

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 19TH DAY OF JUNE, NINETEEN HUNDRED NINETY-FIVE, AT 4:00 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
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

Mr. DePue called the meeting to order.

Mr. DePue made a motion to convene into executive session pursuant to Section 2.1-344(A)(1) of the Code of Virginia to consider a personnel matter, evaluation.

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

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

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

RESOLUTION

MEETING DATE: JUNE 19, 1995

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.

B. WORK SESSIONS - 5:10 p.m.**1. Strategic Plan**

Ms. Rona J. Vrooman, Training and Quality Performance Coordinator, presented the features, results, and process of the Strategic Management Planning Proposal.

The Board endorsed the proposal and deferred appointment of members to the Strategic Management Planning Advisory Committee until an executive session scheduled after the regular Board agenda.

2. Solid Waste Collection

Mr. Sanford B. Wanner, Assistant County Administrator, reviewed materials previously provided regarding solid waste collection options and requested Board guidance.

The Board authorized staff to issue Request for Proposals for solid waste collection services and that the responses would be considered as part of the Fiscal Year 1997 budget process.

C. MINUTES - June 5, 1995 - Regular Meeting

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

Mr. DePue made a motion to approve the minutes.

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

Mr. O. Marvin Sowers, Jr., Director of Planning, introduced to the Board Ms. Tammy Mayer, the new Planner.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Williamsburg Resident Engineer, Virginia Department of Transportation, was available for questions.

Mr. Sisk requested review of the left turn lane from Route 60 into Carter's Grove. Mr. Sisk has concerns that this turn was being illegally used against the flow of traffic as a right turn into a 7-11 Convenience Store.

E. CONSENT CALENDAR

Mr. DePue asked if a Board Member wanted 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: Sisk, Edwards, Magoon, Taylor, DePue (5). NAY: (0).

1. Dedication of Streets in Toano Trace**RESOLUTION****DEDICATION OF STREETS IN TOANO TRACE**

WHEREAS, the streets described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on November 1, 1993, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form SR-5(A) to the secondary system of State highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED, that the Board of Supervisors guarantees and does hereby so guarantee satisfactory performance of the streets in Toano Trace for a period of one year from the date of acceptance by the Virginia Department of Transportation.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

2. Additional State Allocations - Social Services**RESOLUTION****APPROPRIATION TO THE DIVISION OF SOCIAL SERVICES**

WHEREAS, the State Department of Social Services has provided additional funding for Aid to Dependent Children - Foster Care, Transitional Day Care, JOBS Day Care, Day Care Fee - At Risk, and Services Administration; and

WHEREAS, sufficient local matching funds are available in Fringe Benefits.

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

<u>Revenues from the Commonwealth:</u>	<u>\$19,849</u>
 <u>Expenditures:</u>	
Aid to Dependent Children - Foster Care	\$ 923
Transitional Day Care	3,000
JOBS Day Care	5,100
Day Care Fee - At Risk	11,300
Services Administration	1,833
Fringes	<u>(2,307)</u>
Total	<u>\$19,849</u>

3. Appropriation Carry Over Unspent Contribution Funds - Cooperative Extension Service Budget

RESOLUTION

**APPROPRIATION CARRY OVER UNSPENT CONTRIBUTION FUNDS WITHIN
THE COOPERATIVE EXTENSION SERVICE BUDGET**

WHEREAS, the Cooperative Extension Service received a \$5,000 contribution from the City of Williamsburg to assist in the funding of the 4-H Program; and

WHEREAS, this money has been used to pay the salary of a part-time temporary technician for the 4-H Program; and

WHEREAS, \$1,200 of these funds will be unexpended at the end of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the following appropriation within the FY 95-96 General Fund:

Revenues:

Transfer from Fund Balance	<u>\$1,200</u>
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Expenditures:

Community Services	<u>\$1,200</u>
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4. Anheuser-Busch Emergency Medical Service Licensure

RESOLUTION

ANHEUSER-BUSCH EMS LICENSURE

WHEREAS, Anheuser-Busch Williamsburg Brewery has recognized the value and benefit of an on-site emergency medical team; and

WHEREAS, James City County realizes the benefit of such an agency to reduce the effects of traumatic injury or severe illness; and

WHEREAS, the State of Virginia Office of Emergency Medical Services requires local governing body approval.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby endorses and approves the licensure of Anheuser-Busch Williamsburg Brewery as an EMS agency in accordance with all Commonwealth of Virginia, Department of Health, and Office of Emergency Medical Services rules and regulations.

5. Williamsburg Area Medical Assistance Corporation Position Request - Home Visitor

RESOLUTION

WAMAC POSITION REQUEST - HOME VISITOR

WHEREAS, the Williamsburg Area Medical Assistance Corporation (WAMAC) is the site of a Comprehensive Health Development (CHIP) program; and

WHEREAS, this program currently employs three Home Visitors and has a policy that one Home Visitor will be employed for every 50 clients; and

WHEREAS, this program has now enrolled over 200 children and James City County is the fiscal agent for WAMAC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, creates the limited-term position of Home Visitor, effective July 1, 1995.

6. Social Services Board of Director Appointment

RESOLUTION

SOCIAL SERVICES BOARD

WHEREAS, the James City County Board of Supervisors created the County Social Services Advisory Board to become effective July 1, 1988; and

WHEREAS, the James City County Board of Supervisors wishes to comply with Sections 63.1-40 and 63.1-43.1 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints the Director of Social Services as the Local Board of Social Services as required by State law.

7. Industrial Development Authority Endorsement of Refunding of Williamsburg-Oxford Industrial Development Bond

8. FY 96 Emergency Home Repair Grant Application

RESOLUTION

**AUTHORIZATION TO PARTICIPATE IN THE
EMERGENCY HOME REPAIR GRANT**

WHEREAS, the Commonwealth of Virginia, Department of Housing and Community Development has issued an application to provide services under the Emergency Home Repair Program; and

WHEREAS, assistance is needed to effectively and adequately address the emergency home repair needs of low-income persons to be served by James City County in its service area of James City County; and

WHEREAS, an application for a grant under this program has been prepared; and

WHEREAS, James City County agrees to provide emergency home repair services to those in need in conformance with the regulations and guidelines of this State program; and

WHEREAS, David B. Norman, County Administrator, can act on behalf of James City County and will sign all necessary documents required to complete the grant transaction; and

WHEREAS, a local dollar-for-dollar match is required under the program and will be provided.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to apply for and accept the grant and enter into a Grant Agreement with the Virginia Department of Housing and Community Development and undertake any and all actions and responsibilities in relation to such Agreement.

F. PUBLIC HEARINGS

1. Case No. SUP-17-94. Bright Horizons Learning Center (continued from June 5, 1995)

Mr. Gary Pleskac, Planner, stated that the Board requested deferral of this case at the June 5, 1995, Board of Supervisors' meeting.

Mr. Pleskac further stated that the Board requested a response regarding Virginia Department of Transportation's (VDOT) setting a standard by warranting but not requiring a left-turn lane. VDOT has reviewed the situation and recommended the installation of warning lights.

Staff continues to recommend approval of the application with the attached conditions.

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: Sisk, Edwards, Magoon, Taylor, DePue (5). NAY: (0).

RESOLUTION**CASE NO. SUP-17-94. BRIGHT HORIZONS DAY CARE CENTER**

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

WHEREAS, the Planning Commission of James City County, following its public hearing on May 9, 1995, unanimously recommended approval of Case No. SUP-17-94, to permit a 2,500-square foot addition to be constructed adjacent to the existing Bright Horizons Day Care Center located at 4300 John Tyler Highway, further identified as Parcel No. (1-35) on James City County Real Estate Tax Map No. (46-2).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance for Special Use Permit SUP-17-94 as described herein with the following conditions:

1. The building shall be of similar architectural style and colors as the existing building and shall be constructed of similar materials. Plans indicating these features shall be submitted and approved by the Planning Director prior to final site plan approval.
 2. As part of the site plan, an enhanced landscape plan for this site including the scenic easement area shall be submitted. The landscape plan shall be approved by the Planning Director prior to final site plan approval.
 3. All lights, including existing lights, shall be installed in accordance with a lighting plan which shall be approved by the Planning Director prior to final site plan approval. The lighting plan shall address all newly installed lights as well as ensure that the existing lights produce no objectionable off-site glare.
 4. The building and parking area shall be located outside of the established 145-foot Scenic Easement which is measured from the centerline of Route 5.
2. Case No. ZO-6-95, Ordinance Amendment, Zoning, Chapter 20, Article V, Division 2, Section 20-212 and 20-213, Placement of Manufactured Home

Mr. John Patton, Development Management Technician, stated that the proposed amendment to the Zoning Ordinance would eliminate the need for a special use permit for a manufactured home less than 19 feet in width in the A-1, General Agricultural District. The proposed change will bring the County Code into conformity with the State legislation.

At its June 13, 1995, meeting, the Planning Commission recommended approval of the attached amendment and staff also recommended its approval.

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

Mr. Taylor made a motion to approve the ordinance amendment.

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

3. Case No. ZO-7-95, Ordinance Amendment, Zoning, Chapter 20, Article 1, In General, Section 20-2; Article V, Division 2, Section 20-212 and 20-215, Setback Requirements

Mr. John Patton stated that the proposed amendment to the Zoning Ordinance would bring the Zoning Ordinance into compliance with the current State legislation. In order to bring the Zoning Ordinance into conformity with the new enabling legislation and at the same time continue to protect the health, safety, and well being of the citizens of the County, staff has reviewed a "model" ordinance and other jurisdictions' ordinances to see how best to meet the needs of the County.

At its June 13, 1995, meeting, the Planning Commission recommended approval of the attached amendment and staff also recommended its approval.

Mr. DePue opened the public hearing

Mr. H. I. Tooley, Hicks Island Road, requested from the Board that the word "open" preceding "land" be deleted from the ordinance in that this limits the amount of land available to a farmer in raising livestock. He stated that the setback requirements penalize landowners exceeding the minimum lot area, and contributes to further reduction in the land available to a farmer.

Mr. DePue closed the public hearing.

Mr. Taylor expressed concern that Staff had not communicated with him or other farmers in the local area before preparing this amendment. He suggested that the Agricultural Commission become involved in this amendment and requested that the issue be deferred.

Mr. DePue suggested Mr. Taylor and Mr. Patton communicate regarding the Agricultural Commission input on the changes to the ordinance.

4. Case No. SUP-21-95 Williamsburg-James City County School Board, Temporary Classroom Trailers, Lafayette High School

Mr. John Patton informed the Board that Curtis Hancock, on behalf of the Williamsburg-James City County School Board, has applied for a special use permit to allow four additional temporary classroom trailers at Lafayette High School.

Mr. Chuck Maranzano, Assistant Principal Lafayette High School, was available for questions.

Mr. DePue expressed concern that additional trailers would decrease the already limited parking available at the school.

Mr. Maranzano stated that the trailers would be placed in the current parking area, and students and faculty would park in the area now designated as a driving range for drivers' education. This will maintain the current number of parking spaces.

Mr. DePue questioned the effects on Season's Trace and the other residential neighborhoods surrounding the school.

Mr. Maranzano stated that he had spoken with the Season's Trace Homeowners Association and is currently looking into the possibility of fencing the perimeter of the school adjacent to Season's Trace. The cost of the fencing ranges from \$20,000 to \$40,000. However, this may not resolve the overflow parking problem since many of the students who live or have relatives who live in Season's Trace, or are permitted to park in driveways of residents in Season's Trace.

Mr. DePue opened the public hearing.

Mr. George Parker, President, Season's Trace Homeowners Association, requested that the Board approve the cost of a fence between the school and Season's Trace. The parking is not so much an issue as the amount of students cutting through private property, smoking, drinking, and vandalizing property.

Mr. DePue questioned whether Season's Trace has a parking policy which easily identifies residents' vehicles and authorizes student parking.

Mr. Parker assured Mr. DePue that this was the case, and students are required to have proof of parking visible on cars at all times, and that violators are towed on a regular basis. The parking itself is relatively under control; the issue residents are more concerned with is trespassing.

Ms. Gabriel Lees, 18 Spring West, commented to the Board that by being directly next to the school she has experienced between 50 to 100 students passing through her backyard. She asks the Board to place themselves in the residents' position and support the purchase of a fence to return privacy and protection back to the residents of Season's Trace.

Mr. Norman asked the Board to allow staff and the School to explore possibilities to alleviate this problem and bring before the Board at a later date.

Mr. DePue agreed to this alternative and indicated that he wanted to participate in the process.

Mr. DePue closed the public hearing.

Mr. Sisk made a motion to approve the resolution.

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

RESOLUTION

CASE NO. SUP-21-95. WILLIAMSBURG-JAMES CITY COUNTY SCHOOL BOARD

TEMPORARY CLASSROOM TRAILERS. LAFAYETTE HIGH SCHOOL

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 four additional temporary classroom trailers on property owned and developed by the applicant as described below and on the attached site location map.

Applicant:	Williamsburg-James City County Schools
Real Estate Tax Map No.:	(32-3)
Parcel No:	(1-1)
Address:	4460 Longhill Road
District:	Powhatan

Zoning: R-2, General Residential

Conditions: 1. This permit shall be valid until July 1, 1998.

5. Ordinance Amendment, Chapter 11, Motor Vehicles and Traffic, Article I, Section 11-7 and Article 11, Section 11-28, Adoption of State Law, Driving Under the Influence of Any Drug

Mr. Frank M. Morton, III, County Attorney, stated that the proposed change will bring the County Code into conformity with the State legislation.

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: Sisk, Edwards, Magoon, Taylor, DePue (5). NAY: (0).

G. BOARD CONSIDERATIONS

1. Changes to the Personnel Policies and Procedures Manual

Ms. Carol M. Luckam, Manager of Human Resource, stated that the proposed changes will eliminate Chapter 3 and revise Chapter 4 of the Personnel Policies and Procedures Manual.

Mr. DePue commented on the authorization of the County Administrator approving job reclassification, and asked if the Board would still be approached on such changes in the budget; or, if they are out of the budget cycle, they would be sent to the Board of Supervisors before the County Administration approved them.

Ms. Luckam stated that the Board would not be eliminated from this process, however, some reclassifications occur within the fiscal year and not at budget time. The need for approval may be necessary outside the formal budget request.

Mr. Norman assured the Board that they would be made aware of any significant reclassification regardless of when this takes place.

Mr. DePue made a motion to approve the resolution.

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

RESOLUTION

CHANGES TO PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the Board of Supervisors of James City County, Virginia, has adopted a market-based pay system for the compensation of County employees; and

WHEREAS, current personnel policies must be revised to implement and administer the market-based system.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached revisions to eliminate Chapter 3 and revise Chapter 4 of the Personnel Policies and Procedures Manual. This resolution is effective on and after July 1, 1995.

2. Agreements with Constitutional Officers

Mr. Frank M. Morton, III, County Attorney, stated that the agreements between the Commissioner of Revenue and the Treasurer would bring permanent employees of each office under the County's pay plan, policies, procedures, and compensation plan.

Mr. Norman commended the relationship the County shares with the Constitutional Officers.

Mr. DePue also acknowledged the exemplary working relationship between the County and its Constitutional Officers saying it reinforces the teamwork approach the County has tried to maintain.

Mr. Magoon made a motion to approve the resolutions and the agreements.

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

RESOLUTION

AGREEMENT/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 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 June 19, 1995, by and between the County of James City and the Office of the Commissioner of the Revenue.

RESOLUTION

AGREEMENT/TREASURER/JAMES CITY COUNTY

WHEREAS, the Treasurer and the Board of Supervisors of James City County, Virginia, believe it to be in the best interests of the Treasurer's employees that they be on the County's personnel policies and 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 June 19, 1995, by and between the County of James City and the Office of the Treasurer.

H. PUBLIC COMMENT

1. Mr. Sasha Digges, 3612 Ironbound Road, expressed his dissatisfaction with negative public comment on the County's Office of Code Compliance. He enthusiastically endorsed the quality of service, the competence, and his overall working relationship with the Inspectors and office staff and they are to be commended; not condemned.

2. Ms. Linda Tiexeira, 904 Wood Duck Commons, commented on statements made by the Director of Development Management at a recent Planning Commission Meeting with respect to drainage issues, and urged the Board to become more aware of the inconsistency of its Boards and Commissions.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Norman recommended that the Board go into 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, and Section 2.1-344(A)(1) of the Code of Virginia to consider personnel matters including the appointment of individuals to County boards and/or commissions.

J. BOARD REQUESTS AND DIRECTIVES

Mr. DePue declared a recess at 8:45 p.m.

Mr. DePue reconvened the Board into open session at 8:50 p.m.

Mr. DePue recessed the Board for a James City Service Authority Board of Directors meeting.

Mr. DePue reconvened the Board at 9:10 p.m.

Mr. DePue made a motion to convene into Executive Session as recommended by the County Administrator.

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

Mr. DePue reconvened the Board into open session at 10:15 p.m.

Mr. DePue made a motion to approve the Executive Session Resolution.

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

RESOLUTION

MEETING DATE: JUNE 19, 1995

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 Robert J. Crossen to the Cable Television Advisory Committee for a 4-year term, term expiring July 1, 1999, and to appoint Franklin E. Robeson to the Cable Television Advisory Committee to serve an unexpired term, term expiring September 15, 1997; to reappoint Robert H. Smith and Shirley Willis to the Colonial Services Board for a 3-year term, term expiring June 30, 1998, respectively; and, to nominate Robert J. Cowling for appointment to the Board of Building Adjustments and Appeals for a 5-year term, term expiring June 19, 2000.

Mr. DePue made a motion to create the Strategic Management Planning Advisory Committee and appoint as members: Carol Luckam, Carol Davis, Veronica Nowak, John Horne, Douglas Powell, Robert Smith, Sanford Wanner, Robert Magoon, Jr., and citizens Virginia McLaughlin, Laverne Sams, and Gilbert Bartlett to serve at the pleasure of the Board.

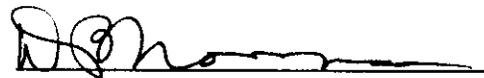
Mr. DePue made a motion to appoint the members of the 1995 James City County Fair Advisory Committee: Andy Bradshaw, Nancy Bradshaw, Richard Bradshaw, Jim Bradsher, Audrey Branch, Hammond Branch, Delores Bryant, Betty Cutts, Norman Danuser, Willie Dickson, Charlotte Estes, Loretta Garrett, Doris Heath, Pam Johnson, Katie Jones, Joyce Grunewald Kauffman, Sandra Kee, Robert Key, Stephanie Masters, Lynn Miller, Ed Overton, Diana Perkins, Jim Robertson, Edythe Stewart, Shirley Webster, and Sandy Wanner.

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

Mr. Taylor made a motion to adjourn.

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

The Board adjourned at 10:17 p.m.



David B. Norman
Clerk to the Board

Form SR-5(A) (2/1/93)



ADDITIONS FORM SR-5(A) - Proposed Additions to the Secondary System of State Highways

Attachment to and Board of Supervisors Resolution Surety Dated: _____

Name of Subdivision: Toano Trace Attachment 1 of 1

James City County

Ref. No.	Name of Street (Required Data Field)	Street Addition Termini	R-O-W Width (ft)	Miscellaneous Notes	Centerline Length (mi)
1	Ridgedale Avenue	From: Route 631 (Chickahominy Road) To: End of permanent cut-de-sec Plat Recorded Date: 08/08/95 Plat Book: 61	60-50	# Occupied Dwl. 8 Other: Description: Bituminous concrete surface with curb and gutter	0.09
2	Woodridge Court	From: Ridgedale Avenue To: End of permanent cut-de-sec Plat Recorded Date: 08/08/95 Plat Book: 61	50	# Occupied Dwl. 5 Other: Description: Bituminous concrete surface with curb and gutter	0.04
3	Crestview Drive	From: Ridgedale Avenue To: End of permanent cut-de-sec Plat Recorded Date: 08/08/95 Plat Book: 61	50	# Occupied Dwl. 6 Other: Description: Bituminous concrete surface with curb and gutter	0.14
4	Pincrest Circle	From: Crestview Drive To: End of permanent cut-de-sec Plat Recorded Date: 08/08/95 Plat Book: 61	50	# Occupied Dwl. 4 Other: Description: Bituminous concrete surface with curb and gutter	0.10
5		From: To: Plat Recorded Date: Plat Book:		Description: # Occupied Dwl. Other:	
6		From: To: Plat Recorded Date: Plat Book:		Description: # Occupied Dwl. Other:	
7		From: To: Plat Recorded Date: Plat Book:		Description: # Occupied Dwl. Other:	
Total Mileage					0.37

Notes: Guaranteed width of right of way exclusive of any necessary easements for cuts, fills, and drainage.

CERTIFICATION OF ATTACHMENT (by county clerk or surety agent)

This attachment is certified a part of the document above.

[Signature]

(Name and Title)

RESOLUTION OF THE BOARD OF SUPERVISORS OF
JAMES CITY COUNTY, VIRGINIA
(Williamsburg-Oxford Project)

WHEREAS, the Industrial Development Authority of the County of James City (the "Authority") has considered the application of Williamsburg-Oxford Limited Partnership, a Maryland limited partnership (the "Developer") for the issuance of the Authority's refunding revenue bonds in an amount not to exceed \$25,000,000 (the "Bonds") to refund all or a portion of the Authority's \$25,000,000 Elderly Residential Mortgage Revenue Bonds (Williamsburg-Oxford Project) (the "1985 Bonds"), the proceeds of which were used to make a loan to the Developer to finance the acquisition, construction, and equipping by the Developer of a 256-unit elderly residential rental project known as Chambrel at Williamsburg, located at 3800 Treyburn Drive, Williamsburg, Virginia (the "Project") and has held a public hearing thereon on June 8, 1995; and

WHEREAS, the Authority has recommended that the Board of Supervisors (the "Board") of James City County (the "County") approve the refunding of the 1985 Bonds and issuance of the Bonds by the Authority to comply with Section 147(f)(2) of the Internal Revenue Code of 1986, as amended, and proposed final Treasury regulations issued thereunder; and

WHEREAS, a record of the public hearing held hereon has been filed with the Clerk of the Board;

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF JAMES CITY COUNTY:

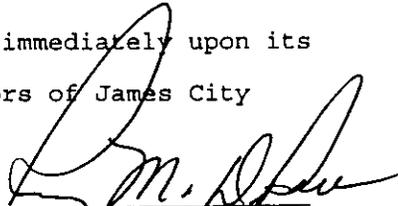
1. The holding of a public hearing with respect to the refunding of the 1985 Bonds and the Project by the Authority at 4:00 p.m. on June 8, 1995, at 101-C Mounts Bay Road, Williamsburg, Virginia, in accordance with the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended, is hereby ratified.

2. The Board of Supervisors of James City County approves the refunding of the 1985 Bonds and further approves issuance of the Bonds by the Authority for the benefit of the Developer, to the extent of and as required by Section 147(f) (2) of the Internal Revenue Code, to permit the Authority to assist in the refunding of the 1985 Bonds.

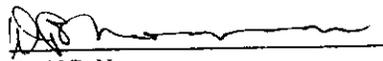
3. The approval of the issuance of the Bonds, as required by Section 147(f) (2), does not constitute an endorsement of the Bonds or the creditworthiness of the Developer, and the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor, and neither the faith or credit nor the taxing power of the Commonwealth, the County, nor the Authority shall be pledged thereto.

4. This Resolution shall take effect immediately upon its adoption. Adopted by the Board of Supervisors of James City County on June 19, 1995.

98400.1/GRP:JLS
05/19/95


Perry M. DePue, Chairman
Board of Supervisors
James City County, Virginia
June 19, 1995

ATTEST:


David B. Norman
Clerk to the Board

SUPERVISORS	VOTE
MAGOON	AYE
EDWARDS	AYE
TAYLOR	AYE
SISK	AYE
DEPUE	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 19th day of June, 1995.

ADOPTED

JUN 19 1995

BOARD OF SUPERVISOR
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 31A-162

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE V, DISTRICTS, DIVISION 2, GENERAL AGRICULTURAL DISTRICT, A-1, SECTION 20-212, PERMITTED USES; AND SECTION 20-213, USES PERMITTED BY SPECIAL USE PERMIT ONLY; TO CONFORM WITH STATE LEGISLATION.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 20, Zoning, is hereby amended and reordained by amending Section 20-212, Permitted uses; and Section 20-213, Uses permitted by special use permit only.

Chapter 20. Zoning

Article V. Districts

Division 2. General Agricultural District, A-1

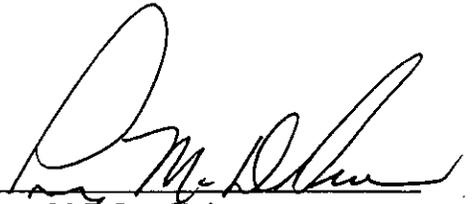
Section 20-212. Permitted uses.

Manufactured homes that are ~~19 or more feet in width~~ on a permanent foundation.

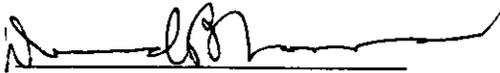
Section 20-213. Uses permitted by special use permit only.

~~Manufactured homes (not otherwise permitted by Section 20-212) in accordance with Section 20-107 and Section 20-108.~~

Ordinance to Amend and Reordain
Chapter 20. Zoning
Page 2


Perry M. DePue, Chairman
Board of Supervisors

ATTEST:


David B. Norman
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 19th day of June 1995.

zo-06-95.ord

JUN 19 1995

ORDINANCE NO. 66A-36

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, 1995, 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, ~~1994~~ 1995, 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

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

as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate 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

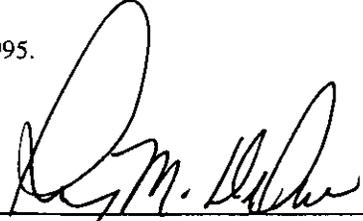
Section 11-28. Adoption of state law, generally.

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, ~~1994~~ 1995, 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, 1995.



Perry M. DePue
Chairman, Board of Supervisors

ATTEST:



David B. Norman
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 19th day of June, 1995.

2043-3U.ord

CHAPTER 4

COMPENSATION PLANSection 4.1 Introduction

- A. Overview - This chapter describes the County's compensation program - a program designed to pay employees competitively and reward employees for their efforts on behalf of the County.

The compensation program is administered by the Human Resource Department which is responsible for interpreting, administering, and updating the program to keep it current and equitable in operation. Department Managers and the Human Resource Department work together to ensure that the salaries which individual employees receive are market competitive and commensurate with experience, skills, efficiency, and performance.

The compensation program provides employees opportunities for career growth both within and outside their own work area through:

- *Growth Within a Job's Salary Range
- *Job Reclassification
- *Promotion
- *Transfer

- B. Objectives - The objectives of the Compensation Plan are to:
1. Keep County salaries competitive in the labor market;
 2. Provide flexibility;
 3. Be easy to use and to understand;
 4. Support the County Mission which includes "selecting, training, motivating, and keeping highly qualified men and women as County employees;" and
 5. Reward quality performance.
- C. Market Position Strategy - The County strives to pay its staff members competitively with local public and private sector organizations performing comparable work. The County obtains and participates in a number of salary surveys. From these surveys, the Human Resource staff assesses industry trends in salaries and endeavors to keep County salary ranges competitive with the actual average compensation of local public and private organizations

with whom the County competes for talent. Higher salary ranges are targeted at a lesser percent of market average.

Section 4.2 Definitions

- A. Benchmark - A job class with standard characteristics that can easily be compared with similar jobs typically found in other local governments or comparator organizations.
- B. Career Ladder Advancement - Movement of an employee from one job class to a designated job class at a higher salary range within the same job family as a result of achieving specified job requirements.
- C. Compensation Plan - The official or approved assignment of job classes to salary ranges, including: 1) list of job classes and assigned salary ranges; and, 2) policies for administration.
- D. Job Class - A group of positions that are alike enough in duties and responsibilities to require substantially the same qualifications and be called by the same descriptive title.
- E. Job Family - A group of jobs which perform work of the same nature but which require different skills and have different levels of responsibility.
- F. Market Adjustment - The reassignment of a job class from one salary range to a higher or lower salary range based upon changes in the labor market.
- G. Market Average - The average of actual salaries paid for a job in the labor market. The market average, or a percentage of the average, is used as the midpoint of our salary ranges.
- H. Market Pricing - A practice of determining the salary range to be paid for a job by identifying the competitive salary in the external labor market for that job.
- I. Pay Structure - The arrangement of salary ranges to which job classes are assigned.
- J. Pay Structure Adjustment - An increase or decrease to minimum and/or maximum of the salary ranges in the salary structure.
- K. Performance Increase - An adjustment to an individual employee's salary based on performance.
- L. Position - A set of duties and responsibilities to be performed by one employee.

- M. Promotion - Movement of an employee from a position in one salary range to a position in a higher salary range.
- N. Salary Range - A minimum to maximum amount within which an employee whose job class is assigned to that salary range is usually paid.
- O. Transfer - Movement of an employee from one job class to another job class in the same salary range.
- P. Whole Job Ranking - Placing a non-benchmarked job class in the pay structure referencing other jobs in the same, or similar, job families.

Section 4.3 Establishment of the Pay Structure and Assignment of Job Classes to Salary Ranges

- A. Establish the Job - The creation of a job begins with the needs of the organization. Department management and the Department of Human Resource collaborate to identify the primary duties and responsibilities of the job, its title, and the skills, education and experience required to fill the job. The Department creates a draft job description that includes all the above information.
- B. Develop a Market Pricing System - The County uses market pricing and whole job ranking to place a job within one of the salary ranges.

The following are key components of this process:

1. Selection of Market Data Sources: The County participates in and references a variety of published, public and private sector sources that are conducted by professional associations and/or consulting firms with expertise in salary survey design and development. Sometimes a private survey source is referenced as well. Private survey sources are only used when the survey methodology is determined to be sound by the Human Resource Manager.
2. Identification of Benchmark Positions: Because there is not published data available to match all jobs in the County, benchmark positions serve as a basis for comparison to the external market. The Human Resource Department ensures that as many benchmark jobs as possible are selected within the following criteria:
 - a. All job families are represented.
 - b. Within each job family, as many levels as possible are matched. Typically, the entry level, career or journey level and/or the senior or top level are matched to published data sources.

- c. The job content of benchmark positions is considered and compared to survey job descriptions - not to job titles. Jobs are matched to the survey data when the essence of the job matches the survey job description. For matching purposes, broad statements of job duties, scope of assignment, and/or qualifications are used for comparisons to outside organizations.
3. Selection of Market Average Data: The reported actual average salary is selected from survey sources to determine the midpoint of the salary range of the benchmark positions. The average is used to minimize salary variations in survey data due to experience, time in position, and length of service.
 4. Development of the Pay Structure: The market data collected for benchmark positions is combined to build the pay structure and identify the appropriate salary ranges for benchmark positions. The County's salary ranges have defined minimum, midpoint, and maximum salary amounts which are periodically adjusted. The difference between the salary range minimum and the range maximum is large enough to accommodate various levels of experience and job performance. In addition, salary ranges overlap. This recognizes that a highly capable employee at one salary range may contribute more to the organization (and therefore, earn more) than an inexperienced, or not yet fully productive employee at a higher salary range.
 5. Placing Non-Benchmark Job Classes in the Pay Structure: Because it is the County's goal to be competitive with organizations with whom it competes for talent, the external labor market is used for setting the relative ranking of jobs in the organization. The department manager, in collaboration with the Human Resource Department, places non-benchmark positions in the pay structure referencing the benchmark jobs in the same job family for which there is market pay data.

Section 4.4 Placement in the Salary Range

- A. Starting Salary - Once a salary range has been determined for a job, the Department Manager and Human Resources set a starting salary for the individual. The salary is usually set at the minimum of the salary range for the position. Exceptions to this placement may be granted for a new employee substantially exceeding the minimum qualifications for the job. All exceptions to above minimum offers, must be approved by the department manager in consultation with Human Resources.
- B. Reinstatement - A reinstated employee shall be paid at a level within the approved salary range for the position to which reinstated. The level shall be

determined by the department manager in consultation with Human Resources. Refer to Section 2.16.

- C. Reemployment - When a former County employee is rehired, the starting salary shall be determined in accordance with A above. Refer to Section 2.15.

Section 4.5 Part-Time Salaries

A part-time employee shall be paid on an hourly basis. The hourly salary shall be determined by dividing the annual salary by the number of hours per year that a full-time employee in that position or class would be required to work.

Section 4.6 Salaries of Temporary Positions

An employee in a temporary position shall be paid on an hourly basis. The salary range shall be determined in the manner described in Section 4.3. The hourly salary shall be determined in the manner described in Section 4.5.

Section 4.7 Salaries of On-Call Positions

An employee in an on-call position shall be paid on an hourly basis. The hourly salary shall be determined in the same manner as for employees in temporary positions. A flat dollar amount for a designated work period, based upon the hourly rate, may be used if department operations necessitate.

Section 4.8 Progression Through the Salary Range Performance and Performance Bonus Increases)

- A. Overview - The performance appraisal and pay for performance program provide mechanisms for each manager to evaluate and reward staff performance. Rewards are based on the degree to which employees meet or exceed expected individual, team, work unit, division and/or organizational goals. Because the County is dedicated to providing excellent services to its citizens, the compensation program places a premium on performance. Salary increases are more reflective of the employees' performance and productivity than years of service with the County.
- B. Performance Review - A recommendation as to whether the employee shall receive a pay for performance increase and the amount of such increase shall be based upon the performance evaluation.
- C. Amount of Increase - If a performance increase is granted, it shall be within the following parameters:
1. Employees within the salary range shall be eligible for a performance increase of up to a designated percent of their salary as set forth in the

approved budget. No such performance increase shall cause the salary to exceed the maximum salary for the salary range.

2. If a performance increase causes the salary to exceed the maximum of the salary range, the employee will be compensated at the maximum salary and the difference shall be awarded as a lump sum bonus not added to base salary.

D. Performance Increase Date - The date of the first day of the pay period in which an employee was initially employed in a permanent or limited term position shall be the effective date for the employee's performance increases.

1. The performance increase date shall not be changed as a result of reclassification, promotion, career ladder advancement, transfer, or voluntary demotion.
2. The performance increase date shall be deferred one calendar month for each period of 30 consecutive calendar days during which the employee is absent from the service of the County without pay, or the performance increase may be pro-rated.
3. The performance increase date may be administratively changed by the County Administrator.

Section 4.9 Changes in Salary Ranges

A. Promotion - When an employee is promoted, the employee's salary shall be increased in the following manner:

1. to the greater of the minimum salary of the higher class or 5% above the present salary if the new class is one or two ranges higher than the employee's current range, or
2. to the greater of the minimum salary of the higher class or 10% above the present salary if:
 - a. the new class is three or more ranges higher than the employee's current range, or
 - b. the employee is promoted from a non-exempt to an exempt or from a non-supervisory to a supervisory position.

Exceptions may be granted by the County Administrator.

- B. Career Ladder Advancement - When an employee receives a career ladder advancement, the employee's salary shall be increased in accordance with Section 4.9 A. If an employee loses eligibility required of the career ladder class, the employee will be demoted to the lower level career ladder class; the employee's salary will be reduced consistent with the percent increase described in the promotion policy, Section 4.9A; and the employee will not be eligible for a career ladder advancement for a minimum of 90 days.
- C. Transfer - The County occasionally offers, and employees occasionally seek, the opportunity to take advantage of the valuable experiences available through a transfer to another job in the same salary range. Transfer assignments are considered lateral moves and employees' existing salaries are typically not changed.
- D. Demotion - There are a variety of circumstances and good reasons that an employee may seek a position at a lower salary range. When an employee accepts a voluntary demotion, the salary will be reduced consistent with the percent increase described in the promotion policy, Section 4.9A. Exceptions may be granted by the County Administrator.

Demotions as the result of a disciplinary or performance related action shall always be accompanied by a reduction in salary. Refer to Chapter 7 Standards of Conduct, Section 7.5 C (5).

- E. Reclassification - Job reclassification means assigning a position to a different job class because the duties and responsibilities have changed significantly enough that they are no longer consistent with the original job class. This can occur as the needs of the organization change, requiring a significant change of responsibilities in a particular position. When this happens, the department manager prepares a new job description which identifies where the job has changed and meets with the Human Resource Department to determine if the competitive market has changed for the position and if the salary range should be changed. Reclassifications must be approved by the County Administrator.
1. Reclassification to a Higher Salary Range. If the job is moved to a higher salary range, the employee will be provided with a salary increase equal to that granted for promotion, as described in Section 4.9 A.
 2. Reclassification to a Lower Salary Range. If the job is moved to a lower salary range, the employee's salary will remain the same. If the salary is greater than the maximum of the new range, there will be no further increases to the employee's base pay until it falls within the salary range. The employee will still be eligible for lump sum bonus performance increases in accordance with Section 4.8. Exceptions may be granted by the County Administrator.

3. Reclassifications Resulting from System Wide Studies. These provisions shall not apply to reclassification changes resulting from special systemwide studies. In such instances, the Board of Supervisors, upon recommendation from the County Administrator, shall determine the manner of salary adjustments.

Section 4.10 Other Salary Changes

- A. Structure Adjustment - The competitiveness of salary ranges is reviewed as part of the budget process. Where appropriate, adjustments are recommended to the ranges based on actual market movement and labor supply and demand influences. Employees salaries are only affected by a structure adjustment if the adjustment causes their salaries to fall below the new minimum. In such cases, the employee's salary is increased to the new range minimum at the time the new structure is implemented. Exceptions may be recommended by the County Administrator.
- B. Market Adjustment - The market competitiveness of job classes is reviewed as part of the budget process. Because of fluctuations in the labor market, a job class may require reassignment to a higher or lower salary range.
 1. Market Adjustment to a Higher Salary Range - If his or her job class is assigned to a higher salary range, the employee's salary will be affected only if it falls below the new range minimum. In such cases, the employee's salary is increased to the minimum. Exceptions may be granted by the County Administrator.
 2. Market Adjustment to a Lower Salary Range - If assigned to a lower salary range, the employee's salary will be treated in the same manner as in Reclassification to a Lower Salary Range, Section 4.9 E. 2.
- C. Incentive Awards - An incentive award is a vehicle for recognizing outstanding performance by an individual or group of individuals in a specific assignment, special project or for a beneficial suggestion or innovative idea which results in one of the following:
 1. A cost savings or avoidance.
 2. An innovation which increases productivity or enhances service by causing more work to be accomplished during the standard workday or work shift.
 3. Identification of a tool or piece of equipment which increases the productivity of the department, specific task or job.

4. An improved process or procedure for accomplishing the work which increases productivity or improves services and is measurable.
5. A work product which exceeds required work standards for a job based upon consensus of peers in that department or the same field or trade.

The amount of the award shall be determined by the County Administrator, but will normally not exceed 5 percent of the employee's salary. The incentive award shall be a single lump sum cash payment. It shall not be used as a routine salary supplement. The incentive award shall be documented on the Incentive Award Nomination Form. A copy of the form shall be placed in the employee's personnel file. The receipt of such an award shall not affect the employee's base salary.

Section 4.11 Overtime

- A. Responsibility - The authorization and control of all overtime work is the responsibility of the department manager. Overtime assignments shall be permitted only when required by operational necessity. Department Managers may require employees to work overtime assignments as necessary. Department managers shall assure that adequate funds are available for payment for overtime work.
- B. Eligibility - All employees except those in bona fide professional, administrative, executive, or seasonal positions, as defined by the Fair Labor Standards Act, are eligible to earn overtime. The Human Resource Department shall review each position to determine whether it is exempt or non-exempt from overtime payments. The status of classes shall be indicated in the class listing, and the status of individual positions shall be indicated in the personnel files.
- C. Computation of Overtime Pay - Monetary overtime compensation shall be one and one-half times the employee's hourly rate of pay for each hour of overtime worked. The hourly rate of pay shall be determined by dividing the employee's annual salary by the number of hours per year that a full-time employee in that position or class would be required to work.
- D. Minimum Increment of Overtime - Overtime shall be earned in increments no smaller than thirty minutes.
- E. Computation of Overtime Hours -
 1. Overtime shall be paid when, due to operational necessity, a non-exempt employee is required to work in excess of the maximum number of allowable hours in the work period.

2. The work periods and maximum allowable hours for County employees are as follows:

<u>Category of Personnel</u>	<u>Work Period (Consecutive Days)</u>	<u>Allowable Hours</u>
Firefighting and EMS	21	159
Law Enforcement	24	147
All Other	7	40

Other work periods, in compliance with the overtime provisions of the Fair Labor Standards Act, may be implemented with the approval of the County Administrator.

3. Paid or unpaid time off during which the employee is absent from the service of the County shall not be counted as hours worked in determining if the maximum allowable number of hours has been exceeded. Such absences include, but are not limited to, sick, annual, compensatory, civil, personal and military leave, holidays, leaves of absence, lunch periods and inclement weather days.

F. Compensatory Leave or Compensatory Time

1. Non-exempt employees who are authorized to work in excess of their regularly-scheduled work hours, but who do not exceed the maximum allowable number of hours as defined in E above, may be granted compensatory leave in the amount of one hour of leave for each hour worked or may be paid their regular hourly rate in lieu of compensatory leave for hours worked.
2. Non-exempt employees who are authorized to work in excess of their regularly scheduled work hours, and the hours exceed the maximum allowable number of hours as defined in E above, may in lieu of overtime pay be granted compensatory leave in the amount of one and one-half hours of leave for each hour worked during the work period in excess of the maximum allowable hours.
3. The department manager shall determine the most appropriate form of compensation based on available funds and workload. Compensatory leave shall be specifically approved by the department manager in advance of its being earned.
4. Employees in sworn public safety positions may accrue up to 480 hours of compensatory leave. All other employees may accrue up to

240 hours of compensatory leave. Employees shall be paid for all hours in excess of the maximum allowed.

5. Compensatory leave earned within the fiscal year shall be used by September 30 of the following fiscal year or the employee shall be paid for it. (Revised 10-15-90)

Section 4.12 Holiday Pay

Any employee in a permanent or limited-term position who is eligible to earn overtime and is required by the supervisor to work on a holiday which is observed by the County, shall be compensated for that holiday at a rate of twice the regular daily or hourly rate, or at the discretion of the department manager, authorized compensatory leave as outlined in Section 4.11(F) above. See also Chapter 5, Section 5.1(E), Holidays on Non-Scheduled Work Days.

Section 4.13 Standby Pay

- A. Eligibility - An employee in a permanent, limited term or on call position who is required to be available by telephone or beeper after regular work hours to respond to emergency calls, and who must respond within a reasonable period of time when called, is eligible for standby pay.
- B. Computation of Pay - Employees who are required to be on standby shall receive compensation as set forth in the approved budget for each hour on standby. This payment shall be made regardless of whether the employee is actually called out, and shall be in addition to any payment earned for actual hours worked as outlined in Section 4.11, above.
- C. Restrictions - Employees who, for any reason, cannot fulfill their standby duties for part or all of the required period, shall obtain approval from their department manager or a designee for another employee to substitute for them.

Section 4.14 Premium Pay

- A. Purpose - Premium Pay is intended to provide additional compensation to eligible employees reporting to work in response to emergency situations arising on County-observed holidays on which the employee is not scheduled to work.
- B. Eligibility - Nonexempt employees in permanent or limited-term positions who are not on standby and are not scheduled to work on a County observed holiday, but are called in to work on the holiday with less than 72 hours prior notice.

- C. Computation of Pay - Eligible employees shall be compensated for all hours worked on the nonscheduled holiday at a premium rate of one-half times the regular hourly rate, in addition to any other compensation for which the employee is eligible, in accordance with Section 4.11, Overtime, and Section 4.12, Holiday Pay.
- D. Conditions - Supervisors are responsible for determining when additional staffing is required on a holiday. Employees notified more than 72 hours in advance that they must work on a holiday shall not be eligible for premium pay. Employees on standby who are called in to work on a holiday shall not be eligible for premium pay.

Section 4.15 Interpretation of Plan

The Human Resource Manager shall interpret the application of the Compensation Plan to resolve pay determinations which are not specifically covered by this Chapter, using the principles expressed herein as a policy guide.

compensa.pol

Revised 7-1-95

THIS DEED OF EASEMENT, made this 19th day of June, 1995, by and between JAMES CITY COUNTY, hereinafter referred to as "GRANTOR;" and the JAMES CITY SERVICE AUTHORITY, created by the County of James City, Virginia, organized and existing under the laws of the Commonwealth of Virginia, hereinafter referred to as "GRANTEE."

WITNESSETH: That for and in consideration of the sum of ONE DOLLAR (\$1.00) cash and other good and valuable consideration, the receipt of which is hereby acknowledged, the said GRANTOR do hereby Grant and Convey unto the GRANTEE, an easement in perpetuity for the installation, operation and/or maintenance of works and systems for the collection and transmission of sewage and related utility services over, upon, across and under the following described property, to-wit:

All that certain lot, piece, or parcel of land lying and situate in Berkeley District, James City County, Virginia, shown and designated as: "10' Easement Easement" on that certain plat entitled: "PLAT FOR CONVEYANCE OF A WATERLINE EASEMENT FROM: JAMES CITY COUNTY TO THE JAMES CITY SERVICE AUTHORITY, LOCATED JAMES CITY COUNTY, VIRGINIA," dated February 22, 1995, made by: Spangler & Associates, P.C., Williamsburg, Virginia, which said plat is attached hereto, to be recorded herewith for a more complete description of the easement herein conveyed.

It is by a portion of the same property as that conveyed to the Grantor by Deed dated February 22, 1984, and recorded in the Clerk's Office of the Circuit Court of James City County, Virginia, in Deed Book 245, Page 113.

WITNESS the following signatures and seals:

Henry M. O'Neil (SEAL)
Chairman, Board of Supervisors

COMMONWEALTH OF VIRGINIA

COUNTY OF JAMES CITY, to wit:

I, *Mary Francis Rieger* a Notary Public in and for the jurisdiction aforesaid, do hereby certify that *Henry M. O'Neil* whose name is signed to the foregoing writing bearing date on the *19th* day of *June*, 1995, has acknowledged the same before me in the jurisdiction aforesaid.

GIVEN under my hand this *19th* day of *June*, 1995.

Mary Francis Rieger
NOTARY PUBLIC

My commission expires on: *October 31, 1997.*

REC'D

THE AGREEMENT, made and entered into this 19th day of June, 1995, 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; and

WHEREAS the County and the Officer are desirous of amending the Agreement between the parties dated April 20, 1992.

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 employees in full- or part-time permanent positions, including deputies, of the Constitutional Officer executing this agreement on the County's pay plan and personnel policies (Personnel Policies and Procedures Manual). In addition, employees of this office who are classified and compensated by the State, shall follow the County Personnel Policies and Procedures Manual. 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

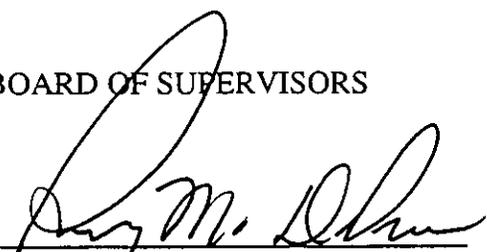
policies. The pay plan shall include salary and all considerations relevant thereto and any and all benefits set forth thereunder. The personnel plan includes but is not limited to all rules, regulations, policies, and safeguards involved with or pertaining to employee recruitment, selection, and discipline, 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.

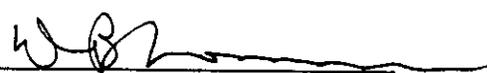
4. The term of this agreement shall commence from the date of execution of this agreement and shall terminate at the end of the Officer's elected term.

BOARD OF SUPERVISORS

by:


Perry M. DePue, Chairman

ATTEST



David B. Norman, Clerk

CONSTITUTIONAL OFFICER

by:


L. Carlyle Ford
Commissioner of Revenue

THE AGREEMENT, made and entered into this 19th of June, 1995, by and between the County of James City, hereinafter referred to as "County," and the Office of the Treasurer, 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 employees in full- or part-time permanent positions, including deputies, of the Constitutional Officer executing this agreement on the County's pay plan and personnel policies (Personnel Policies and Procedures Manual). In addition, employees of this office who are classified and compensated by the State, shall follow the County Personnel Policies and Procedures Manual. Unless specifically stated, this agreement shall not apply to the Treasurer, herself, 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,

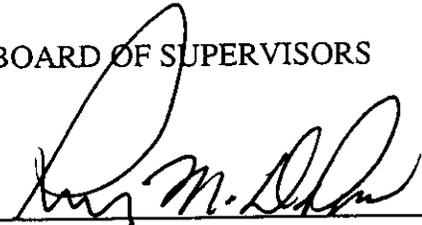
policies, and safeguards involved with or pertaining to employee recruitment, selection, and discipline, including grievance procedure and terminations.

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:


Perry M. DePue, Chairman

ATTEST



David B. Norman, Clerk

CONSTITUTIONAL OFFICER

by:


Betty S. Pettengill, Treasurer