

COPY

COUNTY OF JAMES CITY, VIRGINIA

DECLARATION OF COVENANTS

INSPECTION/MAINTENANCE OF DRAINAGE SYSTEM

THIS DECLARATION, made this 11th day of May, 2002,
between Mt. Pleasant Baptist Church
and all successors in interest. ("COVENANTOR(S),") owner(s) of the following property: 4002 Ironbound Road, Williamsburg, VA 23188
project name, Mt. Pleasant Baptist Church
Document No. N/A, Deed Book 207, Page No. 604; Instrument No. N/A, and the County of James City, Virginia ("COUNTY.")

WITNESSETH:

We, the COVENANTOR(S), with full authority to execute deeds, mortgages, other covenants, and all rights, titles and interests in the property described above, do hereby covenant with the COUNTY as follows:

1. The COVENANTOR(S) shall provide maintenance for the drainage system including any runoff control facilities, conveyance systems and associated easements, hereinafter referred to as the "SYSTEM," located on and serving the above-described property to ensure that the SYSTEM is and remains in proper working condition in accordance with approved design standards, and with the law and applicable executive regulations. The SYSTEM shall not include any elements located within any Virginia Department of Transportation rights-of-way.

2. If necessary, the COVENANTOR(S) shall levy regular or special assessments against all present or subsequent owners of property served by the SYSTEM to ensure that the SYSTEM is properly maintained.

3. The COVENANTOR(S) shall provide and maintain perpetual access from public right-of-ways to the SYSTEM for the COUNTY, its agent and its contractor.

4. The COVENANTOR(S) shall grant the COUNTY, its agent and its contractor a right of entry to the SYSTEM for the purpose of inspecting, operating, installing, constructing, reconstructing, maintaining or repairing the SYSTEM.

5. If, after reasonable notice by the COUNTY, the COVENANTOR(S) shall fail to maintain the SYSTEM in accordance with the approved design standards and with the law and applicable executive regulations, the COUNTY may perform all necessary repair or maintenance work, and the COUNTY may assess the COVENANTOR(S) and/or all property served by the SYSTEM for the cost of the work and any applicable penalties.

6. The COVENANTOR(S) shall indemnify and save the COUNTY harmless from any and all claims for damages to persons or property arising from the installation, construction, maintenance, repair, operation or use of the SYSTEM.

7. The COVENANTOR(s) shall promptly notify the COUNTY when the COVENANTOR(S) legally transfers any of the COVENANTOR(S)' responsibilities for the SYSTEM. The COVENANTOR(S)' shall supply the COUNTY with a copy of any document of transfer, executed by both parties.

8. The covenants contained herein shall run with the land and shall bind the COVENANTOR(S) and the COVENANTOR(S)' heirs, executors, administrators, successors and assignees, and shall bind all present and subsequent owners of property served by the SYSTEM.

9. This COVENANT shall be recorded in the County Land Records.

IN WITNESS WHEREOF, the COVENANTOR(S) have executed this DECLARATION OF COVENANTS as of the date first above written.

COVENANTOR(S)

Eric L. Finley

Eric L. Finley, Trustee Chairman

ATTEST:

Monita Lincoln

Print Name/Title

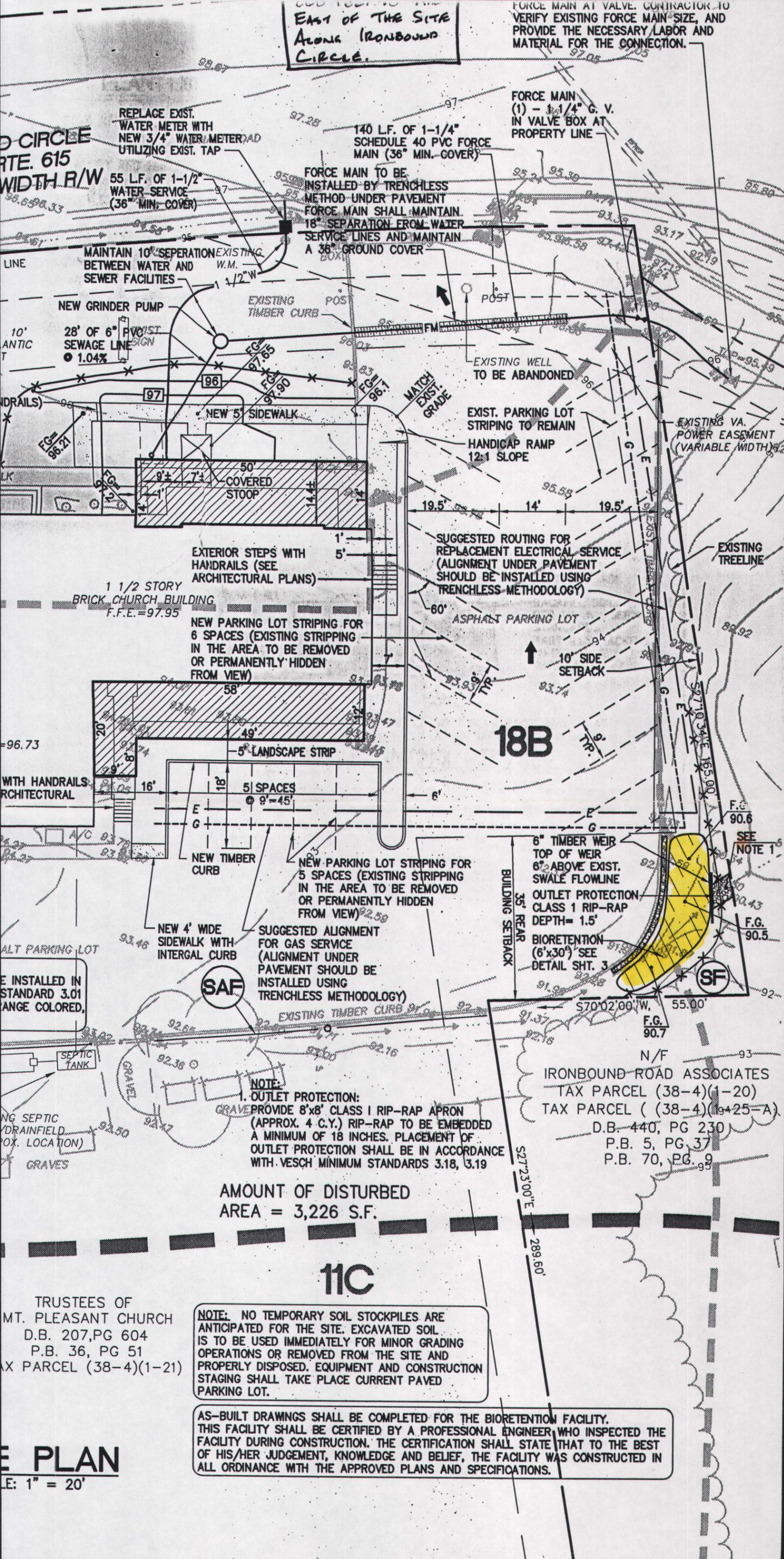
Paris Byrd
Angeloteh
Dennis
Sharon Walker
William H. Stovall

Lloyd Richards
Frances Taylor
Mary Johnson
COVENANTOR(S)

John C. Smith

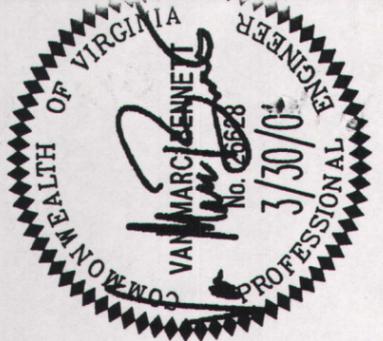
Print Name/Title

ATTEST:



EAST OF THE SITE
ALONG IRONBOUND
CIRCLE.

FORCE MAIN AT VALVE. CONTRACTOR TO
VERIFY EXISTING FORCE MAIN SIZE, AND
PROVIDE THE NECESSARY LABOR AND
MATERIAL FOR THE CONNECTION.



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
(757) 253-0040
Fax (757) 220-8994



DEMOLITION AND SITE PLAN

**MT. PLEASANT BAPTIST CHURCH
BUILDING ADDITION**

VIRGINIA
JAMES CITY COUNTY
BERKELEY DISTRICT

Designed VMB	Drawn SRL
Scale 1"=20'	Date 4/10/00
Project No. 8815	
Drawing No. 1	

AMOUNT OF DISTURBED
AREA = 3,226 S.F.

NOTE: NO TEMPORARY SOIL STOCKPILES ARE
ANTICIPATED FOR THE SITE. EXCAVATED SOIL
IS TO BE USED IMMEDIATELY FOR MINOR GRADING
OPERATIONS OR REMOVED FROM THE SITE AND
PROPERLY DISPOSED. EQUIPMENT AND CONSTRUCTION
STAGING SHALL TAKE PLACE CURRENT PAVED
PARKING LOT.

**AS-BUILT DRAWINGS SHALL BE COMPLETED FOR THE BIORETENTION FACILITY.
THIS FACILITY SHALL BE CERTIFIED BY A PROFESSIONAL ENGINEER WHO INSPECTED THE
FACILITY DURING CONSTRUCTION. THE CERTIFICATION SHALL STATE THAT TO THE BEST
OF HIS/HER JUDGEMENT, KNOWLEDGE AND BELIEF, THE FACILITY WAS CONSTRUCTED IN
ALL ORDINANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.**

PLAN
SCALE: 1" = 20'

**CONSTRUCTION OF A SILT FENCE
(WITHOUT WIRE SUPPORT)**



SOURCE: VA. DSWC
PLATE. 3.04-1

N.T.S.

D-SFWC

Ramp Floor
Slope 12:1 Maximum
resistant integral
ramp floor may be
on exposed aggregate
or by using per-
hat adjoining flared
recoat concrete shall
both sides of the ramp
a for Hydraulic Cement
ncluded in payment
ce on this Standard is
f by the Engineer.
le within the right-of-
alk is existing,
alks as shown on plans
hicle stop lines.
scement.

C&G\D-CG12

CONSTRUCTION SPECIFICATIONS FOR THE BIORETENTION FILTER

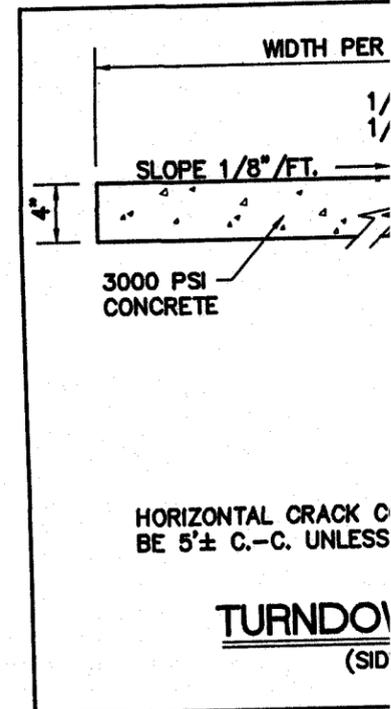
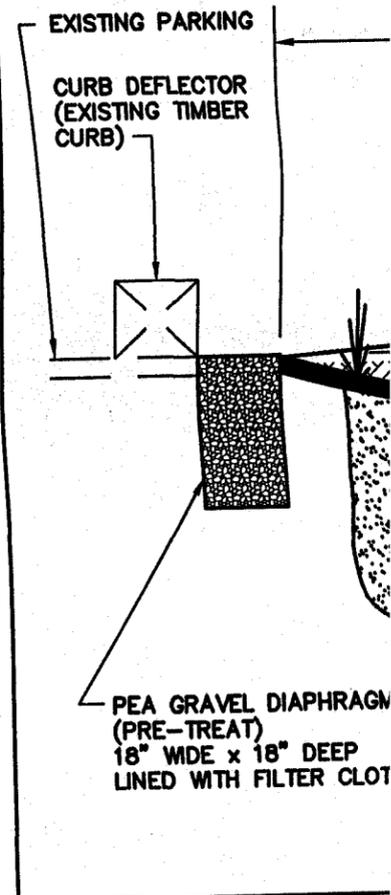
1. THE BIORETENTION FILTER SHALL BE CONSTRUCTED IN THE PLANNED LOCATION, WITH LIMITED TREE REMOVAL AND LIMITED GROUND DISTURANCES.
2. THE SITE OF THE BIORETENTION FILTER SHALL BE PROTECTED BY EROSION CONTROL MEASURES TO PREVENT SEDIMENT TRANSPORT FROM THE AREA.
3. AREA OF BIORETENTION FILTER PLACEMENT SHALL BE STRIPPED OF TOPSOIL.
4. UPON TOPSOIL REMOVAL, THE BIORETENTION FILTER AREA SHALL BE SHAPED AND EXCAVATED IN ACCORDANCE WITH THE PLANS TO PERMIT THE PLACEMENT OF THE REQUIRED PLANTING SOIL, AND MULCH.
5. FINISHED GRADES OF BIOTENTION FILTER CELL SHALL BE ADHERED TO.
6. THE PLANTING SOIL SHALL CONSIST OF CLEAN, SIFTED, SANDY LOAM, LOAMY SAND, OR LOAM SOILS. PLANTING MATERIAL SHALL BE FREE OF PLANTS OR PLANT PARTS OF BERMUDA GRASS, QUACK GRASS, JOHNSON GRASS, AND POISON IVY. CLAY CONTENT OF THE PLANTING SOILS SHALL BE NOT MORE THAN 5 PERCENT. SOIL MIXTURE OF 50% SAND, 20 PERCENT LEAF COMPOST, AND 30% TOPSOIL MEETING THE ABOVE SPECIFICATIONS IS SATISFACTORY. DESIRED SOIL pH SHALL BE BETWEEN 5.5 AND 6.5. SOIL PLACEMENT SHALL BE IN LIFTS NO GREATER THAN 18 INCHES, AND LIGHTLY COMPACTED. ANY COMPACTION OF THE SOIL SHALL BE PREFORMED BY TAMPING.
7. MULCH SHALL CONSIST OF STANDARD LANDSCAPE FINE SHREDDED HARDWOOD MULCH. MULCH SHALL BE FREE OF WEEDS, SOIL, AND ROOTS. MULCH SHALL BE UNIFORMLY APPLIED TO A 3-INCH DEPTH.
8. PLANT MATERIAL SHALL BE SELECTED FROM CERTIFIED NURSERIES. VIRGINIA NATIVE PLANT MATERIAL SPECIEIS SHALL BE USED, SUCH AS INKBERRY, CREEPING JUNIPERS, BAYBERRY, ARROW-WOOD, AND SWITCH.GRASS. PLANTING MATERIAL SHALL BE PLACED 30 INCHES ON CENTER IN THE BIORETENTION FILTER AREA. ROOT STOCK OF PLANT MATERIAL SHALL BE KEPT MOIST DURING TRANSPORT, AND UNTIL PLANTED. DIAMETER OF PLANTING PIT SHALL BE 6 INCHES LARGER THAN THE ROOT BALL OF THE PLANT MATERIAL. THE PLANT MATERIAL SHALL BE PLACED STRAIGHT AND IN THE CENTER OF THE PLANTING PIT SO THAT 1/8 OF THE DIAMETER OF THE ROOT BALL IS ABOVE THE SURROUND FINISHED GRADES. BACKFILL OF THE PLANTING PIT SHALL USE ABOVE-SPECIFIED SOIL MIXTURE. NO PERIODIC FERTILIZATION SHALL BE REQUIRED.
9. THE PEA GRAVEL DIAPHRAGM SHALL CONSIST OF A 18-INCH WIDE BY 18-INCH DEEP TRENCH, LINED WITH FILTER CLOTH. PEA GRAVEL SHALL AVERAGE 1/4-INCH IS DIAMETER, AND SHALL BE WASHED. PEA GRAVEL DIAPHRAGM SJHALL BE COMPACTED IN PLACE.
10. TIMBER WEIR SHALL CONSIST OF A PRESSURE TREATED (MADE FOR GROUND CONTACT) 6-INCH BY 6-INCH WOOD POST. TIMBER WEIR SHALL BE PLACE LEVEL, AND SECURED TO THE GROUND BY INSTALLING #4 RE-BAR 3 FEET ON CENTER ALONG THE LENGTH OF THE TIMBER WEIR, THROUGH THE TIMBER AND A MINIMUM OF 18 INCHES INTO THE GROUND.

BIORETENTION MAINTENANCE PLAN

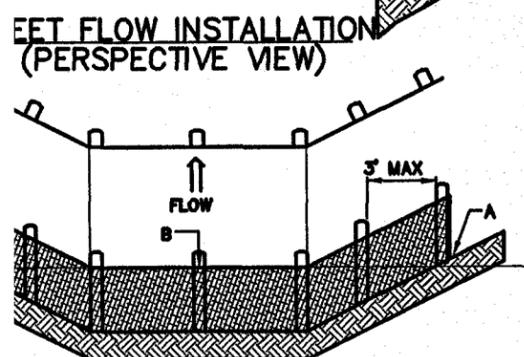
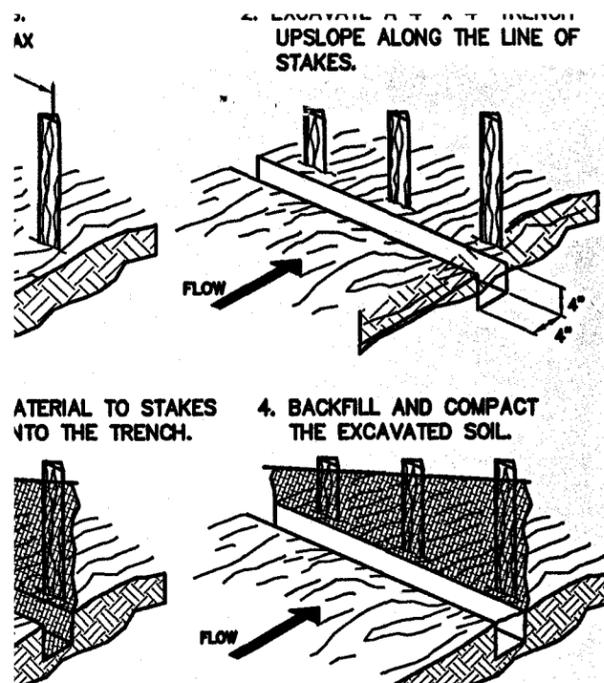
THE FOLLOWING MAINTENANCE GUIDELINES SHALL BE ADHERED TO FOR COMPLIANCE TO JAMES CITY COUNTY BMP POLICIES. PROPER MAINTENANCE IS ENCOURAGED TO PREVENT COMPLETE FAILURE OF THE BMP PRACTICE. INSPECTION OF THE BMP FACILITY SHALL BE ACCOMPLISHED AT LEAST QUARTERLY, WITH ACCUMULATED SEDIMENT REMOVAL, IF ANY, OCCURRING YEARLY.

1. THE SITE OWNER OR ITS DESIGNATED REPRESENTATIVE SHALL INSPECT THE BMP FACILITY AFTER EACH SIGNIFICANT RAINFALL OR THE FOLLOWING WORKING DAY SHOULD THE RAINFALL OCCUR AT NIGHT, HOLIDAY OR ON A WEEKEND.
2. THE BMP FACILITY SHALL BE TREATED WITH SUFFICIENT LIMESTONE TO REDUCE ACIDITY LEVELS AND MAINTAIN SOIL pH TWICE A YEAR.
3. EVERY FIVE YEARS, SOIL TEST SHALL BE PERFORMED TO IDENTIFY PLANT TOXINS IN THE SOIL. SHOULD PLANT TOXINS BE AT SUFFICIENT LEVEL TO INTERFERE WITH PLANT GROWTH, THE BMP FACILITY SHALL BE RECONSTRUCTED WITH NEW PLANTING SOIL AND MULCH.
4. THE BMP AREA SHALL BE MULCHED UPON PLANTING OF PLANT MATERIAL, AND AT LEAST YEARLY.
5. EVERY TWO TO THREE YEARS, MULCH LAYER SHALL BE REMOVED AND NEW MULCH PLACED.
6. WHEN NOTICED, OR EVERY TWO YEARS MINIMUM, THE BMP SHALL BE INSPECTED FOR DISEASED AND DYING PLANT MATERIAL. DISEASED AND DYING PLANT MATERIAL SHALL BE REPLACED.
7. PERIODIC WATERING OF THE BMP IS NOT NECESSARY WHEN ADEQUATE RAINFALL HAS OCCURRED. PERIODIC WATERING TO MAINTAIN PLANT MATERIAL SHALL OCCUR AT THE END OF 14 DAYS OF NO SIGNIFICANT RAINFALL, AND EVERY 14 DAYS THEREAFTER UNTIL RAINFALL HAS OCCURRED.
8. DURING GROWING SEASON, THE BMP SHALL BE INSPECTED FOR UNDESIRABLE GROWTH. ALL UNDESIRABLE GROWTH SHALL BE REMOVED.

AS-BUILT DRAWINGS SHALL BE THE ENGINEER WHO INSPECTED THE FACILITY IN HIS OWN JUDGEMENT, KNOWLEDGE, AND BELIEF IN COMPLIANCE WITH SPECIFICATIONS.



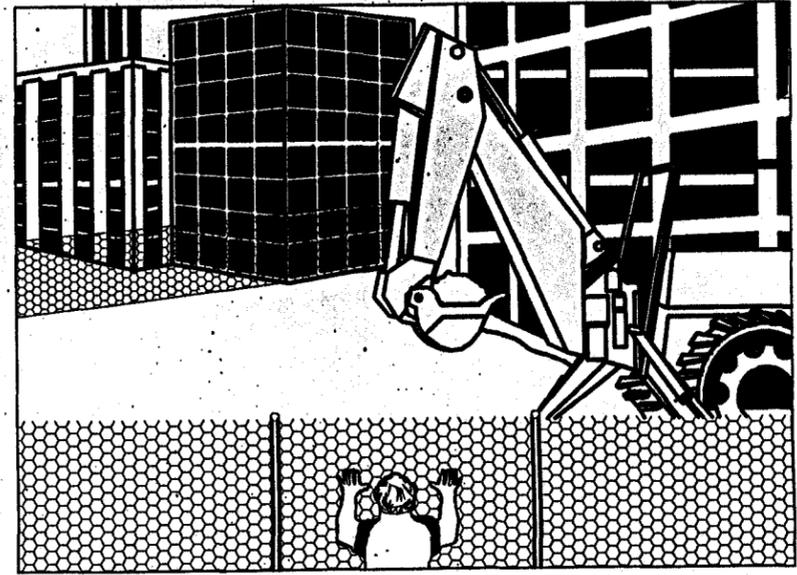
TURNDON
(SID)



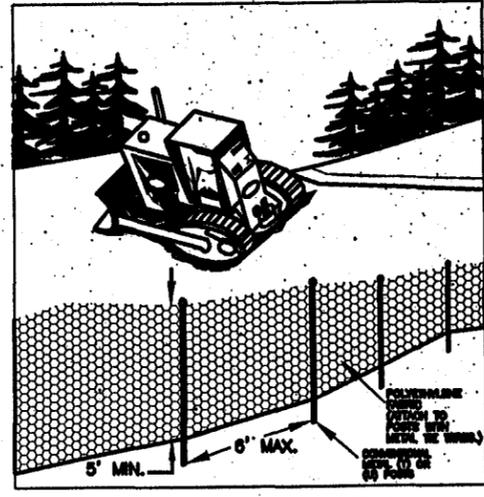
CONSTRUCTION OF A SILT FENCE WITHOUT WIRE SUPPORT

N.T.S.

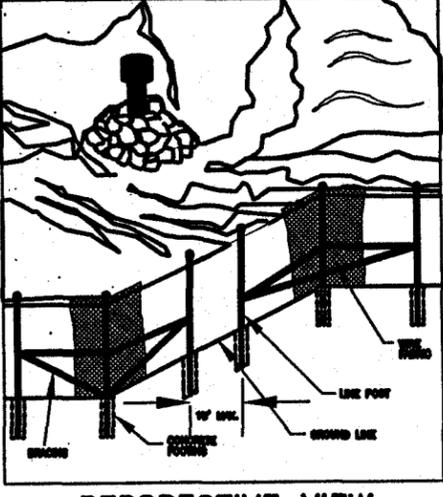
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PERSPECTIVE VIEW



PERSPECTIVE VIEW PLASTIC FENCE

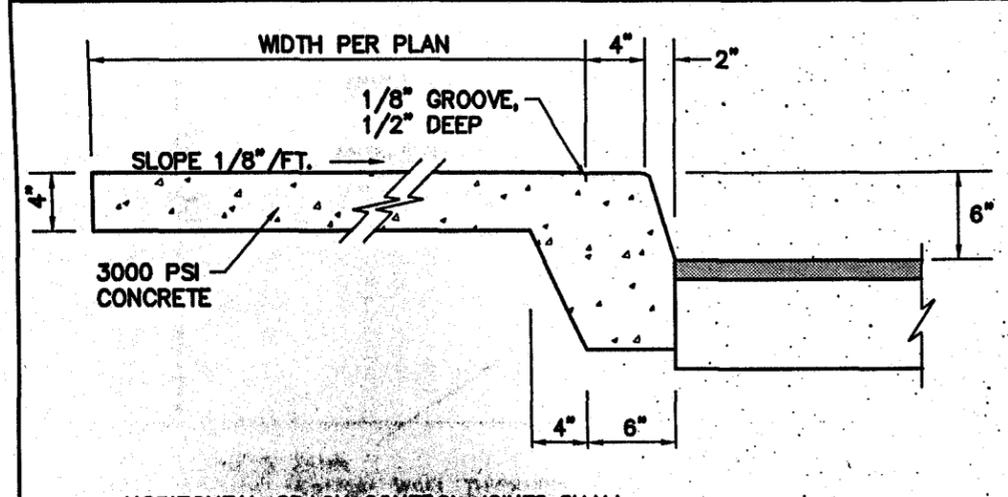
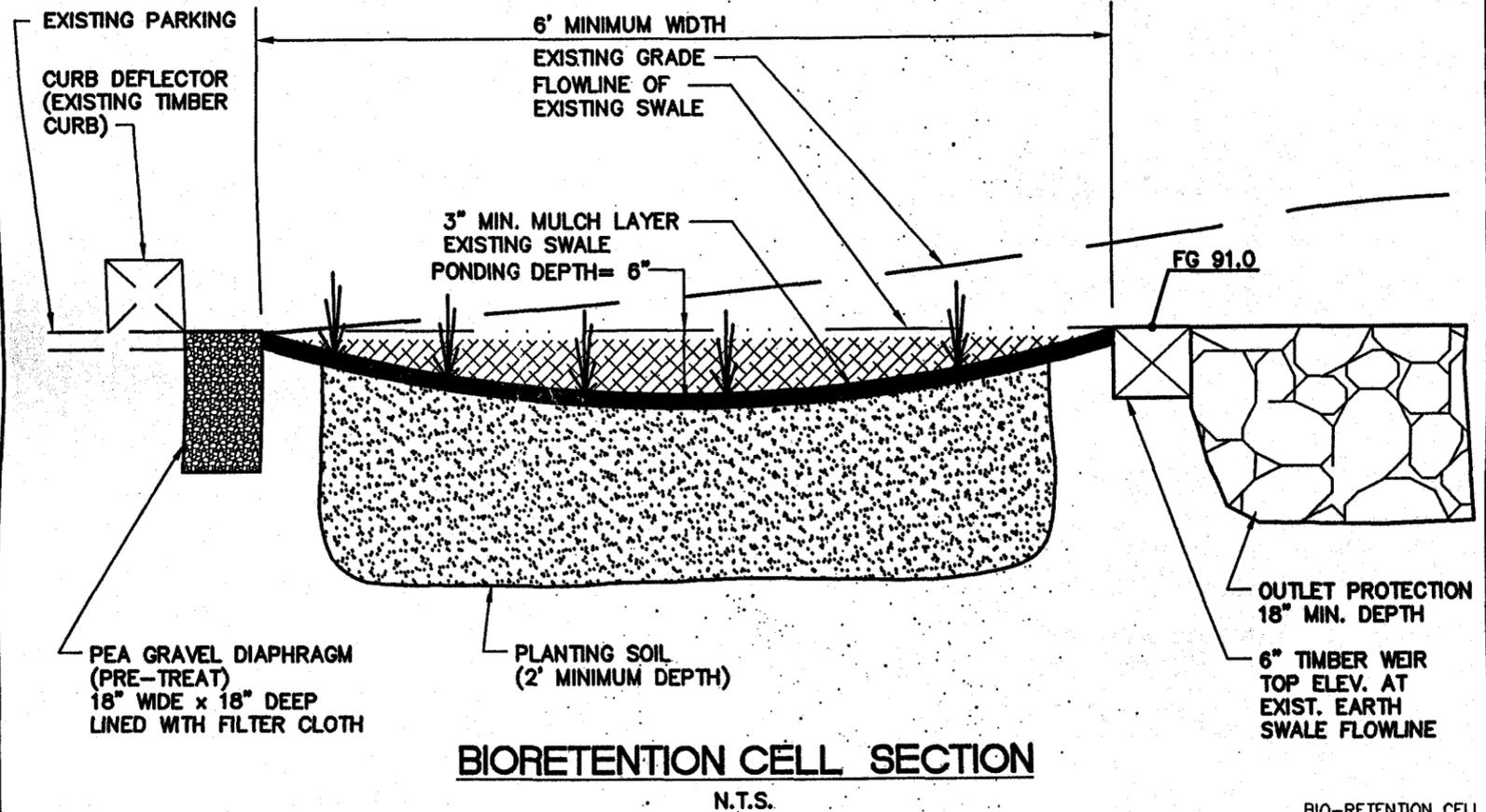


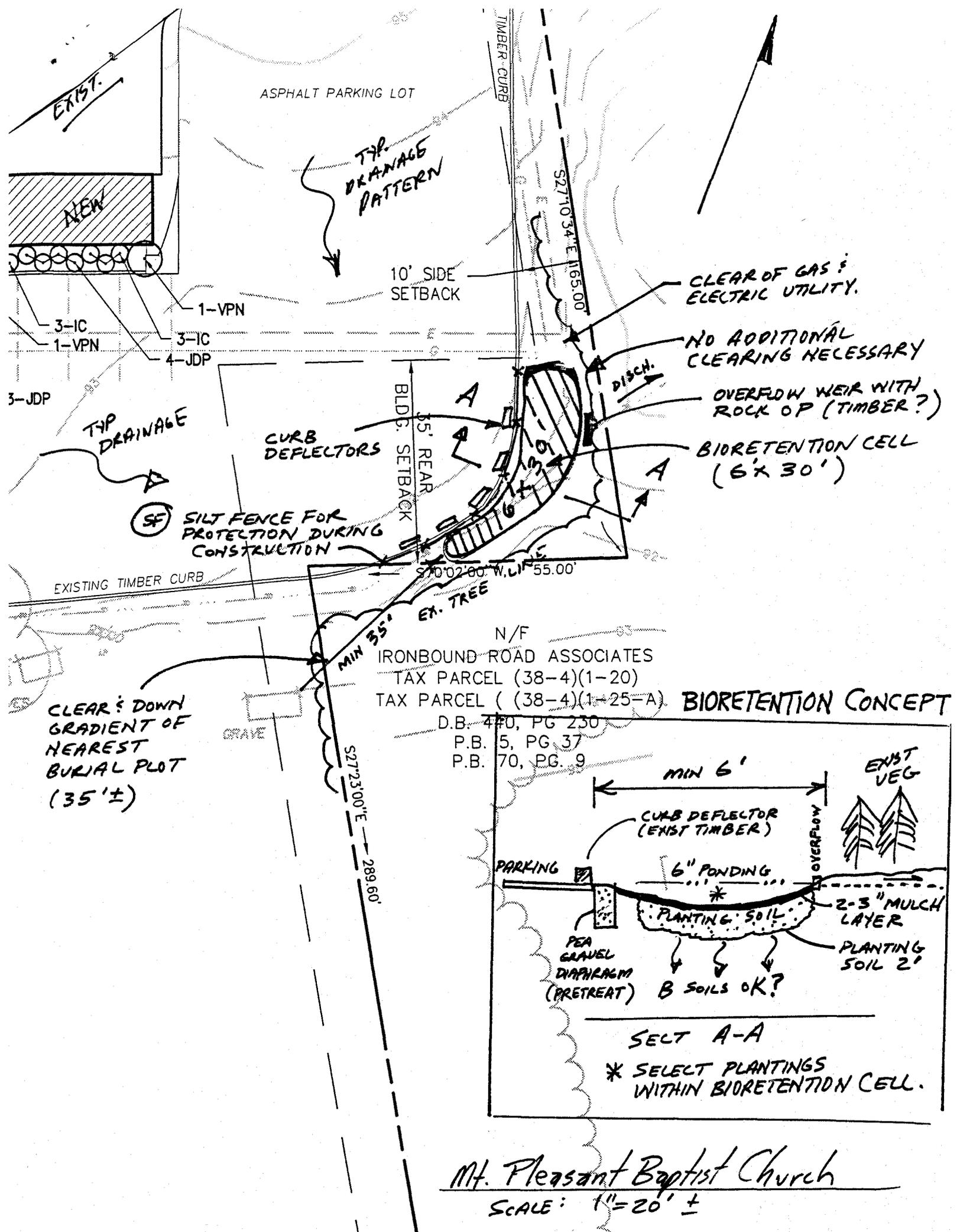
PERSPECTIVE VIEW METAL FENCE

SOURCE: CONWED PLASTICS
VDOT ROAD AND BRIDGE STANDARDS
VA. DSWC

PLATE. 3.1-1

AS-BUILT DRAWINGS SHALL BE COMPLETED FOR THE BIORETENTION FACILITY. THIS FACILITY SHALL BE CERTIFIED BY A PROFESSIONAL ENGINEER WHO INSPECTED THE FACILITY DURING CONSTRUCTION. THE CERTIFICATION SHALL STATE THAT TO THE BEST OF HIS/HER JUDGEMENT, KNOWLEDGE AND BELIEF, THE FACILITY WAS CONSTRUCTED IN ALL ORDINANCE WITH THE APPROVED PLANS AND SPECIFICATIONS.





Mt. Pleasant Baptist Church
SCALE: 1" = 20' ±

ENVIRONMENTAL DIVISION REVIEW COMMENTS
MOUNT PLEASANT BAPTIST CHURCH
COUNTY PLAN NO. SP - 110 - 00
January 5, 2001

MDW/SJT

General Comments:

1. A Standard Inspection/Maintenance agreement is required to be executed with the County for the bioretention facility as proposed for the project.
2. Variance. Provide a note on the plan referencing the approved JCC BMP Manual variance request for design/construction of the bioretention facility.
3. BMP Certification. As-built drawings will be required for the BMP facility. Also, upon completion, construction of the BMP facility shall be certified by a professional engineer who inspected the structure during construction. The certification shall state that to the best of his/her judgement, knowledge and belief, the structure was constructed in accordance with the approval plans and specifications.

*Small
BMP
WAIVE
6-24-03*

Erosion & Sediment Control Plan:

4. Grading. Show proposed spot elevations to top of mulch layer within the proposed bioretention cell. The intent of grading at the cell is to create a depressed (sump) area with a maximum ponding depth of 6 inches.
5. Outlet Protection. Specify approximate riprap pad dimensions and amount of stone to be used for the outlet protection at the bioretention cell. In lieu of providing a standard detail, appropriately reference Minimum Standards 3.18 and 3.19 of the VESCH.

Stormwater Management / Drainage:

6. Bioretention Cell. Some sort of construction specifications are necessary for proper installation and to ensure use of proper materials for the bioretention cell's pea gravel diaphragm, timber weir, mulch layer, planting soil and for planting material type/arrangements. At a minimum, provide a note on the bioretention cell section on Sheet 3 referencing installation/material specifications as outlined in the Virginia Stormwater Management Handbook (VSMH), specifically Minimum Standard and Specification 3.11 and 3.13 (specifically pages 3.13-12 and 13).
7. Maintenance Plan. Provide a maintenance plan for the stormwater management/BMP facility. The plan should be specific for a County type D-1(Bioretention) facility. Refer to Minimum Standard and Specification 3.11 of the VSMH (page 3.11-30) for maintenance/inspection guidelines for bioretention facilities.

384 01 0002 /
4002 (vontund) R1

2.92 AC.
R2

**POOR
QUALITY**

**ORIGINAL(S)
FOLLOW**

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SUBMITTAL



Hudgins Contracting Corp.

11832 Fishing Point Drive • Suite 100 • Newport News, VA 23606

Phone (757) 873-0199

Fax (757) 873-3010

DATE	PROJECT #	PROJECT
November 20,2002	22260	Mt. PLEASANT BAPTIST CHURCH

TO	FROM
Scott Thomas	Susan Lindemann

The following submittal data is attached for your use:

Description

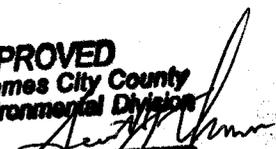
BIORETENTION FILTER PLANTING SOIL PROVIDED BY YORKTOWN MATERIALS (CERTIFICATION)

Remarks:

We are proposing to start Thursday or Friday weather pending; we have contacted Joe Buchite to schedule inspections; please contact me if you have any questions:

*SP-110-00; MC054
 WILL SATISFY
 CERT REQUIREMENTS
 SMALL SIZE BMP.*

APPROVED
 James City County
 Environmental Division

By: 
 Date: 11-24-03

Yorktown Materials

P.O. Box 1741 Yorktown, Virginia 23692

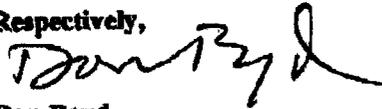
Phone: 757-898-4144 Fax: 757-898-4274

**Skip Hughes
Hudgins Contracting Corporation
11832 Fishing Point Drive
Suite 100
Newport News, VA 23606**

Dear Mr. Hughes,

After reviewing the construction specifications for the the bioremediation filter planting soil submitted by your company the biosoil material supplied by Yorktown Materials will meet the required specifications.

Respectively,

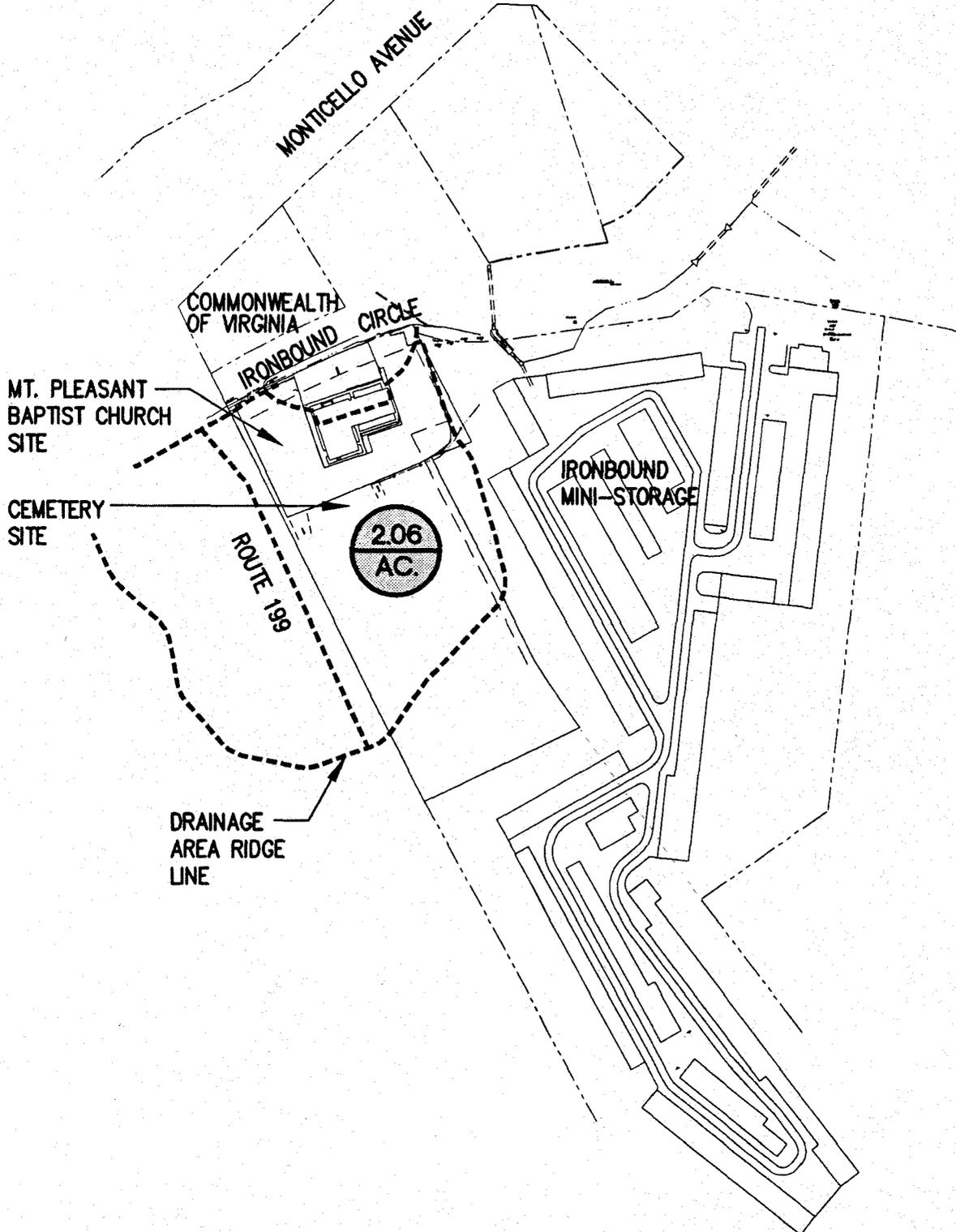


**Don Boyd
Yorktown Materials**

GRAPHIC SCALE



SCALE: 1" = 200'



12.06.00-08:50XHIBIT1.dwg



Consulting Engineers
Engineers, Surveyors, Planners

5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Ph. (757)-253-0040, Fax (757)-220-8994

DRAINAGE AREA MAP MT. PLEASANT BAPTIST CHURCH

Scale: 1"=200'

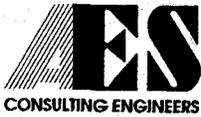
Des.: VMB

Drwn.: RDS

Date: 12/06/00

Job No: 8815-00

RDS



5248 Olde Towne Road, Suite 1
 Williamsburg, Virginia 23188
 (757) 253-0040
 Fax: (757) 220-8994
 E-Mail: aes@aesva.com

PROJECT MOUNT PLEASANT BAPTIST CHURCH

PROJECT NO. 8815

SUBJECT Storm Runoff Calculations

SHEET NO. 1 OF 2

CALCULATED BY VMB DATE 12/2/00

PRE-DEVELOPMENT CONDITIONS

- DRAINAGE AREA (A) 2.06 Ac
- RUNOFF COEFFICIENT CALCULATION (C)

LAND COVER	AREA	RUNOFF COEFFICIENT
GRASS AREAS - LAWN	1.29 Ac	0.5
BUILDING	0.11 Ac	0.9
SIDEWALKS	0.04 Ac	0.9
PARKING LOT	0.62 Ac	0.9

$$\frac{(1.29)(0.5) + (0.11)(0.9) + (0.04)(0.9) + (0.62)(0.9)}{2.06} = 0.65$$

WEIGHTED RUNOFF COEFFICIENT (C) = 0.65 ✓
 .6495

- TIME OF CONCENTRATION

OVERLAND FLOW (200' @ 5% SLOPE)	$T_c = 9$
SHALLOW CONC. FLOW (150' @ 5% SLOPE)	$T_c = 3$
CHANNEL FLOW (100' @ 1% SLOPE)	$T_c = 1$
	$T_c = 13 \text{ MINS}$

- RAINFALL INTENSITIES ASSOCIATE

$T_c =$

$I_2 = 3.5 \text{ IN/HR}$

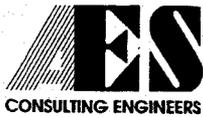
$I_{10} = 4.8 \text{ IN/HR}$

- RUNOFF CALCULATIONS

$Q = CIA$

$Q_2 = C I_2 A = (0.65)(3.5)(2.06) = 4.7 \text{ CFS} \checkmark$

$Q_{10} = C I_{10} A = (0.65)(4.8)(2.06) = 6.4 \text{ CFS} \checkmark 6.56 \text{ CFS}$



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 Williamsburg, Virginia 23188
 (757) 253-0040
 Fax: (757) 220-8994
 E-Mail: aes@aesva.com

PROJECT MOUNT PLEASANT BAPTIST CHURCH

PROJECT NO. 8815

SUBJECT STORM RUNOFF CALCULATIONS

SHEET NO. 2 OF 2

CALCULATED BY VMB DATE 12/6/00

POST-DEVELOPMENT CONDITIONS

- DRAINAGE AREA (A) 2.06 AC
- RUNOFF COEFFICIENT CALCULATIONS (C)

<u>LAND COVER</u>	<u>AREA</u>	<u>RUNOFF COEFFICIENT</u>
GRASS AREAS - LAWN	1.29 AC	0.5
BUILDING	0.14 AC ✓	0.9
SIDEWALKS	0.04 AC	0.9
PARKING LOT	0.59 AC ✓	0.9

$$\frac{(1.29)(0.5) + (0.14)(0.9) + (0.04)(0.9) + (0.59)(0.9)}{2.06} = 0.65$$

0.6495

WEIGHTED RUNOFF COEFFICIENT (C) = 0.65

- TIME OF CONCENTRATION ARE SAME AS PRE-DEVELOPMENT
- RAINFALL INTENSITIES ARE SAME AS PRE-DEVELOPMENT
- RUNOFF CALCULATIONS

$Q = CIA$

$Q_2 = C I_2 A = (0.65)(3.5)(2.06) = 4.7 \text{ CFS } \checkmark$

$Q_{10} = C I_{10} A = (0.65)(4.8)(2.06) = 6.4 \text{ CFS } \checkmark$

NOTE:

NO NET INCREASE IN RUNOFF! OK.

MT. PLEASANT BAPTIST CHURCH

CONSTITUTION & BY-LAW

1990

**POOR
QUALITY**

ORIGINAL(S) FOLLOW

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CONVERSION***

PREAMBLE

We the members of the Mt. Pleasant Baptist Church believe and recognize that Jesus Christ is the Head and therefore the foundation upon which this body of believers must build and function.

In order to obtain his character, sustain and carry out his mission and do all things decently and orderly, we establish this Constitution.

CONSTITUTION & BY-LAWS

ARTICLE I-NAME

The name of this church shall be the Mt. Pleasant Baptist Church.

ARTICLE II-ARTICLES OF FAITH

This church does adhere to the articles of faith laid down in the Church Covenant and the Hiscox Directory for Baptist churches.

ARTICLE III-OBJECTIVES

To provide a place where the Saints of God can dwell together in love and christian fellowship, to promote a stronger church unity for christian development and progress, and to spread the gospel throughout the community and the world.

ARTICLE IV

MEMBERSHIP-ADMISSION & DISMISSAL

Admission and dismissal of members into or out of this church must come through the Pastor and the Deacon Board.

SECTION I-ADMISSION

Baptism-Any person who confesses Jesus Christ as Savior and Lord, and who is in essential agreement with the doctrine and practices of the Baptist faith and the Mt. Pleasant Baptist Church may be received into the fellowship of the congregation following his Baptism by immersion.

By Letter-A person who is in strong agreement with the doctrine and practices of the Baptist faith and Mt. Pleasant Baptist Church may be received by letter of commendation from any other Baptist Church. It shall be the responsibility of the person to request the letter of dismissal. The letter serves as a certificate of christian character and standing.

By Experience-A believer of worthy character who has formerly been a member of a Baptist Church, and who for a sufficient reason, cannot present a letter from that church but who is in strong agreement with the faith and practices of this church may be received upon statement of his christian experience.

By Restoration-Any person who has lost his membership for any reason may be restored to membership upon recommendation of the Board of Deacons.

SECTION II-DISMISSAL

By Death-Death dissolves the relation, and transfers them from Church on Earth, to that above.

By-Letter-Any member who desires a letter of dismissal and recommendation to another church shall receive it, and that the letter be sent to the church for which the request was made within three months.

By-Exclusion-When a member becomes an offense to the church by immoral or unchristian conduct, but only after due notice and hearing and faithful efforts has been made to bring such members to repentance.

- A. Any member who reside within this area and who fail to attend the public worship and activity services within six months, and who fail to meet the financial support of this church within three months, without valid reason, being duly notified and without response within thirty days shall be placed on the inactive membership roll for one year.
- B. Any member on the inactive membership roll for one year and has not responded after due notice and hearing and kindly effort shall be erased from the church membership roll after the following:
 1. The Church Officials agree and are convinced that such persons cannot be reclaimed.
 2. The Church Officials present to the Church a recommendation to erase the delinquent member from the membership roll.
 3. The recommendation from the officials require the majority vote by the church before the name is erased.

ARTICLE V-TRAINING, DUTIES & RIGHTS

SECTION I-TRAINING

After being admitted into the Mt. Pleasant Church the new member shall receive literature on christian fellowship and shall attend a new membership class taught by the Pastor and the Board of Deacons, within three months of the member installation.

SECTION 2-DUTIES

As a member of the Mt. Pleasant Baptist Church, it shall be the duty and obligation of the member to be faithful in all essential duties of a christian life, to attend regularly the church services, support church activities and meet the financial obligations.

A. CHURCH DUES

Church dues as specified below which are subject to change if deemed necessary by church approval. Dues may be paid weekly, monthly, quarterly, semi-annual or annually. Each member shall be encouraged to tithe.

- a. Adults 18-65 \$20.00 per month
- b. Young Adults 16-18 10.00 per month
- c. Youth under 15 4.00 per month
- d. Hardship cases and special requests shall be on the approval of the church.
- e. Building Fund and special pledges to be set by the church.

SECTION 3-MEMBERSHIP RIGHTS

Only members in good standing may act or vote on church affairs, be eligible to serve as church officers or committee chairman, or may have free use of church facilities for special occasions such as weddings, birthdays, anniversaries and funerals.

- 1. May purchase grave burial sites.
- 2. May be a recipient of church mission funds.

ARTICLE VI-WORSHIP SERVICES

Worship Services-shall be held every Sunday except the fifth Sunday, and shall begin at 11:30 a.m. Exceptions may be granted by the agreement of the Pastor and the Deacon Board.

The Lords Supper-shall be observed every third Sunday of every month.

ARTICLE VIII-MEETINGS

SECTION I

Agendas for Board and business meetings shall be posted and announced one week prior to the meeting. Notice of all special call meetings shall be announced by the Clerk two consecutive Sundays, clearly stating the purpose and the date and the time of the meeting.

The Official Board Meeting shall be held the first Tuesday of each month at 7:30 p.m. Regular church meetings shall be held on Friday before the third Sunday of each month at 7:30 p.m.

All meetings shall begin with appropriate devotionals and carried out in accordance to the Roberts Rule of Order.

Regular Board and Business meetings shall not be cancelled except for extreme bad weather or by the request of both the Pastor and Deacons. Rescheduled meetings shall be held the Friday before the fourth Sunday.

There shall be no special meetings to discuss church business that cannot be carried over following the morning worship service. The Pastor may and shall, and when requested by the Deacons, Trustees or a Standing Committee, announce from the pulpit of a call for a special meeting, the date, time and purpose of the meeting to be clearly stated. All business meetings will close with a motion to adjourn. There shall be a roll call of members of good standing by the clerk prior to all business and special call meetings.

ARTICLE XIII-GENERAL PROVISIONS

SECTION I-PROTOCOL

Any member with church concerns such as- to sponsor a special program or fund raising activity and organizing new auxiliaries shall request in writing to meet with the Pastor and the Official Board at its next scheduled Church business meeting for discussion.

All church business will be discussed by the Pastor and the Official Board with recommendations brought to the next scheduled Church business meeting for Church approval.

All scheduled programs shall be discussed with the Pastor prior to the notification of any quest minister or speaker or printing of the programs.

The Pastors consent for the use of the Church or its contents shall be permitted with prior notification to, and upon the approval of the Trustees.

SECTION 2-FUND RAISING

There shall be no admission fees charged for any program or activity, nor shall the Church or any organization there of promote any campaigns, conduct any sales or raffles for the purpose of raising money for any reason without the approval and consent of the Pastor, the Official Board and the Church.

The Pastor and the Deacons may authorize a free will offering, after a through investigation, for special purposes or unusual circumstances.

SECTION 3-BONDING

The Treasurer and all duly elected Trustees shall be bonded prior to installation services.

SECTION 4-CHURCH RECORDS

All church records, after the acceptance and the approval of the church, shall remain on the church premises. These records shall be available to any member for reviewing upon their request and the consent of the Trustee Chairman.

SECTION 5-SALARIES

All paid salaries shall be determined on recommendations of both boards and brought to the church for approval.

SECTION 6-MODERATOR

The Pastor shall preside over all Deacon Boards, regular church business and special call meetings of this church. During his absence from these meetings and issues of pastoral concerns, the Chairman of the Deacon Board shall preside. If neither are present, than the Roberts Rule of Order shall be followed.

SECTION 7-DISCIPLINE

The investigation of all grievances shall be conducted by the Pastor and Deacons. Grievances between members are to be dealt with according to St. Matthews 18:15-19, rules laid down by Gods word. No charge shall be brought until this course of action has been pursued.

Before dismissal of any elected, appointed or paid officer and committee chairman whose labor and conduct becomes unsatisfactory there must be a through investigation and kindly effort. The Pastor and Deacons shall make recommendations to the church for action.

SECTION 8-CHURCH PROPERTY

The church property and its contents shall not be loaned, used, rented or mortgaged without the prior notification to and the approval of the Trustee Board.

SECTION 8-CEMETERY

All cemetery ground is church property and shall be considered as such. All present existing family cemetery plots shall be used by the family and others by the discretion of the family.

Church members may purchase or have purchase not more than two (2) grave sites. Non-members shall not be sold grave sites. Fees for grave sites shall be \$150.00 and shall be paid to the church by the Funeral Director. The Funeral Director shall be responsible for the opening and closing of graves.

SECTION 10-SPECIAL OCCASIONS

Use of church facilities for an occasion shall be without charge for members of good standing; however, janitorial services shall be the expense of the requesting party. Fees shall be charged if deemed necessary by the church.

SECTION 11-VOTING

Voting shall be ruled by two thirds majority vote of present members at a business meeting or special call meeting. Voting shall be by roll call, any member three months delinquent in their dues will not be eligible to vote on issues of church concerns. Voting shall be by ballot for all church officers and committee chairman, and for the election of or the disposition of the Pastor.

SECTION 12-JUNIOR OFFICERS

The youth of this church shall be a member and may serve as junior officers. Their purpose shall be to learn and be trained to become future church officers and committee chairman. They shall not hold or assume any responsibility of an office.

ARTICLE IX-OFFICERS

SECTION 1-QUALIFICATIONS

All elective officers shall be announced by the nominating committee. He/she shall be a baptized believer in Christ, a member of good standing of this church, be supportive of all church concerns and be willing to serve their office to the best of their ability.

SECTION 2-ELECTION

Election of officers shall be held at the regular scheduled November business meeting.

SECTION 3-TERMS OF OFFICE

All church officers and committee chairman of this church shall serve a two (2) year re-elective term.

SECTION 4-INSTALLATION

Installation of officers shall be held on the fourth Sunday in December at 11:00 a.m. Elected officers shall assume their duties to their elected office on the first Sunday in January.

SECTION 5-TRAINING

All officers shall be familiar with the policies of this church, the Baptist Hiscox Guide and shall attend annually at least one seminar or conference pertaining to their office.

All expenses to or reimbursements for shall be prior approved by the church.

SECTION 6-OFFICER ROTATION

To insure that an experienced person will be leading both the Board of Deacons and the Board of Trustees, the names of the vice-chairman of both boards will be automatically placed for nomination with the slate of officers to the nominating committee.

SECTION 7-NAME OF OFFICERS

This church shall have for its spiritual officers a Pastor and Deacons. In addition to these it shall have Trustees, Clerk, Financial Secretary, Treasurer and Church Board of Education Directors and a Sunday School Superintendent.

OFFICERS

- A. PASTOR-The Pastor of this church must be an ordained Baptist minister. He must be a full confessed believer in the Lord and Savior Jesus Christ, and in strong agreement with the doctrine and practices of the baptist faith.
- B. The Pastor has the oversight and supervision of all the interest of the church, and of all departments of its work, both spiritual and temporal. He shall preach the gospel, direct the spiritual welfare of the church, administer the ordinances and have charge of the stated public worship services.
- C. The church calendar shall be the responsibility of the Pastor. He may select others to work with him or appoint a committee for the purpose of the same.
- D. All bulletin information, all publicity church oriented and all letters of correspondence that is church business is to be cleared with the Pastor.

- E. The Pastor deserves the right and the privilege to engage this church in fellowship with other churches and may recommend its affiliation with approved church associations and conventions.
- F. All ministers and churches considered for services, anniversaries and programs, all standing dates and standing committees are to be approved and co-ordinated with the Pastor.
- G. Supplying the pulpit for Homecoming, Revival, the Church Anniversary, during his vacation or agreeable absence shall be the responsibility of the Pastor.
- H. The Pastor shall inform the Chairman of the Deacon Board as to his absence from the pulpit, at those times supplying the pulpit shall be co-ordinated by the Pastor and the Chairman of the Deacons. Visiting ministers shall be paid by the Pastor if he engages them on a Sunday not covered by vacation, sick, work or family bereavement unless prior approved by the Church.
- I. The Pastor shall visit and commune with the sick and shut-ins, funeral courtesy visitation with bereaved families, and shall direct funeral and weddings at the families request. He must be notified about weddings and/or all funerals to be held in the church whether he officiates or another is desired.
- J. The Pastor shall be in charge of the Baptism and new membership classes and shall be assisted by the Deacons.
- K. Selection of the Pastor shall be on the recommendations of a pulpit committee guided by the scripture as outlined in I Timothy 3:1-7, and by their duties as described in article twelve, section one and upon the vote of three fourth (3/4) present members at a scheduled business meeting voting to approve the committees report.
- L. Termination of pastoral services shall be by resignation or dismissal with either requiring a ninety (90) day written statement. The written statement shall stand as a final notice and shall be effective as to the date ninety (90) days of the written notice.
 - A. Resignation-is by the Pastor's request to terminate his pastoral services for his reason.
 - B. Dismissal-shall be by vote of members according to article eight, section eleven of these by-laws.

SECTION 8-BOARDS

This church shall have two Boards, each having separate functions. They shall be known as the Board of Deacons and the Board of Trustees. Both Boards shall not have less than one third representation at each regular church service, church program and business meeting.

- A. The Deacon Board-Their purpose shall be that of a spiritual direction. They are to guard the unity of the spirit within the church in the bonds of peace.
- B. The Board of Trustees-Their purpose shall be that of administrators and protectors of church property and funds.
- * Separate Boards: Each board shall have its separate officers, meetings, and their activities as to its scheduled times.
- * Joint Boards:

At times both boards shall act as one for:

1. Building and loan projects.
2. Financial emergency projects.
3. Membership screening and concerns of church welfare.

Deacons are to be chosen by vote of the church and shall be faithful, prudent, experienced and devout men. They shall serve as a council of advice and conference with the Pastor in all matters pertaining to the saving of souls and the development of christians. They are to be guided in all ways by the principles set forth in Matthew 18:15-17, I Corinthians 5:9-13 and I Thessalonians 5:12-14, and the general interest in advancing the welfare and work of this church.

- A. Visit the sick, shut-ins and bereaved.
- B. Be devotional leaders.
- C. Servants of the Lords Supper.
- D. Assist the Pastor in Baptism and teaching of the new membership classes.

Deacons shall hold office indefinitely. They shall not hold any other office of this church without the expressed consent and two third vote of present members at a scheduled business meeting.

He may be removed from office by the church because of derelict in duty and/or unethical behavior and character, after being given a chance to reprove.

Trustees are elected to serve as custodians and administrators of church funds and property. There shall be seven trustees to include the chairman.

To serve as a Trustee, there shall be some knowledge of building, repairing, purchasing, keeping count and records of all monies, and they shall be trustworthy. Their duties shall consist of:

- A. Holds the legal title to the property of the Church.
- B. Official signatures on all notes, loans and official documents.
- C. Authorize disbursements of fund in accordance with church procedures.
- D. Responsible for the maintenance, care and the beautification of this church and property.
- E. Keep an updated inventory of all church contents and property.
- F. Keys to the Church shall be issued by the Trustee Chairman, and there shall be a record kept of the key holders.
- G. Issue their consent for the use of church property and church contents.
- H. Designating grave sites and general care of the cemetery, unless a cemetery committee is operative.

CHURCH MOTHER

The Church Mother shall be the oldest aged female member of this church and shall remain so until her demise. After which the next oldest female member shall automatically become the Church Mother.

CLERK

The Clerk is an elected officer who shall keep accurate and complete records of all business meetings, keep on file all communications and written reports, maintain an up-to-date membership register, handle church communications, issue letters of dismissal and recommendations voted by the church, keep an up-to-date history of the church and make the proper church announcements.

TREASURER

The Treasurer shall serve as custodian of all church funds. It shall be the duty of the Treasurer to work closely with the Board of Trustees, deposit all funds into the church bank account, pay by check, with the signature of the Trustee Chairman, all salaries and bills upon receipts of voucher, promptly. Keeping at all times an itemized account of all receipts and disbursements, prepare itemized statements for regular monthly meeting, a summarized, financial report annually for the Deacons, Trustees and the Church. The report and statements shall be signed by the Treasurer. All disbursement of funds shall be prior approved by the Trustees.

FINANCIAL SECRETARY

It shall be the duty of the Financial Secretary to receive church offering envelopes, maintain accurate records as to the financial contributions of the member. Quarterly, give each contributor a written notice as to the status of their account and give each member a statement of total donations of the past year.

CHURCH BOARD OF CHRISTIAN EDUCATION

A board of elected members with a purpose to broaden christian development to be carried out in parts through committees on children, youth and adult work, leadership and missionary education. This board consist of at least five (5) which include the Sunday School Superintendent, the Directors of Youth, Bible and Prayer Services. This board shall provide learning and training materials for all departments. They shall give special attention to:

- A. Church Sunday School
- B. Youth Work
- C. Bible Study
- D. Prayer Service
- E. Missions
- F. Vacation Bible School

ARTICLE X-AUXILIARIES & MUSIC

SECTION 1-AUXILIARIES

Auxiliaries of this church shall be helper organizations with functions to assist the church. Their purpose shall be for advancement of the church. Their governing laws may differ to accompany their purpose, however, each auxiliary is responsible to the welfare of the general philosophy of this church.

- A. By-laws to govern activities shall be viewed by the Pastor and Official Board.
- B. Auxiliary Presidents to be represented on church advisory council.
- C. An accurate record of finances to be maintained.
- D. Slate of officers and scheduled meetings, shall be presented to the church not later than the church meeting before election of officers.

SECTION 2-MUSIC

Music Director and/or Organist (s) shall have the responsibility of providing worshipful music for all services, and shall have oversight and direction of the music and is to cooperate with the Pastor and Choir Presidents in selection of suitable music.

ARTICLE XI-CHURCH ADVISORY COUNCIL

SECTION 1-CHURCH COUNCIL

Serves as a general overseer of church life, coordinating the work of various groups, planning co-operative programs and shall appoint the nominating committee at the third quarterly (August) meeting, and on the fourth quarterly (November) meeting, present to the Pastor and Deacons the appointed nominating committee. Church council members shall consist of: The Pastor, Chairman of the Deacons, Trustees and Committees, elected Church Officers, Presidents of Auxiliary organizations and two (2) church members of good standing.

NOTE: Church Council scheduled quarterly meetings: 1st-February, 2nd-May, 3rd-August, and 4th-November.

The Pastor shall serve as chairperson of this committee.

ARTICLE XII-STANDING COMMITTEE

SECTION 1-NOMINATING COMMITTEE

Its function shall be to report to the church, at its regular scheduled meeting, a slate of suggestive persons to serve as church officers and committee chairpersons. This committee shall consist of five (5) persons. One (1) Deacon, One (1) Trustee, Two (2) church members in good standing and the Associate Pastor.

SECTION 2-CEMETERY COMMITTEE

The Cemetery Committee will consist of three members who will be responsible for the care of the cemetery.

SECTION 3-PULPIT COMMITTEE

A Pulpit Committee shall be appointed by the church to consist of two (2) Deacons, the Chairman of Trustees, two (2) members, the Church Mother, the ~~Presidents~~ Presidents of the Ushers and Choirs and the Sunday School Superintendent, all under the direction of the Chairman of the Deacon Board. This committee shall examine the credentials, interview and hear the preaching of persons whose name have been suggested for the pastorate. When the committee has made a choice it shall give a thirty (30) day notice of the meeting at which it will submit its report. No nominations shall be considered or made except those presented by the committee. The vote shall be on the acceptance of the committees report. ~~If 3/4~~ If ^{3/4} of the present members vote to approve the committee's recommendation, the moderator shall declare the nominee elected. If the committee's report fail to be accepted, than the moderator shall be referred for further choice. The meeting shall than be adjourned without debate.

MADON

SECTION 4-AUDITING COMMITTEE

This committee shall consist of three (3), the Chairman of Trustees and two (2) Trustees, whose duty shall be to make a full examination of or arrange to have the Treasurers book, which will annually close on December 31, audited. This committee shall then give a full report of the Treasurers book to the church at the scheduled February business meeting.

SECTION 5-BUDGET PLANNING AND FUND RAISING COMMITTEE

This committee shall consist of thirteen (13) members who shall work very closely but shall have separate operations, both with a purpose, one to plan fund raising activities for the church financial need, and one to develop a proposal for a budget system. Its membership shall consist of; (1) BUDGET PLANNING-five members, one Deacon, two Trustees, the Financial Secretary and one member. (2) FUND RAISING-seven members, one Deacon, one Trustee and five members.

SECTION 6-HOSPITALITY COMMITTEE

It is the purpose of this committee to plan, purchase, prepare and serve food or refreshments for annual events such as Homecoming or the Church Anniversary, or for any other event or program where food is served. This committee may assist auxiliary functions upon their request.

SECTION 7-BENEVOLENCE COMMITTEE

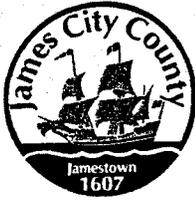
This committee shall be concerned about the sick, aged, needy and handicapped members. The Pastor and church shall be informed of their well being. Visits and financial aid may be given whenever needed. This committee shall consist of five; the Associate Pastor, two Deacons, and two members.

ARTICLE XIII-AMENDMENTS

SECTION 1-This Constitution and By-Laws shall be adopted and in immediate effect with two thirds of the present members at the business meeting voting for the adoption of these by-laws.

SECTION 2-This Constitution and By-Laws may be amended or appealed by two thirds vote of members of good standing present at any regular church business meeting.

SECTION 3-To amend or appeal this Constitution and By-Laws there shall be submitted in writing, one or more of, an article or section proposals of a change and what is offered instead. Before such a vote be taken, a notice of the proposed amendment shall be made known to the church at least two regular church business meetings prior to the date when action is to be taken for the proposal. The approval of the proposal shall be by two thirds vote of present members at a regular church business meeting.



DEVELOPMENT MANAGEMENT

101-E MOUNTS BAY ROAD, P.O. BOX 8784, WILLIAMSBURG, VIRGINIA 23187-8784
(757) 253-6671 Fax: (757) 253-6850 E-MAIL: devtman@james-city.va.us

CODE COMPLIANCE
(757) 253-6626
codecomp@james-city.va.us

ENVIRONMENTAL DIVISION
(757) 253-6670
environ@james-city.va.us

PLANNING
(757) 253-6685
planning@james-city.va.us

COUNTY ENGINEER
(757) 253-6678
INTEGRATED PEST MANAGEMENT
(757) 259-4116

January 5, 2001

Mr. Marc Bennett
AES Engineers
5248 Olde Towne Road, Suite 1
Williamsburg, VA 23188

RE: Mount Pleasant Baptist Church Addition
County Plan No. SP-110-00

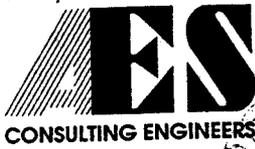
Dear Mr. Bennett:

Letter requests were written by you dated September 6, and December 6, 2000, requesting waivers from provisions of the Chesapeake Bay Preservation Ordinance and the *James City County Guidelines for Design and Construction of Stormwater Management BMPs* regarding stormwater management requirements for the above referenced project.

The request to waive the requirements of the Ordinance is denied; stormwater management will be required. However, the request to waive the sizing requirement for a bioretention BMP as contained in the *Guidelines* is hereby approved. Because of the constraints posed by the partial redevelopment of the site, the size of the facility as shown on the approved site plan is acceptable in lieu of the requirements contained in the manual.

Sincerely,

Darryl E. Cook, P.E.
Environmental Director



5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com

December 6, 2000

Mr. Darryl E. Cook
James City County Environmental Division
101-E Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784

**RE: Mount Pleasant Baptist Church
Waiver Request to the James City County BMP Design Guidelines
AES Project No. 8815**

Dear Mr. Cook:

AES Consulting Engineers has resubmitted a site plan for building additions to the existing facility of Mount Pleasant Baptist Church. Located at 4002 Ironbound Road, the current site is zoned R-2, General Residential District.

The purpose of the building addition is to provide much needed classroom space for the existing congregation. This currently planned building expansion will provide approximately 1,500 square feet of additional floor area to the existing 4,600 square feet. Acknowledging the need to comply with the intent of the Chesapeake Bay Ordinance, the 1,500 square foot expansion currently planned is somewhat reduced from the original plan to expand the current building by 2,500 square feet.

Planned with the new site improvements is a bioretention area. The purpose of the bioretention area is to provide water quality benefits for initial rainfall runoff from the site.

In James City County's BMP Guidelines, bioretention areas, as well as other BMP practices, have established sizing requirements. It is with this letter, a waiver to the sizing requirement is requested. This request is made knowing the following:

- The site is well established with existing features, and is a re-development of the site, in essence; and,
- The most appropriate location for a BMP is not of sufficient area to permit a bioretention area designed under the guidelines;

James City County Environmental Staff, a representative from the church, and AES Consulting Engineers met on-site to discuss appropriate action and designs, and an agreeable solution is formalized on the most recent site plans.

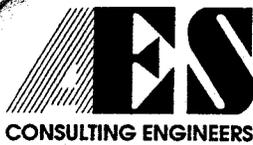
It is our hope that a favorable response to our request is forthcoming. Should any questions arise as a result of this request, please contact us.

Sincerely,

AES Consulting Engineers

A handwritten signature in black ink, appearing to read "V. Marc Bennett". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

V. Marc Bennett, P.E.
Project Manager



5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com

September 6, 2000

Mr. Darryl E. Cook
James City County Environmental Division
101-E Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784

**RE: Mount Pleasant Baptist Church
Waiver Request to the Chesapeake Bay Ordinance
AES Project No. 8815**

Dear Mr. Cook:

AES Consulting Engineers has submitted a site plan for building additions to the existing facility of Mount Pleasant Baptist Church. Located at 4002 Ironbound Road, the current site is zoned R-2, General Residential District.

The purpose of the building addition is to provide much needed classroom space for the existing congregation. This currently planned building expansion will provide approximately 1,500 square feet of additional floor area to the current 4,600 square feet of existing floor area. Acknowledging the need to comply with the intent of the Chesapeake Bay Ordinance, the 1,500 square foot expansion currently planned is somewhat reduced from the original plan to expand the current building by 2,500 square feet.

Section 23-12 of the Chesapeake Bay Preservation Ordinance allows for waivers to all or part of the chapter, to allow for beneficial use or minor modifications or alteration of structures and property, legally existing prior to the adoption of this chapter. It is under this provision that a formal request through this letter to waive all or part of the Chesapeake Bay Preservation Ordinance is sought.

A complete waiver to the ordinance is sought for the following reasons:

1. The amount of land disturbance for the building additions is small, at 3,226 square feet or approximately 2.6% of the entire site.
2. The amount of increase in impervious area is 1,000 square feet, or less than 1% of the site.
3. Imposing the requirement to reduce non-point source pollution load is a hardship for this property, for the following reasons:
 - a. In terms of topography, the most appropriate or likely area for a water quality treatment facility, or BMP, to reduce non-point source loading, is within a portion of the currently paved parking area. A surface facility, such as a wet pond or a dry pond, would reduce the amount of parking area for the site. Expansion of the parking area in adjacent areas, thereby

enabling the installation of a BMP in the desirable location, is very limited due to property lines and the existing graveyard.

- b. The installation of an underground BMP facility may also be difficult, as again the most appropriate location for this facility is under the existing pavement and adjacent to the existing graveyard. The congregation has a concern of the impacts an underground facility would have on existing gravesites.
4. The impervious cover for the site after the proposed improvements will be 27.4%, nearly one-half of the total site imperviousness allowed under the Code of James City County.

Although the provisions of the Chesapeake Bay Preservation Ordinance may view these site improvements as a redevelopment of the property, the requirements of the ordinance still impose a reduction of non-point pollution reduction by 10%. Again, structural BMP's are normally designed and constructed to provide compliance. As mentioned above, practicality and space limitations prevent these types of solutions.

Although a small contributor to non-point source pollution, the site currently utilizes a septic tank and drainfield system for sewage treatment and disposal. With the proposed site plan, the church facility would discontinue use of these existing facilities and construct the means to connect into the public sewer system.

The circumstances of this site are unusual. But the hardships exhibited and expressed are not generally shared by other properties in the vicinity. It is our belief, and that of the congregation of Mount Pleasant Baptist Church, that impacts upon the Chesapeake Bay, its tributaries, and other properties in the vicinity of this site will not be impacted by the proposed improvements.

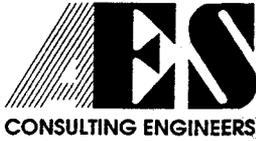
It is our hope that a favorable response to our request is forthcoming. Should any questions arise as a result of this request, please contact us.

Sincerely,

AES Consulting Engineers



V. Marc Bennett, P.E.
Project Manager



5248 Olde Towne Road • Suite 1 • Williamsburg, Virginia 23188
(757) 253-0040 • Fax (757) 220-8994 • E-mail aes@aesva.com



December 6, 2000

See my email to you on this. I have no objection to this approval of this request

Mr. Darryl E. Cook
James City County Environmental Division
101-E Mounts Bay Road
P.O. Box 8784
Williamsburg, VA 23187-8784

**RE: Mount Pleasant Baptist Church
Waiver Request to the James City County BMP Design Guidelines
AES Project No. 8815**

Dear Mr. Cook:

AES Consulting Engineers has resubmitted a site plan for building additions to the existing facility of Mount Pleasant Baptist Church. Located at 4002 Ironbound Road, the current site is zoned R-2, General Residential District.

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Planned with the new site improvements is a bioretention area. The purpose of the bioretention area is to provide water quality benefits for initial rainfall runoff from the site.

In James City County's BMP Guidelines, bioretention areas, as well as other BMP practices, have established sizing requirements. It is with this letter, a waiver to the sizing requirement is requested. This request is made knowing the following:

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- The most appropriate location for a BMP is not of sufficient area to permit a bioretention area designed under the guidelines;

James City County Environmental Staff, a representative from the church, and AES Consulting Engineers met on-site to discuss appropriate action and designs, and an agreeable solution is formalized on the most recent site plans.

Mr. Darryl E. Cook
December 6, 2000
Page 2

It is our hope that a favorable response to our request is forthcoming. Should any questions arise as a result of this request, please contact us.

Sincerely,

AES Consulting Engineers

A handwritten signature in black ink, appearing to read "V. Marc Bennett", with a long horizontal flourish extending to the right.

V. Marc Bennett, P.E.
Project Manager

H 020043

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY

#502

IN RE: APPOINTMENT OF TRUSTEES OF MOUNT PLEASANT BAPTIST CHURCH

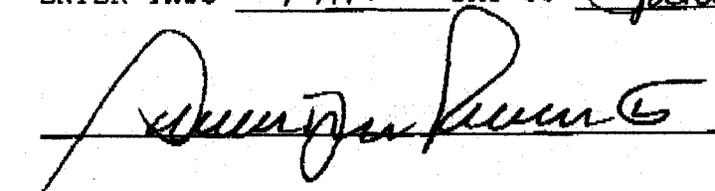
ORDER FOR APPOINTMENT OF TRUSTEES

This day came the Congregation of the MOUNT PLEASANT BAPTIST CHURCH, by counsel, and presented to the Court its petition for the appointment of ERIC FINLEY, JOHN SMITH, ANGELETTE DENNIS, FRANCES TAYLOR, SHARON WALKER, PURVIS BYRD, FRANCIS CELESTINE, ELIZABETH JOHNSON, LLOYD RICHARDSON, and WILLIAM STRONG, as Trustees of the Church.

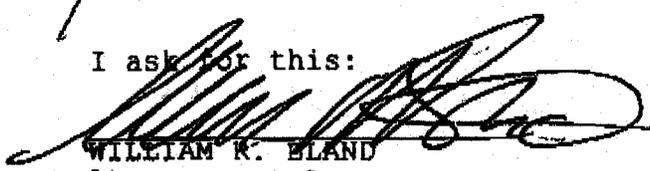
It appearing to the Court by a copy of the minutes of a meeting of the Congregation of the Church duly filed, that these persons were elected to serve as Trustee.

It is hereby ADJUDGED, ORDERED and DECREED that pursuant to the provisions of Section 57-8 of the Code of Virginia, 1950, as amended, that ERIC FINLEY, JOHN SMITH, ANGELETTE DENNIS, FRANCES TAYLOR, SHARON WALKER, PURVIS BYRD, FRANCIS CELESTINE, ELIZABETH JOHNSON, LLOYD RICHARDSON, and WILLIAM STRONG, are hereby appointed as Trustees of MOUNT PLEASANT BAPTIST CHURCH to serve at the pleasure of the congregation.

ENTER THIS 17th DAY OF January, 2002.

 JUDGE

I ask for this:

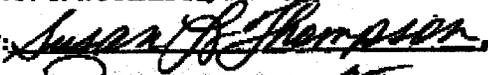


WILLIAM R. BLAND
Attorney at Law
Counsel for the Congregation

VIRGINIA: In the Circuit Court for the City of Williamsburg and County of James City, to-wit:

I certify that the document to which this authentication is affixed is a true copy of a record in the Clerk's Office aforesaid, that I have custody of the record and I am the custodian of that record.

BETSY B. WOOLRIDGE, CLERK

BY:  Deputy Clerk

DATE: January 25, 20 02