

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 14TH DAY OF MARCH, 2000, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Ronald A. Nervitt, Chairman, Powhatan District
Bruce C. Goodson, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
James G. Kennedy, Stonehouse District
Bruce C. Goodson, Berkeley District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PLEDGE OF ALLEGIANCE

Ms. Danielle Whiteley and Ms. Morgan Whiteley led the Board and citizens in the Pledge of Allegiance.

C. PUBLIC COMMENT

1. Ms. Donna Dittman Hale, 99 Castle Lane, voiced her concerns about chronic drainage problems in St. George's Hundred and along Route 5 at Powhatan Creek. Ms. Hale also stated concerns with the additional drainage problems that might arise with the development of property in the Powhatan Creek watershed.

2. Ms. Niki Lunsford, 3402 London Company Way, thanked the staff of James City Service Authority for the recent repair of a leaking waterline in Jamestown 1607. Ms. Lunsford voiced her concerns regarding the lack of routine maintenance of the drainage ways and pipes in, around, and adjacent to Jamestown 1607; the need for repairs to State-owned roads in Jamestown 1607; and the need for debris removal from the Pointe of Jamestown buffer adjacent to Jamestown 1607.

3. Ms. Mary Stuart Coffman, 2201 London Company Way, voiced her support for the items presented by Ms. Lunsford and added her concerns regarding the Pointe of Jamestown retention pond adjacent to Jamestown 1607. She stated that the retention pond poses as a health concern; the pond needs to be treated for mosquitos, the retention area needs to be landscaped, and the fence around the pond is not attractive.

D. PRESENTATIONS

1. Resolution of Appreciation – Bryant Construction, Jack L. Massie, and George Nice and Sons

Mr. McGlennon presented Bryant Construction Company, Jack L. Massie Contractors, and George Nice and Sons with a resolution of appreciation in recognition of the outstanding service provided in the reconstruction of the Jamestown Road Bridge over Lake Powell as a result of flooding during Hurricane Floyd.

2. Resolution of Appreciation – Virginia Department of Transportation

Mr. McGlennon presented Mr. Jim Brewer, on behalf of the Virginia Department of Transportation, with a resolution of appreciation in recognition of the outstanding service provided in the reconstruction of the Jamestown Road Bridge over Lake Powell as a result of flooding during Hurricane Floyd.

E. CONSENT CALENDAR

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

Mr. McGlennon requested that Item 5, Conversion of Custodial Positions, James City/Williamsburg Community Center, be removed from the Consent Calendar.

Mr. Goodson made a motion to approve the remaining items on the Consent Calendar.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

1. Minutes for February 22, 2000, Special Meeting; February 22, 2000, Regular Meeting; and February 23, 2000, Work Session

2. Street Dedication – Hankins Industrial Park

RESOLUTION

DEDICATION OF STREET IN HANKINS INDUSTRIAL PARK

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, is 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 street meets 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 street 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, this 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 a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

3. Street Name Change: Meadowview Circle to John Deere Road

RESOLUTION

STREET NAME CHANGE: MEADOWVIEW CIRCLE TO JOHN DEERE ROAD

WHEREAS, Section 19-54 (B) of the James City County Subdivision Ordinance provides for street names to be changed upon approval by the Board of Supervisors; and

WHEREAS, the proposed street name change has been discussed with the Fire Department, Police Department, the Williamsburg Post Office, and Real Estate Assessments and these agencies have found it acceptable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve renaming the street, Meadowview Circle to "John Deere Road."

4. Award of Bid - Buildings B, C and D Roof Replacement

RESOLUTION

AWARD OF BID - BUILDINGS B, C, AND D ROOF REPLACEMENT

WHEREAS, the roofs of Buildings B, C, and D are 20 to 22 years old and are beginning to deteriorate; and

WHEREAS, the Board of Supervisors previously budgeted for the replacement of these roofs; and

WHEREAS, the lowest responsive and responsible bid for the roof replacements was received from J. D. Miles and Sons, Inc., in the amount of \$57,400.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the Buildings B, C, and D roof replacement contract to J. D. Miles and Sons, Inc., in the amount of \$57,400 and authorizes the County Administrator to execute the contract.

6. Revisions to the Personnel Policies and Procedures Manual, Chapter 6, Employee Development

RESOLUTION

REVISIONS TO CHAPTER 6, EMPLOYEE DEVELOPMENT,

OF THE JAMES CITY COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, James City County, in its Strategic Management Plan, values "providing opportunities for broad involvement, learning, and information sharing;" and

WHEREAS, James City County wishes to have in place policies and procedures that encourage employees to meet County and personal goals; and

WHEREAS, James City County wishes to attract and retain employees with high achievement potential.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the attached revision of Chapter 6, Employee Development, of the James City County Personnel Policies and Procedures Manual.

7. Resolution of Appreciation – Bryant Construction, Jack L. Massie, and George Nice and Sons

RESOLUTION OF APPRECIATION

BRYANT CONSTRUCTION COMPANY

JACK L. MASSIE CONTRACTORS

GEORGE NICE AND SONS

WHEREAS, on September 15, 1999, the Jamestown Road Bridge over Lake Powell was washed out along with a portion of the James City Service Authority water and sewer lines as a result of flooding during Hurricane Floyd; and

WHEREAS, Jamestown Road is a vital and historic transportation link between the City of Williamsburg, Jamestown, and Surry County; and

WHEREAS, under emergency conditions Bryant Construction Company, Jack L. Massie Contractors, and George Nice and Sons were contracted to replace the Jamestown Road Bridge over Lake Powell, stabilize the Jamestown Road causeway, and relocate the James City Service Authority water and sewer lines; and

WHEREAS, Bryant Construction Company, Jack L. Massie Contractors, and George Nice and Sons performed their work in such a cooperative, committed, professional, and tireless manner that one lane of the causeway and bridge was opened on January 21, 2000, and both lanes opened March 1, 2000, nine days ahead of schedule.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby express its sincere appreciation to Bryant Construction Company, Jack L. Massie

Contractors, and George Nice and Sons for their cooperative and tireless efforts to complete the stabilization of the Jamestown Road causeway, replace the bridge and relocate the water and sewer lines over Lake Powell ahead of schedule.

8. Resolution of Appreciation – Virginia Department of Transportation

RESOLUTION OF APPRECIATION

VIRGINIA DEPARTMENT OF TRANSPORTATION

WHEREAS, on September 15, 1999, the Jamestown Road Bridge over Lake Powell was washed out along with a portion of the James City Service Authority water and sewer lines as a result of flooding during Hurricane Floyd; and

WHEREAS, Jamestown Road is a vital and historic transportation link between the City of Williamsburg, Jamestown, and Surry County; and

WHEREAS, under emergency conditions the Virginia Department of Transportation (VDOT) took immediate steps to replace the Jamestown Road Bridge over Lake Powell, stabilize the Jamestown Road causeway, work cooperatively with the James City Service Authority to relocate water and sewer lines; and

WHEREAS, the VDOT worked in such a cooperative, committed, professional, and tireless manner that one lane of the causeway and bridge was opened on January 21, 2000, and both lanes opened March 1, 2000, nine days ahead of schedule.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby express its sincere appreciation to the Virginia Department of Transportation for its cooperative and tireless efforts to complete the Jamestown Road project ahead of schedule and to keep County citizens informed of the project's progress.

5. Conversion of Custodial Positions, James City/Williamsburg Community Center

Mr. McGlennon requested to know if the additional custodial positions identified in the study were being requested in the FY 01 Budget. Mr. William Porter, Assistant County Administrator stated they were.

The Board and staff held a brief discussion regarding custodial staffing at the Community Center.

Mr. McGlennon made a motion to approve the resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION**CONVERSION OF TWO PART-TIME PERMANENT CUSTODIAL POSITIONS
TO TWO FULL-TIME PERMANENT POSITIONS**

WHEREAS, a study of the custodial service for the James City/Williamsburg Community Center (JCWCC) has demonstrated the need for additional custodial staff; and

WHEREAS, the high turnover rate in part-time custodians is costly and severely hampers productivity; and

WHEREAS, funds are available within the existing Facilities Management budget to convert the two part-time positions to two full-time positions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby change two part-time permanent custodian positions at the JCWCC to two full-time permanent custodian positions.

F. PUBLIC HEARINGS

1. Case No. Z-6-99 and SUP-27-99. Williamsburg Commons at Williamsburg Crossing (deferred from February 8, 2000)

Mr. Paul Holt, Planning, informed the Board of the applicant's request for a deferral until the April 11, 2000, meeting. The deferral would allow time for the applicant to submit a signed original proffer in accordance with the Board's Proffer Policy.

Mr. Morton recommended the Board honor the request for deferral which allows the Board to vote on a complete proposal.

The Board and staff discussed the possible proffer revisions and since staff did not believe there would be any substantial changes to the proffers, the case would come back to the Board.

Mr. Nervitt opened the Public Hearing. No one wished to speak. Mr. Nervitt left the Public Hearing open until the April 11, 2000, Regular Meeting of the Board.

2. An Ordinance to Amend Chapter 20, Taxation, Article VI, Real Estate Assessment, Section 20-27 and Section 20-27.1 of the James City County Code

Mr. John McDonald, Manager of Management and Financial Services, stated that the proposed Ordinance amendment would change the assessment and reassessment cycle of real property from an annual program to a biennial one and that staff did not recommend the change in the assessment cycle.

Board and staff discussion followed concerning the frequency of neighborhood assessments and reassessment; number of physical inspections; easement of newly constructed homes in older neighborhoods and how they affect real estate value; and the increase in the taxes when reassessment increases the value.

Mr. Nervitt opened the public hearing.

1. Mr. Carlyle Ford, 319 Farmville Lane, gave a brief history of the County's Real Estate Assessment process and recommended the Board not change that process.

2. Mr. Ed Oyer, 139 Indian Circle, voiced his opinion that biennial reassessment would not affect the taxpayers all that much, and the neighboring counties do not do an annual assessment.

3. Mr. Jay Everson, 103 Branscome Boulevard, voiced his concern that over time the compound value of money will look very different in a biennial assessment compared to an annual assessment. Mr. Everson encouraged the Board to take more accountability with the Budget.

The Board held a discussion regarding the assessment proposal and requested the amendment be brought back to the Board in October.

3. Case No. SUP-30-99. Wellington Pump Station

Staff recommended to the Board to a defer action until after consideration of Case Nos. Z-12-99 and Z-13-99.

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

The case was then moved to Board Consideration to follow Case Nos. Z-12-99 and Z-13-99.

G. BOARD CONSIDERATIONS

1. Case No. Z-12-99. Rezoning by Voiding Case No. Z-20-86 Due to Invalid Proffers (deferred from February 22, 2000) and Case No. Z-13-99. Rezoning of Certain Lots in Mirror Lake Estates (deferred from February 22, 2000)

Mr. Alvin Anderson, representing Wellington, LLC, presented for the Board's consideration a Resolution to Accept Real Property and to Settle Litigation. Mr. Anderson read a drafted resolution to the Board.

The Board, staff, and the representative discussed sidewalk locations, water conservation, and bike lane locations.

Mr. Nervitt opened the floor to the public to speak to this item.

1. Mr. Tony Dion, 102 Fairmount Drive, gave a brief history of the meetings regarding these cases and asked who would be paying for the sidewalks/bike paths to be built on adjacent property in Mirror Lake Estates. Mr. Dion requested a Fiscal Impact Statement on Wellington, LLC.

2. Ms. Eve Palmer, 104 Wellington Circle, spoke about the sidewalk provisions, the need for Impact Statements, and the need to honor the existing zoning for the property.

The Board discussed the proposed settlement, road conditions, and the initial issue of invalid proffers.

Mr. McGlennon made a motion to approve Case Nos. Z-12-99 and Z-13-99.

Mr. Goodson made a motion to defer.

On a roll call, the vote to defer was: AYE: Harrison, Goodson, Kennedy, Nervitt (4). NAY: McGlennon (1).

Mr. Kennedy made a motion to approve the Resolution to Settle Litigation.

On a roll call, the vote was: AYE: Harrison, Goodson, Kennedy (3). NAY: McGlennon, Nervitt (2).

RESOLUTION

RESOLUTION TO SETTLE LITIGATION

WHEREAS, James City County ("County") and Wellington, LLC (the "Owner"), the owner of certain property described in Case No. Z-12-99 (the "Property"), have been at issue over the validity of certain proffers affecting the Property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that, having accepted the settlement proposal of Owner at its meeting, March 14, 2000, the Board, in the implementation of said settlement, acknowledges the following:

1. The Wellington Subdivision Declaration of Covenants, Conditions and Restrictions dated February 28, 2000, were recorded in the Circuit Court Clerk's Office for the City of Williamsburg and County of James City (the "Clerk's Office") on March 21, 2000.
2. A deed and Deed of Release conveying 15 acres from the Owner to the County was recorded in the Clerk's Office on March 21, 2000.
3. The County and the Owner have executed consent orders dismissing, with prejudice, Chancery Case Nos. 13055 and 13057.
4. The validity of the R-1, Limited Residential zoning of the Property, as enacted by Z-20-86 is hereby affirmed.
5. That the above actions having been accomplished, any and all obligations relating to the proffers associated with Case No. Z-20-86 have been fully met and satisfied.

BE IT FURTHER RESOLVED that Case Nos. Z-12-99 and Z-13-99 are hereby struck from the Board of Supervisors' docket.

Mr. Morton informed the Board he would have the resolution to settle the cases at the March 28, 2000, Regular Meeting of the Board.

Mr. Harrison made a motion to approve the Wellington Pump Station resolution.

A brief Board discussion followed.

On a roll call, the vote was: AYE: Harrison, Goodson, Kennedy (3). NAY: McGlennon, Nervitt (2).

RESOLUTION

CASE NO. SUP-30-99. WELLINGTON PUMP STATION

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and
- WHEREAS, Mr. Chuck Glisan, representing American Eastern, Inc., has applied for a special use permit to allow for the construction of a sewer pump station that would be built in conjunction with the proposed Wellington subdivision; and
- WHEREAS, the proposed pump station would also be designed as a regional facility to serve surrounding future developments; and
- WHEREAS, the location of the proposed pump station and sewer lines are shown on a plan entitled "Wellington Cross Country Sewer Main American Eastern, Inc. James City County, Virginia," prepared by AES Consulting Engineers, and dated October 14, 1999; and
- WHEREAS, the property is located on land currently zoned R-1, Limited Residential, and can be further identified as Parcel No. (1-12) on the James City County Real Estate Tax Map No. (13-3); and
- WHEREAS, the Planning Commission, following its public hearing on February 7, 2000, voted unanimously to recommend approval of this application subject to the Board of Supervisors not changing the zoning of the proposed site for the Wellington subdivision in such a way as to significantly affect the development proposal (cross referenced as James City County Case Nos. Z-12-99 and Z-13-99).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-30-99 as described herein with the following conditions:

1. Construction, operation, and maintenance of the sewer and pump station shall comply with all local, State, and Federal requirements.
2. The project shall comply with all State Erosion and Sediment Control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook, as amended.
3. All required permits and easements shall be acquired prior to the commencement of construction.
4. If construction on the pump station has not commenced within twenty-four (24) months from the date of issuance of the special use permit, the permit shall become void. Construction shall be defined as clearing, grading, and excavation of trenches necessary for the construction of the sewage pump station.
5. In areas of the construction easement for the sewer lines that have been cleared, but do not need to remain clear for service and maintenance purposes, seedlings shall be planted in accordance with the Virginia Department of Forestry guidelines and shall be shown on a reforestation plan to be approved by the Planning Director within one year of clearing the easement or at a later date agreed to by the Planning Director. The reforestation of this easement shall be completed as approved by the Planning

Director within two years of clearing the easement or at a later date agreed to by the Planning Director.

6. Archaeological studies shall be performed in accordance with the James City archaeological policy for all areas disturbed within the resource protection areas.
7. Should any portion of sewer construction that is located within the Resource Protection Area cross slopes, the RPA buffer shall be increased to provide a 100-foot undisturbed buffer upslope of the construction.
8. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

2. 2000 Primary Road Priorities

Mr. John T. P. Horne, Development Manager, provided the Board with information regarding the County's priority funding requests for primary roads with a report which, once endorsed by the Board, would be forwarded to Commonwealth Transportation Board.

Board and staff held a brief discussion regarding the road priorities.

Mr. Kennedy made a motion to approve and endorse the County's 2000 Primary Road priorities.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

2000 PRIMARY ROAD PRIORITIES

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient, and adequate transportation network is vital to the future of the County and the region; and

WHEREAS, the James City County Comprehensive Plan and/or Regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement to traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which causes inconvenience and delay, impedes the actions of emergency vehicles and personnel, and contributes the major source of air pollution to the area.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following list comprises the highest priority primary highway projects in James City County:

1. full funding for the widening of the existing sections of Route 199 to four lanes in those areas where only two lanes exist;
2. funding for design and construction of Route 60 Relocation;

- 3. full funding for traffic signal coordination improvements for the Route 199 corridor between Brookwood Drive and Route 5 and improvements to the Route 199 - Jamestown Road intersection;
- 4. funding for landscaping along the Route 199 corridor; and
- 5. proceeding with the next phases of preliminary design and environmental study for the Capital to Capital Bikeway project consistent with a resolution adopted by the Board of Supervisors on November 10, 1998.

3. James City County Road Construction Revenue Sharing FY 01

Mr. Horne presented the Board with a letter of notification that the Virginia Department of Transportation (VDOT) must receive by March 24, 2000, notifying VDOT of the County's intentions to participate in the Revenue Sharing Program, not to exceed \$500,000.

Mr. Goodson made a motion to adopt the resolution and endorsement of the letter.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION

JAMES CITY COUNTY ROAD CONSTRUCTION REVENUE SHARING

WHEREAS, the James City County Board of Supervisors has decided to participate in the Virginia Department of Transportation (VDOT) Revenue Sharing Program for FY 00-01; and

WHEREAS, VDOT requires written notification of the County's intent to participate by March 24, 2000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the Chairman is authorized to notify VDOT of the County's intention to participate in the Revenue Sharing Program for FY 00-01, in an amount not to exceed \$500,000.

4. Exchange of Reciprocal Easements Agreement (deferred from February 22, 2000)

Mr. Leo P. Rogers, Deputy County Attorney, presented the Board with a copy of a drawing showing the layout of the Courthouse and Trimax properties. Staff recommends approval of the resolution authorizing the exchange of reciprocal easements.

The Board and staff had a brief discussion regarding the traffic impact of the agreement on Ironbound Road.

Mr. Harrison made a motion to adopt the resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

RESOLUTION**EXCHANGE OF RECIPROCAL EASEMENTS FOR COURTHOUSE**

- WHEREAS, James City County owns 11.406± acres of land commonly known as the courthouse site at 5201 Monticello Avenue and designated as Parcel No. (1-47) on James City County Real Estate Tax Map No. (38-4); and
- WHEREAS, Trimax, L.L.C., a Virginia Limited Liability Company ("Trimax"), wishes to exchange certain access and utility easements to benefit both the courthouse site and the adjacent site owned by Trimax; and
- WHEREAS, the Board of Supervisors, following a public hearing, is of the opinion that it is in the public interest to exchange certain utility and access easements with Trimax.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to execute such deed, agreement, or other documents necessary to exchange access and utility easements over and for the above-referenced property with Trimax, L.L.C.

H. PUBLIC COMMENT

Mr. Ed Oyer, 139 Indian Circle, voiced his concerns regarding the proposed school budget; use of private towing services by the schools when County towing services are available; and school make-up days on Saturdays.

I. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner encouraged citizens to complete and return the Census 2000 forms.

Mr. Wanner suggested the Board go into a closed session pursuant to Section 2.1-344(A)(1) of the Code of Virginia to consider a personnel matter, the appointment of individuals to County boards and/or commissions.

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon inquired about the follow-up on the significant number of students living in County rental properties and if they have completed their Census 2000 forms.

Mr. Kennedy requested a timeline for the Courthouse and the school's construction.

Mr. Kennedy made a motion to move to Closed Session.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

The Board convened into Close Session at 10:03 p.m.

At 10:47 p.m. the Board reconvened into Open Session.

Mr. Harrison made a motion to appoint the following individuals to Boards/Commission/Committees: Mr. Hugh Gouldman to a four-year term on the Cable Television Advisory Committee; Mr. Robert Haas to a three-year term on the Historical Commission; Mr. Mark Rinaldi to the unexpired term of Mr. Greenwood on the Industrial Development Authority. Mr. Rinaldi's term would expire on July 8, 2001; Mr. Philip Duffy to a five-year term on the Wetlands Board; and Ms. Sarah Kadec, Mr. Tom Brain, Mr. Rich Costello, and Mr. Skip Morris to the Water Conservation Committee.

Mr. Nervitt made a motion to adopt the Closed Session Resolution.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

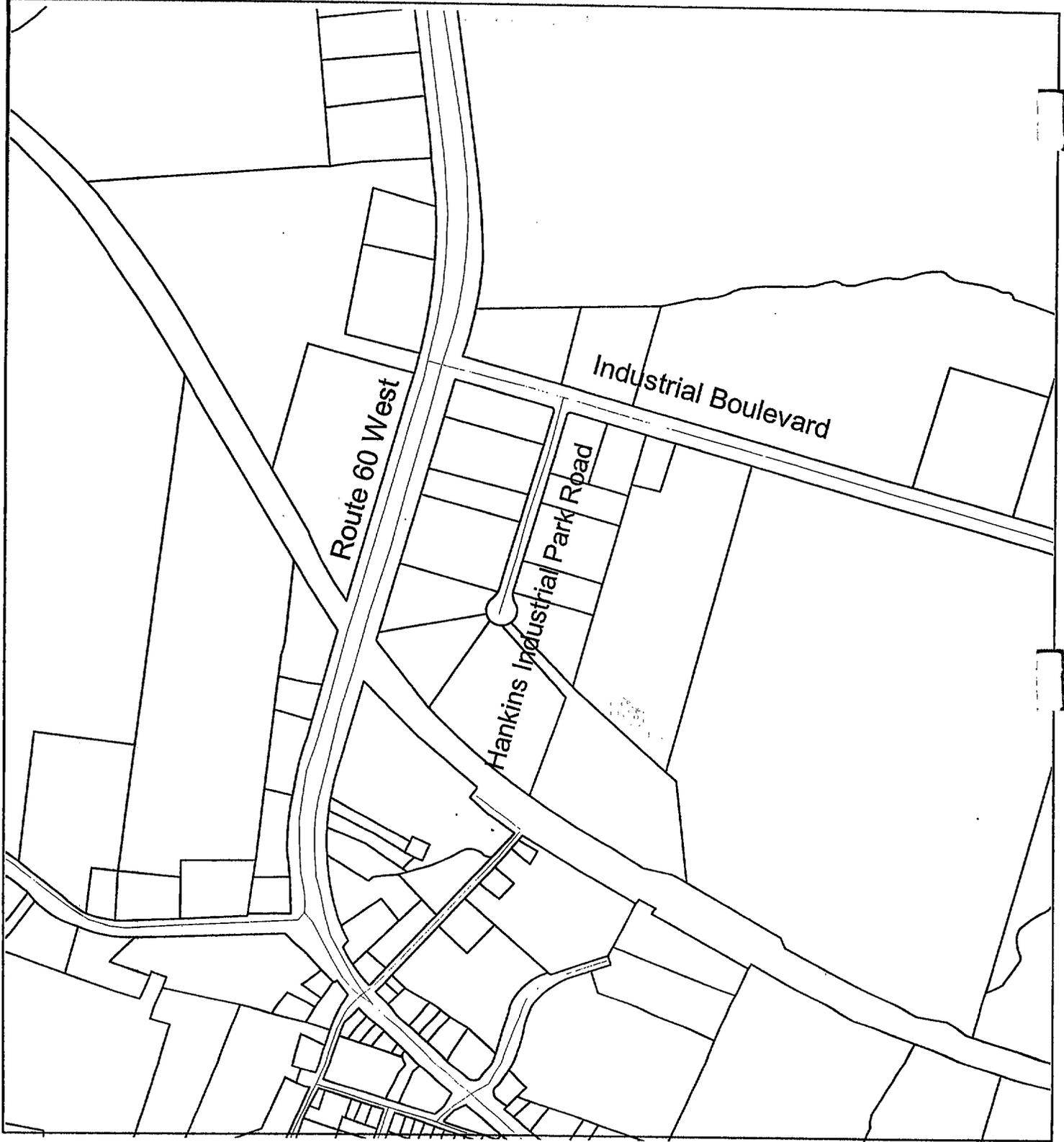
Mr. Harrison made a motion to adjourn until the next regular meeting to be held on April 11, 2000, at 7:00 p.m.

On a roll call, the vote was: AYE: McGlennon, Harrison, Goodson, Kennedy, Nervitt (5). NAY: (0).

The Board adjourned at 10:48 p.m.

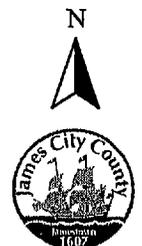
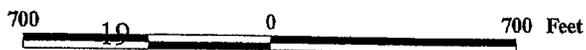

Sanford B. Wanner
Clerk to the Board

031400bs.min



DEDICATION OF STREET IN HANKINS INDUSTRIAL PARK

 Street Being Dedicated





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

Attachment to (check one) Board of Supervisors Resolution Surety Date

Attachment 1 of 1

Name of Subdivision: Hankins Industrial Park Road

James City (47) County

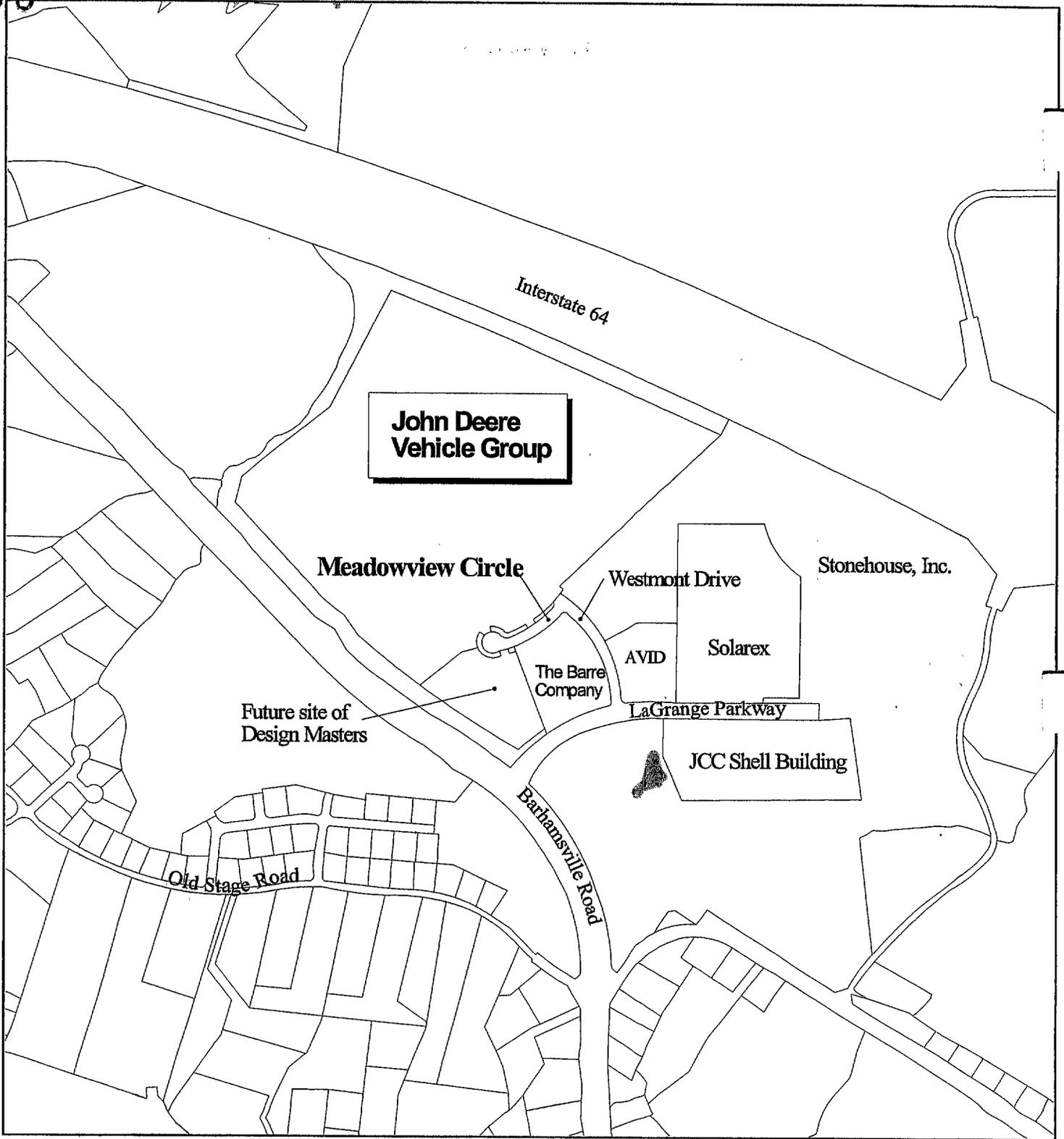
Ref. No.	Name of Street (Required Data Field)	Street Addition Termini	R-O-W Width (ft)	Miscellaneous Notes	Centerline Length (mi)
1	Hankins Industrial Park Road	From: Route 754 (Industrial Boulevard) To: 0.17 mi southwest of Route 754 Plat Recorded Date: 01/05/2000 Plat Book: 76 Page: 15	50	# Occupied Dwl.: 3 Other Service: Description: Bft. conc. surface, roadside ditch	0.17
2		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
3		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
4		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
18		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
5		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
6		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
7		From: To: Plat Recorded Date: Plat Book: Page:		# Occupied Dwl.: Other Service: Description:	
Total Mileage					0.17

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

Magisterial District: Stonehouse

CERTIFICATION OF ATTACHMENT (by county clerk or surety agent)
 This attachment is certified a part of the document above.

 (Name and Title) Sanford B. Warner, County Administrator



Street Name Change: Meadowview Circle to "John Deere Road"

600 0 600 1200 Feet



CHAPTER 6EMPLOYEE DEVELOPMENTPolicySection 6.1 Policy Statement

James City County values employees who demonstrate high standards of excellence, efficiency and commitment to service. To achieve this, James City County supports broad involvement, learning and information sharing. James City County supports activities that promote employee development and provides assistance within available resources.

Section 6.2 Guiding Principles

- A. *The opportunity for employees to participate in development activities is essential to achieving the County's mission and is an important tool for recruiting and retaining a quality workforce.*
- B. *It is a joint employee and County responsibility to review and assess employee performance and development needs on a regular basis and to establish and implement a Development Plan to meet those needs.*
- C. *The County supports a variety of development activities, including those that address current job needs, help develop the necessary skills to perform other jobs within the organization and prepare employees for advancement opportunities. In allocating available resources, the priority is to support activities that assist employees in performing their current job.*
- D. *Employees participating in development activities should share and implement their ideas where appropriate. Supervisors are encouraged to discuss with employees skills learned through development activities and to provide opportunities for employees to use and to share acquired skills and ideas.*

Section 6.3 Definitions

- A. *Employee Development Activities include, but are not limited to: learning opportunities such as on-the-job training; mentoring; internships; job swaps; challenging assignments; college classes; courses of study leading to certificates, diplomas or degrees; conferences; institutes; workshops; seminars; self-study; correspondence courses; testing for, and receiving, job or promotion-related certifications; video and audiotapes; and computer and satellite-based learning. The supervisor and employee select the optimum method for attaining the knowledge or skill identified.*
- B. *Employee Development Plan is developed during the employee's performance evaluation by the supervisor and employee, and identifies learning objectives, needed Knowledge, Skills and Abilities (KSAs), and*

opportunities to acquire KSAs through various activities. Although an individual needs to possess the minimum qualifications for a position before being hired, the County recognizes that job requirements change due to changes in legislation, regulations, and scope of duties, technology, and other factors.

- C. Employee Development Assistance is a subsidy of the costs associated with participation in development activities, and may include, based on the activity, full or partial payment of fees, tuition, tests, certifications, travel costs, books, materials or time off. Employee development activities must be satisfactorily completed or full or partial repayment may be required. Certain activities may require a signed agreement to reimburse the cost of the course to the County if the employee voluntarily leaves employment. Funds for employee development assistance are identified in the approved budget.
- D. Tuition Assistance is one category of development assistance. It is an advance or reimbursement of tuition costs only, for a course or degree program offered by an accredited high school, junior or community college, university, technical, vocational, or trade school. This category of assistance may be covered by separate IRS rules.

Section 6.4

Eligibility

A. Employee Development Activities

All employees are eligible to participate in development activities.

B. Tuition Assistance

Employees in full- and part-time permanent and limited-term positions are eligible for tuition assistance.

CHAPTER 6

TRAINING

Section 6.1 Philosophy

James City County is a learning organization. This means the County government is committed to continuous personal and professional employee improvement, as well as steady improvement of its own processes. It implies the work force knows how to learn, and the organization itself is always open to change and development. In concert with other organizational systems, the learning organization philosophy will facilitate a high performing work force serving the diverse needs of our citizens.

Section 6.2 Objective

The purpose of training in James City County Government is to enable employees to continuously improve their performance in meeting the needs of our citizens in the most cost-effective manner possible.

Training is a valuable tool for improving performance in employees' current jobs, including meeting changing requirements, as well as for developing the necessary skills to perform other jobs within the organization including advancement opportunities.

It is the County's goal to offer training to all of its employees.

We shall accomplish this by:

1. Continually assessing employee training needs and meeting those needs through the development of individual and organizational training plans.
2. Providing opportunities for training, education and development based on individual and organizational needs.
3. Using internal trainers wherever possible.
4. Encouraging the sharing of training experiences among employees.

Section 6.3 Employee Training, Education and Development

- A. Workshops and Seminars - Full-time and part-time permanent and limited-term employees are encouraged to attend workshops, seminars, and other training programs which are approved as contributing to their professional improvement or as based on Individual Development, Training and Education Plans. They shall be reimbursed for reasonable expenses incurred in the participation of such programs provided they are prior-approved and funds are available. The County

Administrator may require that the employee enter into an agreement that the cost of the training program be reimbursed to the County by the employee if the employee does not remain with the County for up to a year after program attendance. Repayment shall be deducted from the final payroll proceeds of the employee or otherwise repaid to the County.

- B. Correspondence Courses - The basic cost of correspondence courses shall be paid for full-time permanent and limited-term employees provided these courses are approved as job related, related to a reasonable promotional objective, required for a job or promotion-related degree; or, are based on an employee's Individual Development Training and Education Plan and provided funds are available. If an employee fails to remain in County employment for at least one year after completion of a course for which the County paid, tuition payments for such course work shall be deducted from the final payroll proceeds of the employee or otherwise repaid to the County.
- C. College Tuition - The cost of tuition for college credit courses shall be paid for full-time permanent and limited-term employees provided these courses are approved as job related, related to a reasonable promotional objective, required for a job or promotion-related degree; or, are based on an employee's Individual Development Training and Education Plan and provided funds are available. If an employee fails to remain in County employment for at least one year after completion of a course for which the County paid, tuition payments for such course work shall be deducted from the final payroll proceeds of the employee or otherwise repaid to the County.
- D. Training Program - James City County uses internal and external trainers to teach skills that empower employees and help develop an organizational "core of knowledge" within each employee. Training programs are offered to all full-time and part-time permanent and limited term employees to enable them to perform better for the organization on their present jobs or one directly related to it or if identified in the employee's Individual Development Training and Education Plan.
- E. Employee Development - James City County offers development opportunities to all full-time and part-time permanent and limited-term employees so they can move with the organization as it develops, changes, and grows. Both the employee and the organization benefit from this development.

Revised 8/16/93

RECIPROCAL EASEMENT AGREEMENT

THIS RECIPROCAL EASEMENT AGREEMENT ("Agreement") is made this 14~~th~~ day of March, 2000, by TRIMAX, L.L.C., a Virginia Limited Liability Company ("Trimax") and the COUNTY OF JAMES CITY, VIRGINIA, a political subdivision of the Commonwealth of Virginia ("County").

RECITALS:

A. County is the owner of certain real property located in James City County, Virginia containing 11.406 acres, more or less, shown, described and designated as "NEW AREA = 496,837.438 S.F. ± = 11.406 ACRES ±" on a plat ("Plat") entitled "PLAT OF BOUNDARY LINE ADJUSTMENT AND PROPERTY LINE EXTINGUISHMENT BETWEEN THE PROPERTIES OF C. C. CASEY LIMITED COMPANY AND THE COUNTY OF JAMES CITY, VIRGINIA, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA" dated January 19, 1998 and made by AES Consulting Engineers of Williamsburg, Virginia ("Courthouse Site"). A true copy of said Plat has been previously recorded in James City County Plat Book 70, Pages 11 and 12. Said Plat is incorporated herein by reference.

B. Trimax is the owner of certain real property situate in James City County, Virginia shown and designated on the Plat as "PARCEL AREA = 6.994 ACRES" on a certain plat entitled "PLAT SHOWING BOUNDARY LINE ADJUSTMENT AND LOT LINE EXTINGUISHMENT OF PROPERTIES BEING EXCHANGED BETWEEN VIRGINIA ELECTRIC AND POWER COMPANY AND C. C. CASEY LIMITED COMPANY, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA", which property is referred to herein as the "Trimax Parcel".

C. County and Trimax have agreed on the terms and location of certain reciprocal easements affecting the Courthouse Site and Trimax Parcel.

Now therefore, in consideration of the mutual grants contained herein, County and Trimax do hereby agree and covenant as the owners of the Courthouse Site and Trimax Parcel as follows:

Grant of Easements Over the Courthouse Site

1. County does hereby grant and establish for the benefit of the owner of the Trimax Parcel a perpetual, non-exclusive right of way and easement for vehicular and pedestrian ingress, egress and regress to and from Monticello Avenue Extension, over and across the driveways and parking lots constructed on the Courthouse Site. Said easement shall benefit the Trimax Parcel and the owners, tenants and occupants thereof and their respective customers, employees, agents, invitees, licensees and independent contractors.

2. County does hereby grant and establish for the benefit of the owner of the Trimax Parcel a perpetual, non-exclusive easement for vehicular parking within any designated parking spaces on the Courthouse Site. Said easement shall benefit the Trimax Parcel and the owners, tenants and occupants thereof and their respective customers, employees, agents, invitees, licensees and independent contractors. Said easement shall be subject to the following restrictions and limitations:

- a. Certain parking areas within the Courthouse Site may be restricted to use only by persons employed at the courthouse to be constructed on the Courthouse Site.
- b. If at any time, the judge or a majority of the judges of the Circuit Court of the City of Williamsburg and County of James City (or any successor court which may be established having general jurisdiction over civil or criminal matters) determine that use of the easement granted in this paragraph interferes with the orderly and efficient operation of the court sitting at the courthouse, said judge or judges, by order may restrict or limit the use of the easement granted herein during the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday.

- c. This easement is subject to the provisions of an easement granted by the County by instrument dated February 17, 1998 and recorded as Instrument No. 980013028 relating to parking after 6:30 p.m., Monday through Friday and on Saturday and Sunday.

Said easement shall commence upon the issuance of a certificate of occupancy for the Courthouse constructed on the Courthouse Site.

3. County does hereby grant and establish for the benefit of the owner of the Trimax Parcel a perpetual, non-exclusive right of way and easement to construct, lay, maintain, repair, improve, replace and alter underground works and systems for the general transmission of sewage, water and other underground utilities under and across the portion of the Courthouse Site identified as "PROPOSED 10' JCSA UTILITY EASEMENT" on a certain plat entitled "EXHIBIT OF SANITARY SEWER EASEMENT, BERKELEY DISTRICT, JAMES CITY COUNTY, VIRGINIA" dated September 30, 1999 and made by AES Consulting Engineers, which is attached hereto as Exhibit A. Said easement shall benefit the Trimax Parcel and the owner, tenants and occupants thereof. Except in case of emergency, the owner of the Trimax Parcel shall give the Chief Judge of the Circuit Court of the City of Williamsburg and County of James City (or any successor Court which may be established having general jurisdiction over civil or criminal matters) written notice not less than forty-eight (48) hours to the commencement of any work pursuant to the easement granted herein. The owner of the Trimax Parcel shall restore, as nearly as practical, the surface of the land within the easement granted herein to the condition existing immediately prior to any construction, repair or maintenance.

4. County does hereby grant and establish for the benefit of the owner of the Trimax Parcel a perpetual, non-exclusive right of way and easement for the installation and maintenance of facilities for the collection and maintenance of surface water run-off over, under and

through the portion the Courthouse Site within the area designate as "PROPOSED 20' PRIVATE DRAINAGE AND UTILITY EASEMENT" on the Plat. Said easement shall benefit the Trimax Parcel and the owner, tenants and occupants thereof.

Grant of Easements Over the Trimax Parcel

1. Trimax does hereby grant and establish for the benefit of the owner of the Courthouse Site a perpetual, non-exclusive right of way and easement for vehicular and pedestrian ingress, egress and regress to and from Monticello Avenue Extension and to and from Ironbound Road, over and across the driveways and parking areas constructed on the Trimax Parcel. Said easement shall benefit the Courthouse Site and the owners, tenants and occupants thereof and their respective customers, employees, agents, invitees, licensees and independent contractors.

2. Trimax does hereby grant and establish for the benefit of the owner of the Courthouse Site a perpetual, non-exclusive easement for vehicular parking within any designated parking spaces on the Trimax Parcel. Said easement shall benefit the Courthouse Parcel and the owners, tenants and occupants thereof and their respective customers, employees, agents, invitees, licensees and independent contractors.

3. Trimax does hereby grant and establish for the benefit of the owner of the Courthouse Site a perpetual, non-exclusive right-of-way and easement construct, lay, maintain, repair, improve, replace and alter underground works and systems for the general transmission of sewage water and other underground utilities under and across a ten foot (10') wide strip of land adjacent and parallel to either the eastern or western boundary of the Trimax Parcel. If the owner of the Courthouse Site ever wishes to utilize the easement granted herein, the owners of the Courthouse Site and the Trimax Parcel shall mutually agree on the exact location of said easement. Said easement shall benefit the Courthouse Site and the owner, tenants, and occupants thereof.

Said easement shall commence on the issuance of a certificate of occupancy for a building construction on the Trimax Parcel.

General Provisions

1. The owner of each parcel shall maintain at its sole expense the asphalt surface and all other improvements within the parcel in first class condition. There shall be no right of contribution for the cost of maintaining any road, driveway or parking area amongst the owners of the parcels.

2. The owner of any parcel shall not be liable to the owner of any other parcel, its tenants, customers, employees, agents, invitees, licensees and independent contractors or to any other person to any extent on account of any injury or damage to person or property occurring in connection with the exercise of the easements granted herein.

3. The easements, rights and privileges expressly established, created and granted by this Agreement shall be for the benefit of and restricted solely to the owners from time to time of the parcels and to their tenants, occupants, customers, employees, agents, invitees, licensees and independent contractors. The same is not intended nor shall it be construed as creating any rights in or for the benefit of the general public or person or entity other than those expressly provided herein whether as a third party beneficiary or otherwise.

4. Easements, rights, privileges and obligations hereunder shall create benefits and servitudes upon the Courthouse Site and the Trimax Parcel, running with the title thereto, benefitting and binding upon the owners thereof and their successors and assigns.

5. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

6. The owner of any parcel shall have the right to enforce this Agreement by any proceeding at law or in equity filed against a parcel violating or attempting to violate or failing to fulfill its obligations under any of the provisions of this Agreement.

7. The failure by any party to enforce any provisions herein contained in its favor shall not be deemed a waiver with the right to enforce such obligation in the future or to enforce a similar or other obligation. The invalidity of any provision contained herein with respect to any one controversy as a result of legislation or change of conditions, shall not be interpreted as adversely affecting such provision with respect to any other question or matter, nor shall such invalidity adversely affect any other provision contained herein, all of which shall continue and remain in full force and effect.

WITNESS the following signatures and seals:

TRIMAX, L.L.P.

By 

COUNTY OF JAMES CITY, VIRGINIA

By 

Chairman of the Board of Supervisors

The form of this Reciprocal Easement Agreement is approved and pursuant to the Resolution of the Board of Supervisors of James City County, Virginia, duly executed on the 14th day of March, ~~1999~~, this conveyance is hereby accepted on behalf of said County.

Les F. Rogers
COUNTY ATTORNEY

STATE OF VIRGINIA

CITY/COUNTY OF JAMES CITY, to-wit:

I, JAN N. ALLEN, a Notary Public for the State of Virginia, do hereby certify that LARRY R. MCCARDLE, of Trimax, L.L.C, a Virginia Limited Liability Company, whose name is signed to the foregoing Reciprocal Easement Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 16th day of MARCH, ~~1999~~, 2000.

Jan N. Allen
NOTARY PUBLIC

My commission expires: 6/30/02

STATE OF VIRGINIA

COUNTY OF JAMES CITY, to-wit:

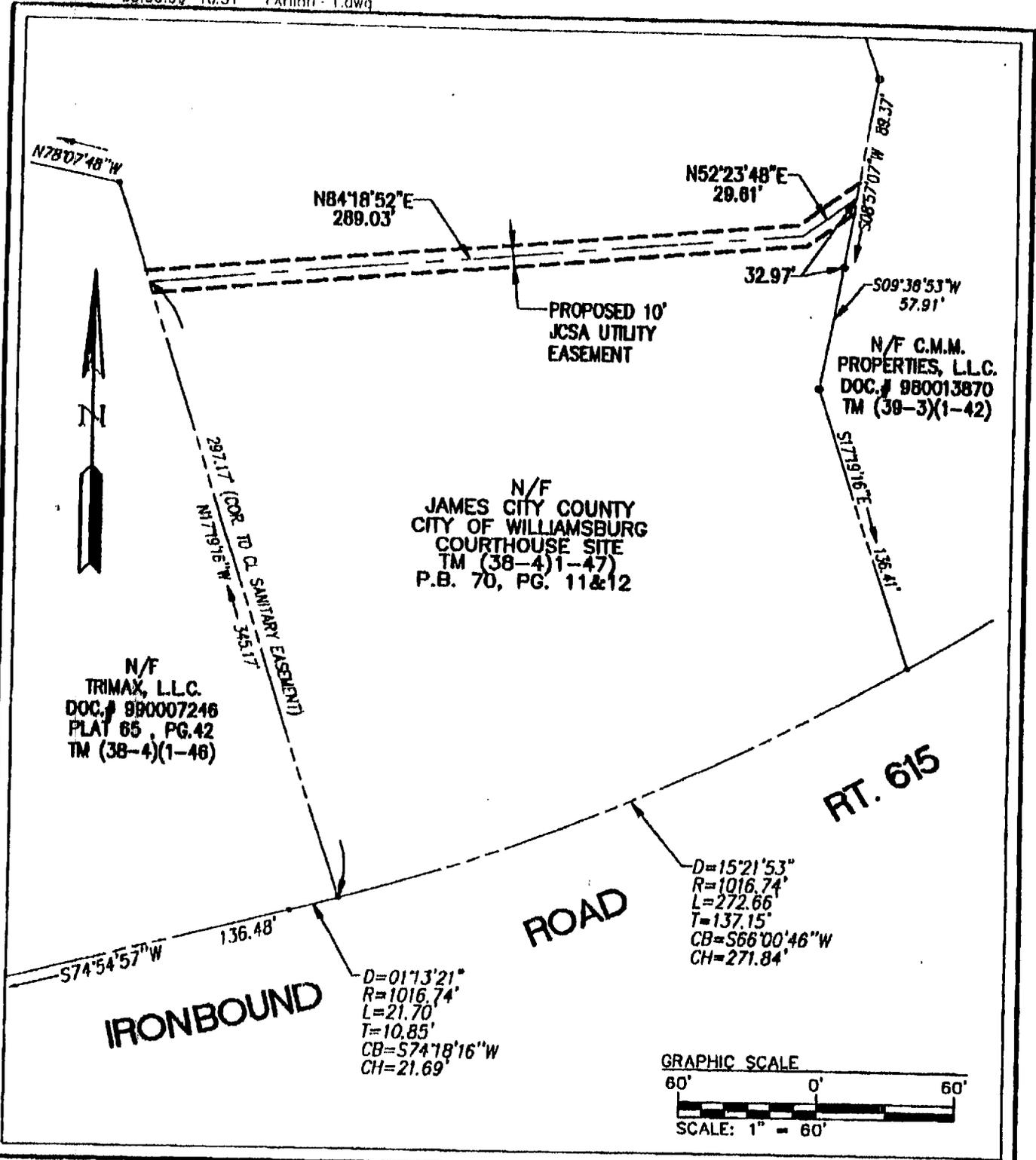
I, Jennifer A. Barker, a Notary Public for the State of Virginia, do hereby certify that Ronald A. Nervitt, Chairman of the Board of Supervisors of James City County, Virginia, whose name is signed to the foregoing Reciprocal Easement Agreement, has acknowledged the same before me in the jurisdiction aforesaid.

Given under my hand this 14th day of March, ²⁰⁰⁰~~1999~~.

Jennifer A. Barker
NOTARY PUBLIC

My commission expires: January 31, 2002

LAW 09.30.99 10:31 EXHIBIT - 1.dwg



ES Consulting Engineers	Engineers, Surveyors, Planners	Williamsburg, Virginia
	EXHIBIT OF SANITARY SEWER EASEMENT	
BERKELEY DISTRICT	JAMES CITY COUNTY	VIRGINIA
		Job No. 8888
		Date 9/30/99
		Org.No. 1 of 1