

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 19TH DAY OF NOVEMBER, NINETEEN HUNDRED NINETY, AT 1:05 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Perry M. DePue, Chairman, Powhatan District
Stewart U. Taylor, Vice Chairman, Stonehouse District

Judith N. Knudson, Jamestown District
Jack D. Edwards, Berkeley District
Thomas K. Norment, Jr., Roberts District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - October 29, 1990

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

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

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

C. HIGHWAY MATTERS

Mr. Quentin Elliott, Assistant Resident Engineer, Virginia Department of Transportation, reported that the left-turn lane into Oakland was not required at this time; that the erosion of the ditch across from Friendship Drive on Chickahominy Road was being investigated; repair work to Ron Springs Road had been completed; and street lighting on the entrance ramp from Route 143 to Route 199 was being handled by County staff.

Mr. DePue requested a letter from VDOT regarding the Oakland turn lane matter.

Mr. DePue asked for continuation of the follow-up on the Chickahominy Road issue.

Mr. Norment asked for details of the maintenance done on Ron Springs Road.

Mr. Elliott suggested Mr. Norment contact Mr. Frank Hall.

Ms. Knudson asked for installation of the correct weight limit sign at Lake Powell Road dam going toward Neck-O-Land Road.

Ms. Knudson asked whether the Virginia Department of Transportation had included the deteriorating culvert pipes on Lake Powell Road in its long range plans.

Mr. DePue asked that a check be made of the deep rut caused by vehicles missing pavement on the sharp bend of the Longhill Connector Road going towards Eastern State Hospital from Lafayette High School.

D. CONSENT CALENDAR

Mr. DePue asked if any Board member wished to remove an item from the Consent Calendar.

Mr. Norment asked that Item No. 5 be removed.

Mr. DePue made a motion to approve Items 1 through 4 on the Consent Calendar.

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

1. Streetlights on Interchange Ramps

R E S O L U T I O N

SAFETY LIGHTING AT INTERCHANGES

WHEREAS, safety lighting is sometimes necessary on interchange ramps to improve visibility; and

WHEREAS, Counties are currently required to: 1) apply to VDOT for CE-6 permits for installing these lights; 2) to pay Virginia Power to install the electric meters and electric services; 3) pay for contract installation of safety lighting; and, 4) pay all maintenance and operating costs.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests VDOT to assume responsibility for installation and operation costs of safety lighting on interchange ramps when such lighting is requested by the Board of Supervisors of the jurisdiction needing the improvements.

2. AIDS Education Program

R E S O L U T I O N

AIDS EDUCATION REQUEST

WHEREAS, the Special Projects Office of the College of William and Mary made a funding request to the County for funding support; and

WHEREAS, the funds request is to be used to support their AIDS Education Program; and

WHEREAS, the Board of Supervisors is desirous of funding the request.

NOW, THEREFORE, BE IT RESOLVED that the James City County Board of Supervisors of James City County, Virginia, does hereby appropriate \$1,500 to the College of William and Mary Special Projects Office, AIDS Education Project.

BE IT FURTHER RESOLVED that \$1,500 be transferred from Contingency to fund this request.

3. Allocation for Independent Living Initiatives Program

R E S O L U T I O N

APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

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

WHEREAS, the funds are 100 percent Federal/State.

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 \$ 1,124.00

Expenditures

Independent Living Initiatives \$ 1,124.00

4. Additional Allocation for Aid to Dependent Children Day-CareR E S O L U T I O NAPPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT

WHEREAS, the State Department of Social Services has provided supplemental funding to render additional services through the Aid To Dependent Children (ADC) Day-Care Program (Account No.007-083-5719); and

WHEREAS, sufficient local matching funds are available in Account No. 007-083-5723.

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	\$ 9,000.00
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Expenditures

Title XX Services (ADC Day-Care)	\$10,000.00
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In Home Services	<u>(1,000.00)</u>
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	<u>\$ 9,000.00</u>
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5. Update to the Water and Sewer Master Plans

Mr. Norment asked about the review of the water and sewer master plans.

Staff responded that an update was done approximately every 5 years, that this update was a joint effort of the County and the James City Service Authority, and that the request for proposal included flexibility in the event of approval of the Ware Creek reservoir permit.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O NAGREEMENT FOR CONSULTING SERVICESUPDATES TO THE WATER AND SEWER MASTER PLANS

WHEREAS, the County and the James City Service Authority interviewed four firms for the updates to the Water and Sewer Master Plans on September 25, 1990; and

WHEREAS, the selection committee has determined the firm of Camp, Dresser & McKee to be the top ranked firm; and

WHEREAS, an acceptable scope of work and lump sum fee agreement for the consulting service has been negotiated with the top ranked consultant by County and Service Authority staff; and

WHEREAS, funds are available in the James City County and the James City Service Authority budgets.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the award of a contract for consulting services to update the Water and Sewer Master Plans to Camp, Dresser & McKee in accordance with the agreed upon scope of services described in the requested for proposals dated August 5, 1990, in the amount of \$102,500 and authorizes and directs the County Administrator to execute a contract for this work.

E. **PUBLIC HEARINGS**

1. Case No. AFD-9-86. Gordon Creek Agricultural and Forestal District

Mr. O. Marvin Sowers, Jr., Director of Planning, indicated that this case had been postponed at the October 29, 1990, meeting at the request of a property owner. That property owner has requested withdrawal of Parcels (36-2)(1-1) Fred M. Jones and Parcels (36-2)(1-2), (36-2)(1-3) Charles G. and June J. Kagey.

Mr. Sowers stated that the State Code required review of established districts, due to expire before December 1, 1990, to be continued, modified, or terminated. In accordance with staff, the Planning Commission unanimously recommended approval of the continuation of the district for a term of 4 years with conditions listed in the ordinance.

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

Mr. Taylor made a motion to approve the ordinance, as amended.

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

ORDINANCE NO. 170A-1

ESTABLISHING THE GORDON CREEK
AGRICULTURAL AND FORESTAL DISTRICT
(AFD-9-86)

NOV 19 1990

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

WHEREAS, James City County, has completed a review of the Gordon Creek Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.1-1511(F) of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Gordon Creek Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal Districts Advisory Committee at its meeting on September 29, 1990, recommended approval of the application; and

WHEREAS, the Planning Commission following its public meeting on October 9, 1990, recommended approval of the application.

NOW THEREFORE BE IT ORDAINED:

1. That the Gordon Creek Agricultural and Forestal District is hereby continued for a period of four years beginning the first day of December, 1990, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.1-15 et. seq.

2. That the district shall include the following parcels:

(35-2)(1-16)	Robert T. Armistead Trustee	369.000 ac.
(36-3)(1-1)	Robert T. Armistead	163.880 ac.
(30-3)(1-4)	Rosa Armistead, Est.	23.000 ac.
(35-4)(1-1)	John G. Warburton, Est.	394.500 ac.
(35-2)(1-1)	Carolyn B. Warburton, Est.	86.643 ac.
(34-3)(1-1)	J.W. & Lula Minor, Est. and Nancy Selby	58.000 ac.
(34-2)(1-2)	Linwood & Lula Minor, et also.	256.000 ac.
(36-3)(1-3)	John G. Warburton, Est.	264.000 ac.
(36-1)(1-3)	Jane T. Carswell	44.000 ac.
(36-1)(1-6)	Thomas L. & Victoria R. Hitchens	35.000 ac.
(36-2)(1-40)	Alma Walls Thompson	143.250 ac.
(43-2)(1-1)	Eugene Hofmeyer	124.100 ac.
(36-4)(1-7)	J.C. Richardson, et als.	116.935 ac.
(36-4)(1-8)	J.C. Richardson, et als.	38.000 ac.
(30-3)(1-3)	J.C. Richardson, et als.	33.000 ac.
(36-1)(1-4)	John G. Warburton	40.000 ac.
(44-1)(1-1)	Powhatan Hunt Club	387.420 ac.
(35-3)(1-1)	Powhatan Hunt Club	241.680 ac.
(36-2)(1-18)	Richard Austin	95.530 ac.
(35-4)(1-9)	John C. & Carol Jamison	57.600 ac.

provided, however, that all land within 25 feet of the rights-of-way of News Road (Route 613), Centerville Road (Route 614), and John Tyler Highway (Route 5) shall be excluded from the district.

3. That pursuant to Virginia Code, Section 15.1-1512, as amended, the Board of Supervisors requires that no parcel in the Gordon Creek Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:
 - a. The subdivision of land is to be limited to parcels of 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family.
 - b. No land within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than 6 months prior to the expiration of the district.
 - c. No Special Use Permit shall be issued except for agricultural, forestal or other activities and uses consistent with State Code Section 15.1-1506 et. seq., which are not in conflict with the policies of this district.

2. Conveyance of Recreation Center Bikeway Right-of-Way to the Commonwealth of Virginia

Mr. John T. P. Horne, Manager, Development Management, stated that the Commonwealth Transportation Board had allocated \$57,000 for construction of a bikeway adjacent to the James City County-Williamsburg Recreation Center, and that the proposed bikeway required an additional 0.217 acres_± on the jointly owned Recreation Center frontage of Ashbury Road (Route 322).

Staff recommended approval of the resolution.

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

Mr. Edwards made a motion to approve the resolution.

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

certain plat entitled "Plat for Conveyance and Dedication of Right-of-Way, a Parcel Containing 0.217 Acres_± From: County of James City and City of Williamsburg To: the Commonwealth of Virginia, Berkeley District, James City County, Virginia" dated October 4, 1990, made by AES, Consulting Engineers.

3. Vacation of Right-of-Ways

Mr. Leo Rogers, Assistant County Attorney, stated that Alvin Anderson, Esq., on behalf of the property owner, University Square Associates, had requested vacation of the right-of-way for Pilots Way and a portion of Carolina Boulevard for the purpose of change in configuration of each roadway.

Staff recommended approval of the ordinance.

The Board briefly discussed whether this vacation would affect future rezoning applications.

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

Mr. Taylor made a motion to approve the ordinance.

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

ORDINANCE NO. 184

NOV 19 1990

BOARD OF SUPERVISORS
JAMES CITY COUNTY

AN ORDINANCE TO VACATE A PORTION OF THAT CERTAIN SUBDIVISION PLAT ENTITLED, "RE-SUBDIVISION OF LOT 4 AND PILOT LIFE TRACT AND SUBDIVISION OF WILLIAMSBURG CROSSING PARCELS 5, 6, 7, 8, 9 AND RESIDUAL PARCELS" AND MORE PARTICULARLY DESCRIBED AS THE RIGHT-OF-WAY FOR PILOTS WAY AND A PORTION OF CAROLINA BOULEVARD.

WHEREAS, application has been made by Alvin P. Anderson on behalf of University Square Associates to vacate certain lines, words, numbers and symbols on a plat more particularly described below; and

WHEREAS, notice that the Board of Supervisors of James City County would consider such application has been given pursuant to Sections 15.1-482 and 15.1-431 of the Code of Virginia of 1950, amended; and

WHEREAS, the Board of Supervisors did consider such application on the 19th day of November, 1990, pursuant to such notice, and was of the opinion that such vacations would not result in any inconvenience and are in the interest of public welfare.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia:

1. That a portion of that certain subdivision plat entitled, "Re-subdivision of Lot 4 and Pilot Life Tract and Subdivision of Williamsburg Crossing Parcels 5, 6, 7, 8, 9 and Residual Parcels," be so vacated so as to permit the recordation of a new plat that will serve to remove certain lines, words, numbers and symbols as more specifically set forth in the above-mentioned plat and thereby vacating the right-of-way for Pilots Way and a portion of Carolina Boulevard.

2. That a new plat entitled, "Plat Showing Abandonment of Right-of-Way for Pilots Way and a Portion of Carolina Boulevard and the Extinguishment of Property Lines for Lots 2 and 3, Jamestown District, James City County, Virginia," dated June 21, 1990, prepared by Langley and McDonald, and approved by James City County, be put to record in the Clerk's Office of the Court House for the City of Williamsburg and County of James City, Virginia.

This Ordinance shall be in full force and effect from the date of its adoption.

4. Sale of Property Acquired Due to Vacation of a Portion of Carolina Boulevard

Mr. Rogers stated that authorization to execute a deed transferring certain real property, acquired by vacation of a portion of Carolina Boulevard, to University Square Associates, was requested.

Staff recommended approval of the resolution.

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

Mr. DePue made a motion to approve the ordinance.

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

F. BOARD CONSIDERATIONS

1. Case No. SUP-42-90. Settler's Mill, Inc.

Mr. Sowers stated that this case was postponed at the October 29, 1990, meeting to allow time to address Board concerns about lot size. Mr. Sowers reiterated that Mr. Sheldon M. Franck, on behalf of Settler's Mill, Inc., had applied for a special use permit to allow a residential cluster development, located on the north side of the intersection of Jamestown Road and Ironbound Road, in R-1, Limited Residential, further identified as Parcel (1-109) on James City County Real Estate Tax Map No. (47-1).

In concurrence with staff, the Planning Commission recommended approval, by a vote of 9-1, with conditions listed in the resolution.

Mr. Norment made a motion to approve the resolution.

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

R E S O L U T I O NCASE NO. SUP-42-90. SETTLER'S MILL, INCORPORATED

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 October 9, 1990, voted 9-1 and recommended approval of Case No. SUP-42-90 to permit a cluster subdivision in the R-1, Limited Residential district on property identified as Parcel (1-109) on James City County Real Estate Tax Map No. (47-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-42-90 as described herein with the following conditions:

1. If construction has not commenced on this project within a period of 18 months from the date of issuance of this permit, it shall become void.
2. Prior to submittal of preliminary subdivision plans a sewer system plan shall be submitted to and approved by the Director of Code Compliance. Particular emphasis shall be placed on preserving the environmentally sensitive areas of the project.
3. The project shall have a gross density of no more than 2 units per acre for each acre above the 15-foot elevation.
4. A minimum 50-foot undisturbed buffer exclusive of any lots shall be provided along Hickory Sign Post Road and along Ironbound Road from its intersection with Hickory Sign Post Road to the Sandy Bay Road/Ironbound Road intersection. A minimum 25-foot buffer exclusive of any lots shall be provided along Ironbound Road from its intersection with Sandy Bay Road along the frontage of the project. The buffer shall remain undisturbed and in its natural state except for necessary entrances to the site and placement of utilities, signs and sidewalks as approved by the Development Review Committee.
5. No development or land disturbance shall occur below the 15-foot elevation.
6. A Phase I archaeological study shall be undertaken for the site. The study shall be submitted to and approved by the Director of Planning prior to any development plan submittal. If warranted by the Phase I study a Phase II study of the site shall also be completed. The recommendations of such studies shall be incorporated into the plan of development and any clearing, grading, or construction activities.

7. A recreation area shall be constructed which would provide at a minimum a swimming pool, a recreation building and a tennis court. These facilities may be replaced with facilities of equal or greater recreational value as determined by the Development Review Committee.
8. Prior to the platting of any lot beyond 50 percent of the total lots within the project, one additional entrance shall be provided on Ironbound Road in the location as generally shown on the conceptual plan entitled "Schematic Plan of Cluster Development; Settlers Mill at Jamestown" dated September 5, 1990, and prepared by AES.
9. All persons owning lots in Section 1 of the Settler's Mill subdivision shall be afforded the opportunity to join the homeowners association and use its facilities on the same basis as the lot owners in the cluster.

2. Policy Change - Additions to Personnel Policies and Procedures Manual

Ms. Carol M. Luckam, Personnel Manager, indicated the two additions were to Chapter 11, Safety, and Appendix E, Hazard Communication Program. She stated that the purpose of the Safety Program was to provide a safe environment in which business is carried on with little or no loss due to personal injury of employees or citizens, and the purpose of the Hazard Communication Program was to provide a safe environment by informing employees of precautions to take in working with hazardous chemicals.

Staff recommended approval of the revisions, effective January 1, 1991.

Ms. Knudson made a motion to approve the resolution.

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

R E S O L U T I O N

REVISION OF THE COUNTY PERSONNEL POLICIES

AND PROCEDURES MANUAL

WHEREAS, the County wishes to provide an environment in which employees can complete their assigned tasks with little or no loss due to personal injury or vehicle accident; and

WHEREAS, the County wishes to provide an environment in which our customers can transact business with the County and participate in County-sponsored programs without sustaining injury; and

WHEREAS, the Virginia Occupational Safety and Health Administration's Hazard Communication Standard, 1910.1200 requires a written Hazard Communication Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached Chapter 11 and Appendix E of the Personnel Policies and Procedures Manual of James City County.

Effective Date: January 1, 1991

3. Middle School Literary Fund Loan

Mr. John E. McDonald, Manager of Financial and Management Services, stated that the resolution authorized an application to the State Literary Fund of \$2,500,000 for the Toano Middle School.

Staff recommended approval of the resolution.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

L I T E R A R Y F U N D L O A N

WHEREAS, the School Board for the County of James City, on the 19th day of November, 1990, presented to this Board an application addressed to the State Board of Education of Virginia for the purpose of borrowing from the Literary Fund \$2,500,000 for the new school building (or for adding to or improving the present school building) at James City County, to be paid in 20 annual installments, and the interest thereon at 5 percent paid annually.

RESOLVED, that the application of the School Board to the State Board of Education of Virginia for a loan of \$2,500,000 from the Literary Fund is hereby approved, and authority is hereby granted the School Board to borrow the said amount of the purpose set out in said application.

The Board of Supervisors for James City County shall each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

G. PUBLIC COMMENT

1. Col. Ed Riley, 611 Tam-O-Shanter, gave an update and distributed additional information on Lyme disease.

2. Mr. Gene Farley, Chickahominy Haven, spoke of citizens' concerns about road improvements, and requested that the Board support the secondary road budget.

3. Mr. Phil Hatcher, Chickahominy Haven, expressed his support of Mr. Farley's comments.

4. Mr. Bill Beck, Stonehouse district, stated that most of the County's secondary roads were in need of repair.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, expressed the need for an executive session pursuant to Section 2.1-344(a)(7) of the Code of Virginia to consult with legal and staff members on a specific legal matter, pending litigation.

I. BOARD REQUESTS AND DIRECTIVES

Mr. DePue commended firefighters at Fire Station No. 4 on Olde Towne Road for their promptness and job well done during response to the fire at the Ewell Station shopping center.

Mr. DePue made a motion to recess for a James City Service Authority meeting at 2:00 p.m.

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

Mr. DePue reconvened the Board and made a motion to convene into an executive session as recommended above by the County Administrator, at 2:03 p.m.

Mr. DePue reconvened the Board into open session at 2:10 p.m.

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

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

R E S O L U T I O N

MEETING DATE: November 19, 1990

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. DePue made a motion to approve the Acquisition of Property - Middle School resolution.

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

R E S O L U T I O NACQUISITION OF PROPERTY - MIDDLE SCHOOL

WHEREAS, negotiations for the purchase of property known as the Nancy Brown Farm (Tax Map 12-4, 1-51) consisting of 63.412 acres fronting on both Chickahominy Road and Richmond Road in Toano, have concluded; and

WHEREAS, a recommendation that the property be acquired at a cost of \$847,500 has been submitted; and

WHEREAS, the Board of Supervisors has previously paid \$680,500 in approving the acquisition of the property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acquisition of the Nancy Brown Farm at a cost of \$847,500, authorizes payment of the balance of \$167,000 from the Middle School Land Acquisition Funds and authorizes its Chairman and Clerk to execute, on the Board's behalf, all necessary paperwork to complete the acquisition of the property.

Mr. DePue recessed the Board for a work session on the Capital Improvement Program at 2:18 p.m.

Mr. John McDonald, Manager, Financial and Management Services, briefly detailed the preliminary review of the Capital Improvement Program.

By consensus, the Board decided to accept target level one, \$1,500,000, as a base and to consider each item. Straw votes were taken on the following projects:

Land Acquisition Landfill, Mr. Edwards made a motion to put target total, \$440,000, in target level one.

Motion carried by voice vote.

Development Sidewalks, Ms. Knudson made a motion to put target total, \$50,000, in target level one.

Motion defeated by voice vote.

Development - Dirt Streets, Mr. DePue made a motion to put target total, \$90,000, in target level one.

Motion carried by voice vote.

Development Highway Match Funds, Board consensus accepted target level one, \$45,000, as recommended by staff.

Development Industrial Property Acquisition, Mr. Norment made a motion to increase target level one by \$100,000.

By voice, the vote was: AYE: Norment. NAY: Taylor, Edwards, Knudson, DePue.

Mr. Edwards made a motion to increase target level one by \$300,000.

By voice, the vote was: AYE: Norment, Edwards, Knudson, DePue. NAY: Taylor.

Recreation Upper County Park, Mr. DePue made a motion to add \$50,000 to target level one.

Motion carried by voice vote.

Recreation Mid County Park, Mr. DePue made a motion to add \$28,800 to target level one.

Motion carried by voice vote.

Recreation River Park, Mr. DePue made a motion to put target total, \$210,000 in target level one.

By voice, the vote was: AYE: Norment, Taylor, DePue. NAY: Edwards, Knudson.

Schools - High School, Mr. DePue made a motion to put target total, \$400,000, in target level one.

Schools - New Elementary, Mr. DePue made a motion to put target total, \$635,000, in target level one.

Mr. DePue brought forward the Secondary Road Improvements Budget - FY 91 resolution.

Mr. Taylor made a motion to approve the resolution.

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

R E S O L U T I O N

SECONDARY ROAD IMPROVEMENT BUDGET - FY 91

WHEREAS, the Virginia Department of Transportation allocates funds annually for secondary road improvements in James City County; and

WHEREAS, VDOT has submitted a budget for FY 91 which allocates funds as follows; and

Incidental Improvements	\$ 88,000
Regular Improvements	1,818,237
Unpaved Road Improvements	<u>3,325</u>
 Total Allocation	 \$1,909,562

WHEREAS, the Board of Supervisors finds this budget to be consistent with the adopted priority list for secondary projects.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approves the Secondary Road Improvement Budget as submitted by VDOT and authorizes the County Administrator to execute any documents pursuant to their approval.

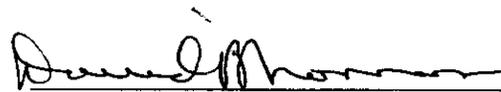
Mr. Edwards made a motion to have staff present a resolution on the next Board of Supervisors' agenda implementing the changes to the Capital Improvement Program as voted above.

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

Mr. Norment made a motion to adjourn.

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

The Board adjourned at 3:55 p.m.



David B. Norman

1576w

CHAPTER 11

SAFETY PROGRAM

Section 11.1. Objective

The purpose of the Safety Program is to provide an environment in which employees can complete their assigned tasks with little or no loss due to personal injury or vehicle accident and in which our customers can transact business with the County and participate in County-sponsored programs without sustaining injury. The Safety Program is based on a sincere concern for the welfare and safety of our employees and our customers as well as on the belief that safety is an essential element of an effective and efficient organization. As such, safety is a basic requirement of everyone's job.

Section 11.2. Responsibilities

All County employees shall be fully responsible for following the provisions of this program. The responsibilities listed below are a MINIMUM, and they shall in no way be construed to limit individual initiative to take additional action to reduce losses due to personal injury or vehicle accident.

A. Personnel Department

The Personnel Department shall be fully responsible for the direction and administration of the Safety Program and shall take all actions deemed necessary to affect a reduction in accidents and their causes. The Personnel Department shall:

1. Administer the County Workers' Compensation Program.
2. Maintain complete records and provide reports on County accidents in accordance with OSHA requirements.
3. Provide reports to Department Managers and Department Safety Officers on County accidents.
4. Staff and provide administrative support to the County Safety Committee.
5. Maintain an inventory of training materials and topics for safety training.

B. Department Managers

Department Managers are responsible for maintaining safe and healthful working conditions within their departments. All Department Managers shall:

1. Ensure that all employees in their department comply with the policies and procedures set forth herein.
2. Devote a portion of staff meetings, as necessary, to the review of departmental losses.

3. Establish department safety rules, in addition to the County rules in Section 11.3 and provide personal protective equipment to employees, as appropriate.
4. Designate a department safety officer.

C. Department Safety Officers

The Department Safety Officer is responsible for the coordination of the Safety Program among the divisions within the department and among departments within the County. All department Safety Officers shall:

1. Review and ensure investigation of all department accidents; and make recommendations for preventing reoccurrence.
2. Serve as a safety resource to the department employees.
3. Participate on the County Safety Committee:
 - a. Analyze County-wide safety trends and set goals, objectives and strategies for the County Safety Program.
 - b. Serve as a liaison between the Committee and department employees.
 - c. Implement an aspect of the County Safety Program such as coordinating VOSH inspections, keeping abreast of OSHA regulations, coordinating safety training materials, coordinating vehicle safety program, etc.

D. Supervisors

Supervisors are responsible for ensuring that their employees work and operate machines and equipment safely. All supervisors shall:

1. Ensure that each employee is fully trained to safely perform the job he or she is assigned to do.
2. Ensure that each employee is familiar with the published Department Safety Rules.
3. Conduct safety training meetings. Monthly safety meetings are recommended for field and operations personnel. Quarterly safety meetings are recommended for all other employees.
4. Make recommendations to the Department Manager on appropriate personal protective equipment needed for the department.

5. Make recommendations to the Department Manager on any additional department specific safety rules needed to protect employees performing particular jobs.
6. Correct any unsafe conditions which may exist in the work area.
7. Ensure all employees are trained in, and comply with, the Hazard Communication Program (see Appendix E).
8. Review all accidents that occur within the work unit, provide accurate information on the appropriate accident reporting forms and make recommendations on ways to prevent a reoccurrence of the accident.

E. Employees

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves, their fellow workers and the general public. All employees shall:

1. Report all unsafe conditions to their supervisor.
2. Report all accidents immediately to their supervisor.
3. Obey all published safety rules.
4. Operate only machines and equipment that they have been trained and authorized to operate by their supervisor.
5. Take an active part in the safety program.
6. Become trained in and comply with the Hazard Communication Program and its requirements.

F. County Safety Committee

The County Safety Committee shall maintain the Safety Program to incorporate the current practices and philosophies proven to be most effective in preventing injuries, occupational disease, vehicle accidents, injuries to the public and damage to equipment and materials. The County Safety Committee shall:

1. Periodically evaluate compliance with the Safety and Hazard Communication Programs within departments.
2. Conduct a quarterly review of County accidents, document any trends and recommend ways to prevent similar accidents from occurring.
3. Set goals, objectives and strategies for the County Safety Program.
4. Implement safety strategies adopted by the Committee.

Section 11.3. Safety Rules

The minimum County Safety Rules are listed below. Each Department Manager shall determine if additional, department-specific rules are required to protect employees performing particular jobs.

1. Report all accidents to your supervisor immediately.
2. Keep all work areas clean and orderly at all times.
3. Do not engage in horse play.
4. Wear protective head gear when working in areas where the potential of falling objects, head bumping or electrical conduction exists.
5. Wear eye protection when working in areas where the potential of airborne debris, dust, flying particles, chips, chemicals, and injurious rays exists.
6. Wear hearing protection when working in areas where prolonged exposure to noise exceeding sound tolerance levels defined by law exists in accordance with the Occupational Noise Exposure Act Title 29 CFR 1910.95.
7. Wear safety shoes when working in areas where possible injuring from articles that can be dropped, from vehicle wheels, machines and nail puncture exists.
8. Wear protective clothing such as gloves, sleeves, aprons, and long pants when working in areas where wounds and abrasions could occur.
9. Practice defensive driving techniques.

Section 11.4. Accident Reporting

All employees shall report any accident involving property or vehicle damage, injury to the public, or injury to the employee to their supervisor IMMEDIATELY. When injury to an employee occurs, an "Employer's First Report of Accident" form must be completed, including required signatures, and submitted to the Personnel Department within 2 working days of the accident. All other accidents and losses shall also be reported to the supervisor IMMEDIATELY, and the proper forms completed and submitted to the Department of Financial Management Services within 2 working days.

Section 11.5. Accident Review

Each Department Safety Officer shall investigate any accidents within his or her department within two working days of the accident and make recommendations to the Department Manager on ways to prevent reoccurrence of injuries of a similar nature. The Department Safety Officer shall work with the employee's supervisor to obtain all the facts necessary to complete the investigation.

Section 11.7. Safety Meetings

Safety training meetings shall be held in each department periodically throughout the year. It is recommended that meetings be held monthly for field and operations personnel and quarterly for administrative personnel; and that during these meetings department accident records and safety material be presented that is specific to the reduction and prevention of accidents to employees, equipment, and vehicles. Training materials may be obtained from the Personnel Department. The Supervisor shall maintain records of employee attendance at and topic of safety meetings.

Section 11.8. Record Keeping

Each department shall maintain records of employee participation in safety training. It is recommended that these records be placed with the record of the published safety rules and be retained for 5 years. The Personnel Department shall maintain a record of all department accidents for 5 years in compliance with OSHA requirements.

Section 11.9. Inspections

The Department Safety Officer and Department Supervisors shall conduct inspections of County departments and facilities. These inspections shall include but not be limited to the following areas which shall be checked for safety program compliance and sound safety practices annually.

1. Administrative compliance with the Safety and Hazard Communication programs.
2. Training program.
3. Exits well marked and accessible.
4. Presence of fire extinguishes and their last inspection date.
5. Proper storage of flammable liquids.
6. Availability of Material Safety Data Sheets (MSDS) to employees.
7. Posted, published safety rules.
8. Good housekeeping practices.

Recommendations to correct any deficiencies found during inspection shall be given to the Department Manager for action.

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APPENDIX E

HAZARD COMMUNICATION PROGRAM

I. OBJECTIVE

The purpose of the Hazard Communication Program is to provide a safe work environment by ensuring that all chemicals with which employees work have been evaluated to determine their hazard and by informing all employees of proper precautions to take in working with those hazardous chemicals

II. RESPONSIBILITIES

All County employees shall be responsible for keeping informed of and taking proper precautions to protect themselves from the hazards of chemicals and solvents which are used in the workplace.

A. Department Managers

Department managers are responsible for ensuring that all employees are aware of the hazards from chemicals and solvents that are present in County facilities. All department managers shall:

1. Ensure that an inventory of all chemicals that are present in the workplace is established and ensure that a material safety data sheet is available for all chemicals.
2. Ensure that employees are designated who will verify that all containers received for use are clearly labeled as to contents, note the appropriate warning and list the name and address of the manufacturer or importer.
3. Ensure that training is provided to all employees in the following areas:
 - a. How to detect the presence of hazardous chemicals in the work area.
 - b. What are the physical and health hazards of the chemicals in the work area.
 - c. Measures employees may use to protect themselves from hazards.
 - d. What personal protective equipment is required when handling hazardous chemicals.
 - e. What steps to take if exposed to a hazardous chemical.

- f. How the hazard communication program is implemented in the workplace, how to read and interpret information on labels and Material Safety Data Sheets, (MSDS) and how to obtain and use the available hazard information.

III. SUPERVISORS

Supervisors are responsible for ensuring that all hazardous chemicals are properly stored and handled by employees.

The Supervisor shall:

1. Ensure that copies of MSDSs for all hazardous chemicals are available in the workplace, and that all employees are aware of their location.
2. Ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or an acceptable substitute.
3. Ensure all hazardous chemicals are stored separately from other supplies that may be incompatible.
4. Ensure that all hazardous chemicals are disposed of in accordance with the manufacturers' recommendations.
5. Ensure employees are aware of and trained in the hazards, personal protective equipment and first aid procedures for any new hazardous chemicals introduced into the workplace and that an MSDS accompanies that new chemical.
6. Monitor employees' compliance with wearing personal protective equipment.
7. Give employees specific instruction and warning prior to performing any nonroutine tasks in which the employee will be or could be exposed to a hazardous chemical.
8. Ensure that all new employees receive the required training to ensure that they are aware of the hazards in the workplace.

IV. EMPLOYEES

All County Employees shall be aware of and take proper precautions to protect themselves from the hazards of chemicals and solvents in County facilities. County employees shall:

1. Know what hazardous chemicals are in the workplace and where the MSDSs are located in their work area.
2. Not remove any labels from a chemical container and ensure that any secondary container used for the storage of hazardous chemicals is properly labeled.

3. Wear the personal protective equipment requires to protect themselves from hazardous chemicals.
4. Dispose of hazardous chemicals in accordance with the manufacturer's recommendations.

V. COUNTY SAFETY COMMITTEE

The County Safety Committee shall assist departments in complying with the Hazard Communication Standard, 1910.1200 of the VOSHA. The County Safety Committee shall:

1. Assist departments in setting up their Hazard Communication Program.
2. Periodically survey locations and evaluate chemicals in the workplace to determine if they are hazardous by reviewing the MSDS.
3. Periodically review the Hazard Communication Standard to ensure compliance.
4. Maintain a master inventory of all chemicals used by County departments which will be located in the Personnel Department.

VI. PURCHASING DEPARTMENT

The Purchasing Director shall ensure that all vendors providing hazardous chemicals are in compliance with the labeling requirements of the Hazard Communication Standard and that all shipments are accompanied by an MSDS. The Purchasing Director shall:

1. Require all bids be accompanied by MSDSs.
2. Require all shipments of chemicals and solvents be accompanied by MSDSs.
3. Request that all shipments of chemicals and solvents be delivered with extra labels for secondary containers.
4. Forward MSDSs for chemicals and solvents purchased to the County Safety Committee for review.

VII. TRAINING

At the time of employment, all employees shall receive training specific to the Department's Hazard Communication Program, and the hazards that are in the workplace. Additional training shall be provided when new hazardous chemicals or solvents are introduced into the workplace. Employees shall receive training in the following areas:

1. Methods and observation techniques to detect the presence of a hazardous chemical in the workplace.

2. Specific information about the physical and health hazards of the chemicals in the workplace.
3. Measures employees may use to protect themselves from the hazards of chemicals and solvents in the workplace.
4. Specific protective procedures implemented by the employer.
5. Specific information concerning the implementation of the Hazard-Communication program in the workplace, how to read and interpret information on MSDS and container labels.

Documentation of training efforts will provide evidence of compliance with the training requirements of the Hazardous Communication Standard. It is recommended that each department maintain a list of those employees who have received the Hazard Communication training and when.

VIII. CHEMICAL INVENTORY

Each department, division or group of divisions shall maintain an inventory of all hazardous chemicals and solvents purchased, stored, or used within that department or work area. The chemical inventory should be developed from purchasing records, any existing inventory listings and an annual physical inspection of the workplace within each department. An updated copy of the chemical inventory shall be submitted to the Personnel Department for development and updating of the County Master Chemical Inventory. A master inventory shall be maintained by the Personnel Department. The chemical inventory shall include the following:

1. The chemical and common name.
2. The manufacturer, distributor, and-or supplier's name and address.
3. The amount of chemical on hand.
4. The method of storage.
5. The storage location
6. The use of the hazardous chemical.

IX. WRITTEN HAZARD COMMUNICATION PROGRAMS

Each department shall maintain a written Hazard Communication program. This should include information on how each department division or group of divisions is protecting its employees from the hazard of chemicals and solvents, who is responsible for ensuring that all chemicals received are properly labeled, stored, and are accompanied by the MSDS, an inventory of chemicals and solvents used by that department and a list of those job classes which may be exposed to those chemicals or solvents. This written program should be placed where all employees have knowledge of its location as well as access to this information.