

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 20TH DAY OF APRIL, NINETEEN HUNDRED NINETY-TWO, AT 1:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District  
Judith N. Knudson, Vice Chairman, Jamestown District

Perry M. DePue, Powhatan District  
David L. Sisk, Roberts District  
Stewart U. Taylor, Stonehouse District  
David B. Norman, County Administrator  
Frank M. Morton, III, County Attorney

B. PRESENTATIONS

1. Continental Cablevision

Mr. Paul Spacek, General Manager, briefly outlined cablevision service to the County and stated the recent rate increase was due to increased operating costs and reduction in market from premium services.

2. Williamsburg Area Chamber of Commerce and Tourism and Conference Bureau

Mr. Ed Dreistdat, Chairman, Executive Committee, Mr. Robert Hershberger, Executive Vice President, and Mr. David Schulte explained television advertising intended to attract tourists to visit the area for an extended vacation and asked the Board for funding support for the next year to continue successful programs.

C. MINUTES - April 6, 1992

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

Mr. Sisk made a motion to approve the minutes.

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

## D. HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer, was present.

Mr. DePue asked for continuation of monitoring of through trucks on Brick Bat Road and repair of pavement on Centerville Road caused by large trucks.

Mr. Taylor asked that further attempts be made to contact Mr. John Leonard regarding water erosion on Chickahominy Road opposite Friendship Drive.

Ms. Knudson asked that Busch Gardens traffic backup on Interstate 64, both east and west entrances to Route 199, be reviewed for need of installation of a warning sign similar to the one for the Hampton Roads Tunnel.

Mr. Elliott responded that he would investigate all the requests.

Mr. Sisk asked about the status of the new traffic system at Busch Gardens especially on Saturday and Sunday.

Mr. Elliott replied that no report has been received, but the traffic system was monitored by telephone on the weekends.

## E. CONSENT CALENDAR

Mr. Edwards asked if any member of the Board wished to remove an item on the Consent Calendar.

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

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

1. Volunteer Week RecognitionP R O C L A M A T I O NVOLUNTEER APPRECIATION WEEK

WHEREAS, our nation was founded upon a spirit of volunteerism, and the talents and energies of American volunteers continue to be one of our most valuable resources; and

WHEREAS, to build a society that is fair and just for all, we must work together in a spirit of love, respect and cooperation; and

WHEREAS, citizens, industry and government must recognize each other as partners and actively work together today more than ever to solve societal problems; and

WHEREAS, anyone can be a volunteer and reap the rich rewards that come from doing for others, as well as improving one's own skills and widening one's horizons; and

WHEREAS, through their dedication and hard work, volunteers improve the quality of life in James City County by efficiently and effectively providing services that might otherwise not be provided; and

WHEREAS, Five hundred and twenty-six volunteers strong, James City County volunteers have generously given 47,247 hours to our community over the past year.

NOW, THEREFORE BE IT RESOLVED by the James City County Board of Supervisors, James City County, Virginia, that it hereby designates the week of April 26 - May 2, 1992, as Volunteer Appreciation Week, and urge all citizens to recognize and appreciate the efforts of volunteers.

2. Earthfest 1992

R E S O L U T I O N

EARTHFEST 1992

WHEREAS, 22 years ago, more than 20 million Americans joined together on Earth Day in a demonstration of concern for the environment, creating an informed public whose collective action resulted in the passage of sweeping new laws to protect our air, water and land; and

WHEREAS, in those 22 years since the first Earth Day, despite environmental improvements, the environmental health of the planet is increasingly endangered requiring action by all sections of society; and

WHEREAS, Earthfest 1992 is a national call to action for all citizens to join in a renewed global effort to save the planet; and

WHEREAS, Earthfest 1992 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation, and adopting a more ecologically sound life-style.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, designates and proclaims May 2, 1992, as Earthfest 1992, and that, that day shall be set aside for public activities and observances.

3. Virginia Power AgreementR E S O L U T I O NVIRGINIA POWER AGREEMENT

WHEREAS, the Virginia Municipal League and the Virginia Association of Counties have negotiated a contract for the provision of electrical services to localities located in the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs its Chairman to execute the Agreement for the purchase of electric service by Municipalities and Counties of the Commonwealth of Virginia from Virginia Electric and Power Company dated March 20, 1992.

F. PUBLIC HEARINGS1. Case No. Z-11-91. Chambrel at Williamsburg Master Plan Amendment (continued from 4/6/92)

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that the applicant had requested deferral of consideration of the application until the May 4, 1992, meeting.

Mr. Edwards continued the public hearing and declared that it be held open until the next Board of Supervisors' meeting as requested by the applicant.

2. Case No. SUP-8-92. John and Martha Wood Manufactured Home

Mr. Sowers stated that Mr. and Mrs. John Wood had applied for a special use permit to allow the placement of a manufactured home on .66 acres in R-8, Rural Residential, located at 3100 Chickahominy Road, further identified as Parcel No. (1-34) on James City County Real Estate Tax Map No. (22-1).

Staff recommended approval of the special use permit with conditions listed in the resolution.

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

Mr. Taylor made a motion to approve the resolution.

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

R E S O L U T I O NCASE NO. SUP-8-92. JOHN AND MARTHA WOOD

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: John and Martha Wood

Real Estate Tax Map ID: (22-1)

Parcel No.: (1-34)

Address: 3100 Chickahominy Road

District: Stonehouse

Zoning: R-8

Conditions:

1. Prior to the placement of the manufactured home, a permit to install a septic system shall be granted by the Health Department, and a copy of the permit shall be furnished to the Director of Planning.
2. The site shall be landscaped in accordance with the plan contained in the administrative guidelines for the placement of manufactured homes as approved by the Director of Planning.
3. This permit shall be valid only for the manufactured home applied for. If the manufactured home is removed, this 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.
4. 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. Case No. SUP-9-92. Lois Reed Manufactured Home

Mr. Sowers stated that Mr. Richard Hanson, Community Development Director, had applied on behalf of Ms. Lois Reed for a special use permit to allow the placement of a manufactured home on 2.07 acres in R-8, Rural Residential, located at 3237 Chickahominy Road, further identified as Parcel No. (1-73) on James City County Real Estate Tax Map No. (22-2).

Staff requested deferral of this case until the May 18, 1992, Board of Supervisors' meeting to resolve outstanding issues related to the ownership of the site.

Mr. Edwards opened the public hearing and continued the case until May 18, 1992, Board of Supervisors' meeting.

4. Ordinance Amendment, Chapter 8 , Health and Sanitation, Landfill, Section 8-9

Mr. David W. Clark, Solid Waste Engineer, stated that staff proposed the Ordinance change to allow citizens who use a larger than 1/2-ton vehicle to apply for a waiver of charges on loads of refuse from private residence. Mr. Clark explained that waiver form would be completed and sent to the General Manager of the James City Service Authority for approval of exemption from fees.

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

Mr. Sisk made a motion to approve the Ordinance amendment.

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

See Ordinance No. 116A-23 Adopted May 4, 1992

6. **BOARD CONSIDERATIONS**

1. Case No. SUP-2-92. Colonial Golf Design, Inc.

Mr. Sowers stated that the case had been deferred at the April 6, 1992 Board of Supervisors' meeting to allow staff to provide additional information requested by the Board. Mr. Sowers restated that Mr. Lester George, on behalf of Edna Hockaday Estate, had applied for a special use permit to allow the construction of a golf course and related facilities on 210 acres, zoned A-1, General Agricultural, further identified as Parcel (1-2) on James City County Tax Map No. (9-4) and Parcel (1-18) on James City County Real Estate Tax Map No. (10-3).

In concurrence with staff, the Planning Commission, by a 5-2 vote, recommended approval of the proposed special use permit with conditions listed in the resolution.

Mr. Sowers presented additional information on golf course irrigation, pollutants from development, Integrated Pest Management Plan to be submitted with site plan, traffic, natural areas inventory, logical suggested uses, and benefits of proposal.

The Board discussed reduction of non-point source loading rates if Best Management Practices are used; will taxes received from golf course pay for County services needed; and, leaving County land undeveloped.

Mr. Taylor made a motion to amend the resolution by deletion of Condition 11.

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

Mr. Taylor made a motion to amend the resolution by deletion of Condition 12.

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

Mr. DePue made a motion to add language to Condition 3 as provided by staff, except delete "to the Director of Code Compliance" in the third sentence after the wording "made available" and before "upon request".

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

Mr. Edwards made a motion to approve the amended resolution.

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

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

#### CASE NO. SUP-2-92. COLONIAL GOLF DESIGN, INC.

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

WHEREAS, the Planning Commission of James City County, following its public hearing on March 10, 1992, voted 5-2 and recommended approval of Case No. SUP-2-92 to permit a golf course and related facilities in the A-1, General Agricultural district on property identified as Parcel (1-2) on James City County Tax Map No. (9-4) and Parcel (1-18) on James City County Tax Map No. (10-3).

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-2-92 as described herein with the following conditions:

1. A construction phasing plan shall be provided as part of the site plan to be approved by the Director of Code Compliance. The plan shall divide the construction into phases. Land disturbance beyond the first phase shall be permitted based upon the adequacy of erosion and sediment control measures installed in prior phases.
2. Best Management Practices (BMPs) shall be provided to control the rate and improve the quality of stormwater runoff. These BMPs shall be generally, as presented on the conceptual plan, prepared by Colonial Golf Design and Williamsburg Environmental Group, dated February 1992 and in the support documentation prepared by the Williamsburg Environmental Group and dated February 1992. The exact number, type and location of BMPs needed to control the project runoff and mitigate RPA encroachments shall be based on a water quality impact assessment prepared during the site plan review process and approved by the Director of Code Compliance prior to final site plan approval.
3. An operation and maintenance plan, including an integrated pest management plan, shall be submitted as part of the site plan submittal and approved by the Director of Code Compliance prior to final site plan approval. The integrated pest management plan shall include documents for the recordation of the application of all fertilizers, herbicides, pesticides, insecticides and/or other chemicals applied to the golf course. A copy of the application records shall be kept on site and shall be made available, upon request, for review. Additionally, a copy of the records shall be submitted to the Director of Code Compliance annually from the date of issuance of this permit, for review and approval. The Director of Code Compliance may require the submittal of a new integrated pest management plan if the review of these records show the plan to be inadequate.
4. An environmental impact assessment for golf course irrigation shall be submitted to and approved by the County Engineer prior to final site plan approval.
5. Prior to the submittal of a site plan which proposes any work within the area designated as a Natural Area by the Virginia Department of Conservation and Recreation's Division of Natural Heritage's Natural Areas Inventory of the Lower Peninsula of Virginia, dated January 24, 1992, the developer shall directly consult with that agency and review their detailed site files in relation to the existence of rare species or potential habitat for such species. Confirmation of this review shall be submitted to the County Engineer for his review and approval upon his request. If the existence of rare species or potential habitat for such species is determined to be found on site, the County Engineer may require the protection of such areas in a form acceptable to the County Engineer. Such

measures may include, but not be limited to mapping areas, leaving areas undisturbed and/or transplanting specimens. The developer should minimize disturbance in areas containing rare species and potential habitat to the maximum extent possible.

6. A Phase I Archaeological Study shall be submitted to the Director of Planning for his review and approval. The study shall meet the guidelines set forth in the Virginia Department of Historic Resource's Guidelines for Preparing Archaeological Resource Management Reports and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's Professional Qualification Standards. The developer shall undertake a Phase II and/or a Phase III Study of archaeological sites as recommended in any subsequent study of archaeological sites. Such studies shall be submitted to and approved by the County prior to any land disturbing on or adjacent to such sites. The recommendations of such studies shall be incorporated into the plan of development for the site and the clearing, grading or construction activities thereon. If as a result of a Phase II Study, the County determines the site is eligible for inclusion in the National Register of Historical Places based on the Criteria established by the Department of the Interior, the developer shall develop and implement a plan for inclusion of the site on the National Register of Historic Places and for the mitigation of potential adverse impacts on the site.
7. If construction has not commenced on the project within 24 months from the date of issuance of this special use permit, it shall become void.
8. A 50-foot undisturbed buffer shall be provided along the western boundary of the site. The buffer shall remain in its natural state where it is wooded. Where it is open, it shall be landscaped in accordance with the planting requirements of Section 20-14C(2)(a) of the Zoning Ordinance at a minimum.
9. A 100-foot undisturbed buffer, measured from the right-of-way property boundary, shall be provided along Diascund Road. The buffer shall remain in its natural state where it is wooded. Where it is open, it shall be landscaped in accordance with the planting requirements of Section 20-14C(2)(a) of the Zoning Ordinance at a minimum. The entrance to the site and the location of necessary utilities shall be permitted within this buffer with the approval of the Development Review Committee.
10. No more than one entrance to the property shall be permitted. The entrance shall be located on Diascund Road.
11. The driving range, practice area and golf course shall not be illuminated for night use.

12. Water used for golf course irrigation shall be drawn from Mill Creek. If it is determined that Mill Creek is not a suitable source of water, the special use permit shall become void.

2. Six-Year Plan for Secondary Road Improvements - 1992

Mr. John T. P. Horne, Manager, Development Management, stated that the Six-Year Secondary Road Improvement Plan was similar to the 1991 review. He stated the Planning Commission had approved the Six-Year Plan and that staff recommended approval of the proposed priority list and resolution.

Discussion regarding point values and available funding ensued.

Mr. DePue made a motion to approve the resolution.

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

R E S O L U T I O N

SECONDARY ROADS SIX-YEAR PLAN

WHEREAS, the Board of Supervisors of James City County, Virginia, has reviewed Secondary Roads Construction priorities proposed by the Virginia Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the Secondary Roads priority list dated April, 1992.

3. Agreement - Commissioner of the Revenue/James City County

Mr. Edwards commended the Constitutional Officers for their cooperation with the County.

Mr. Frank M. Morton, III, County Attorney, stated that by General Assembly action in 1990, the constitutional officers lost the right to have their employees covered by the State's grievance procedure. He further stated that Mr. Carlyle Ford, Commissioner of the Revenue, had chosen to enter into an agreement with the County whereby the permanent employees of the Commissioner of Revenue's office would be placed on the County's pay plan and personnel policies.

Staff recommended adoption of the resolution.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O NAGREEMENT/COMMISSIONER OF THE REVENUE/JAMES CITY COUNTY

WHEREAS, the Commissioner of the Revenue and the Board of Supervisors of James City County, Virginia, believe it to be in the best interests of the Commissioner's employees that they be on the County's personnel policies and that certain of them be on the County's pay plan.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and direct its Chairman execute that certain Agreement dated April 20, 1992, by and between the County of James City and the Office of the Commissioner of the Revenue.

4. Ware Creek Reservoir

Mr. Sanford B. Wanner, Assistant County Administrator, briefly outlined the Ware Creek Permit process and stated that the Ware Creek Project Team had identified four options for consideration on how to proceed: 1) Abandon the Ware Creek project and rely on the Regional Raw Water Study Group (RRWSG) to identify a future regional solution; 2) Abandon the Ware Creek project and rely on groundwater; 3) Abandon the Ware Creek project and rely on groundwater until a regional solution is identified and implemented; and, 4) Pursue the Ware Creek project and work with the RRWSG to pursue all regional solutions both short-term and long-term.

The Ware Creek Project Team recommended that the County seek to overturn the Environmental Protection Agency's second veto and authorize our legal counsel to continue the judicial process.

The Board emphasized that its decision was a very important one to all citizens of the County and not arrived at lightly.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O NWARE CREEK RESERVOIR

WHEREAS, James City County has been pursuing a permit for the construction of the Ware Creek Reservoir since 1981; and

WHEREAS, on March 27, 1992, the Environmental Protection Agency issued a second veto determination on remand for said project; and

WHEREAS, the Ware Creek Reservoir is critical to meeting the water needs of James City County and its citizens.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorize the County's Environmental Counsel, McSweeney, Burch and Crump, Inc., to seek to overturn this second veto through the U. S. District Court for the Eastern District of Virginia.

G. PUBLIC COMMENT - None

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, recommended an executive session pursuant to Section 2.1-344(a)(1)(3) of the Code of Virginia to consider a personnel matter, evaluation, and appointment of individuals to County boards and/or commissions, and to consider the acquisition of property.

I. BOARD REQUESTS AND DIRECTIVES

Ms. Knudson commended the employees, who worked on the County's Erosion and Soil Control Program, which was tops in the State.

Mr. Edwards recessed the Board for a break at 2:45 p.m., and reconvened into a work session with the Task Force on County Financial Planning at 2:50 p.m.

WORK SESSION - Task Force on County Financial Planning

Mr. Edwards welcomed the Task Force members.

Mr. Abram Frink, Vice Chairman of the Task Force, introduced the members in attendance and stated that the Education Committee held meetings with appropriate school personnel and recommended regionalization of health insurance, a mutual purchasing process with the County, and a reasonable increase for teachers' salaries.

Mr. Robert Demer gave an overview of the Education report and the Education minority report. Discussion of administration expenditures, costs per pupil, the request for new initiatives and salary increases, and hours worked daily by teachers as professionals, ensued.

Mr. DePue requested that staff ask the School Division to respond to the description of Administration costs at the budget work session scheduled for Tuesday, April 21, 1992.

Ms. Elizabeth Davis, Revenue and Economic Development, stated that alternative sources of revenue and an increase in the commercial/industrial to residential ratio should be pursued to create a financially healthy County.

Mr. DePue asked staff to look at assessment on time shares.

Mr. R. E. Gilley, Public Works and Services, reported the Landfill operated in accordance with regulations; the James City Service Authority operations were financed by water and wastewater service consumption charges; and, a recommendation that the Development Management organization and procedures be streamlined to provide service in a more timely fashion.

Dr. James Lee, Health, Human, and Community Services, endorsed the findings and recommendations of the County's Health Services Advisory Committee with a need for more AIDS prevention education and training; creating teen centers and recreation and youth programs involving youth input; do a policy analyses in respect for demand of new and increased local services for the elderly; and provide additional resources for self-sufficiency programs.

Mr. Paul Allen, Committee representative for Roger Priest, Chairman, Public Safety, stated that the Police and Fire Departments are well managed, but need to be funded at levels that will provide additional line personnel and updated equipment; the City-County Jail conditions need to be addressed immediately.

Mr. Andy Bradshaw, Committee representative for Gilbert Bartlett, Chairman of Revenue/Expenditure Enhancement and the Task Force as a whole, presented several recommendations for achieving County objectives to include: Regional cooperation, privatization, public-private partnerships, consolidation, and volunteers.

Mr. DePue and Ms. Knudson asked clarification of what the economic development limitations are and what can be done about them.

Mr. Frink stated that Land Use and the Environment report would be included in the final report due September 30, 1992.

The Board thanked the Task Force members for the hard work and time donated.

Mr. Edwards recessed the Board for a James City Service Authority Board of Directors' meeting at 4:32 p.m.

Mr. Edwards reconvened the Board into open session at 4:40 p.m. and made a motion to convene into executive session as recommended by the County Administrator above.

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

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

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

R E S O L U T I O N

MEETING DATE: April 20, 1992

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Board of Directors of the James Service Authority, (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 Directors of the James City Service Authority, 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.

The Board recessed until 7:00 p.m., at 5:15 p.m.

Mr. Edwards reconvened the Board into open session at 7:08 p.m.

B. PUBLIC HEARINGS

1. Budget FY 1992-93

2. Capital Improvement Program (continued from March 16, 1992)

3. Ordinance Amendment, Chapter 8, Health and Sanitation, Landfill, User Fees

Mr. John E. McDonald, Manager, Financial and Management Services, gave a brief presentation of the highlights from the County Administrator's proposed budget for 1992-93.

Mr. Edwards opened the three public hearings.

1. Mr. Jim Dorsey, 105 Glenwood Drive, asked the Board to consider hiring a professional archaeologist to minimize delay in assistance to developers.

2. Ms. Catherine Pearce, 4 Bray Wood, asked the Board to consider raising other taxes as an alternative to an increase in the real estate tax rate.

3. Ms. Elise Emanuel, 110 Willow Drive, asked the Board to support teachers' salaries and fully fund the school budget.

4. Ms. Susan McCleary, 129 Mirror Lake Road, asked the Board to start to address the inadequacy of the teachers' pay scale, and spoke in support of the staff and work being done by the Planning and Code Compliance offices.

5. Mr. Ed Oyer, 139 Indian Circle, compared the current proposed budget to past budgets, and stated priorities must be water, fire, waste, emergency medical services and schools.

6. Ms. Carolyn Lowe, 50 Summer East, asked the Board to support the hard working Planning and Code Compliance staff, who will be needed for future decisions on growth, and urged the County to begin to develop a community greenway.

Mr. Edwards closed the three public hearings.

Mr. Edwards made a motion to reappoint Charles Glazener, James Dorsey, Helen Hamilton and Robert Deeds to the Parks and Recreation Commission, for 4-year terms respectively, each term expiring 4/12/96.

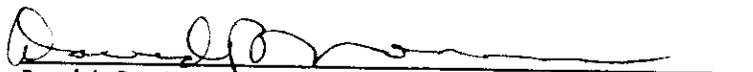
On a roll call, the vote was AYE: DePue, Taylor, Sisk, Knudson, Edwards (5). NAY: (0).

Mr. Edwards announced the upcoming budget work sessions were scheduled for: Tuesday, April 21, 1992, at 7:00 p.m., School Board and Revenue; Thursday, April 23, 1992, at 7:00 p.m., Library Board and Expenditures; Tuesday, April 28, 1992, at 7:00 p.m., and Thursday, April 30, 1992, at 7:00 p.m., if necessary.

Mr. Edwards made a motion to recess to 7:00 p.m., Tuesday, April 21, 1992.

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

The Board recessed at 8:00 p.m.



David B. Norman  
Clerk to the Board

2127w

**AGREEMENT FOR THE PURCHASE OF  
ELECTRIC SERVICE BY MUNICIPALITIES AND COUNTIES  
OF THE COMMONWEALTH OF VIRGINIA  
FROM VIRGINIA ELECTRIC AND POWER COMPANY**

This Agreement, made this 20th day of March, 1992 between James City County, a unit of local government of the Commonwealth of Virginia, hereinafter called the "Customer", and the Virginia Electric and Power Company, hereinafter called the "Company," provides that in consideration of the mutual covenants and agreements herein contained, the parties hereto contract and agree with each other as follows:

**1. PURCHASE AND SALE**

**A. Purchases From the Company**

The Customer will purchase from the Company and the Company will sell to the Customer, pursuant to the provisions of this Agreement and the Terms and Conditions For The Purchase of Electric Service By Municipalities and Counties and to the applicable schedules of charges, attached hereto and made a part hereof, the electric service requested by the Customer (including the service being furnished on the effective date of the Agreement) within the territory served by the Company in the Commonwealth of Virginia.

**B. Purchases From the Customer**

The Company will purchase electricity under a separate agreement from the Customer's generating facilities in accordance with the Public Utility Regulatory Policies Act of 1978 (PURPA) and the Federal and Virginia rules that implement (PURPA), if the generating unit qualifies for such treatment.

**2. TERM**

The term of this Agreement shall be from July 1, 1991 to June 30, 1994.

**3. RATES AND CHARGES**

The schedules of charges available hereunder and applicable conditions are identified as Attachments A through S and listed below. Any use of electricity for which no schedule of charges is shown will be supplied in accordance with the Miscellaneous Light and Power schedule (Attachment A).

- A. Miscellaneous Light and Power Service and Traffic Control Service
- B. All-Electric Building Service and Dual Fuel Systems
- C. Water Pumping, Sewage Pumping and Sewage Disposal Service
- D. Large Miscellaneous Light and Power Service (Schedule 130, formerly Schedule 6CM)
- E. Thermal Storage
- F. Curtailable Service - Schedule CSCM
- G. Standby Generator - Schedule SGCM
- H. Roadway, Directional and Area Lighting Service - High Pressure Sodium Vapor (Schedule 150)
- I. Roadway, Directional and Area Lighting Service - Incandescent, Mercury Vapor, and Urbanlites (Schedule 151)
- J. Street Lighting Fixtures on Bridges and Overpasses (Schedule 152)
- K. Street Lighting - Special Fixtures (Schedule 153)
- L. Street Lighting - Customer Owned (Schedule 154)
- M. Temporary Service Charge
- N. Excess Facilities Service Rate
- O. Miscellaneous and Standby Charges (Schedule C)
- P. Mercury Vapor to High Pressure Sodium Vapor Conversion Charges
- Q. Street Lighting Patrol Service
- R. Rider A Fuel Adjustment Clause
- S. Rider J - CM Interruptible Electric Water Heating Service - Residential Services

For qualifying individual accounts, the Customer may elect companion load management rate schedules or riders as follows: Curtailable Service, Standby Generator, or Rider J-CM Interruptible Residential Water Heating in effect generally for retail service in Virginia. The Curtailable Service schedule is available for miscellaneous light and power accounts billed on Large Miscellaneous Light and Power Service (Schedule 130). The Standby Generator schedule is available for any miscellaneous light and power account and Rider J-CM is available for individually metered residential services. These load management rates will be revised from time to time in the same manner as approved for other retail customers in Virginia.

The specific application of the applicable rate schedule to specific connection points may, at the request of the Customer, be enumerated in Exhibits to be attached hereto. Other service points may be identified, in writing, for inclusion under this Agreement at such times as the need for service develops. Nothing in this Agreement shall be construed as precluding the parties hereto from entering into a separate contract for services of a special nature.

#### 4. EFFECTIVE DATE

The rates applicable hereunder are effective July 1, 1991. For service rendered on and after July 1, 1991, Customer will pay to the Company (or the Company will pay to the Customer) the difference between the charges as calculated under the rates attached hereto and the charges as previously paid.

5. GENERAL

A. Unless otherwise specifically agreed in writing, this Agreement cancels and supersedes as of the effective date hereof all previous agreements and supplemental agreements between the Customer and the Company for electric service covered by this Agreement. This Agreement shall inure to the benefit of and be binding upon the successors or assigns of each of the parties hereof.

B. This Agreement shall be binding upon the Customer and the Company only when executed by a duly authorized official or authorized representative thereof, and shall not be modified by any promise, agreement or representation of any agent or employee of either party hereto except in writing and executed by such a duly authorized official or officer.

C. The obligations of the Company and the Customer for service under this Agreement are subject to appropriations by Customer's governing body to pay for such service.

VIRGINIA ELECTRIC AND POWER COMPANY

By: T. L. Caviness, Jr. Title VICE PRESIDENT  
T. L. CAVINESS, JR

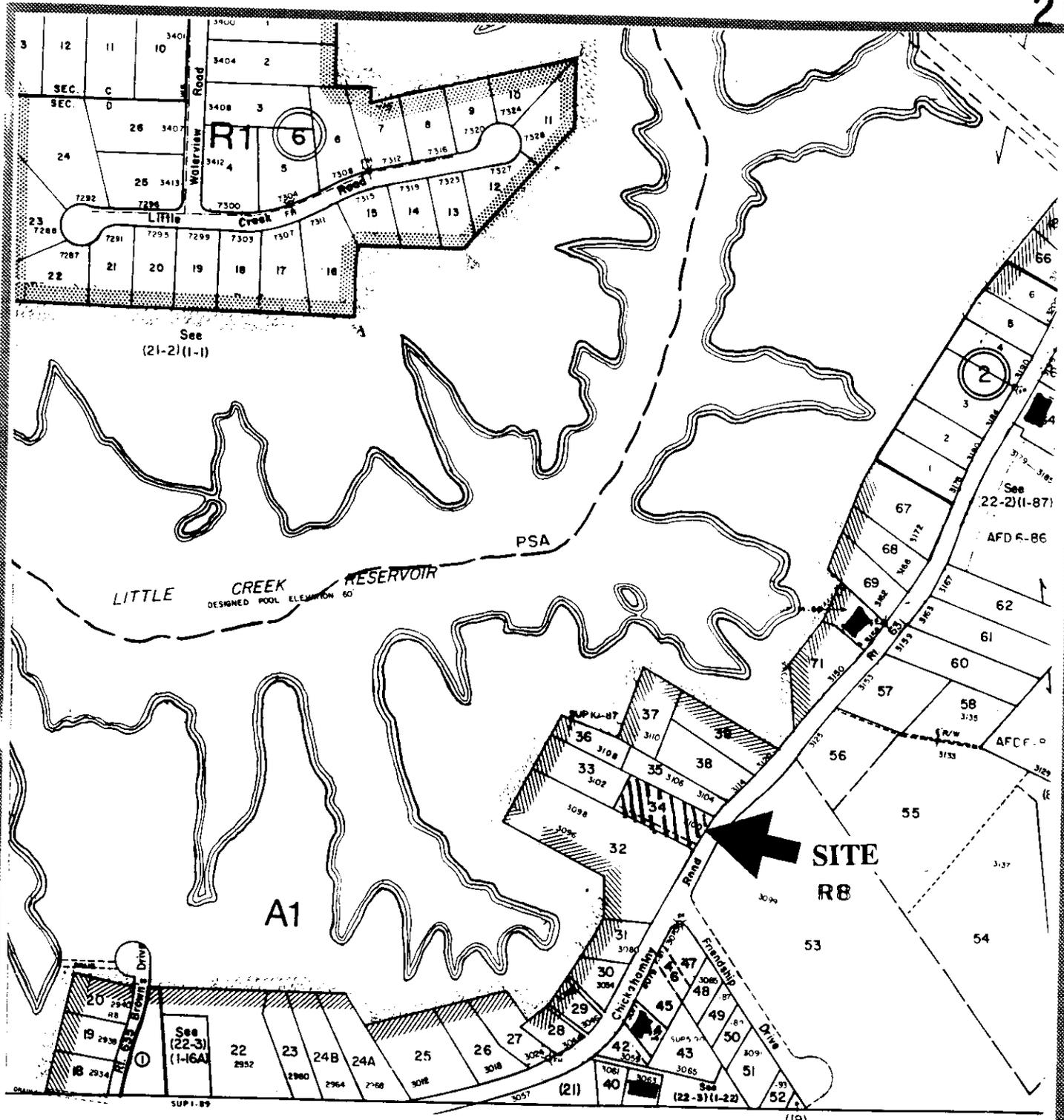
CUSTOMER'S NAME: James City County

By: J. Edwards Title Chairman, Board of Supervisors

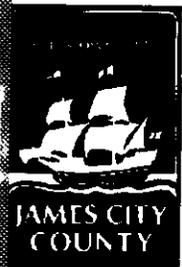
(Information requested below to be filled in only if approval obtained or required by Customer.)

At a regular meeting of the Board of Supervisors of the County of James City held on April 20, 1992, this Agreement was presented for approval as prescribed by its rules of order, was approved, and the above officer was authorized to execute same on its behalf.

Attest Davidson Clerk

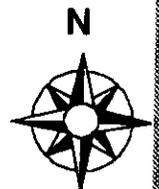


SCALE 1"=400 Feet



Case No: **SUP-8-92**  
 Name: **John and Martha Wood, (MH)**

Existing Units:   
 Proposed Unit: 



PLANNING DIVISION

Attachment 1

PROPOSED PRIORITY LIST  
SECONDARY ROAD IMPROVEMENTS  
SIX YEAR PLAN  
APRIL 1992

PRIORITY	ROAD, ROUTE # AND LENGTH	TRAFFIC 1990 (ADT)	ACCIDENTS (1991) Total/Per Mile/Injuries	NTR	ESTIMATED COST	ESTIMATED COMPLETION	*POINT VALUE
1	North Riverside Drive (Route 715) from Forge Road (Route 610) to Otey Drive (Route 1014) - 1.28 miles	1387	5/3.9/0	500	\$675,000	FY94	1937 SEE NOTE 1
2	Centerville Road (Route 614) from Va. Power Easement to Richmond Road (Route 60) - 0.79 miles	4794	2/2.5/1	0	\$600,000	FY94	4814 SEE NOTE 2
3	Centerville Road (Route 614) from Jolly Pond Road N (Route 611) to Va. Power Easement - 0.92 miles	3630	3/3.3/1	0	\$859,000	FY95	3660 SEE NOTE 3
4	Centerville Road (Route 614) from Longhill Road (Route 612) to Jolly Pond Road N (Route 611) - 1.37 miles	4599	9/6.6/5	500	\$1,272,250	FY95	5189 SEE NOTE 4
5	Centerville Road (Route 614) from News Road (Route 613) to Jolly Pond Road S (Route 633) - 1.67 miles	2713	0/0/0	500	\$1,000,000	FY96	3213 SEE NOTE 4
6	Forge Road (Route 610) from Richmond Road (Route 60) to Diascund Road (Route 603) - 3.10 miles	2331	2/0.6/1	500	\$1,690,000	FY96	2851
7	Forge Road (Route 610) from Diascund Road (Route 603) to North Riverside Drive (Route 715) - 1.11 miles	1441	2/1.8/2	500	\$665,000	FY96	1961
8	Neck-o-Land Road (Route 682) from Jamestown Road (Route 31) to Constance Avenue (Route 1450) - 1.19 miles	1905	0/0/0	0	\$1,185,000	FY98	1905
9	News Road (Route 613) from Ironbound Road (Route 615) to .8 miles west of Jesters Lane (Route 730) - 1.00 miles	1028	1/1/0	500	\$835,000	FY99	1538

PRIORITY	ROAD, ROUTE # AND LENGTH	TRAFFIC 1990 (ADT)	ACCIDENTS (1991) Total/Per Mile/Injuries	NTR	ESTIMATED COST	ESTIMATED COMPLETION	*POINT* VALUE
10	Lake Powell Road (Route 617) from Chestnut Drive (Route 709) to Lake Powell Road W (Route 618) - 0.90 miles	654	0/0/0	500	\$595,000	FY00	1154
11	Croaker Road (Route 607) from Woodland Road (Route 1601) to Croaker Landing Road (Route 605) - 1.73 miles	415	4/2.3/2	500	\$600,000	FY00	955
12	Racefield Drive (Route 622) from 1.32 miles East of Stewarts Road (Route 621) to Stewarts Road (Route 621) - 1.32 miles	28	0/0/0	500	\$415,000	FY00	528 SEE NOTE: 5

\*Point Value = ADT + (Accidents x 10) + NTR  
 Non-Tolerable Road = 500  
 Tolerable Road = 0

NOTES:

- (1) VDOT to advertise for construction in August 1992
- (2) VDOT to advertise for construction in February 1993
- (3) VDOT to advertise for construction in July 1993
- (4) VDOT to advertise for construction in September 1993
- (5) VDOT unpaved road funds

THE AGREEMENT, made and entered into this 20th day of April, 1992, by and between the County of James City, hereinafter referred to as "County", and the Office of the Commissioner of Revenue, hereinafter referred to as "Officer",

WHEREAS the County and the Officer are desirous of entering into an agreement setting forth their understanding as it pertains to pay plans and personnel policies as set forth in Section 15.1-7.1, et seq and Section 2.1-114.5:1 C.2.c. of the Code of Virginia, 1950, as amended.

WITNESSETH

That for and in consideration of the mutual covenants set forth herein the parties agree as follows:

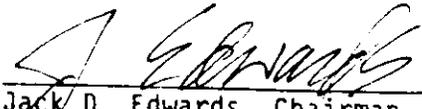
1. The County of James City agrees to place the permanent employees, full or part time, including deputies, of the Constitutional Officer executing this agreement on the County's pay plan and personnel policies (Personnel Policies and Procedures Manual). Employees of this office who are classified and compensated by the State, shall follow the County Personnel Policies and Procedures with the exception of the Compensation Plan. Unless specifically stated, this agreement shall not apply to the Commissioner of Revenue, himself, except in the provision of employee benefits.

2. The County and the Officer agree that by virtue of the execution of this agreement all employees named in Paragraph 1 above shall be included under the County's pay plan and personnel policies. The pay plan shall include salary and all considerations relevant thereto and any and all benefits set forth thereunder. The personnel plan includes but is not limited to all rules, regulations, policies and safeguards involved with or pertaining to employee recruitment, selection, and discipline, including grievance procedure and terminations.

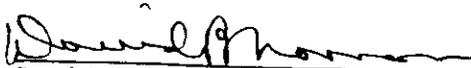
3. The County and Officer agree that all paychecks and all payroll deduction checks shall be issued through the County Finance Office with reimbursement by the State or the Officer, when appropriate made to the credit of the County General Fund.

4. The term of this agreement shall commence from the date of execution of this agreement and shall terminate at the end of the Officer's elected term.

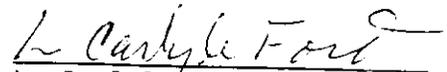
BOARD OF SUPERVISORS

by:   
Jack D. Edwards, Chairman

ATTEST

  
David B. Norman, Clerk

CONSTITUTIONAL OFFICER

by:   
L. Carlyle Ford,  
Commissioner of Revenue

0102U