will be best served thereby, the Personnel Manager may approve an extension of the established time requirements set forth in this procedure.

10. Anti-Retaliation Clause

No person, division or department may take disciplinary action against, or in any other manner discriminate or retaliate against any person, or deny to any person a benefit to which that person is entitled because such person has filed a complaint or instituted any proceeding under or related to this policy, has testified or is about to testify in any such proceeding or investigation, or has provided information or assisted in an investigation, unless any of these are done in bad faith and with malicious intent.

11. Confidentiality Clause

A complaint of discriminatory harassment, its investigation, the outcome of the investigation, and any action(s) taken relating to a specific employee or employees shall be kept confidential to the extent possible. Dissemination of information will be limited to persons with a need to know to conduct an investigation or to implement disciplinary or corrective action.

The use of this procedure is limited to complaints related to discriminatory workplace harassment on the basis of national origin, race-color, religion, sex, handicap, age or pregnancy.

Any questions related to this policy should be directed to the Personnel Department.

Section 10.4

AIDS Policy

- A. Purpose - This policy provides guidelines for James City County and James City Service Authority in dealing with the issue of AIDS (Acquired Immune Deficiency Syndrome), ARC (AIDS Related Complex), and HIV (Human Immunodeficiency Virus) in the workplace. All of these conditions, hereinafter, shall be collectively referred to as AIDS - related conditions: By adopting this policy, the County intends to provide the following:
- a safe environment for its employees, citizens and the visiting public;
 - a work environment free from discrimination and harassment for individuals with AIDS - related conditions; and
 - protection of individual rights by ensuring confidentiality and human dignity.
- B. Policy - The following guidelines apply to all James City County and James City Service Authority employees in full-time and part-time permanent, limited term, temporary and on-call positions:
1. The County shall treat employees who have AIDS-related conditions the same as those having any other life-threatening illnesses that are not normally transmitted by casual contact in ordinary occupational settings. As long as such employees are medically and physically able to perform their jobs and do not pose a danger to their own health and safety or the health and safety of others in the workplace, they shall be permitted to remain in

- the same job classification and work location, unless a transfer, promotion, or demotion is otherwise required for reasons not associated with an AIDS - related condition. The County Administrator shall determine, based on medical findings and job duties, when a transfer or demotion associated with an AIDS-related condition is necessary.
2. James City County is an equal opportunity employer, and as such shall not illegally discriminate in its employment or personnel practices against any person who has an AIDS-related condition.
 3. No employee shall be required to submit to an AIDS virus test as a condition of beginning or maintaining employment with the County. Any employee who has had possible exposure to an AIDS-related condition is strongly encouraged to seek counseling and to have an AIDS virus test.
 4. Employees diagnosed as having an AIDS-related condition shall retain health and other benefits while they are employed; terminating employees diagnosed as having an AIDS-related condition shall have the same rights to continuation of coverage as other employees.
 5. No employee or citizen, who is diagnosed as having an AIDS-related condition, is at risk for developing an AIDS-related condition, or is suspected of having an AIDS-related condition shall be subjected to harassment, humiliation or intimidation by either the County or County employees.
 6. Neither the County nor any of its employees shall withhold County services solely because an individual is diagnosed as having an AIDS-related condition, is at risk for developing an AIDS-related condition, or is suspected of having an AIDS-related condition.
 7. Employees shall not refuse to work or withhold their services for fear of contracting an AIDS-related condition by working with or near a person who is diagnosed as having an AIDS-related condition, is at risk for developing an AIDS-related condition, or is suspected of having an AIDS-related condition.
 8. The County shall provide necessary protective garments and equipment to employees who are at risk of occupational exposure to AIDS-related conditions to facilitate the safe performance of their jobs. Employees shall be required to use the equipment provided.

9. Departments, which have employees with a high occupational exposure to AIDS-related conditions and concern about the possibility of infection, shall be responsible for formulating departmental procedures for addressing these concerns. Such procedures shall be approved by the County Administrator.
10. The County shall take all reasonable steps to ensure strict confidentiality of information relating to employees known or perceived to have contracted an AIDS-related condition or who are at risk of developing an AIDS-related condition. Dissemination of the information shall be limited to persons with a need to know to conduct an authorized investigation to implement this policy or to maintain the County's personnel information system.
11. Pertinent educational materials and a list of community resources shall be made available in the Personnel Department, the Health Department, and through the Employee Assistance Program (EAP) to employees to ensure they are accurately informed about AIDS-related conditions and that they are provided with facts about the diseases. Counseling shall also be provided through the County's EAP.
13. Employees who violate this policy shall be subject to disciplinary action.

(Effective May 1, 1990)

1641R