

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 20TH DAY OF JUNE, NINETEEN HUNDRED NINETY-FOUR, AT 5:03 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
David L. Sisk, Vice Chairman, Roberts District

Jack D. Edwards, Berkeley District
Robert A. Magoon, Jr., Jamestown District
Stewart U. Taylor, Stonehouse District (Absent)
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. WORK SESSIONS

1. Child Protective Services

Mr. Anthony Conyers, Jr., Community Services Manager, introduced Ms. Diana F. Hutchens, Senior Social Work Supervisor, who explained the Child Protection Services program.

2. James City Service Authority - Cross-Connection Control and Backflow Prevention and Disinfection Program Update.

Mr. Larry M. Foster, General Manager, James City Service Authority, and Mr. James C. Dawson, Environmental Engineer, defined cross connection and Backflow procedures, requirements, and prevention.

Mr. Foster briefly reviewed Phase I, retrofitting of six small independent water systems for the initial introduction of the disinfectant program.

Mr. Taylor arrived at 6:45 p.m.

Mr. DePue convened the regular meeting at 7:03 p.m.

C. PRESENTATION

1. Certificate of Appreciation, Parks and Recreation Commission, Joy Archer and Rosalind Dodd

Mr. DePue read and presented the resolution to Ms. Rosalind Dodd, and presented the resolution for Ms. Joy Archer and the resolution designating July - Recreation and Parks Month to Mr. Joseph Mastaler, Jr., Chairman of the Parks and Recreation Commission.

**D. MINUTES - June 6, 1994, Regular Meeting
June 8, 1994, Special Meeting**

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

Mr. Taylor made a motion to approve the two sets of minutes.

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

E. HIGHWAY MATTERS

Mr. Quintin Elliott, Williamsburg Resident Engineer, Virginia Department of Transportation, reported a detour for the next few days on Route 30 west of Anderson's Corner due to a drainage pipe cave-in, and introduced a new VDOT staff member, Chad Brooks.

Mr. Taylor asked the Norge Postmistress to present her concerns and questions about traffic movement near the Norge Post Office to Mr. Elliott.

Ms. Sharon Everett, Norge Postmistress, reported customers were concerned about not having a left-turn lane from Route 60 West into the Norge Post Office.

Mr. Elliott responded that a left-turn from Route 60 West into the Norge Post Office would be an unsafe maneuver against the flow of traffic.

Mr. DePue asked that a meeting be scheduled with Board members, staff, VDOT and residents of Norge to discuss vehicle movement turning into the Norge Post Office from Route 60 West.

Mr. Taylor requested the facts and possible alternatives for a left-turn lane and median location be provided prior to that meeting.

Mr. Sisk thanked Mr. Elliott for the prompt response of a speed limit study on Ironbound Road in the vicinity of Mid-County Park.

Mr. DePue spoke of concerns about the right-turn lane at Mounts Bay Road and Route 199 East.

Mr. Elliott stated the surfacing was for maintenance and not for lengthening the right-turn lane.

Mr. Sisk asked about the road condition of Interstate 64 in James City County.

Mr. Elliott responded that contractors would be working on several repair projects from New Kent County to east of Route 17 in Newport News.

Mr. DePue asked whether straightening Centerville Road was delayed for relocation of utilities.

Mr. Elliott replied in the affirmative.

Mr. DePue offered County assistance in relocation of utilities if needed.

F. CONSENT CALENDAR

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

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

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

1. July - Recreation and Parks Month**RESOLUTION****JULY IS RECREATION AND PARKS MONTH**

WHEREAS, physical recreation and meaningful leisure experiences contribute to physical and mental well-being, as well as the overall quality of life; and

WHEREAS, community recreation and leisure opportunities create socially beneficial connections between and among individuals, groups, and communities; and

WHEREAS, parks and recreation services provide preventive health benefits, support more productive work forces, enhance the desirability of locations for business and families, and stimulate tourism revenues to increase a total community economic development model; and

WHEREAS, the provision and preservation of parks and open spaces are both an investment and insurance plan for our collective quality of life; and

WHEREAS, the National Recreation and Park Association has designated July as Recreation and Parks Month.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates July, 1994, as Recreation and Parks Month.

BE IT FURTHER RESOLVED, that all citizens of James City County join in this nationwide celebration bringing recognition to all the benefits derived from quality public and private recreation and park resources at the local level.

2. Summer Breeze Concert Series**RESOLUTION****PARKS AND RECREATION BUDGET AMENDMENT****SUMMER BREEZE CONCERT SERIES**

WHEREAS, the concert series is now offered sponsored jointly with the City of Williamsburg; and

WHEREAS, the continued success of the concert series has created more demand for performances; and

WHEREAS, the City has contributed funds to the County which will offset the additional costs of entertainment.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of James City County, Virginia, hereby amends its FY 95 Budget as follows:

RECREATION SERVICES

Revenues:

City of Williamsburg \$800.00

Expenditures:

Operating Expenses (Entertainment) \$800.00

- 3. Parks and Recreation Donation Trust Fund, Williamsburg Soccer Club

RESOLUTION

PARKS AND RECREATION DONATION TRUST FUND

WHEREAS, the James City County Division of Parks and Recreation has received a \$2,000 donation from the Williamsburg Soccer Club (WAC); and

WHEREAS, the Division and WAC have entered into a cosponsorship agreement for the betterment of youth soccer; and

WHEREAS, the agreement specifies that WAC would contribute funds into a financial assistance program to subsidize participation of economically disadvantaged youth.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the deposit of \$2,000 into a line item account within the Donation Trust Fund from which the Division of Parks and Recreation may make expenditures related to financial assistance for youth soccer participants.

- 4. Busch Properties, Inc., Request for Consideration of Alternate Water and Sewer Facilities

RESOLUTION

BUSCH PROPERTIES, INC., CONSIDERATION OF ALTERNATE

WATER AND SEWER FACILITIES

WHEREAS, in accordance with Section 20-412 of the James City County Zoning Ordinance, a request has been made to allow two comfort stations to be served by individual wells and septic tanks on the Busch Properties third golf course in locations shown on site plan No. SP-53-94 dated April 26, 1994, on property further identified as Parcel (1-8) on James City County Real Estate Tax Map No. (51-4); and

WHEREAS, staff has determined there are circumstances unique to this request as described in the attached staff report that warrant this consideration.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve this request as described herein.

5. Addition of an Employment Category to Personnel Policies and Procedures Manual**RESOLUTION****ADDITION OF AN EMPLOYMENT CATEGORY TO
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, the County wishes its personnel policies to meet the needs of the organization; and

WHEREAS, a need exists to create an additional employment category which accurately describes the type of position covered.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached addition to Section 2.3 of the Personnel Policies and Procedures Manual.

This resolution is effective on and after July 1, 1994.

G. PUBLIC HEARINGS1. Case No. SUP-9-94. J. E. Smith. Manufactured Home.

Ms. Sandra Barner, Development Management Technician, stated that Mr. J. E. Smith had applied to allow replacement of a manufactured home, on 4 acres, zoned A-1, General Agricultural, located at 7690 Newman Road, further identified as Parcel (1-6) on James City County Real Estate Tax Map No. (25-2).

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

The Board discussed the screening by Leyland Cypress trees and the interval between removal of a manufactured home and its replacement.

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 resolution.

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

RESOLUTION**CASE NO. SUP-9-94. J. E. SMITH - MANUFACTURED HOME**

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: J. E. Smith

Real Estate Tax Map ID: 25-2

Parcel No: 1-6
 Address: 7690 Newman Road
 District: Stonehouse
 Zoning: A-1

- Conditions:
1. 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.
 2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standard.
 3. The expanded septic drainfield shall be enlarged in accordance with Health Department requirements prior to occupancy.
 4. The replacement manufactured home shall be located in the same area of the property as the previous manufactured home, at least 100 feet from Newman Road, and the trees and bushes in that area will be retained as landscaping for the home.
 5. An additional landscape screen of Leyland Cypress trees or an equivalent approved by the Planning Director shall be planted in such a way as to screen the replacement unit from view from Newman Road. This landscape screen shall be maintained in good condition so long as the manufactured home remains on the property. A landscaping plan shall be submitted to the Planning Director for his approval and the approved landscaping shall be installed prior to occupancy.

2. Ordinance Amendment, Chapter 8, Health and Sanitation Article II, Landfill, Section 8-9, Household Waste

Mr. Larry M. Foster stated that the proposed Ordinance amendment would eliminate the provision of disposal of two tires at no charge except on the two designated amnesty days when residents could dispose of a maximum of ten tires at no charge. He further stated the proposed increase from \$0.75 per passenger car tire to \$1.00 would help cover costs of recycling, handling and transporting of the tires.

Staff recommended approval of the ordinance amendment.

Board discussion followed concerning need for more than two amnesty days per year, the number of tires disposed of annually brought by both residents and businesses and the need for fees to cover costs.

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 ordinance amendment.

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

3. Ordinance Amendment, Chapter 11, Motor Vehicles and Traffic, Article I, Section 11-7, Article II, Section 11-28, Driving While Intoxicated and Traffic Enforcement

Mr. Frank M. Morton, III, County Attorney, stated the General Assembly made amendments to the driving while intoxicated and traffic laws and the proposed amendments would incorporate those laws into James City County Code effective July 1, 1994.

Staff recommended approval of the ordinance amendments.

Mr. DePue 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 amendments.

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

4. Conveyance of Property to Williamsburg-James City County Public Schools, Berkeley District

Mr. Morton stated that the Special Warranty Deed would convey 80.01 acres located in the Berkeley District to the Williamsburg-James City County Public Schools for the site of a new high school.

Staff recommended approval of the resolution authorizing execution of the deed.

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

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

DEED TO CONVEY PROPERTY TO THE WILLIAMSBURG-JAMES CITY COUNTY

PUBLIC SCHOOLS

WHEREAS, the Board of Supervisors of James City County, following a public hearing held on June 20, 1994, is of the opinion that certain real property located in the Berkeley District should be conveyed to the Williamsburg-James City County Public Schools.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Perry M. DePue, Chairman of the Board of Supervisors, is hereby authorized and directed to execute a Special Warranty Deed dated June 20, 1994, conveying an 80.01±-acre parcel located in the Berkeley District to the Williamsburg-James City County Public Schools, said property to be used as the site of a new high school.

H. BOARD CONSIDERATIONS

1. Prohibiting the Use of Tobacco Products by Newly Hired Police and Fire Personnel

Ms. Carol Luckam, Human Resource Manager, stated that the addition of prohibiting use of tobacco products on and off duty by fire and police personnel hired on or after July 1, 1994, and establishing the consequence of smoking for employees for whom it is prohibited would benefit the County and employees by maintaining overall health and fitness.

Staff recommended approval of the changes to the Personnel Policies and Procedures Manual.

Mr. Taylor and Mr. Sisk spoke in opposition to the changes as a loss of individual freedom of choice.

Mr. Edwards made a motion to approve the resolution.

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

RESOLUTION

PROHIBITING THE USE OF TOBACCO PRODUCTS BY NEWLY HIRED

POLICE AND FIRE PERSONNEL

WHEREAS, the County wishes to reduce its Workers Compensation liability under the Heart and Lung and Cancer Presumption legislation; and

WHEREAS, smoking and the use of tobacco products have been linked to heart and lung diseases including cancer; and

WHEREAS, the County wishes to establish the consequence of smoking or using tobacco products for employees for whom it is prohibited; and

WHEREAS, the County wishes to ensure that employees maintain licenses and certifications required of positions they hold.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached additions to Section 2.9.1 and Section 7.6.L of the Personnel Policies and Procedures Manual.

This resolution is effective on and after July 1, 1994.

2. Financial Management Guidelines

Mr. John E. McDonald, Manager of Financial and Management Services, stated that approval of the resolution would clarify guidelines related to bonded indebtedness.

Staff recommended approval of the resolution with guidelines as listed.

After a brief discussion, Mr. DePue made a motion to approve the resolution.

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

RESOLUTION**FINANCIAL MANAGEMENT GUIDELINES**

WHEREAS, James City County intends to issue General Obligation Debt and wishes to affirm and clarify four financial management guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the following financial management guidelines:

1. Net General Obligation Debt should not exceed 3.0 percent of the total assessed value of all taxable property;
2. Available Fund Balance should not be allowed to drop below 5.0 percent of General Fund revenues and shall be targeted at 10 percent of General Fund revenues;
3. Net General Obligation Debt Service should not exceed 14 percent of total General Fund expenditures; and
4. Net General Obligation Debt per capita should not exceed \$2,100.

I. PUBLIC COMMENT - None

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, recommended the Board go into executive session pursuant to Section 2.1-344(A)(1)(5) and (7) of the Code of Virginia to consider a personnel matter, appointment of individuals to County boards and/or commissions; to consider acquisition of a parcel of property for public use; and, to discuss a prospective business and expansion of an existing business.

K. BOARD REQUESTS AND DIRECTIVES

Mr. Taylor asked staff the status of Mr. Alfred Jackson's request of possible creation of a family subdivision made at the May 18, 1994, Board of Supervisors' meeting.

Mr. Sanford B. Wanner, Assistant County Administrator, stated that Mr. Jackson had been contacted, and staff was reviewing the matter.

Mr. Magoon thanked the Chairman and staff for its part in the regional program at Continuous Electron Beam Accelerator Facility on Thursday, June 16, 1994. He felt traveling to other communities to observe their positive features should be considered and might have significant value for our community.

Mr. DePue recessed the Board for a James City Service Authority Board of Directors' meeting, at 8:17 p.m.

Mr. DePue reconvened the Board into open session at 8:50 p.m. and made a motion to convene into executive session as recommended above by the County Administrator.

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

Mr. DePue reconvened the Board into open session at 9:50 p.m.

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

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

RESOLUTION

MEETING DATE: June 20, 1994

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 appoint Sterling M. Nichols and Vincent A. Campana, Jr., to the Industrial Development Authority, for a four-year term, term expiring July 8, 1998, respectively; to appoint Adelaide Grattan to the Williamsburg Arts Commission for a 3-year term, term expiring June 30, 1997; to appoint Frank Kowaleski to the Community Corrections Resource Board to serve at the pleasure of the Board; and, to reappoint Ursula Murden to the Williamsburg Regional Library Board for a 4-year term, term expiring June 30, 1998.

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

Mr. DePue made a motion to appoint the following individuals to the James City County Fair Advisory Committee for 1994: Louise Garrett, Norman Danuser, Dick Bradshaw, Jimmy Bradsher, Nancy Bradshaw, Bob Bush, Pam Johnson, Charlotte Estes, Betty Cutts, Delores Bryant, Katie Jones, Andy Bradshaw, Audrey Branch, Lynn Miller, Shirley Webster, Maggie Barnes, Joyce Grunewald Kauffmann, Jim Robertson and County Liaison, Sandy Wanner and Extension Agents, Ed Overton and Doris Heath.

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

Mr. DePue made a motion to adjourn.

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

The Board adjourned at 9:52 p.m.



David B. Norman
Secretary to the Board

CHAPTER 2

EMPLOYMENT PRACTICES

Section 2.1 Policy

It is and shall continue to be the policy of James City County to provide employment on an equal opportunity basis to all, and to administer its employment practices without regard to race, religion, national origin, physical handicap, age, or sex.

Section 2.2 Appointing Authority

The Board of Supervisors delegates to the County Administrator the responsibility for recruitment, selection, and appointment of employees within the guidelines of the approved budget.

Section 2.3 Employment Categories

- A. Permanent position - A permanent position is one established by the Board, funded in the budget, and projected to continue indefinitely unless the Board shall eliminate it. A permanent position may be either a full-time or a part-time position.

- B. Limited term position - A limited term position is one established by the Board of Supervisors, funded under special Federal or State programs, and projected to continue subject to the continuation of the respective program. In the event such Federal or State funding should cease, the positions so affected shall have no guarantee of general County funding. A limited term position may be either a full-time or a part-time position.

- C. Temporary position - A temporary position is one established by the Board of Supervisors or the County Administrator to perform a specific function, such as a special project or to substitute for a permanent employee, with the term of employment depending on the continuing need for the function being performed. A temporary position may be either a full-time or a part-time position. A temporary position shall be maintained for no more than 12 months, although the position may be renewed by the Board of Supervisors or the County Administrator. Temporary employees may be discharged at the will of the County Administrator, without cause or hearing.

- D. On-call position - An on-call position is one established by the Board of Supervisors or the County Administrator to serve the County on an as-needed basis to provide necessary public service. Employees in on-call positions may be discharged at the will of the County Administrator, without cause or hearing.

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- D. On-call position - An on-call position is one established by the Board of Supervisors or the County Administrator to serve the County on an as-needed basis to provide necessary public service. Employees in on-call positions may be discharged at the will of the County Administrator, without cause or hearing.

- E. Other position - An other position is one in a department or office which does not follow all or some of the County's Personnel Policies. An other position may include: members of boards and commissions; elected and appointed officials; positions in agencies for which the County serves as fiscal agent; or positions in offices of Constitutional or appointed officials. An other position is projected to continue indefinitely and may be either full-time or part-time. Specific information regarding policies followed by other positions may be obtained from the Human Resource Department.

Section 2.4 Hours of Employment

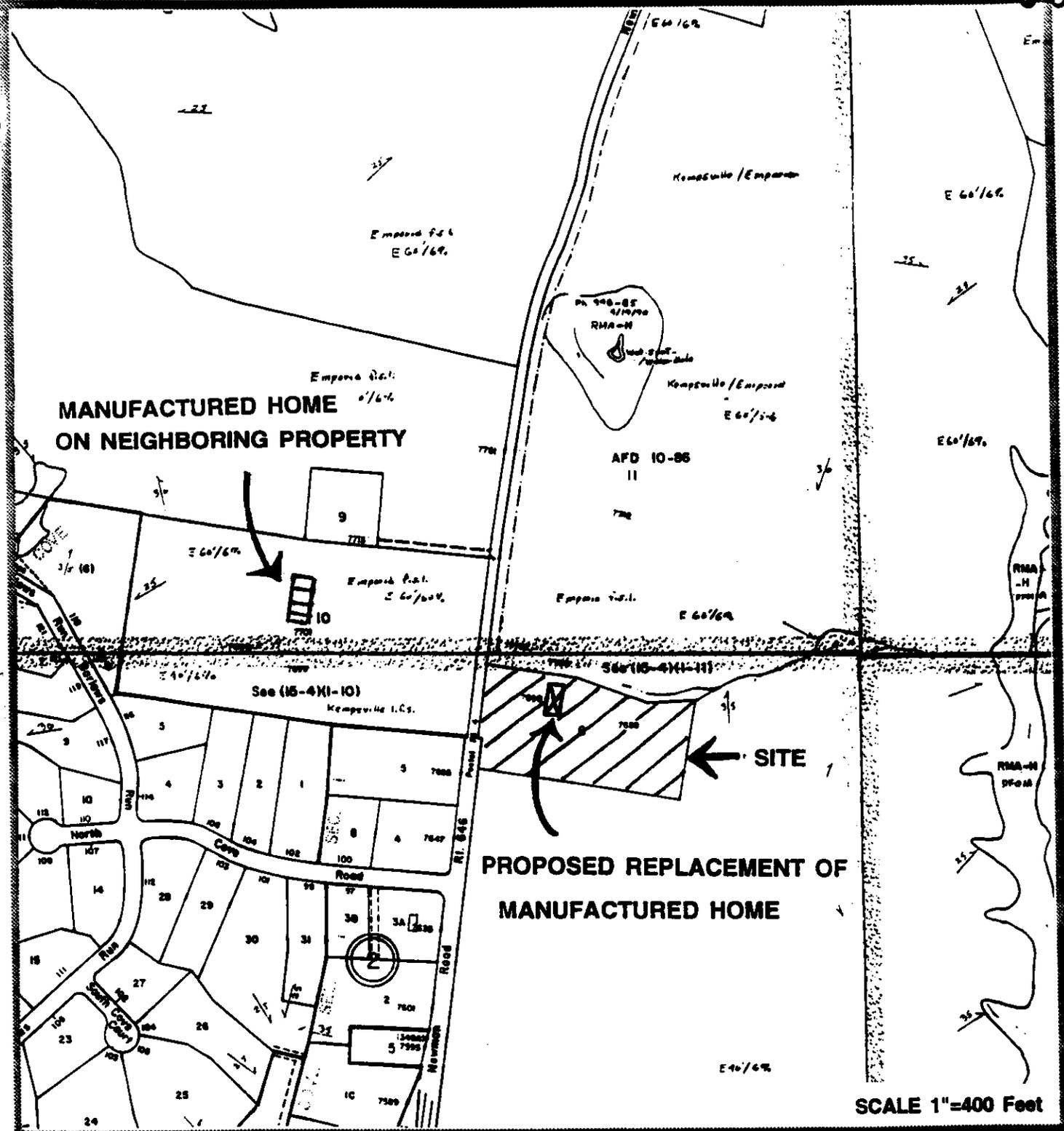
- A. Full-Time Employment - Full-time employment refers to all positions so declared by the Board of Supervisors or the County Administrator. The employee filling a full-time position shall work the number of hours so designated by that department as full-time, which shall be a minimum of 37-1/2 hours 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.



SCALE 1"=400 Feet



Case No: **SUP-9-94**

Name : **J. E. Smith Manufactured Home**

 Proposed Replacement of
Manufactured Home

 Manufactured Home on
Neighboring Property



PLANNING DIVISION

JUN 20 1994

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIAORDINANCE NO. 116A-28

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE II, LANDFILL ORDINANCE, SECTION 8-9(d), HOUSEHOLD WASTE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 8, Health and Sanitation, is hereby amended and reordained by amending Section 8-9(d), Household waste.

Chapter 8. Health and Sanitation.

Article II. Landfill Ordinance.

Section 8-9. Household waste.

(d) Tires. ~~Whenever more than two (2) passenger car tires are disposed of on any occasion at the County Landfill by any person, firm, or corporation, a separate fee of seventy-five cents (\$0.75) shall be charged for each tire above two (2).~~ *Passenger car, and light truck, tires will be accepted for disposal at the Jolly Pond Road Convenience Center, from any person, firm or corporation at a fee of one dollar (\$1.00) for each tire. No tires shall be accepted without charge, except on a Tire Amnesty Day, as designated by the manager in accordance with Commonwealth of Virginia, Department of Environmental Quality regulations. The manager may at his discretion authorize the disposal of tires other than passenger car tires at a charge per tire to be determined by the manager. The charge shall be based on the cost to handle and dispose of the tires.*

This ordinance shall be effective on and after July 1, 1994.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	NAY
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 20th day of June, 1994.

Sec8-9hw.ord

JUN 20 1994

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 11-7, ADOPTION OF STATE LAW; AND ARTICLE II. DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 11-28, ADOPTION OF STATE LAW, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that effective July 1, 1994, Chapter 11, Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 11-7, Adoption of State law; and Section 11-28, Adoption of state law, generally.

Chapter 11. Motor Vehicles and Traffic

Article I. In General

Section 11-7. Adoption of state law.

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, as amended, and in force on July 1, 1993 1994, except those provisions and requirements the violation of which constitutes a felony and those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 2

or fail, neglect or refuse to comply with any provision of Title 46.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia.

State law reference - General authority of County to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., Section 15.1-132; authority to adopt state law on the subject, Code of Va., Section 46.2-1313.

**ARTICLE II. Driving Automobiles, etc., While Intoxicated
or Under the Influence of Any Drug**

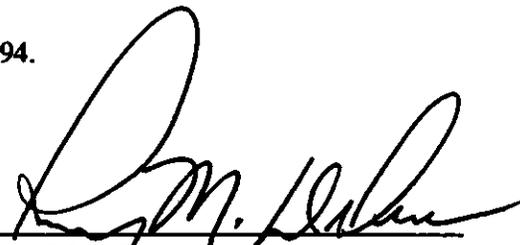
Section 11-28. Adoption of state law, generally.

Article 9 (Section 16.1-278 et seq.) of Chapter 11 of Title 16.1 and Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2, Code of Virginia, as amended and in force July 1, 1993-1994, is hereby adopted and made a part of this chapter as fully as though set out at length herein. It shall be unlawful for any person within the county to violate or fail, neglect or refuse to comply with any section of the Code of Virginia as adopted by this Section.

Ordinance to Amend and Reordain
Chapter 11. Motor Vehicles and Traffic
Page 3

State law reference - General authority of county to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., 15.1-132; authority to adopt state law on the subject, Code of Va. § 46.2-1313.

The effective date of this Ordinance shall be July 1, 1994.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 20th day of June, 1994.

010853

THIS DEED IS EXEMPT FROM TAXATION PURSUANT TO
SECTION 58.1-811A(3), CODE OF VIRGINIA OF 1950, AS AMENDED.

SPECIAL WARRANTY DEED

THIS DEED, made this 20th day of June 1994, by and between JAMES CITY COUNTY ("GRANTOR"), a political subdivision of the Commonwealth of Virginia, and WILLIAMSBURG-JAMES CITY COUNTY PUBLIC SCHOOLS ("Grantee"), whose mailing address is P.O. Box 179, Williamsburg, Virginia 23187-0179.

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby Grant and Convey, with SPECIAL WARRANTY of title, unto the Grantee with full power to sell, lease, encumber, and otherwise dispose of, all of its interests, being a full undivided fee simple interest, in the following described ("Property"), to wit:

All that certain piece or parcel of land situate, lying and being in James City County, Virginia, consisting of 80.01 acres, more or less, and designated as Parcel 1 on that certain plat entitled "PLAT OF SUBDIVISION BEING THE PROPERTY OWNED BY DAVID M. MURRAY, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA," dated January 9, 1991, and recorded in the Office of the Clerk, Circuit Court, James City County, Virginia, in Plat Book 54, page 53, to which plat reference is here made for a more complete description, and being the same property acquired by the Grantor by deed recorded in the office of the Clerk, Circuit Court, James City County, Virginia in Deed Book 520, page 459.

This conveyance is made subject to the conditions, restrictions, easements, and reservations of record, if any, affecting the aforesaid Property, and constituting constructive notice.

WITNESS the following signature and seal:

JAMES CITY COUNTY

By: [Signature] [SEAL]
Perry M. DePue, Chairman
Board of Supervisors

COMMONWEALTH OF VIRGINIA

City/County of James City, to wit:

I, Wicki Ann Sprigg, a notary public in and for the Commonwealth of Virginia, do hereby certify that Perry M. DePue, whose name is signed to the foregoing writing dated June 20, 1994, has acknowledged the same before me in the City/County of James City.

Given under my hand and seal this 24 day of June, 1994.

Wicki Ann Sprigg
Notary Public

My Commission Expires: March 31, 1996

VIRGINIA: City of Williamsburg and County of James City, to-wit:
In the Clerk's Office of the Circuit Court for the City of Williamsburg and County of James
City the _____ day of _____ 19____ This deed was
presented with the appropriate State and Local Taxes of _____ at
_____ The taxes imposed by both §§ 58.24 (a) and (b) of the code have been paid.
STATE TAX LOCAL TAX ADDITIONAL TAX
\$ Exempt \$ Exempt \$ Exempt
Taxes: Helene E. Ward, Clerk
By: Debrahmane
Clerk



Services positions. Operations positions include those requiring a Commercial Driver's License, the use of a respirator, or any other positions identified as physically demanding. These positions are identified in the Compensation Plan, Appendix A, of this Manual.

- E. Content - The content of physical examinations may vary by position.
- F. Cost - The County shall pay the cost of required post-offer and post-employment physical examinations.

Section 2.8 References

All applicants for employment with the County are required to provide at least three work/personal references. It shall be the responsibility of the department manager where the vacancy exists to verify these references prior to employment of an applicant.

Section 2.9 Hiring of Relatives

- A. Restricted - No member of a family shall directly or indirectly supervise another member of the same family. A selection of a relative of a department manager or of a higher County official shall be reviewed and approved by the County Administrator prior to appointment. A relative of a member of the Board of Supervisors shall not be hired by the County in any capacity.
- B. Family - Relative or member of a family is defined for the purposes of this section as spouse, parent, spouses's parent, son, daughter, brother, sister, son-in-law, daughter-in-law, sister-in-law, brother-in-law, grandparents, grandchildren, step-children, guardian and step-parents.

Section 2.9.1. Special Employment Conditions

- A. General - Some job classes or positions require specific licenses or certifications, which are listed in the job description or class specification, such as a driver's license or Cardiac Technician designation. Employees in positions requiring such licenses or certifications must maintain them in order to continue their employment.
- B. Police and Fire Department Personnel - Employees in positions in the Police or Fire Departments which are covered by the Heart and Lung legislation and who begin employment on or after July 1, 1994, shall not use tobacco products in any form on or off duty. New hires who use tobacco products may be granted a period of time in which to stop.

Third offense - suspension, reduction in grade, and/or demotion

Fourth offense - discharge

Category 2 Conduct

Category 2 Conduct includes inappropriate conduct severely disruptive to the proper operation of the County. Category 2 offenses include, but are not limited to:

- A. Refusal to follow a supervisor's instructions or perform assigned work.
- B. Violation of safety rules.
- C. Reporting to work under the influence of alcohol or unlawful controlled substances.
- D. Failure to report to work without proper notice to supervisor.
- E. Unauthorized use of County vehicles or equipment or unauthorized removal of such from an employee's work station.
- F. Use of sick leave for any purposes other than as outlined in Chapter 5, Section 3C.
- G. Threatening, or interfering with the work of fellow employees or supervisors.
- H. Acceptance of gifts or gratuities from any person, company, or corporation, or any other act that constitutes a conflict of interest as defined in the Comprehensive Conflict of Interest Act, Code of Virginia, 1950, as amended.
- I. Failure to report known work-related illegal activity of any employee.
- J. Unauthorized non-County employment or activity which interferes with the performance of an employee's assigned duties and responsibilities.
- K. Fighting on County property or during the working day.
- L. Failure of a public safety employee designated in Section 2.9.1.B. to refrain from the use of tobacco products on or off duty.

Appropriate disciplinary measure for Category 2 conduct occurring in any 12 month period:

First offense - suspension, reduction in grade, and/or demotion

Second offense - discharge