

**A G E N D A**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**April 14, 2020**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

**E. PRESENTATIONS**

**F. PUBLIC COMMENT**

**G. CONSENT CALENDAR**

1. Minutes Adoption
2. Memo - The Department of Housing and Urban Development Housing Choice Voucher Program
3. Grant Award - Virginia Housing Development Authority Community Impact Grant - \$42,900
4. Award - Virginia Homeless Solutions Program COVID-19 Emergency Shelter Operations Funds - \$37,373

**H. PUBLIC HEARING(S)**

1. Proposed Real Property Tax Increase
2. Fiscal Year 2021-2022 County Biennial Budget
3. An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Improve Formatting and Readability; An Ordinance to Amend and Reordain James City County Code, Chapter 22, Wetlands; An Ordinance to Amend and Reordain James City County Code, Chapter 23, the Chesapeake Bay Preservation Ordinance
4. An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Increase Certain Fees to Defray the Costs Incurred by the County and for Additional Resources to Administrate Each Program
5. Amendment to Regjag/Gilley Deed of Easement
6. Readoption of Continuity of Government Ordinance

**I. BOARD CONSIDERATION(S)**

1. Contract Award-Administration of Group Medical, Dental, Stop Loss, and Prescription Drug Coverage
2. Authorization to Request Establishment of a No Wake Zone on Diascund Creek

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**L. CLOSED SESSION**

1. Chesapeake Bay/Wetlands Board Appointment
2. Economic Development Authority Appointment

**M. ADJOURNMENT**

1. Adjourn until 4 p.m. on April 21, 2020 for the Budget Work Session

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

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**ATTACHMENTS:**

	Description	Type
📎	031020 BOS Regular Meeting	Minutes
📎	031720 BOS Special Meeting	Minutes
📎	032420 BOS Work Session	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 3:19 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 10, 2020**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Michael J. Hipple, Vice Chairman, Powhatan District  
Ruth M. Larson, Berkeley District  
P. Sue Sadler, Stonehouse District - via phone  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

Mr. Icenhour requested a motion to allow Ms. Sadler, who was unable to attend the meeting, to participate via phone for the Board of Supervisors meeting per policy for extenuating circumstances.

A motion to Allow Ms. Sadler to Participate by Phone was made by Ruth Larson, the motion result was Passed.

AYES:4 NAYS: 0 ABSTAIN: 0 ABSENT: 1  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon  
Absent: Sadler

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Lillian Rickert, a 3rd-grade student at J. Blaine Blayton Elementary School and a resident of the Powhatan District, led the Board and citizens in the Pledge of Allegiance

**E. PRESENTATIONS**

None.

**F. PUBLIC COMMENT**

1. Ms. Peg Boarman, 17 Settlers Lane, addressed the Board in regard to the 42nd Annual County-wide Spring Cleanup to be held March 27 and 28. She emphasized the need for volunteers and commented all ages were welcome. She stated that dumping fees for registered participants would be waived at the Jolly Pond Convenience Center between 12-4 p.m. on Friday, March 27 as well as Saturday, March 28 between 7 a.m.-4 p.m. She further stated anyone wishing to participate could email her at [pboarman@cox.net](mailto:pboarman@cox.net), call 757-565-0032, or register online at [jamescitycountyva.gov/3512/springcleanup](http://jamescitycountyva.gov/3512/springcleanup) and noted March 20 was the deadline to register.



2. Mr. Jon Holland, 6273 Centerville Road, addressed the Board in regard to trash on Centerville Road because of commercial truck debris flying out due to loosely designed canopy covers.

## **G. CONSENT CALENDAR**

### **1. Minutes Adoption**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The motion for approval of the minutes included the following meetings.

- 021120 Regular Meeting
- 022520 Special Meeting
- 022520 Work Session Meeting

### **2. Award - Housing Choice Voucher Program - \$26,500**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **3. Award - HUD Mainstream Vouchers - \$147,996**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **4. Dedication of Kings Way and Queens Path**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **5. Contract Award - Consultant Services to Study Potential Organizational Alignment of Colonial Behavioral Health and Olde Towne Medical and Dental Center - \$85,000**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

## **H. PUBLIC HEARING(S)**

Mr. Icenhour acknowledged Planning Commission member Ms. Julia Leverenz in the audience.

### **1. Case No. SUP-19-0025. 5403 Riverview Road Tourist Home**

A motion to Approve was made by Michael Hipple, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Terry Costello, Deputy Zoning Administrator/Senior Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Ms. Leverenz stated there was very little discussion by the Planning Commission concerning this application; however, she shared previous objections which she felt might account for the one dissenting vote. She further stated this objection primarily dealt with three contributing factors: 1) competition of existing commercial tourist home operations; 2) the reduction of affordable housing opportunities, as some tourist homes had previously been rentals; and 3) concerns regarding no sunset clause.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

Mr. McGlennon expressed his appreciation for the Planning Commission considerations summary and noted it highlighted concerns he had regarding a continuing flow of requests for turning what may be affordable housing opportunities into commercial ventures. He addressed the issue of assessment of homes with this designation in regard to real estate values.

2. Case No. SUP-19-0029. 4451 Longhill Road Life Church and Parents Daycare Program

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Costello gave an overview of the staff report and resolutions included in the Agenda Packet.

Ms. Sadler asked for clarification that the Applicant was in favor of Resolution No. 2 which provided conditions.

Ms. Costello replied yes.

Mr. Icenhour replied affirmatively as well. He inquired if the church was legally non-conforming because the previous Special Use Permit (SUP) that would have made it conforming was never activated.

Ms. Costello replied when it was first built it was permitted; however, there was an SUP which expired due to the construction commencement time period.

Mr. Icenhour inquired if that was what made it legally non-conforming and would this SUP bring it back into conformance.

Ms. Costello replied yes.

Ms. Leverenz stated the Planning Commission agreed that not limiting the number of days made sense; however, it disagreed on limiting the hours. She further stated the majority of the Planning Commission members felt in this case if the Applicant decided to expand the program, it would make sense not to have to come back through the legislative process. She remarked a few Commissioners felt because the Applicant only wanted to operate this from 9:30 a.m.-12:30 p.m., adding an hour on each side for coming and going, and because a "Parents Day Out" was not a traditional daycare program, expanding it to a full day program would change the nature of the SUP. She noted the Commission did not share staff concerns regarding traffic impact if the hours were extended.

Mr. Icenhour opened the Public Hearing.

1. Ms. Lyra Hale, Applicant, 140 Country Club Drive, addressed the Board and remarked she currently attended the Christian Life Center, dba Life Church, and noted this program would allow the use of the building for further connection and community outreach during the week when the building was otherwise empty. She stated the intent of the program was to provide times for parents to run errands, noting similar programs were run in churches in the surrounding localities. She expressed her appreciation that the Planning Commission was presenting the Board with an option allowing the ability to change or expand days or times without returning to the Board to amend the SUP and had no objections to the original conditions as offered to the Planning Commission.

Mr. Icenhour closed the Public Hearing.

Mr. McGlennon stated he understood the thinking of the Planning Commission on this item, but his sense was that the Applicant made clear a particular type of program which seemed reasonable. He noted concern regarding the traffic situation on Longhill Road across from Lafayette High School and therefore supported Resolution No. 2.

3. Case No. SUP-19-0028. Strait Gate Temple Expansion

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Ellen Cook, Principal Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. McGlennon inquired about current and post expansion parking.

Ms. Cook replied that 32 parking spaces was the minimum the Ordinance required and noted one space for every five seats.

Mr. Icenhour inquired if more parking spaces were sought would they have to return to the Board.

Ms. Cook replied there would likely be a master plan consistency determination.

Mr. Icenhour referenced a map included in the Agenda Packet that showed the footprint layout of the adjoining property and questioned a building in dotted lines crossing the boundary line.

Ms. Cook replied there was encroachment from an adjacent structure that is an existing condition that currently crosses the property.

Mr. Icenhour inquired if the proposal would have sufficient separation in order to have legal requirements.

Ms. Leverenz stated the Planning Commission discussed future parking requirements and noted Mr. Edward Rose, Applicant, told the Commission the site plan submitted would show future planned parking. She further stated this program passed the Commission with a vote of 6-0 and it suggested staff work with the Applicant to relocate the main entrance to Mooretown Road and Curry Drive.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

4. Case No. SUP-20-0003. Jamestown High School Learning Cottage

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Thomas Wysong, Senior Planner, gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

Mr. Icenhour asked if the Board had any questions.

The Board members had no questions.

5. Case No. SUP-20-0004. Stonehouse Elementary School Learning Cottage

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Wysong gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

As there were no registered speakers, Mr. Icenhour closed the Public Hearing.

Mr. Icenhour asked if the Board had any questions.

The Board members had no questions.

**I. BOARD CONSIDERATION(S)**

None.

**J. BOARD REQUESTS AND DIRECTIVES**

The Board expressed its thanks to the Williamsburg-James City County (WJCC) school staff for attending the meeting.

Mr. McGlennon stated he and Supervisors Hipple and Icenhour attended the dedication ceremony for the memorial sign for Sergeant Earl “Buddy” Heisler and commented it was great to honor Sergeant Heisler for his sacrifice and to recognize his family.

Ms. Larson referenced the citizen concern during the Public Comment segment of the meeting that regarded commercial truck trash debris. She commented after personally seeing similar

displays where trash sometimes flies out of commercial trucks, she felt it was an issue the Board should make aware to legislators. She briefly discussed a concern of a raised piece of concrete located in the parking lot of the shopping center that intersects at John Tyler Highway and Route 199. She noted a point made by Supervisor McGlennon regarding tourism homes and tax assessments and discussed a situation in her district where a house sat uncompleted for approximately 25 years. She commented she had participated in Read Across America and attended a wonderful program that was put on by the County for Black History Month. She concluded that she and Supervisor McGlennon would be speaking with the Sorensen Political Leaders Program on Friday, March 13, 2020.

Mr. Hipple passed on speaking.

Ms. Sadler passed on speaking.

Mr. Icenhour stated he attended the League of Women Voters tea in celebration of the 100th anniversary of the ratification of the 19th Amendment and noted it was a superb program. He further stated the February 18, 2020, Community Conversations held at Legacy Hall was a good turnout and hoped for positive feedback from that event. He briefly discussed the School Liaison meeting held on February 20, 2020. He echoed Ms. Larson's comment regarding the Black History Month program and noted Mr. Michael Williams gave a good presentation. He complimented the WJCC jazz ensemble from the schools and commented they were superb as was Corey's Country Kitchen catering. He expressed kudos to staff for its organization of the program. He stated that on February 29 he went to the Virginia War Memorial where the Shrine of Memory expansion was dedicated. He referenced cargo covers for commercial trucks and noted Police had the ability to stop and ticket the vehicles when necessary. He further noted that this could be an interest item especially on patrols along Centerville Road. He referenced the uncompleted house Ms. Larson previously mentioned and inquired if it had a Certificate of Occupancy and were people living in it.

Ms. Larson replied yes.

Mr. Icenhour stated he had been working with Parks & Recreation and wanted to inform the public that National Vietnam War Veterans Day will be held on March 29, 2020, with a celebration at 2 p.m. at Veterans Park. He noted this event was co-sponsored by the Vietnam Veterans of America Chapter 957, James City County, and the Greater Williamsburg Chamber and Tourism Alliance's Business Council. He further noted this day was first observed as a one-time event in 2012 and was recognized as an annual event by the Vietnam War Recognition Act of 2017. He stated the speaker at the event would be the Honorable Congressman Rob Wittman and further information could be obtained at [jamescitycountyva.gov](http://jamescitycountyva.gov).

## **K. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Stevens stated the County was hosting a Prescription Drug Take Back Initiative on April 25 from 10 a.m.-2 p.m., at the Law Enforcement Center located at 4600 Opportunity Way. He noted this event was for collecting potentially dangerous expired, unused, or unwanted prescription drugs for destruction and remarked the program was anonymous with no questions asked. He mentioned the Novel Coronavirus Disease 2019 (Covid-19) and stated staff was having internal conversations in regard to County staff and County response if and when this disease might be in our community. He further stated staff was in contact with the Virginia Department of Health and other local governments throughout the Hampton Roads region, regularly sharing information on social media. He noted links to the Virginia Department of Health, the Center for Disease Control and Prevention, and the World Health Organization that can be accessed at [jamescitycountyva.gov](http://jamescitycountyva.gov). He encouraged people to follow

recommendations from the Virginia Department of Health which suggest ways to reduce the risk of spreading germs. He stated more information regarding Covid-19 can be obtained by calling the Virginia Health Department at 877-275-8343 or visiting [vdh.virginia.gov](http://vdh.virginia.gov).

Ms. Larson noted that she reached out to Mr. Doug Powell, General Manager of James City Service Authority (JCSA), and he stated the JCSA does have an emergency preparedness plan.

## **L. CLOSED SESSION**

A motion to Certify the Board spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:47 p.m., the Board entered Closed Session.

At approximately 5:58 p.m., the Board re-entered Open Session.

### **1. Appointment to the Board of Zoning Appeals**

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended reappointment of Mr. David Otey, Jr. for a 5-year term to expire on March 31, 2025.

### **2. Appointments to the Historic Triangle Bicycle Advisory Committee**

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended appointment of Ms. Brenda Barrera for a 1-year term to expire on March 10, 2021.

The Board recommended appointment of Mr. Theodore Hanson for a 2-year term to expire on March 10, 2022.

### **3. Appointment to the Chesapeake Bay Board and Wetlands Board**

### **4. Appointment to the Economic Development Authority**

## **M. ADJOURNMENT**

### **1. Adjourn until 9 a.m. on March 13, 2020, for the Joint Meeting with Williamsburg-James City County Schools and the City of Williamsburg at the Stryker Center**

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:59 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**SPECIAL MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 17, 2020**  
**11:00 AM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

P. Sue Sadler, Stonehouse District - via phone  
John J. McGlennon, Roberts District  
Ruth M. Larson, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

Mr. Icenhour called the Board of Supervisors to a Special Meeting following Virginia Governor Ralph Northam's 11 a.m. update on the coronavirus, COVID-19.

Mr. Icenhour requested a motion to allow Ms. Sadler to participate remotely for the Special Meeting due to a medical condition which did not allow her attendance.

A motion to allow Ms. Sadler to participate remotely was made by Ruth Larson, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

**C. BOARD DISCUSSIONS/GUIDANCE**

Mr. Icenhour noted Mr. Stevens would address Item No. 1.

1. Confirmation of March 13, 2020 Declaration of Local Emergency

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Stevens noted the County Attorney could address the point in more detail, but further noted the appropriate actions were taken to ensure the County was set up to accept whatever assistance or reimbursement might become available.

Mr. Kinsman addressed the Board noting the resolution before it was a confirmation of the Local Emergency Declaration adopted on March 13, 2020. He further noted an amendment to that resolution, which included the word "disaster", allowed the Board to avail itself of a few more Virginia Code sections.

Mr. Icenhour asked about the resolution and the amended declaration.



Mr. Kinsman noted the amended declaration detailed what the resolution allowed Mr. Stevens to execute.

Mr. Icenhour asked for a motion to Adopt the resolution.

2. COVID-19 Update of Current Conditions and Future Considerations

Mr. Stevens noted, with the Board's approval, several short briefings would take place followed by discussion. He further noted Fire Chief Ryan Ashe, Ms. Rebecca Vinroot, Director of Social Services, Mr. Jason Purse, Assistant County Administrator, and Ms. Latara Rouse, Communications Manager, were in attendance for discussion on the four main topics of Fire, Social Services and community issues, County operations, and Communications. Mr. Stevens further noted he would address budget implications in his remarks.

Chief Ashe addressed the Board with an update on the 11 confirmed cases in the Peninsula Health District, of which James City County is a part of that district. He noted coordination and work over the past weeks regarding the virus, but enhanced efforts over the weekend with the confirmation of the first fatality in the County. Chief Ashe noted on March 16, 2020, the Peninsula localities joined together to form a regional operation center in Newport News where County representatives will be sent to help coordinate Law Enforcement, Fire and EMS, Emergency Management, and Public Information sections. He further noted representatives from hospitals, the Virginia Department of Health (VDH), the Peninsula Health District, and other such disciplines would be sent on a rotation basis from each locality so that each jurisdiction was not sending someone on a daily basis and coverage could be extended over a longer time. Chief Ashe noted rather than an operation center, it served as a coordination point to ensure timely and accurate information in a joint packet for Public Information Offices. He further noted the coordination and support from the various county administrators, city managers, fire chiefs, police chiefs, and emergency management from the surrounding localities in the process. Chief Ashe noted assistance from the Hampton Roads Incident Management Team, based in the City of Chesapeake, of which most localities have area representatives who participate on the Team. He further noted several members of the Team had experience in other localities with establishing hurricane emergency operations centers and brought extensive knowledge in the coordination efforts among the participating localities.

Ms. Larson asked how the information was deciphered. She questioned the drive-through testing and hospitalization and the distribution of that information through various channels.

Chief Ashe noted that was part of the coordination process the operations center would address. He further noted that as of today any testing done at a state laboratory was reported to the Virginia Department of Health. He added that confirmation was quicker since it was a state laboratory facility. Chief Ashe noted testing being done at hospital systems or outside laboratories such as LabCorp or Quest would then send that information to hospitals or doctors, which would then be relayed to the state. He further noted this was part of the streamlined process the regional group was hoping to achieve. He noted the strict Health Insurance Portability and Accountability Act (HIPAA) regulations involved in the process, but noted the importance of sharing information and "flattening the curve".

Ms. Larson expressed her appreciation for all the efforts. She noted her frustration regarding information, a cluster in the County, and cited the example of a patient who tested positive. She further noted she did not need the patient's name nor address, but rather information such as if that patient had been in a particular doctor's office on a particular day and time as a precaution for other patients. Ms. Larson expressed frustration at communication, but noted

the importance of HIPAA laws and protection. She noted the cluster and containment, and further noted if people did not stay where they should to contain the virus, what good was “flattening the curve”?

Chief Ashe noted once a case was confirmed, then a series of questions were asked to establish locations, times, dates, and such information to determine if notification or quarantine were acts to take.

Ms. Sadler noted the flow of information lacked a central point. She further noted the number of citizen calls the Board received and acknowledged the importance of those calls. She asked Chief Ashe if the Health Department could notify the County Administrator with timely updates so current information would be available to the Board members on a regular basis, which could be shared with the citizens.

Mr. Stevens noted he and Chief Ashe had worked on that piece all weekend. He further noted the information flow was not there yet, but it was getting better. Mr. Stevens noted the phone calls from residents that she and other Board members received were because the Department of Health had directly called the residents without contacting County Administration first. He further noted County Administration told the Department that was not helpful and noted time spent ‘chasing rumors’ on Thursday and Friday due to those calls. Mr. Stevens noted continued efforts were ongoing on that point. He further noted a call on Monday with the state Health Commissioner, Peninsula County Administration Officers (CAOs), and Emergency Management Directors to express the frustration surrounding the calls. Mr. Stevens referenced the death in the community and noted a resident had identified the location, but the Health Department had not provided any information to the County. He noted HIPAA restrictions, but further noted Chief Ashe and the move to a centralized location would prove beneficial in providing communication and information. Mr. Stevens noted the challenges citing the flow of information to the localities as of yet had not been great, but “we will get there.” He referenced hearing about positive tests pretty quickly, but noted if a person was dropped off who had been transported by County EMS, did that person meet the criteria and was that person tested. He noted that information was not getting to the localities in a timely manner. He further noted the test results were usually available within several days, but he wanted to know within an hour if a person was going to be tested to ensure the EMS team had its protective gear on during the transport. Mr. Stevens noted the teams were wearing protective gear, but noted the situation needed to get better per CAOs, and he added he believed it would.

Mr. McGlennon thanked Chief Ashe, County Administrator, staff, and other involved parties for all their efforts. He asked if they were confident that the number reported by VDH was the current number of cases in the County.

Mr. Stevens noted in viewing the VDH website that there were more confirmed cases than on its website.

Mr. McGlennon noted the vital importance of conveying that concern about accurate information. He further noted concerns from other localities on that information. He noted the testing with private labs and concern about the information being relayed to VDH. Mr. McGlennon asked about a central report from these labs to VDH.

Chief Ashe noted he could not answer that question and further noted some reporting was obtained electronically automatic, while other information had to be communicated. He added that would be an action point for follow-up with the regional team.

Mr. Stevens noted the hospitals had indicated they would work with the County for testing to provide local information, but the private laboratories could be more difficult. He further noted that should be resolved in the future.

Ms. Larson asked if local doctors' offices were currently testing and submitting that information to VDH.

Chief Ashe noted LabCorp and Quest were offering some testing, but unsure if it was at doctors' offices. He added he would follow up on that point.

Mr. Hipple asked Chief Ashe what was the scenario if a call was received and how employees handled the situation if this call was a possible issue and what action items were required.

Chief Ashe noted implementation at the 911 center with initial questions that covered travel information. He further noted initially travel outside of the United States was asked, but that point quickly turned to travel locations in general. Chief Ashe noted the 911 operators asked callers about contact with known or suspected COVID-19 patients, which was then forwarded to the field personnel so they had some level of precaution prior to their arrival. He added that personnel were also screening for flu-like symptoms, fever, and coughing to give personnel additional information prior to arrival. Chief Ashe noted this was flu season and not every patient was a COVID-19 patient, but the information was important to relay to personnel. Chief Ashe noted there were not enough personal protective equipment, but that situation was not unique to James City County as it was a nationwide issue. He further noted there were not enough masks to be worn by everyone on a daily basis for the next few months with the assumption everyone had the virus. Chief Ashe noted testing was ongoing, screening the triage stage and mask use. He further noted limited personnel was sent on calls, adding that on typical breathing problems, two medic crew and three crew on the fire engine would be sent. Chief Ashe noted, rather than committing five members to possible exposure, the commitment of one or two crew to evaluate the patient was being implemented. He added that if all five crew members were needed, they would all assist. He noted this was a procedure already in place in certain situations. Chief Ashe further noted the use of protective gear and compliance with the Centers for Disease Control and Prevention (CDC) protocol did not constitute exposure. He added additional cleaning protocol for equipment. Chief Ashe detailed the process of transporting a patient to the hospital, notifying the hospital if the patient may be exhibiting signs of COVID-19-like symptoms, and then the more detailed hospital screening. He noted these steps put crews in a better position to be protected with as much information as possible. He further noted there was the possibility something could slip through, but that was the importance of communication from the Department of Health and the hospital systems on positive testing to County staff. Chief Ashe noted the importance, at least within the Peninsula Health District, that everyone was aware of the definition of self-isolation, quarantine, containment, and exposure and sharing the information correctly. He emphasized why the regional operations center was so important for the public to understand the use of those terms also.

Mr. Hipple emphasized the importance of getting that information out to the public. He noted the 'snowball effect' of information and the importance of sharing the correct information and the County's safety measures in place with the public.

Ms. Sadler asked Chief Ashe if his teams needed more protective gear and if so, what equipment.

Chief Ashe noted more protective gear was needed regionally as well as on a state level. He further noted each department in the Peninsula District had a cache of equipment, but was unsure when that supply would run out as it is based on the number of potential calls that met the criteria for use of protective gear. He noted a request through the state for additional equipment had been submitted. He further noted the VDH had some additional supplies that could be used, as well as a cache of supplies on the Peninsula through some grant funding. Chief Ashe noted the concern of maintaining the supply to ensure it was not depleted too

quickly and the importance of following the triage protocol. He added that both the state Department of Health and the Virginia Department of Emergency Management were working on filling the equipment requests either through the strategic national stockpile or other vendors.

Ms. Sadler thanked Chief Ashe.

Chief Ashe also noted doctors' offices and citizen concerns, citing the different percentages that some people could have mild symptoms according to VDH, while others may be critically ill and require ventilators and hospital stays. He further noted if people suspected they had the virus, they should call ahead to the hospital or provider, and not everyone needed to call 911. Chief Ashe emphasized that if a person thought it was a true emergency, be sure to call 911 and share information on that person's symptoms to allow first responders the opportunity to wear protective gear. He further noted that with mild symptoms, some tele-medicine services were able to screen patients using Skype or Facetime to limit exposure. Chief Ashe noted 'the flattening of the curve' within the public as well as within first responders and sustaining a level of manpower and health care workers over the duration of this event.

Mr. Stevens asked Chief Ashe to reiterate the first contact, second contact, third contact, and the Department of Health guidance on those points.

Chief Ashe cited the example of a positive patient and you had direct contact with that person. He further noted definitions of close contact included being within a 6-foot range, over a sustained time, and with direct exposure. He noted this classified you as a second-hand person as a suspected contact. He continued stating if you then went and met someone that same day that would be considered a third-hand contact, which would not count as an exposure. Chief Ashe noted the Epidemiology Department of the Health Department still wanted that contact information in the event a person tested positive, it would be able to contact those individuals. He further noted the details of the CDC guidelines and streamlining them to one page for communications people to share regionally and provide clarification and definition.

Ms. Sadler noted her participation in a Town Hall telephone meeting last night with the Honorable Virginia Congressman Rob Wittman and his medical experts, Dr. Michael Dacey, President and Chief Clinical Operating Officer of Riverside Health System, Dr. Richard S. Williams, MPH District Director, Three Rivers District, and Dr. Michael Reitz, Vice President Medical Affairs, Sentara, Northern Virginia Medical Center. She noted the group had also clarified the terms and self-isolation as if a person was positive. She questioned drive-through testing and test kits in certain areas during a press conference. Ms. Sadler noted if we reached that critical level and were overloaded, Congressman Wittman assured her we would have access to those items in this area. She further noted assurance from those doctors that area hospitals were capable of handling incoming patients.

Mr. Icenhour complimented staff on the website with the COVID-19 Hotline access telephone number and information availability. He expressed his concern with the slowness of some of the testing. He noted quicker testing turnaround could help with flattening the curve. Mr. Icenhour further noted the issues with communication and how those had been highlighted. He expressed his appreciation on the hard work regarding the communication issues. Mr. Icenhour noted concern after a conversation with a James City County resident, who was exposed and in self-quarantine, and was aware of a large number of people in a group who they felt were exposed with direct exposure to someone who was confirmed. He noted the group was going through the process of contacting each other and self-quarantining. Mr. Icenhour expressed concern that this information had not gotten to the official Department of Health figures or that it was aware of the situation. He noted he had a clear understanding that there been no contact from the Health Department at the lower level of this group and that a telephone number had been provided for the information to be relayed to the regional center.

Mr. Icenhour requested the ability for the public in a similar circumstance, who had concerns of being officially counted, to contact the regional group with awareness of the situation. He noted there were possible areas where some places were not in the 'sight pattern' and requested a portal for contact at the regional health department be advertised to assist people who may be in that same situation.

Ms. Larson asked about the Matthew Whaley Elementary School situation. She inquired when that situation was known and taking forward steps for preparation. She noted the country was not prepared and her concerns for the elderly population of the County. Ms. Larson cited 'lessons learned' from this experience. She stressed her appreciation for Chief Ashe and his team and the regional effort. She questioned the timeline of the school volunteer's diagnosis and how quickly the school reacted in sharing that information. Ms. Larson noted those answers were not for today, but needed to be known as that timing was a concern.

Mr. Stevens noted the information flow, the Department of Health, and a tie to one couple who had traveled outside the United States, of which six of the 10 cases were tied. He further noted that after several days, administration learned there had been several calls to people who had interacted with that couple. He noted the couple's test was positive last Wednesday. Mr. Stevens further noted the timeline would have been March 10-13, but the Department of Health had made calls to people who had interaction with the couple as early as March 3. He noted those citizen calls were the ones received by administration asking if it knew anything about the calls to which the response was no. Mr. Stevens noted the question of the timeline and when the couple returned to the country, to which the answer was sometime in February, but he added getting that information had been almost impossible. Mr. Stevens said he was not sure if the information existed since the Health Department was 'ramping up' that kind of information and charts. Mr. Stevens noted the Department shared that the couple, who he stressed did nothing wrong, had a slight cough. He further noted that couple had significant contact with many people. He noted, while someone may feel well, do not have meetings or have gatherings. Mr. Stevens said the timeline of information had been challenging. He noted the Health Department will get better, but tracing on the "why" will diminish as cases increase. Mr. Stevens noted the regional call center was a vital step for information flow, particularly for the County.

Ms. Larson noted if a person had the COVID-19 virus, it was no one's fault. She further noted sharing information, acting accordingly, and working together.

Chief Ashe noted, from an epidemiological standpoint, that the timeline was harder to pin down over time, but the actions to be taken like handwashing, social distancing, and not gathering in large groups were critical steps. He noted checking timelines could be valuable in the event of clusters, but follow the steps as noted on the local, state, and federal levels.

Ms. Sadler asked if the WATA buses were still running and if so, what precautions were in place. She noted information that the virus could live on surfaces in excess of three hours.

Mr. Stevens noted he would follow up with Mr. Zac Trogdon, WATA Director. He further noted he had spoken with Mr. Trogdon and buses were running on a limited schedule. Mr. Stevens noted WATA staff was taking precautions with distancing and cleaning. He further noted he would get back to Ms. Sadler after the follow-up.

Ms. Sadler thanked Mr. Stevens.

Ms. Vinroot addressed the Board in the next presentation. She noted essential services were available to citizens such as SNAP benefits, Medicaid, and other services. She further noted the telework option for some employees. Ms. Vinroot addressed protective services and home visits, noting some were necessary in person, while others were telephone screenings.

She noted sharing information and continuing services. Ms. Vinroot noted close contact with the County's community partners for the care of individuals. She further noted over the weekend that the residents of the Community of Faith Mission (COFM) winter shelter, which shut down earlier, were provided safe shelter. She added that the Department had worked with area hotels and the City of Williamsburg Social Services Department on that task. Ms. Vinroot noted the distribution of food for schools and the use of drive-throughs. She further noted concern on supplies from several local distributors and delivery. Ms. Vinroot said maintain communication and check on the elderly. She noted she had been contacted on ways people could help and her suggestions included phone trees with church members. Ms. Vinroot noted the balance of informing people with addressing their needs without alarming them.

Mr. Hipple noted several people had asked why the County had not shut down. He thanked Ms. Vinroot for the continued efforts to maintain services to the community. Mr. Hipple noted availability of medicines and WATA transportation. He stressed the importance of taking care of all of the County's citizens. Mr. Hipple noted Mr. Mark Morrow of Crosswalk Community Church had offered help in the community. He noted other churches might also be available, as well as citizens offering assistance. Mr. Hipple noted working together to deal with what was going on in the community and helping each other.

Ms. Vinroot noted some people had to work outside of the home, but encouraged those who could work from home to do so. She further noted to take care of yourselves and your families now as your help may be needed later.

Mr. McGlennon asked if there was a central information source for volunteers.

Ms. Vinroot said there was no formal source, but she had a list of contacts if needed. She noted the Social Services Department had 24/7 access to calls. She further noted the emphasis on staying healthy now in the event of the need for volunteers at a later time. She commended the hours staff had put in at various agencies as their volunteers remained at home. She noted the possible need to assist those agencies with volunteers in the future. Ms. Vinroot further noted monitoring the supply issue whether with food or volunteers.

Ms. Larson thanked Ms. Vinroot and expressed her appreciation to staff as always for stepping up to assist. Ms. Larson noted feeding children, the most vulnerable, was an imperative need. She further noted how long this situation could go on and the need for WATA to transport people to work. She emphasized the area was a service industry town. Ms. Larson noted the need to evaluate who delivered the foods. She further noted rather than the lower wage earners with children, use higher paid persons who have a salary regardless. Ms. Larson noted 30 people were laid off in an area with no confirmed cases in the Commonwealth, due to the lack of people traveling. She noted the quick response to curtailing large group gatherings.

Ms. Vinroot noted the need for waivers for certain things done in the schools. She further noted she had contact with them and they were doing all they could.

Mr. Icenhour noted he had received calls from several churches and he had passed that information to County Administration. He further noted the overwhelming sense to help and be of service.

Ms. Sadler noted she had also received calls from churches. She asked about a central information source as referenced earlier.

Ms. Vinroot said that would be something to work on and to forward information to her to centralize it. She noted churches could 'turn inward' and support members, particularly the

elderly at this time. Ms. Vinroot further noted she would go forward from that point.

Ms. Sadler asked if Ms. Vinroot had compiled protocol or informational resources for church members in regards to supporting within and for each other.

Ms. Vinroot noted she could work on that point. She referenced some good tips she had received from a local faith leader. Ms. Vinroot said she would work on that and get it sent out.

Ms. Larson noted the president of her homeowners association (HOA) sent an email to its list serve list asking for volunteers to get groceries, etc. for those who might not be able.

Ms. Vinroot said that was great.

Ms. Larson noted neighborhoods could help also.

Mr. McGlennon noted part of community service embraced remaining at home and preventing further spread of the virus.

The Board thanked Ms. Vinroot.

Mr. Purse addressed the Board noting County offices were open but closed to the public. He noted the online availability to pay bills, drop boxes for plans at Community Development, and staff to answer telephone calls and emails. He further noted he and Mr. Stevens had spoken with the Executive Leadership Team (ELT) about the availability of staff to telework and social distancing within office areas, as well as limits on intraoffice meetings and the use of conference calls. Mr. Purse noted the closing of County parks to curtail public congregating on the basketball courts. He further noted exercising outside was great, but monitoring the courts would be necessary.

Ms. Sadler asked if the local playgrounds were closed.

Mr. Purse confirmed all the playgrounds and Recreation Center were closed until March 29 at this time.

Mr. Icenhour asked about reaching out to HOAs and providing them with a list of guidance on limited use as many had their own playgrounds.

Mr. Stevens noted the convenience centers were staffed and open to the public, but noted people might have to help themselves a bit more to keep distance. He further noted wherever staff was, emails and questions were still being monitored and answered. He encouraged patience as problems were worked through at this time and encouraged questions if the community had them.

Ms. Larson asked about parks being closed.

Mr. Stevens clarified that the facilities within the parks were closed noting areas where close contact or gathering of groups took place. He noted walking trails were available, but reminded people of social distancing.

Ms. Sadler noted the doctors who spoke at the Town Hall meeting had encouraged temporary closing of playgrounds due to germs.

Mr. Purse noted trails were open at Warhill Sports Complex and Freedom Park.

Ms. Larson asked for the best number if a citizen called in with a question and wanted to

Speak to a human.

Mr. Purse noted services were listed on the website with information.

Ms. Larson noted her elderly father did not have a computer and inquired how he, or others in similar situations, would have access to that information. She further noted the need for a telephone number if someone had a question regarding James City County.

Mr. Purse noted the Citizens' Guide, available to the public, offered information for different departments.

Mr. Stevens noted Ms. Rouse would be able to offer more information during her presentation on communications.

Ms. Larson noted with the closing of the County buildings through March 29, what were the next steps regarding reopening of the buildings.

Mr. Purse noted the County was following state guidance and what the Health Department said were safe practices in relation to community spread.

Mr. Stevens noted in talking to other Peninsula localities, a similar course among them would be in place. He noted the cases had to peak and then drop off to determine the timeline. He further noted as better reporting data was available then the administration could readdress the situation in the next week or week-and-a-half.

Mr. Purse noted monitoring the types of interaction with citizens to meet all service needs. He further noted adjustments might be needed.

Ms. Rouse addressed the Board citing this unprecedented situation, communications, and the challenges to information flow. She noted the public had been requested to direct any medical questions about the coronavirus outbreak to the VDH. She further noted its website, [www.vdh.virginia.gov/coronavirus](http://www.vdh.virginia.gov/coronavirus) was also posted on various County media sources. Ms. Rouse noted the Peninsula Health District had set up a call center, available 8 a.m.-6 p.m., seven days a week, and could be reached at 757-594-7069. She further noted this information was on the County website and that citizens could call the Department of Health's Public Information at 1-877-ASK-VDH3. Ms. Rouse noted the challenges to the information flow and the wide ranges of options to get that information to citizens. She further noted a link on the website, [jamescitycountyva.gov/covid](http://jamescitycountyva.gov/covid), provided current information and was updated regularly. She noted a daily news release adding more releases could be added if needed. Ms. Rouse further noted the latest information was available at the top of the release with previous releases in the lower section as noted daily. She stated the County's homepage, [jamescitycountyva.gov](http://jamescitycountyva.gov), had the Public Information Hotline number listed. She noted the number was 757-564-2140. Ms. Rouse addressed Ms. Larson's point of citizens without access to the website. She noted that while information was pushed out on the website and social media, a recording on that Hotline number was also available for citizens to receive updates and information. She noted a PIO team consisting of 11 County employees have mobilized to help support the Public Information Office in relaying information to the public. Ms. Rouse further noted the team would monitor social media for updates and websites, VDH releases as well as releases from the Governor's office, and to make that information available promptly. She continued noting reminders on how to limit disease transmission, questions and comments from the public, and establishing a Facebook chat on social media. Ms. Rouse noted a PIO team member would be available at the regional joint information center to work with the other localities. She further noted updating signage on County buildings, updating information on the County's television channel, as well as internal communication to staff.



Mr. Icenhour asked if there were any questions.

Mr. Hipple noted the importance of the internet across the County. He further noted he was one citizen who did not have internet access and his frustration with Cox Communications. Mr. Hipple referenced the number of people in the County in relation to access and how this impacted school students.

Ms. Larson noted a friend in the Richmond area had mentioned Spectrum and free internet. She noted Cox had some type of program, though she was unsure of the details, but she questioned if any such program had been advertised.

Ms. Rouse replied no.

Ms. Larson noted T-Mobile had supplied mini hotspots for Henrico County students. She questioned what Verizon might be doing for James City County students. Ms. Larson referenced Mr. Hipple's children attended County schools and had no internet access. She asked Ms. Rouse to check on possible options.

Ms. Rouse noted she would look into it, but added that some cell service providers had sent messages. She further noted she received a T-Mobile message regarding expanded unlimited service.

Mr. Hipple noted a news article stating Cox had a program for people with the service, but who could not afford internet, would supply an increase in megabytes for school work. He noted where Cox was, it was providing. Mr. Hipple referenced issues with cell phone upgrades and companies not being available and the impact of citizens without cell service.

Ms. Larson noted college students returning home and online classes at the College of William & Mary. She questioned the bandwidth capacity in the County as well as the Commonwealth.

Mr. McGlennon noted the County Public Information Hotline number was 757-564-2140. He asked about its capacity.

Ms. Rouse responded it was only a recording.

Mr. McGlennon asked if it could allow people to get specific questions.

Ms. Rouse responded no and it was just a recording, but it was a 10-minute recording. She noted if citizens had medical questions then they were directed to call the Peninsula Health District Call Center at 757-594-7069 with staffing available 8 a.m.-6 p.m., seven days a week. She further noted additional questions could be directed to the Virginia Department of Health at 1-877-ASK-VDH3. Ms. Rouse noted an earlier question about calling to the County. She further noted if the caller was unsure of the number, the caller could always contact the Public Information Office at 757-272-3337. Ms. Sadler expressed her appreciation for the hotline. She asked if the Health Department numbers and COVID-19 information was right up front. Ms. Rouse noted yes, but a later part of the recording. She further noted per the recent PIO meeting that that information would be available at the front of the recording.

Mr. Stevens noted the focus of emergency response over the past week. He further noted contact with Ms. Sharon Day, Director of Financial Management Services, and Ms. Jenni Tomes, County Treasurer, regarding budget impacts. Mr. Stevens noted a highlight of current year with a \$2-3 million loss in revenue, which was a changing number but based on today's information. He further noted \$36 million as fund balance and noted the County was in good shape for the next couple of months. Mr. Stevens noted expenditures were being held and

some revenue shortfalls were anticipated. He further noted that he and Ms. Day would be more involved in purchases that normally they were not. Mr. Stevens noted that once approved, some level of spending occurred within departments. He further noted that as of today, Ms. Day would review purchases over \$5,000 expenditure and he would review purchases beyond \$10,000 expenditure. He noted the message to departments was if it is not essential then we are not buying it. Mr. Stevens addressed holding back some unissued purchase orders and projects. He noted adjustments. Mr. Stevens further noted several questions had recently been asked with one being if late fees be waived on tax payments. He noted that there were limitations due to codes, but that could be discussed at a future meeting. He further noted the waiving of the convenience fee, and while it was a cost to the County, and after conferring with Ms. Day, it was determined to be a \$150,000 revenue loss impact. He noted this was also a point for a later discussion, but noted the online option might provide a better option for citizens. Mr. Stevens noted local businesses and the uncertainty of the overall federal state assistance to them. He further noted the Economic Development department had been tasked with reaching out and promoting to County businesses to keep up with their revenue and business losses as well as costs associated. Mr. Stevens noted working consistently with York County and the City of Williamsburg to get that same message out to businesses and encourage them to call the County's Economic Development department at 253-6607. He noted there was no promise of federal assistance, but he felt there would be some help and noted tracking those losses from day one. Mr. Stevens also noted he had spoken with Mr. Doug Powell, General Manager of James City Service Authority. He added that Mr. Powell had assured him and the Board that the County's water system was safe. Mr. Stevens wanted the community to be aware of that point as well as the safety of the water supply in terms of the virus. He noted possible staffing impacts that Mr. Powell was addressing. Mr. Stevens noted daily informational calls with York County, the City of Williamsburg, along with both hospitals, the school system, Colonial Williamsburg, and the Jamestown-Yorktown Foundation with VDH partners since last Friday and felt these would continue. He further noted regional calls, some state calls, and the sharing of information. Mr. Stevens noted future Board meetings and guidance on how to conduct those meetings. He further noted County attorneys were reviewing State Code and how to proceed. Mr. Stevens noted the upcoming Work Session and discussion later on that point. Mr. Stevens told the community to call and ask questions, but he also asked the community for its patience as administration worked through this over the following weeks.

Mr. Icenhour noted questions to Mr. Stevens followed by guidance on where the Board wanted staff or administration to go moving forward.

Mr. Hipple noted concern about the finances and the community impact with companies now out of work. He referenced the Honorable Senator Thomas Norment's comment on the \$444 million loss to schools this year in the Commonwealth. Mr. Hipple noted the state's debt and inquired if the state would be able to help localities. He further noted looking forward to this year and next year's budgets in relation to citizens and future projects. Mr. Hipple noted the County had done well with reserve money and this would help the County. He added some assistance might be asked from businesses in the community. Mr. Hipple noted a team of three-four people to look at what businesses were out, like Busch Gardens, and the financial impact. He further noted the budget impact on staffing and services and letting citizens know the Board was looking forward.

Ms. Larson asked if Police Chief Brad Rinehimer could address protection for County police officers. She noted some calls might involve contact with people who may not know they are infected.

Chief Rinehimer addressed the Board and noted traffic on the roads, adjustments in officer involvement with each other, and reduction to public exposure. Chief Rinehimer noted the use of telework where applicable, but noted the nature of police work involved direct contact. He

further noted use of protective gear if needed and using protocol to keep the citizens protected and safe.

Ms. Larson asked about employees, particularly lifeguards or park workers and others who may not be full-time, and how long could that continue fiscally.

Mr. Stevens noted the commitment to paying full-time employees, but there could be some potential impacts to part-time staff. He further noted some full-time employees were being used in their regular capacity, or assisting in cleaning at the Recreation Center, or assisting at convenience centers by using younger Parks and Recreation employees in these areas, where typically older employees worked, in an effort to limit exposure. He noted the goal was to keep the full-time employee as 'best we can' and continue paying as 'best we can'. Mr. Stevens further noted if anyone felt sick, stay home and use leave time if available and if not, leave could be advanced. He added many localities were granting sick leave for several weeks if employees need it regardless. Mr. Stevens noted administration may move to that, but no decision to that point had been made yet. He further noted the goal was to keep staff earning paychecks in a safe manner, whether here or telework. He expressed concern for part-time employees.

Mr. Icenhour expressed appreciation to staff for its flexibility in doing assorted jobs they had not done previously while maintaining and continuing the existence of essential County services in the safest manner possible.

Mr. McGlennon noted Mr. Hipple's comments on fiscal implications and responsibility going forward. He further noted the County was viewed as the front line government for assistance to citizens, but stressed the importance of state and federal assistance. He noted Governor Northam's comments on the waiving the week's wait for unemployment benefits. Mr. McGlennon noted the importance of letting citizens know of these opportunities. He further noted adding that information to the communications briefing. Mr. McGlennon noted legislation in Congress that could offer assistance to significantly affected businesses, child care access, sick leave, and stimulus payment to citizens. He noted remaining in contact with federal representatives to assist those businesses. He further noted some federal discussion on a financial stimulus package of \$30 billion infusion to the nation's economy for rent and food. Mr. McGlennon noted as part of a federal government, there was still responsibility at the local level and providing as much information as quickly as possible to citizens was necessary.

Ms. Sadler noted a current press conferences from both the Governor and the President. She further noted the amount of information available to the public from these conferences. Ms. Sadler thanked County Administration, her fellow Board members, and staff for ongoing work as everyone worked together for the community.

Ms. Larson noted her appreciation to everyone's hard work during this time. She expressed her sympathy at the loss of two lives in the community. Ms. Larson further noted citizens watching this meeting's broadcast and the information presented here. She expressed her frustration at the lack of public communication and that information was not flowing as it should, particularly as she felt this was a public health crisis. Ms. Larson noted people tended to react poorly without communication. She further noted sometimes relaying that information was not known, but that people were working to get that information for the community. She noted when a website said one thing, and people hear other things, then doubt begins and that created situations. Ms. Larson implored the Commonwealth to assist the Health Department and get accurate information out to the community. She noted fiscal responsibility and budget constraints. Ms. Larson further noted some of the frustrations aimed at the state Health Department level probably centered on budget constraints already in place in that department that were stretched during the virus outbreak. She noted the flow of information and hoped for the opportunity to meet for next week's Work Session.

Ms. Larson expressed her appreciation to gas station attendants, grocery store workers, teleworking County staff, and many others.

3. Waiving of Credit Card Convenience Fee Until the End of the Fiscal Year June 2020

A motion to Approve was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Icenhour noted there was a question that the County Administrator had asked the Board to consider. He further noted it involved waiving the credit card convenience fee for a specific time.

Mr. Stevens noted the timeframe would be until the end of the Fiscal Year.

Mr. Hipple and Mr. McGlennon were in agreement with the waiver, especially for keeping citizens from coming out to pay.

Ms. Larson asked if the County was passing on that amount and there was no profit of any type, what was the financial impact and was it being cut from another area.

Mr. Stevens noted it was a revenue item and they felt it was estimated to be approximately \$150,000 in lost revenue, but that the actual amount due would still be collected. He further noted that would be a \$150,000 expenditure to the credit card companies that the County would have to address on that lost revenue.

Ms. Larson asked where would that revenue normally go and how it impacted the budget and was it part of the General Fund.

Ms. Day noted it was a General Fund item, but currently it was not shown in either expenditures or revenue as it was considered a flowthrough item. She further noted when the cash was collected, it was then paid back to the credit card companies. Ms. Day said there was no profit per se, but estimated fees varied based on different credit cards used. She noted if there was a difference then it was carried forward to pay those credit card payments. She further noted the proposal, if waived, would offset against the revenue and rather than show as an expenditure item in the budget, it essentially was a loss of revenue.

Ms. Larson asked if that could be done through May 1 and then reevaluated. She noted the importance of not having people come out to make payments for health reasons, and further noted the concept of not coming would cost citizens money.

Ms. Day noted it would have a positive impact on the cash flow. She further noted it was an additional way for citizens to pay so the likelihood of accepting more cash would go up. Ms. Day noted the Information Technology (IT) department had been in touch with various vendors regarding payment software, depending if it was tax payments, Parks & Recreation fees, and such. She further noted IT had been in contact with those vendors today to find out their lead times and noted there would be some reprogramming to those systems.

Mr. Icenhour asked if the Board agreed today, and after staff implemented the changes, then the fee waiver would be in effect until the end of June this year.

Ms. Sadler asked for clarification to waive the convenience fee on credit card use until the end of June 2020.

Mr. Icenhour confirmed yes, with a reevaluation after that time.

Mr. Hipple noted challenges of these times to the Board, the staff, and the community. He further noted the commitment to continued safety for the community by maintaining a 6-foot distance from others, fewer than 10 people in a gathering, and people of 65 years or older to stay home. He noted using take-out or delivery for restaurant services. Mr. Hipple noted watching out for each other, prayers for the County, state, and federal government, and staying positive. He further noted the stress of confinement that affected everyone during this difficult time. Mr. Hipple noted the Board was working to help citizens and the community. He further noted the stress on staff and having understanding and patience as everyone worked through this difficult time.

Ms. Sadler offered her condolences to the family and friends of the Stonehouse resident who passed away from the virus. She noted the Board was here for help. Ms. Sadler thanked staff and her fellow Board members for all their efforts and working together as a team.

Mr. Icenhour also extended his thanks to staff. He noted the regional cooperation and the group and community efforts to be helpful throughout this difficult time.

**D. CLOSED SESSION**

None.

**E. ADJOURNMENT**

1. Adjourn until 4 p.m., on March 24, 2020, for the Work Session

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 1:20 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 24, 2020**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

P. Sue Sadler, Stonehouse District - via phone  
John J. McGlennon, Roberts District  
Ruth M. Larson, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

Mr. Icenhour requested a motion to allow Ms. Sadler to participate remotely for the Work Session due to an illness which did not allow her attendance.

A motion to allow Ms. Sadler to participate remotely was made by Michael Hipple, the motion result was Passed.

AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

**C. BOARD DISCUSSIONS**

1. Emergency Ordinance - An Ordinance to Ensure the Continuity of Government

A motion to Approve was made by John McGlennon, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Kinsman addressed the Board noting an Emergency Ordinance was before it which provided for continuity of government in times of emergency. He noted the Ordinance addressed three main sections. Mr. Kinsman further noted the area of management succession, in which each department manager designated three successors in the event of one or two people getting sick. He noted the importance as the Board verified a number of these positions, and this allowed for succession to already be in place without returning to the Board to fill any vacancies temporarily. Mr. Kinsman noted it provided a 'wholesale extension' of many of the timelines in place. He further noted in drafting the Ordinance with his staff, there were many deadlines tucked into different areas and this allowed for those various deadlines, though not all would be needed. Mr. Kinsman noted the Ordinance also addressed limitations on person-to-person contact and emergency online meetings. He further noted this particular Ordinance was adopted on an emergency basis so there was no advertisement, but added that was a requirement so it would be placed on the next Board meeting agenda and properly advertised. Mr. Kinsman noted once that Ordinance was adopted, it could remain in place for

six months with any adjustments or amendments as necessary. He recommended adoption of the Ordinance.

Mr. Icenhour asked for confirmation on the formal readoption of the Ordinance after public notice.

Mr. Kinsman confirmed yes. He noted adoption at this meeting allowed for the Ordinance to be in place for a short time, but adoption at the next Board meeting allowed for the Ordinance to be in place for six months.

Mr. McGlennon thanked Mr. Kinsman and his staff for the detailed Ordinance to allow for government continuation.

Mr. Kinsman thanked Mr. McGlennon. Mr. Kinsman noted he was appreciative of his entire staff for the help with all the pieces that were involved with the Ordinance.

Ms. Sadler concurred with Mr. McGlennon and also thanked Mr. Kinsman.

## 2. COVID-19 Staff Update

Mr. Stevens noted the update included comments from Fire Chief Ryan Ashe, Police Chief Brad Rinehimer, Ms. Rebecca Vinroot, Director of Social Services, and Ms. Latara Rouse, Communications Manager. Mr. Stevens further noted he would conclude with additional comments on County activities.

Chief Ashe noted the daily Virginia Department of Health (VDH) map. He further noted James City County had 37 confirmed cases of the virus with two citizen deaths. Chief Ashe noted continued daily conversations with VDH, Department of Emergency Management, regional Peninsula health partners, and the three area hospital systems on coordination of the information flow. Chief Ashe noted challenges related to Health Insurance Portability and Accountability Act (HIPAA) laws and information on positive cases. He further noted the monitoring of Personal Protective Equipment (PPE) and current orders for supplies over the next few weeks. Chief Ashe noted Virginia did receive a portion of the strategic national stockpile. He further noted when divided amongst the state, the percentage was based on hospitals receiving the most. He added that at the local Fire and EMT level, the portion was very limited. Chief Ashe noted the regional Fire and EMT council elected to retain the supplies in the event a locality had an emergency. He further noted continued efforts to check with manufacturers for additional supplies. Chief Ashe referenced Governor Northam's press conference and the efforts to have manufacturers potentially switch from their normal manufacturing to focus on respirators and surgical masks. He noted more information to come as that situation was monitored over upcoming weeks.

Mr. Icenhour asked about a third fatality in the County.

Chief Ashe noted one was in the City of Williamsburg.

Mr. Stevens noted there were five confirmed within the area. He further noted the VDH site listed six. Mr. Stevens noted seven fatalities listed for the state with five of those listed within 'our region'.

Mr. Icenhour noted the difficulty of keeping current on the information as there was question as to the specific localities within the region. He asked about Fire Department staff and possible exposure or quarantines or any issues as they were out with the public.

Chief Ashe thanked Mr. Icenhour. He noted earlier screening at the 911 center with questions about different signs and symptoms. He further noted initially some people may have had some potential exposure. Chief Ashe noted discussion concerning contact versus exposure. He further noted staff being on call with someone who may have been potentially exposed or other parameters which included distance and time. Chief Ashe noted VDH had new guidelines regarding 15 minutes of sustained contact within a 6-foot distance for healthcare providers and the various levels of exposure. He further noted the transport of a patient who eventually became a positive case and the timeline of the shifts involved. Chief Ashe noted the quarantine on those staff involved, adding testing had come back, and currently there were no providers out on quarantine. He further noted staff was wearing protective gear on the majority of calls based on additional information from hospitals regarding other symptoms being presented. Chief Ashe noted ongoing precautionary measures to conserve protective gear. He further noted no providers were quarantined.

Mr. McGlennon thanked Chief Ashe and his team for all their work and the ongoing information. He noted this was a difficult time. Mr. McGlennon further noted the large number of cases in the County and data on statewide hospitalizations. He asked about the number of cases in local hospitals.

Chief Ashe noted this was information staff was obtaining from the hospitals. He further noted daily information included patients under investigation (PUIs) and patients testing positive and how many PUIs or positive cases were at home in self-quarantine or in hospitals. Chief Ashe noted the relationship with the hospitals and obtaining current information through conference calls and meetings. He further noted refinement of the information. He referenced the County's 37 cases with two fatalities and noted of the 35 cases currently in the County were those people at home or in a hospital. Chief Ashe noted that data was currently unknown, but he was hoping to have it later this week.

Mr. McGlennon noted the importance of this information. He referenced the VDH data and the percentage of hospitalized cases in the County in relation to statewide data. He noted information on the number of cases in the general population now testing negative or in recovery.

Chief Ashe noted conference calls with County Administration Officers (CAOs) asking about the number of recoveries. He further noted the importance of getting that positive information out to the public.

Mr. McGlennon agreed. He noted citizen concerns regarding policies on funeral homes and guidelines. He further noted the state mandated 10-person rule was in effect as the Centers for Disease Control (CDC) guidelines had a slightly larger number allowance and inquired if people were generally following the rule.

Chief Ashe noted generally people were adhering to the guidelines. He further noted Governor Northam's order on essential facilities and the 10-person rule. Chief Ashe noted there were some guidelines in place if people did not adhere to that rule. He added it was easier to enforce on County facilities rather than public facilities.

Mr. McGlennon noted citizen concerns, particularly regarding visiting travelers or people returning from winter stays elsewhere. He further noted the area depended on visitors, but this was not the time to visit. He asked Chief Ashe if he had any indication if there were any difficulties on that point.

Chief Ashe noted he did not have that information on timeshares or tourism to know if there was a rise or decline in those areas compared to last year. He further noted the public message emphasized local and regional efforts to "flatten the curve" knowing a spike was coming at



some point.

Mr. McGlennon noted Chief Ashe was leading the way on this aspect of the health crisis. Mr. McGlennon further noted he had some other issues he wanted to explore with staff about messaging and rationale on decision-making with matters other than the health crisis. He thanked Chief Ashe for all he was doing.

Ms. Larson noted she would confirm with Chief Rinehimer about the penalty, but she thought it was a Class I Misdemeanor if groups larger than 10 did not disperse upon request based on Governor Northam's mandate.

Chief Ashe thought that was so, but noted Chief Rinehimer could confirm that point.

Ms. Larson asked about the status of testing in relation to the number of requests that doctors and hospitals were receiving and the volume compared to previous weeks. She noted Sentara Hospital had shut down and then reopened.

Chief Ashe noted testing was more available. He further noted the volume of information on the internet as well as people working on a 45-minute test. He noted if that test became available and approved, it would really change things. Chief Ashe noted the recent increase was possibly due to people being tested the prior week and the lag time in getting results. He further noted moving forward as test results become available sooner, there should be a decrease. Chief Ashe noted the particular swabs needed for testing had been an issue and that was why Sentara Hospital had temporarily closed. He further noted no one was sure how long the supply of swabs would last as everyone competed for the same resources. Chief Ashe referenced tabletop drills and the availability to request resources from the state or federal level, but the widespread nature of the virus diminished the availability and presented supply challenges nationwide. Chief Ashe noted the testing was still not available for everyone and the criteria for testing still existed, but the testing was becoming more available.

Ms. Larson noted her participation last night on a conference call with Governor Northam's Office that featured Virginia Secretaries Brian J. Moran, Public Safety and Homeland Security, Aubrey Lane, Finance, and Daniel Carey, M.D., Health and Human Services. She further noted they stressed the same message about personal protective equipment and acquiring more gear. Ms. Larson noted only 10% of what was needed had been received. She further noted a question had been asked about a locality that had a large number of tourists, but was a rural community. Ms. Larson noted that community had several campgrounds and if people became sick, many of the area hospitals had temporarily closed. She added something could have changed as the conference call was the previous night, but the question still remained of what options were there for the sick visitors to get healthcare in those areas. Ms. Larson noted hotel occupancy was down, but she was unaware of timeshare occupancy. She further noted the importance of the protective gear and asked Chief Ashe the timeline on the supply.

Chief Ashe noted, based on current usage, the supply should last a couple of weeks. He further noted, based on current restock orders and if orders come through, it should last through the projected three month timeframe. Chief Ashe noted the burn rate which indicated how quickly PPE was used as well as following CDC guidelines. He further noted normal use allowed for a mask to be used one-time for a patient and be disposable. Chief Ashe noted with the CDC guidelines if an N95 respirator is put on and it is neither frayed nor contaminated, then the inside piece that comes in contact with the responder's face could be cleaned and reused on another patient since that piece does not come in contact with the patient. Chief Ashe further noted an additional level of protection with a surgical mask over the N95 respirator as most people tend to touch their faces without contaminating the respirators. He noted the surgical mask supply was easier to obtain than the N95 respirators. Chief Ashe added part of the regional coordination allowed everyone to evaluate supplies and coordinate

a shift in supplies if needed. He noted currently the County had the highest number of cases on the peninsula.

Ms. Larson asked about the budget impact to the Department. She noted the impact of these additional supplies.

Chief Ashe noted in conferring with Mr. Stevens and Financial and Management Services that many other purchases had been put on hold, but the current supply already purchased was within its operating budget. He further noted there may be an overage in medical supply purchases, but still within budget. Chief Ashe noted approximately 100-150 N95s were usually kept on hand and normally they were used infrequently, but noted the County had started 'getting in line' in mid-January for those supplies and it was projected to be next week to receive them. He noted it had been difficult to get them.

Ms. Sadler asked who the PPEs were ordered from, adding if it was through the state.

Chief Ashe noted it was through a variety of vendors. He further noted contacting other localities, Amazon, Walmart.com, as well as the state. Chief Ashe noted daily internet searches for possible supplies.

Ms. Sadler noted during a Town Hall call with the Honorable Senator Rob Wittman that she shared these County requests. She further noted Governor Northam's Office had referred Senator Wittman's Office to the Virginia Department of Emergency Management.

Mr. Hipple noted the long period of time and the stress associated with it for children out of school and impacts on families. He asked if collectively actions were being taken to help with those issues through County programs. Mr. Hipple noted this impacted the Board members as well and looking to use communications to help people. He further noted the concern for the virus, but also the family component and looking out for each other.

Chief Ashe noted his deferment to the others on some of those points. He further noted additional focusing on mental health patients in the community, daycares, and helping people adjust to the changes.

Mr. Hipple agreed.

Chief Ashe noted the social media overload and its daily information flood. He further noted the Department had offered training updates and other information to relieve some pressure.

Mr. Hipple noted the importance of that shift in messaging, particularly with first responders. He further noted other staff members who were working on other issues and helping assist others. He noted churches assisting with looking at the human element.

Mr. Icenhour asked if an individual who was identified as positive, had been hospitalized, completed treatment, and "recovered" was not considered recovered until the individual passed two tests at least 24 hours apart. He noted there was a method to identify recovered individuals who could go back out to the public without infecting others. Mr. Icenhour noted the difficulty of individuals testing positive who then stayed home for 14 days after which they are presumed cured, but no provision was in place for testing them for the potential of reinfecting the community. Mr. Icenhour asked about recovery and when people should be allowed to have public contact.

Chief Ashe noted those were the same questions Fire and EMS had asked. He further noted reading about the two negative result tests. He noted asking VDH about positive test patients receiving those two tests and protocol.

Mr. Icenhour noted part of the issue was driven by the availability of tests. He further noted an email he sent to Dr. Steve Julian, Peninsula Acting Health Director, on that point. Mr. Icenhour reminded Chief Ashe to get that point in mind during the planning process going forward.

The Board thanked Chief Ashe.

Chief Rinehimer addressed the Board with a Police update noting the Department was operating at almost full staff. He further noted there were six employees who were self-quarantining, but no positive tests of which he was aware. Chief Rinehimer noted the Department was focusing its efforts especially on patrol functions and investigations as School Resource and Community Service Officers were not engaged in school or community events. He further noted it was a challenging time and flexibility was needed. Chief Rinehimer noted the Department had the manpower and resources to maintain that flexibility at the current time. He further emphasized to County citizens to 'be good, no crime', particularly in these stressful times of quarantining and such. Chief Rinehimer anecdotely noted hearing a few more domestic calls on the radio lately, but that overall calls for service had not increased much. He anticipated that changing. Chief Rinehimer addressed two of the Board's earlier questions regarding handling of groups larger than 10 people. He noted one incident at a private community park where a Community Service Officer would be in touch with the management. Chief Rinehimer noted he expected citizens to call in such incidents. He further noted very specific guidance had been given to Patrol Officers regarding those calls or if they see that type of activity in the community. Chief Rinehimer noted a high level of compliancy and respect in the community. He further noted if it did reach a level of enforcement action, the officer was to contact the supervisor who would come on scene. He noted verbal skills for voluntary compliance and if that was not effective, then enforcement action would result in a summons with a later court date. Chief Rinehimer noted he did not anticipate that level would be reached, but those were the steps if it should. He further noted if non-compliance remained, then he or another Division Commander would be involved on the next course of action. He noted it was not the goal to take anyone to jail, but to follow the state directive and comply. Chief Rinehimer noted it was normal to have an increase in calls when people were stuck in their homes during snowstorms or other situations.

Ms. Larson referenced Mr. Hipple's comments on the amount of time kids would be out of school. She asked if there are any programs or ways to positively work with neighborhoods to help in this matter.

Chief Rinehimer noted they could look into those possibilities and positive messages.

Mr. McGlennon asked about officers responding to accidents and such and distancing precautions.

Chief Rinehimer noted as police officers they were trained to maintain distance and adherence to the six-foot requirement was the norm for them.

The Board thanked Chief Rinehimer.

Ms. Vinroot addressed the Board noting Social Services had been working on many things such as reduced work hours, meals, and assisting other families. She noted an increase in applications for benefits and programs for which people were now qualified. Ms. Vinroot further noted those benefits and programs were available online and the benefits staff was teleworking and able to process those applications. She noted providing direction for unemployment and financial needs for the community and offering resources. She further noted a weekly call to communicate with schools for the Grab and Go meals, as well as putting information into that packaging. Ms. Vinroot stated that additional people may need resources

as this situation goes on and that everyone is learning and communicating. She noted donations were welcome as safety precautions were in place. Ms. Vinroot further noted Williamsburg House of Mercy and Grove Outreach Center were coordinating that outreach. She noted ensuring the homeless were in hotels and not on the streets. She further noted on a case-by-case basis that the Williamsburg Area Transit Authority (WATA) was still assisting in some deliveries. Ms. Vinroot noted child care and that several facilities were still open. She added getting that information out to the public, but she also encouraged those who were able to stay home with their children, please do so. Ms. Vinroot said those facilities were being compiled and were forthcoming. She noted the daily coordination and communication in a constantly changing situation. Ms. Vinroot further noted those were things they did on a regular basis, but 'a little bit on steroids right now.'

Mr. McGlennon noted the challenges included the people who needed these resources the most were the least likely to have access. He further noted no internet access, as well as no understanding of some of the processes to get assistance were challenges. He asked if there was a regional effort to coordinate people in that situation.

Ms. Vinroot noted there were several ways and that process was ongoing. She further noted the local level community organizations had the information available and people could come in and get that information during the hours of operation. Ms. Vinroot noted the benefits process could be accessed via the website or telephone. She further noted daily, if not more frequent, guidance from the Virginia Department of Social Services on ways to take additional steps and not take negative actions. Ms. Vinroot noted some staff was necessary in the office to receive verification and process applications, while still maintaining a low barrier.

Mr. McGlennon noted the Department's telephone number was on the website, but again not everyone could access the website. He further noted that created a challenge in itself.

Ms. Vinroot noted Ms. Rouse could address that point, but noted some printed materials to help citizens access information. She further noted continued communication with partners to get information to people.

Ms. Sadler asked if WATA buses were carrying information on them for people.

Ms. Vinroot noted that was a great idea.

Mr. McGlennon noted that also. He asked about telephone assistance to citizens who may be socially isolated.

Ms. Vinroot noted the connection piece adding that seniors who were already connected with Meals on Wheels or other programs had contact and communication. She further noted neighborhoods and faith-based organizations could check within their spheres and reach out to individuals who might not already have communication from some of the existing programs. Ms. Vinroot noted the importance of coordinating volunteers.

Mr. McGlennon agreed noting the number of volunteers in the community and coordinating information. He noted the number of organizations who wanted to help.

Ms. Vinroot noted she had provided information to Ms. Sadler and Ms. Larson. She further noted sharing information with a pastor who was then sharing it within his circle. Ms. Vinroot noted this consistent, structured way to share information was important. She further noted resources for assistance with coping skills and the importance of lessening the impact of trauma and sharing that information through a local trauma impact network. Ms. Vinroot noted the first week of May will be "Resilience Week in Virginia" and its timing. She further noted there would be more information forthcoming.

Ms. Larson asked about child care in relation to Governor Northam's latest press conference. She noted grocery store workers as essential and questioned how payment was made. She inquired if the workers were responsible for payment or were the localities responsible since those positions were deemed essential.

Ms. Vinroot noted each provider may have individualized approaches. She further noted some businesses may make changes through their individual business offices while others took child care subsidies, which are provided by the Social Services Department. Ms. Vinroot noted the Department's child care subsidy worker was on standby to process applications as these decisions were made. She further noted ongoing information was forthcoming on the processing of those applications. Ms. Vinroot noted different organizations may be targeting to assist particular populations and referenced the YMCA offering child care to essential healthcare workers. She further noted community advocacy at the local level may be needed for retail workers.

Ms. Larson noted her worry about the number of children at home and the availability of child care as people return to work. She further noted her concern for children left alone at home and what role Social Services may play in those situations. Ms. Larson asked how this was addressed and what would be done if a neighbor called about children alone at home.

Ms. Vinroot noted the Department received those type of calls daily and was not specific to the virus. She further noted people do the best they can, and safety concerns. Ms. Vinroot added that checking in on citizens was an ongoing service and what was a safe option for children. She noted community problem-solving and suggested the college student who was home assisting neighbors or providing tutoring. She further noted people help each other.

Ms. Larson asked about school involvement.

Ms. Vinroot noted schools were reaching out.

Discussion ensued on the school involvement and communication.

Mr. Hipple asked if there were any issues with food in terms of supply and demand. He noted food trucks in the community and their services as an option.

Ms. Vinroot noted working together as a community with coordination and communication. She further noted a group who was working on a map to detail food distribution, which would be advantageous for many groups in the coordination process. Ms. Vinroot noted timelines and that this was an evolving situation.

Mr. Hipple noted this could be an option for the future.

Ms. Vinroot noted that communication and information were continually being worked on to help the community.

The Board thanked Ms. Vinroot.

Ms. Rouse addressed the Board regarding Communications. She noted a daily news release was sent out at 5 p.m. as well as sharing information from Governor Northam's Office. She further noted a restructuring of the website due to the volume of information. Ms. Rouse detailed the changes to the COVID-19 page for accessibility. She highlighted the Frequently Asked Questions (FAQs) aspect of the website and the importance of addressing state and local FAQs. Ms. Rouse noted the initial response to COVID-19 had been focused on informing the public of operational closures and contact with essential County services. She

further noted a pivot in the upcoming weeks as telework services were now in place. Ms. Rouse noted getting information to people who may have been left out and the heavy reliance on technology and social media. She further noted the use of printed materials and the inability to utilize areas of high traffic for those materials. Ms. Rouse noted cross-coordination among various departments to distribute the Citizens Guide, FAQ handouts, and other information throughout the County possibly over the next week. She added the use of distribution boxes in the County with minimal contact. Ms. Rouse noted the County's hotline at 757-564-2140 where citizens could call in for daily information updates. She further noted a change to non-essential County services to assist citizens with library services, working with Parks and Recreation on fitness or activity videos, and other messaging. Ms. Rouse noted particular target groups, such as faith-based organizations, Spanish-speaking communities, and businesses with specific messaging designed for those groups. She added this was an evolving situation and subject to change.

Ms. Sadler asked about grocery stores and the availability to post flyers there for people to access information.

Ms. Rouse noted that was a great idea and thanked Ms. Sadler.

Mr. McGlennon noted the staff at Social Services and Communications were doing a great job to offer reassurance and alternatives and thanked them for that work. He further noted the ongoing need to keep people informed of opportunities and information. He added he had been sharing information from the website with people. Mr. McGlennon noted the need for some guiding principles during this unprecedented event and to communicate those clearly to the community. He further noted decision-making for the good of the community. Mr. McGlennon noted the use of food trucks and flexibility of the County Ordinance around the use of them during this time. He further noted a coordinated effort from various groups like the Chamber of Commerce, restaurant associations, and others. Mr. McGlennon added the decisions needed to be sure not to work against restrictions such as social distancing and others. He noted the need to focus on those necessary principles.

Ms. Larson noted she liked the Parks and Recreation idea for activities and getting people involved. She further noted the idea of people with communities creating daily logs of miles walked and avoiding 'brain drain.' Ms. Larson noted calls from congregations seeking information and ways to help. She further noted a retired doctor in her neighborhood who was reaching out to other retired physicians within her congregation to contact seniors who might be isolated. Ms. Larson noted as a result of those actions, five people had been admitted to the hospital for medical care. She further noted it was not all our responsibility, but sharing more information out in the available pipelines was helpful. Ms. Larson thanked Ms. Rouse for all her efforts and noted the need to continue the information flow.

Mr. Hipple noted Mr. McGlennon had a good point with churches using phone trees and contacting people. He further noted the no internet group and the possibility of postcards in the mail to the areas where internet was not available. Mr. Hipple noted the use of Christmas decorations to encourage people. He further noted a monthly decoration challenge throughout the County as well as photo submissions to possibly get a Recreation Center membership when County facilities reopen. Mr. Hipple noted a key component would be to have each Board member deliver a community message of encouragement. He further noted each of the Board members had fears, but community needs and how the Board was looking at those needs financially, emotionally, and on all levels.

Ms. Sadler had no additional comments.

Mr. Icenhour noted pharmacies and food stores presented opportunities to post information. He asked for the video clip on the power of social distancing be displayed as it showed the

exponential effect over time.

Ms. Rouse noted that while Communications pivoted in its information flow, it would continue to highlight County operational messages.

Mr. Icenhour thanked Ms. Rouse. He highlighted the impact of social distancing in the video clip. He echoed Mr. Hipple's comments on the Board sending a community message. Mr. Icenhour also noted deferment of the Workforce Housing Task Force Findings and Recommendations and the Closed Session to a later date.

3. Workforce Housing Task Force – Findings and Recommendations

Deferred.

**D. BOARD REQUESTS AND DIRECTIVES**

Mr. Icenhour noted the budget was scheduled for release on March 27, 2020.

Mr. Stevens noted that was the schedule, but he would confirm that date later in the week.

Mr. Icenhour also noted the Board's thoughts for the County Administrator and staff on how to proceed with this process as things will be different and great flexibility will be needed with so many unknowns. He asked the Board to share ideas and thoughts on that point. Mr. Icenhour noted he had spoken with Mr. Kinsman regarding other Boards and Commissions meetings. He further noted no meetings to be held unless they had critical business and the only one group would probably be the Planning Commission. Mr. Icenhour asked for the Board's thoughts on the meetings. He also asked about the April meeting format of meeting as they currently were or as a virtual meeting.

Mr. McGlennon agreed on no other meetings for Boards or Commissions unless critical business was necessary. He noted that if the Planning Commission had cases that could be deferred then should be an option. He further noted the unknowns regarding the budget and possible federal assistance as well as state reserves. Mr. McGlennon noted during recent walks he met a citizen on the trail at Mainland Farms who thanked him for providing the facility. He further noted the opportunity for people to get fresh air and exercise at some of the County's facilities. Mr. McGlennon noted the use of parks and the consistent measures of social distancing.

Ms. Larson noted her use of local trails, particularly the one behind Warhill Sports Complex, which she added was a tough course. She further noted people being very respectful of social distancing. Ms. Larson referenced Mr. McGlennon's comment on information and how decisions were made. She noted citizens concern on Governor Northam's decision on the school closings. She further noted sending these decisions to local level governments to share that information with their communities so people understood why those decisions were made. Ms. Larson agreed if Boards and Commissions did not need to meet, then do not meet, with the possible exception of the Planning Commission. Ms. Larson noted she had mixed feelings on the virtual meeting in light of asking grocery store workers to go to work. She cited Ms. Sadler's health and its importance while still maintaining an active role in participating remotely for Board meetings. She noted a decision today for April 14 was difficult for her. She further noted the school impact and emphasized the most budgetary information the Board had then the better it was for it to know how to proceed. Ms. Larson noted the shutdown's impact on revenue loss and looking at what could be addressed. She further noted Governor Northam's Office with the three state secretaries which addressed the health and economic crisis in Virginia. Ms. Larson noted she was able to be on the call as she was on the Virginia Association of Counties (VACo) Board of Directors. She further noted those same

Secretaries agreed to be on another call and she hoped VACo would furnish notes from that call. Ms. Larson noted her frustration at the flow of information and the County being viewed as a 'hot spot'. She noted personal information did not need to be known, but possibly neighborhoods or travel information. She noted she asked Mr. Stevens for a write-up on what the County had been through and Secretary Carey had requested that information. Ms. Larson noted HIPAA and frustration about not having the ability to let her community know about the health crisis.

Mr. Hipple noted Mr. Stevens had formed a team to review County profit and loss. He further noted the need to have a monthly report as it will change continually. Mr. Hipple noted the forecast of loss and how to address things. He stressed addressing the financial direction and as a Board member not having to face citizens next year with a tax increase. Mr. Hipple noted the Planning Commission should meet while the others delayed their meetings. He further noted meeting either at the County building or remotely was not a problem as he added no one knew what the next month would bring. Mr. Hipple noted the great parks where people can fish, walk, or even fly a kite. Mr. Hipple referenced a mortar company in Pennsylvania that closed its facility and were not making additional mortar until the health situation was over. He noted a week later they had to reopen due to the demand and increase additional shifts at the plant. Mr. Hipple noted there was talk of shutting down Pennsylvania and that impact on businesses in other areas. He emphasized the need for internet across James City County and stressed the example of knowing what was happening. He added this situation should emphasize why broadband internet was needed from one end of the County to another. He continued discussion on internet education. Mr. Hipple noted this situation will change things across the County, the state, and elsewhere. He further noted concern for citizens. Mr. Hipple noted through the Hampton Roads Transportation Advisory Council and the other transportation agencies that a surveyor had been killed by a vehicle which had gone off the road and into a ravine where the surveyor was working. He further noted reaching out to the family and the devastation of that event.

Ms. Larson thanked staff, noting everyone's help with so many things. She noted how things were changing and the County maintaining operations during the shutdown. She further noted pressure on education and local governments to provide the most efficient services and for everyone to be aware. Ms. Larson noted she had received a great answer from the Real Estate Assessment group on some recent changes.

Ms. Sadler thanked everyone for their patience during her remote participation. She extended her thoughts and prayers to citizens who have been personally impacted by this situation. She echoed her thanks to staff for information to assist citizens. Ms. Sadler encouraged families to spend time together and be grateful for things each day. She noted with everyone working together to get through these difficulties.

Mr. Icenhour noted that four of the 12 Public Hearings for the April 14 Board meeting had been moved to the May meeting. He further noted the remaining eight were land use cases and that the County Attorney felt comfortable with proceeding that way. He noted he would touch base prior to the April meeting for whether to meet in person or remotely. Mr. Icenhour expressed his thanks to staff as well as the citizens for the type of questions received and the information shared.

Mr. Stevens noted yesterday's announcement that along with many other Hampton Roads localities that the County's offices were closed to the public until further notice, but that operations were still ongoing. He encouraged citizens should call with questions. He further noted calls were being answered, grass was being cut, picking up recycling, and numerous other County operations. Mr. Stevens noted teleworking and concerns that full efficiency was in place with the workforce. He further noted adjustments in spacing out the workforce in automobiles and cleaning of high traffic areas. Mr. Stevens noted the closures of playgrounds



and sports courts and maintaining social distances. He addressed limitations at County beaches but that those remain open currently. He thanked staff and citizens. Mr. Stevens noted staff was available for community questions and needs.

**E. CLOSED SESSION**

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia and involving the Chesapeake Bay/Wetlands Board and the Economic Development Authority

Deferred.

**F. ADJOURNMENT**

1. Adjourn until 5 p.m. on April 14, 2020, for the Regular Meeting

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:59 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**ITEM SUMMARY**

DATE: 4/14/2020

TO: Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Housing Choice Voucher Administrative Plan

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**ATTACHMENTS:**

	Description	Type
☐	Memo - Revised Administrative Plan for the Section 8 Housing Choice Voucher Program	Cover Memo
☐	Resolution - Revised Administrative Plan for the Section 8 Housing Choice Voucher Program	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	3/22/2020 - 10:16 PM
Publication Management	Burcham, Nan	Approved	3/23/2020 - 9:19 AM
Legal Review	Kinsman, Adam	Approved	3/23/2020 - 11:34 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:04 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:12 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 2:06 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Revised Administrative Plan for the Section 8 Housing Choice Voucher Program

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A revised Administrative Plan for the Section 8 Housing Choice Voucher Program has been prepared by the Social Services Housing Unit (Housing). Public Housing Agencies (PHAs) are required to adopt an Administrative Plan which states local policies on matters for which Federal law and Housing and Urban Development (HUD) regulations provide discretion to the PHA. Revisions to the Administrative Plan adopted by the Board of Supervisors on August 8, 2017, are necessary to incorporate and respond to recent changes in Federal policies and regulations related to operation and funding of the Housing Choice Voucher Program.

This revision of the Administrative Plan includes: 1) formatting and repagination throughout the Plan to allow for the inclusion of references to updated HUD regulatory requirements, 2) Updated information for HUD-50058 Instruction Booklet, 3) Updated Office of Public and Indian Housing Notices, 4) Added new subsection for Housing Assistance Payment Families Who Wish to Move. Also included with this revision is one new preference: 1) a Preference for non-elderly persons with disabilities who are transitioning out of institutional and other segregated settings and those who previously experienced homelessness and are currently a client in a permanent supportive housing or rapid rehousing project. Housing has been awarded 20 Mainstream Vouchers by HUD which requires the PHA to have a tenant selection preference in the Administrative Plan that allows those who meet the criteria set forth in the Public and Indian Housing Mainstream Voucher Program to be given priority placement on the PHA waiting list.

Revisions approved in the 2017 Administrative Plan included a number of required updates including: 1) formatting and repagination, 2) updated methodology to determine whether or not the PHA has sufficient funding to issue new vouchers, approve moves, or justify restrictions on Elective Moves to units with higher subsidy costs due to insufficient funds, 3) a change to the PHA Extension of Voucher Term policy to automatically approve one 30-day extension upon written request from the family, 4) revised notification, documentation, and confidentiality guidance requirements for compliance with the Violence Against Women Act.

As summarized above, revisions to the Administrative Plan ensure our compliance with federal policies and regulations related to operation and funding of the Housing Choice Voucher Program while enabling staff to continue to assist current participants and to assist additional families within the amount of funding provided by the federal government.

Staff recommends that the Board of Supervisors adopt the attached resolution to approve the revised Administrative Plan for the Housing Choice Voucher Program.

RV/nb  
Sec8HCVP-RevPln-mem

Attachment

## RESOLUTION

### REVISED ADMINISTRATIVE PLAN FOR THE

### SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

- WHEREAS, the James City County Social Services Housing Unit is designated as the Public Housing Agency VA041 (PHA), authorized to operate the Section 8 Housing Choice Voucher Program within James City County; and
- WHEREAS, a PHA which operates the Section 8 Housing Choice Voucher Program must adopt an Administrative Plan which states local policies on matters for which the PHA has discretion; and
- WHEREAS, there have been several changes in federal policies and regulations related to operation and funding of the Housing Choice Voucher Program since the Administrative Plan was last adopted by the Board of Supervisors on August 8, 2017; and
- WHEREAS, the Social Services Housing Unit has prepared a revised Administrative Plan which incorporates and responds to changes in federal policies and regulations and has provided opportunities for public review and comment.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the revised Administrative Plan for the Section 8 Housing Choice Voucher Program effective April 14, 2020.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

Sec8HCVP-RevPln-res

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development; A. Vaughn Poller, Neighborhood

SUBJECT: Grant Award - Virginia Housing Development Authority Community Impact Grant - \$42,900

---

**ATTACHMENTS:**

	Description	Type
☐	Staff Report	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	3/30/2020 - 8:11 AM
Development Management	Holt, Paul	Approved	3/30/2020 - 8:12 AM
Publication Management	Burcham, Nan	Approved	3/30/2020 - 8:20 AM
Legal Review	Kinsman, Adam	Approved	3/30/2020 - 8:43 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:04 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:11 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 2:06 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development  
A. Vaughn Poller, Neighborhood Development Administrator

SUBJECT: Grant Award - Virginia Housing Development Authority Community Impact Grant - \$42,900

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The Planning Division and Neighborhood Development Division are working on several projects to implement operational initiatives from James City County's 2035 Strategic Plan:

- In support of Goal 3, Expanding and Diversifying the Local Economy, the Planning Division is conducting scenario planning as part of the Engage 2045 process, and the Neighborhood Development Division is continuing the work of the Workforce Housing Task Force.
- In support of Goal 4, Protected Community Character and an Enhanced Built Environment, the Planning Division is updating the County Comprehensive Plan through the Engage 2045 process.
- In support of Goal 5, Exceptional Public Services, the Neighborhood Development Division is developing strategies to address findings in the Housing Conditions Study, and both divisions are collaborating on ways to expand opportunities for public participation in James City County government.
- In support of Goal 7, Fiscally Efficient Government, the Planning Division is conducting a cumulative fiscal, infrastructure, community character, environmental impact analysis and refining its fiscal impact model as part of the Engage 2045 process.

The Virginia Housing Development Authority (VHDA) encourages localities in the Commonwealth to seek innovative solutions to meet the need for quality housing for all Virginia citizens, with a focus on underserved Virginians. Its work links housing, economic development, and transportation planning in support of the new Virginia economy. VHDA previously supported the County's Workforce Housing Task Force activities with a grant of \$20,000 in 2018.

In support of the County's efforts to use the MetroQuest tool in the Engage 2045 process to provide a virtual community engagement component, VHDA has awarded James City County \$42,900 from the Community Impact Program. The funds, which do not require any additional local or matching funds, will extend use of the MetroQuest tool into future phases of the process, similar to its successful application in Phase 1, in order to increase participation levels, widen the reach within the community, facilitate more meaningful discussion, provide connections to the scenario planning and modeling efforts, and more deeply inform development of the housing, economic development, transportation, and land use sections during the Engage 2045 process.

Staff recommends adoption of the attached resolution to authorize the acceptance and appropriate the VHDA Community Impact Grant funds.

TMR/VP/nb  
GA-VHDA-mem

Attachment

## **RESOLUTION**

### **GRANT AWARD - VIRGINIA HOUSING DEVELOPMENT AUTHORITY**

#### **COMMUNITY IMPACT GRANT - \$42,900**

WHEREAS, the Virginia Housing Development Authority (VHDA) provides funding for the development of innovative approaches to housing in the Commonwealth; and

WHEREAS, the James City County Planning Division is conducting scenario planning; updating the Comprehensive Plan; conducting a cumulative fiscal, infrastructure, community character, environmental impact analysis; and refining its fiscal impact model through the Engage 2045 process; and

WHEREAS, the Neighborhood Development Division is continuing the work of the Workforce Housing Task Force and developing strategies to address findings in the Housing Conditions Study; and

WHEREAS, both divisions are seeking ways to expand opportunities for public participation in James City County government, in support of all operational initiatives to implement the 2035 Strategic Plan; and

WHEREAS, the Engage 2045 process used online opportunities to complement and expand the Summit on the Future event in November 2019, specifically using the MetroQuest platform to get input on visual preferences and areas to preserve and change; and

WHEREAS, James City County desires to extend these virtual opportunities forward into future phases of Engage 2045 and to more deeply integrate them into the development of the Comprehensive Plan; and

WHEREAS, James City County has been awarded \$42,900 in funding from VHDA as part of the Community Impact Grant; and

WHEREAS, the funds will be used in support of a consulting services from EPR-PC, Clarion Associates, Tischler Bise, and Michael Baker International to design and implement the Comprehensive Plan public engagement, scenario planning, and modeling efforts, and integration into the Comprehensive Plan; and

WHEREAS, there is no formal match required to the grant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of this grant and the budget appropriation in the amount of \$42,900 to the Planning Division budget as shown below and further authorizes the County Administrator or his designee to sign and accept the award of

funding from the VHDA Community Impact Grant and to execute all necessary contracts to implement it.

Revenue:

VHDA Community Impact Grant	<u>\$42,900</u>
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Expenditures:

Engage 2045	<u>\$42,900</u>
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\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

GA-VHDA-res



**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Award - Virginia Homeless Solutions Program COVID-19 Emergency Shelter Operations Funds - \$37,373

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/13/2020 - 11:20 AM

## MEMORANDUM

DATE: April 28, 2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Award - Virginia Homeless Solutions Program COVID-19 Emergency Shelter Operations Funds - \$37,373

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The James City County Social Services Housing Unit (Housing) is designated as a Virginia Homeless Solutions Program (VHSP) Partner by the Greater Virginia Peninsula Housing Consortium (GVPHC), to provide emergency shelter, homelessness prevention, rapid re-housing, and associated services within James City County, the City of Williamsburg, and Upper York County (Upper Peninsula).

In an effort to assist with responding to the COVID-19 crisis, the Virginia Department of Housing & Community Development has awarded \$124,577 in funding to the GVPHC for Emergency Shelter Operations. As a designated Partner, Housing has received an allocation, from the GVPHC award, of \$35,504 for direct services and \$1,869 for administrative activities for immediate use in the Upper Peninsula.

As part of the acceptance of these funds, the GVPHC has agreed to follow Federal Emergency Management Agency (FEMA) guidance for prioritizing the use of these funds and therefore has committed to only use these funds to cover the costs associated with emergency, non-congregate sheltering, and supplies for individuals who meet one or more of the following criteria:

- Test positive for COVID-19 that do not require hospitalization, but need isolation or quarantine (including those exiting from hospitals);
- Have been exposed to COVID-19 that do not require hospitalization, but need isolation or quarantine; and
- Persons needing social distancing as a precautionary measure, as determined by public health officials, particularly for high-risk groups such as people over 65 or with certain underlying health conditions (respiratory, compromised immunities, and/or chronic disease).

It is recommended that the Board of Supervisors adopt the attached resolution to authorize acceptance of these emergency funds and the use of these funds in the administration of emergency shelter operations related to the COVID-19 crisis.

RV/md  
Award-COVID19EmergSh-mem

Attachment

## **RESOLUTION**

### **AWARD - VIRGINIA HOMELESS SOLUTIONS PROGRAM**

#### **COVID-19 EMERGENCY SHELTER OPERATIONS FUNDS - \$37,373**

WHEREAS, the James City County Social Services Housing Unit (Housing) is designated as a Virginia Homeless Solutions Program (VHSP) Partner by the Greater Virginia Peninsula Housing Consortium (GVPHC), to provide emergency shelter, homelessness prevention, rapid re-housing, and associated services within James City County, the City of Williamsburg, and Upper York County (Upper Peninsula); and

WHEREAS, the GVPHC has been awarded \$124,577 in COVID-19 emergency response funding by the Virginia Department of Housing and Community Development for Emergency Shelter Operations; and

WHEREAS, Housing has received an allocation of the COVID-19 emergency response funding from the GVPHC of \$35,504 for direct services and \$1,869 for administrative activities to provide an immediate response to the health and safety needs of individuals and households experiencing homelessness in the Upper Peninsula.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts additional funding allocated from the GVPHC award for COVID-19 emergency response funding and authorizes the following appropriation to the Housing and Neighborhood Development Fund:

#### **Revenue:**

Federal - VHSP Emergency Shelter	<u>\$37,373</u>
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#### **Expenditures:**

VHSP Emergency Shelter Services	\$35,504
VHSP Emergency Shelter Administration	<u>1,869</u>
Total	<u>\$37,373</u>

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of April, 2020.

Award-COVID19EmergSh-res

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Sharon Day, Director of Financial and Management Services

SUBJECT: Proposed Real Property Tax Increase

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 3:25 PM

## MEMORANDUM

DATE: April 14, 2020  
TO: The Board of Supervisors  
FROM: Sharon B. Day, Director, Financial and Management Services  
SUBJECT: Proposed Real Property Tax Increase

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The purpose of the Public Hearing is to invite public comment on an increase in property tax levies based upon the recent general reassessment.

The total assessed value of real property, excluding additional assessments due to new construction or improvements to property, exceeds last year's total assessed value of real property by 1.81%.

The tax rate which would levy the same amount of real estate tax as last year, when multiplied by the new total assessed value of real estate with the exclusions mentioned above, would be \$.8248 per \$100 of assessed value. This rate will be known as the "lowered tax rate."

James City County proposes to adopt a tax rate of \$.84 per \$100 of assessed value. The difference between the lowered tax rate and the proposed rate would be \$.0152 per \$100, or 1.81%. This difference will be known as the "effective tax rate increase."

Individual property taxes may, however, increase at a percentage greater than or less than the above percentage.

No action is required of the Board at this meeting. The budget work sessions are scheduled for Tuesday, April 21, 2020, at 4 p.m. and Tuesday, April 28, 2020, at 4 p.m. The Board is scheduled to adopt the budget as amended, at its meeting on Tuesday, May 12, 2020.

SBD/md  
FY21PropRPTaxIncr-mem

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Sharon Day, Director of Financial and Management Services

SUBJECT: Fiscal Year 2021-2022 County Biennial Budget

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The proposed Fiscal Year 2021-2022 County Biennial Budget may be viewed online

**ATTACHMENTS:**

	Description	Type
	Memorandum	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 3:25 PM

## MEMORANDUM

DATE: April 14, 2020  
TO: The Board of Supervisors  
FROM: Sharon B. Day, Director, Financial and Management Services  
SUBJECT: Fiscal Year 2021-2022 County Biennial Budget

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The purpose of the Public Hearing is to invite public comment on any aspect of the proposed Fiscal Year 2021-2022 Biennial Budget, with the expectation that those public comments would become part of the agenda for the upcoming budget work sessions.

No action is required of the Board at this meeting; however, any questions would be helpful as we prepare for the budget work sessions. The budget work sessions are scheduled for Tuesday, April 21, 2020, at 4 p.m. and Tuesday, April 28, 2020, at 4 p.m. The Board is scheduled to adopt the budget as amended, at its meeting on Tuesday, May 12, 2020.

SBD/md  
FY21-22BienBudget-mem



**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Improve Formatting and Readability; An Ordinance to Amend and Reordain James City County Code, Chapter 22, Wetlands; An Ordinance to Amend and Reordain James City County Code, Chapter 23, the Chesapeake Bay Preservation Ordinance

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version	Ordinance
☐	2. Proposed Ordinance Amendments to Chapter 22 of the County Code, Strikethrough Version	Ordinance
☐	3. Proposed Ordinance Amendments to Chapter 23 of the County Code, Strikethrough Version	Ordinance
☐	4. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version	Exhibit
☐	5. Proposed Ordinance Amendments to Chapter 22 of the County Code, Clean Version	Exhibit
☐	6. Proposed Ordinance Amendments to Chapter 23 of the County Code, Clean Version	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	3/27/2020 - 8:15 AM
Publication Management	Daniel, Martha	Approved	3/27/2020 - 8:26 AM
Legal Review	Kinsman, Adam	Approved	3/30/2020 - 8:43 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:03 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:10 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 1:35 PM

## M E M O R A N D U M

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Improve Formatting and Readability; An Ordinance to Amend and Reordain James City County Code, Chapter 22, Wetlands; An Ordinance to Amend and Reordain James City County Code, Chapter 23, the Chesapeake Bay Preservation Ordinance

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On May 8, 2018, the Board of Supervisors adopted an Ordinance creating Appendix A to the County Code. Appendix A to the County Code is intended to increase transparency to the development process by listing all development related fees in one consolidated table. Prior to May 8, 2018, fee references were spread throughout the various chapters of the County Code (i.e., the 2018 Ordinance consolidated references from Chapter 4 (Building Regulations), Chapter 8 (Erosion and Sediment Control), Chapter 19 (Subdivisions), and Chapter 24 (Zoning).

The attached Ordinance continues the previous effort by now consolidating fee references currently found in Chapter 22 (Wetlands) and Chapter 23 (The Chesapeake Bay Preservation Ordinance).

The 2018 Ordinance also created an additional column in Appendix A (a 5% fee increase column) which, at the time, generated additional revenue necessary to fund ongoing system requirements of the enhanced permitting and inspection software system used by Community Development and General Services.

In addition to consolidating fee references now found in Chapters 22 and 23, the proposed revisions to Appendix A include revisions to improve formatting and readability. This is accomplished by consolidating the fee column and the "Plus 5%" column.

As such, the Ordinances attached to this staff memorandum represent formatting improvements only and these Ordinances do not contain any fee changes or other substantive changes.

### **Recommendation**

Staff recommends the Board of Supervisors adopt the three attached Ordinances.

PDH/nb  
Appndx A-AmdReord-mem

### Attachments:

1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version
2. Proposed Ordinance Amendments to Chapter 22 of the County Code, Strikethrough Version
3. Proposed Ordinance Amendments to Chapter 23 of the County Code, Strikethrough Version
4. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version
5. Proposed Ordinance Amendments to Chapter 22 of the County Code, Clean Version
6. Proposed Ordinance Amendments to Chapter 23 of the County Code, Clean Version

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF JAMES CITY COUNTY BY AMENDING APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS BY MAKING GENERAL FORMATTING CHANGES AND TO DETAIL THE FEES FOR WETLANDS AND THE CHESAPEAKE BAY PRESERVATION ORDINANCE TO DEFRAY THE COSTS INCURRED BY THE COUNTY NECESSARY TO ADMINISTRATE EACH AND FOR THE FILING AND PROCESSING OF AMENDMENTS, APPLICATIONS, AND APPEALS RELATED TO EACH OF THE LISTED PROGRAMS

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the code of James City County is hereby amended and reordained by Amending Appendix A - Fee Schedule For Development Related Permits by making general formatting changes and to detail the fees for Wetlands and The Chesapeake Bay Preservation Ordinance to defray the costs incurred by the County to administrate each and for the filing and processing of amendments, applications, and appeals related to each of the listed programs.

**Appendix A - Fee Schedule for Development Related Permits**

<b>BUILDING SAFETY AND PERMITS</b>			
<b>CHAPTER 4 - BUILDING REGULATIONS</b>			
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>Plus</b>
4-8	<b>Annual Elevator Inspections</b>		
	Traction Elevator	<del>\$200</del> \$210.00	5%
	Hydraulic Elevator	<del>\$150</del> \$157.50	5%
	Annual Inspection certificate by a third-party inspector	<del>\$50</del> \$52.50	5%
4-8	<b>Amusement Device Inspection</b>		
	Kiddie Ride	<del>\$25</del> \$26.25each	5%
	Circular or Flat-ride less than 20 feet in height	<del>\$35</del> \$36.75each	5%
	Spectacular Ride which cannot be inspected as a circular ride or flat-ride due to complexity or height	<del>\$55</del> \$57.75 each	5%
	Coaster exceeding 30 feet in height	<del>\$150</del> \$157.50 each	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
4-8	<b>Certificate of Occupancy</b> (No certificate of occupancy shall be issued until all inspection fees have been paid)	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
4-8	<b>Fire Department - New Construction</b> (In addition to fees for building code permits and inspections when a fire department employee will participate in such inspections)		
	Fire protection system acceptance tests (Including fire alarm, fire sprinkler, standpipe, fire pump)	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
	Commercial range hood fire suppression system acceptance tests	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
	Certificate of occupancy inspections excluding single- and two-family residences	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
4-8	<b>Mobile Home Installation</b> (The fee for the inspection of the mobile home installation shall supersede any fee otherwise required for the inspection for an electrical or plumbing permit for that mobile home)	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
	<b>Permits</b>		
	<b>Building Permit<sup>±</sup></b>		
	Minimum Building Permit Fee	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
4-8	Construction of any building or addition where the floor area is increased, and installation or erection of any industrialized building unit based on the floor area to be constructed as computed from exterior building dimensions at each floor  (Any residential building, any unenclosed carport, porch or stoop, when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation)	<del>\$0.13</del> <b>\$0.1365</b> per square foot	<del>5%</del>
4-8	Construction of a garage, barn, pole shed or similar structure, when not constructed at the time of and under the permit of the main dwelling	<del>\$0.10</del> <b>\$0.105</b> per square foot of the exterior dimensions of the building	<del>5%</del>

CODE REFERENCE	DESCRIPTION	FEE	Plus
	Alteration or repair of any building or structure, or for the construction or erection of piers bulkheads, exterior walls or fences, towers, swimming pools or other structures or things	<del>One</del> 1.05 percent of the current value of all service, labor and materials	5%
	Demolition or razing of any building or structure having a floor area greater than 200 square feet (No fee shall be charged for a permit to raze a building with a floor area of 200 square feet or less)	<del>\$50</del> \$52.50	5%
	Erection, placement or removal of a building or structure, in part or in whole from one location to another, or into or out of the county or to a new location within the same lot or parcel of land	<del>\$0.10</del> \$0.105 per square foot of the gross floor area.	5%
	Construction not covered by any of the above	<del>One</del> 1.05 percent of the retail value or current market value of the work being done; provided, that the minimum permit fee shall be <del>\$50</del> \$52.50	5%
	The Building Permit Fee shall be double for any construction that has commenced before a permit is obtained	As listed above	5%
4-8	<b>Electrical Permit</b>		
	Minimum Electrical Permit Fee	<del>\$50</del> \$52.50	5%
	Installation of each electrical service system in new construction, the fee shall be determined from the rated size of the service panels in amperes as follows:		
		Single Phase    Three Phase	
	0-60 amps	<del>\$50</del> <del>\$50</del> \$52.50 \$52.50	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
	61-100 amps	<del>\$50</del> <del>\$55</del> <del>\$52.50</del> <del>\$57.75</del>	<del>5%</del>
	101-150 amps	<del>\$60</del> <del>\$65</del> <del>\$63.00</del> <del>\$68.25</del>	<del>5%</del>
	151-200 amps	<del>\$65</del> <del>\$70</del> <del>\$68.25</del> <del>\$73.50</del>	<del>5%</del>
	Over 200 amps, plus <del>\$15.00</del> <del>\$15.75</del> for each additional 50 amps or fraction thereof over 200 amps	<del>\$65</del> <del>\$70</del> <del>\$68.25</del> <del>\$73.50</del>	<del>5%</del>
	Installation of a temporary service, or the reconnection of a mobile home	<del>\$50</del> <del>\$52.50</del>	<del>5%</del>
	Increasing the size of the electrical service to any building structure, or mobile home		
	Service up to and including 200 amperes	<del>\$50</del> <del>\$52.50</del>	<del>5%</del>
4-8	Service over 200 amperes	<del>\$50</del> <del>\$52.50</del> plus <del>\$15</del> <del>\$15.75</del> for each 50 amperes or fraction thereof over 200 amperes.	<del>5%</del>
	For relocation of any existing service for which the size is not increased	<del>\$50</del> <del>\$52.50</del>	<del>5%</del>
	No additional fee shall be charged for outlets when the size of the service is increased		
	Addition to any existing electrical installation		
	1-100 outlets	<del>\$50</del> <del>\$52.50</del>	<del>5%</del>
	Over 100 outlets	<del>\$50</del> <del>\$52.50</del> plus <del>\$0.20</del> <del>\$0.21</del> for each outlet over 100	<del>5%</del>

CODE REFERENCE	DESCRIPTION	FEE	Plus
4-8	<b>Mechanical and Gas Permits</b>		
	Minimum Mechanical or Gas Permit Fee*	<del>\$50</del> \$52.50	5%
	Basic permit fee		
	First \$1,000 value	<del>\$50</del> \$52.50	5%
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	Replacement, repair or alteration of mechanical systems or equipment in existing buildings, structures or additions thereto		
	First \$1,000 value	<del>\$50</del> \$52.50	5%
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	*Domestic cooking equipment and space heaters in dwelling units are exempt from mechanical permit fees. Inspections of this equipment are required		
	Fuel piping permit (applies when permit is for fuel piping work only)	<del>\$0.005</del> \$0.01 × \$1,000 of valuation or fraction thereof	5%
	L.P.G. (i.e. butane, propane, etc.) tanks and associated piping permit (Total water capacity in gallons)		
	0-500	<del>\$50</del> \$52.50	5%
	501-2,000	<del>\$55</del> \$57.75	5%
	Over 2,000	<del>\$55</del> \$57.75 plus <del>\$1</del> \$1.05 per 10,000 gallons	5%
	Tanks and associated piping for flammable liquids permit (Capacity in gallons)		
	0-10,000	<del>\$50</del> \$52.50	5%
	10,001-20,000	<del>\$55</del> \$57.75	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
	20,001-50,000	<del>\$60</del> \$63.00	5%
	Over 50,000	<del>\$70</del> \$73.50 plus <del>\$5</del> \$5.25 per 25,000 gallons or fraction thereof	5%
	Removal of storage tanks	<del>\$50</del> \$52.50	5%
	Fire suppression systems (Includes standpipes)		
	New construction		
	First \$1,000 value	<del>\$50</del> \$52.50	5%
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	All others		
	First \$1,000 value	<del>\$50</del> \$52.50	5%
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	Elevators, dumbwaiters, moving stairways, moving walks, manlifts or special hoisting and conveying equipment		
	New construction		
	First \$1,000 value	<del>\$50</del> \$52.50	5%
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	All others		
	First \$1,000 value	<del>\$50</del> \$52.50	5%



CODE REFERENCE	DESCRIPTION	FEE	Plus
	Over \$1,000 value	<del>\$50</del> \$52.50 plus <del>\$5</del> \$5.25 per \$1,000 or fraction thereof	5%
	<b>Permit Reissuance</b> Permits becoming invalid, as specified by the Code, may be reissued up to a period of five years	<del>\$50.00</del> \$52.50 for each six- month period	5%
4-8	<b>Plumbing Permit</b>		
	<b>Minimum Plumbing Permit Fee</b>	<del>\$50</del> \$52.50	5%
	<b>Installation of each plumbing fixture or appliance</b>	\$7 <del>\$7.35</del>	5%
	<b>Installation of the water distribution system in each building</b>	<del>\$15</del> \$15.75	5%
	<b>Connection of any building drain to a public or private sanitary sewage disposal system</b>	\$7 <del>\$7.35</del>	5%
	Each sewer (sanitary or storm), manhole (sanitary or storm), roof drain or other similar device	\$7 <del>\$7.35</del>	5%
4-8	<b>Plan Review</b>		
	Minimum Review Fee	<del>\$15</del> \$15.75	5%
	Plan Review Fee	<del>\$20</del> \$21 for each 1,000 square feet of floor space or part thereof	5%
	Revised Plans - when such plans are substantially different than the original plans or the previous review comments have not been addressed and necessitate the issuance of additional review comments		
	Minimum Review Fee	\$7 <del>\$7.35</del>	5%
	Plan Review Fee	<del>\$20</del> \$21 for each 1,000 square feet of floor space or part thereof	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
4-8	<b>Reinspection</b> (any building, electrical, mechanical, plumbing, elevator, mobile home, amusement device)	<del>\$50</del> \$52.50	5%
4-60	<b>Administrative Fee</b> A fee of shall be charged at the time of application to offset the cost of making inspections, issuing permits, enforcement and other expenses incident to the administration of this article or to the filing or processing of any appeal or amendment thereto	<del>\$50</del> \$52.50	5%

## STORMWATER AND RESOURCE PROTECTION

### CHAPTER 8 - EROSION AND SEDIMENT CONTROL

CODE REFERENCE	DESCRIPTION	FEE	Plus
8-5	<b>Land Disturbing Activity &amp; Erosion &amp; Sediment Control Plans</b>		
	Single-family residential structure	<del>\$100</del> \$105	5%
	Residential subdivisions	<del>\$70</del> \$73.50 per lot	5%
	All other land disturbing activities (residential site plan)	<del>\$840</del> \$882 per acre for first 15 acres plus <del>\$560</del> \$588 for each additional acre over 15 acres	5%
	All other land disturbing activities (non-residential plan)	<del>\$600</del> \$630 per acre for first 15 acres plus <del>\$400</del> \$420 for each additional acre over 15 acres	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
8-34	<b>Fee Schedule for Registration and Issuance of General VPDES Permit for Discharge of Stormwater from Construction Activities</b>		
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	<del>\$290</del> <b>\$304.50</b>	5%
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	<del>\$290</del> <b>\$304.50</b>	5%
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	<del>\$2,700**</del> <b>\$2,835**</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	<del>\$3,400</del> <b>\$3,570</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	<del>\$4,500</del> <b>\$4,725</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	<del>\$6,100</del> <b>\$6,405</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	<del>\$9,600</del> <b>\$10,080</b>	5%
	****Pursuant to amendments to the Virginia Stormwater Management Act, as amended, § 62. 1-44. 15:28 of the Code of Virginia this fee tier will be \$290 for small construction activity involving a single-family detached residential structure with a site or area, within or outside a common plan of development or sale, that is equal to or greater than one acre but less than five acres. In addition, neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale within this tier, and all other tiers consistent with §62. 1-44. 15:28(A)(8)		

CODE REFERENCE	DESCRIPTION	FEE	Plus
8-34	<b>Modification or Transfer of Registration Statements for the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-825</b>		
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre)	<del>\$20</del> <b>\$21</b>	5%
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	<del>\$200</del> <b>\$210</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	<del>\$250</del> <b>\$262.50</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	<del>\$300</del> <b>\$315</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	<del>\$450</del> <b>\$472.50</b>	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	<del>\$700</del> <b>\$735</b>	5%
8-34	<b>Fee Schedule for the Maintenance of the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-830</b>		
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	<del>\$50</del> <b>\$52.50</b>	5%
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	<del>\$50</del> <b>\$52.50</b>	5%
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	<del>\$400</del> <b>\$420</b>	5%

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>Plus</b>
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	<del>\$500</del> \$525	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	<del>\$650</del> \$682.50	5%
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	<del>\$900</del> \$945.00	5%
8-34	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	<del>\$1,400</del> \$1,470	5%

<b><i>STORMWATER &amp; RESOURCE PROTECTION</i></b>		
<b><i>CHAPTER 22 - WETLANDS</i></b>		
<b><i>CODE REFERENCE</i></b>	<b><i>DESCRIPTION</i></b>	<b><i>FEE</i></b>
22-4	<i>Permits affecting 20,000 square feet or less of wetlands</i>	<i>\$100</i>
22-4	<i>Permits affecting more than 20,000 but not more than 40,000 square feet of wetlands</i>	<i>\$210</i>
22-4	<i>Permits affecting more than 40,000 square feet of wetlands</i>	<i>\$200 plus \$100 for each additional acre in excess of one acre of affected wetlands</i>

<b>CHAPTER 23 - THE CHESAPEAKE BAY PRESERVATION ORDINANCE</b>			
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	
23-15	<i>Exceptions that must be granted by the Chesapeake Bay Board</i>	\$125	
23-15	<i>Exceptions that must be granted by the manager</i>	\$25	
<b>PLANNING AND ZONING</b>			
<b>CHAPTER 24 - ZONING</b>			
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>Plus</b>
24-7	<b>Conceptual Plan</b>	<del>\$25</del> \$26.25	5%
24-7	<b>Height Limitation Waiver</b>	<del>\$200</del> \$210	5%
24-47	<b>Chicken Keeping</b>	<del>\$20</del> \$21	5%
24-7	<b>Master Plan</b>		
	Initial Review Residential cluster, mixed use or a PUD with less than 400 acres (PUDs more than 400 acres shall pay a rezoning fee only)	<del>\$200</del> \$210	5%
	Revision of an Approved Plan		
	Residential Cluster	<del>\$75</del> \$78.75	5%
	R-4, PUD, Mixed Use	<del>\$150</del> \$157.50	5%
24-7	<b>Public Hearing Applicant Deferral Request</b> Does not apply where deferral is the result of a commission or board action Does apply when the applicant fails to meet a staff imposed deadline for additional information relevant to the application	<del>\$350</del> \$367.50 per request	5%

CODE REFERENCE	DESCRIPTION	FEE	Plus
24-7	<b>Sign Permits</b>	Size (per square foot of gross sign area) x <del>\$5.00</del> <del>\$5.25</del>	<del>5%</del>
24-7	<b>Site Plan</b>		
	Administrative Review		
	Residential structures or improvements	<del>\$600</del> <del>\$630</del> plus <del>\$60</del> <del>\$63</del> per unit	<del>5%</del>
	Nonresidential structures or improvements	<del>\$600</del> <del>\$630</del> plus <del>\$0.024</del> <del>\$0.0252</del> per sq. ft. of building area	<del>5%</del>
	Mixed Use structures or improvements	<del>\$600</del> <del>\$630</del> plus <del>\$60</del> <del>\$63</del> per unit plus <del>\$0.024</del> <del>\$0.0252</del> per sq. ft. of nonresidential building area	<del>5%</del>
	Planning Commission and/or DRC Review		
	Residential structures or improvements	<del>\$1,800</del> <del>\$1,890</del> plus <del>\$60</del> <del>\$63</del> per unit	<del>5%</del>
	Nonresidential structures or improvements	<del>\$1,800</del> <del>\$1,890</del> plus <del>\$0.024</del> <del>\$0.0252</del> per sq. ft. of building area	<del>5%</del>
	Mixed Use structures or improvements	<del>\$1,800</del> <del>\$1,890</del> plus <del>\$60</del> <del>\$63</del> per residential unit plus <del>\$0.024</del> <del>\$0.0252</del> per sq. ft. of nonresidential building area	<del>5%</del>

CODE REFERENCE	DESCRIPTION	FEE	Plus
	Amendment to an Approved Plan		
	Residential structures or improvements	<del>\$100</del> <del>\$105</del> plus <del>\$10</del> <del>\$10.50</del> per residential unit	<del>5%</del>
24-7	Nonresidential structures or improvements	<del>\$100</del> <del>\$105</del> plus <del>\$0.0042</del> per sq. ft. of building area	<del>5%</del>
	Mixed Use structures or improvements	<del>\$100</del> <del>\$105</del> plus <del>\$10</del> <del>\$10.50</del> per residential unit plus <del>\$0.0042</del> sq. ft. of nonresidential building area	<del>5%</del>
	Other		
	Residential or nonresidential structures or improvements where number of dwelling units, building area, pavement or open space is not changed more than 15%	<del>\$100</del> <del>\$105</del>	<del>5%</del>
	Zoning/Fire Dept. review only	<del>\$20</del> <del>\$21</del>	<del>5%</del>
	Each additional review after second resubmission	<del>\$250</del> <del>\$262.50</del>	<del>5%</del>
	<b>Special Use Permit</b>		
24-7	General (If processed with a rezoning shall pay a rezoning fee only)	<del>\$1,000</del> <del>\$1,050</del> plus <del>\$30</del> <del>\$31.50</del> per acre***	<del>5%</del>
	Manufactured Home	<del>\$100</del> <del>\$105</del>	<del>5%</del>
	Family Subdivision under Section 24-214	<del>\$100</del> <del>\$105</del>	<del>5%</del>
	Amendment/Renewal to a Special Use Permit	<del>\$400</del> <del>\$420</del>	<del>5%</del>
	Communication Facilities under Division 6	<del>\$1,500</del> <del>\$1,575</del>	<del>5%</del>
	***Not to exceed \$5,000		



CODE REFERENCE	DESCRIPTION	FEE	Plus
24-7	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	<del>\$900</del> <b>\$945</b> per practice for each best management practice constructed and <del>\$0.90</del> <b>\$0.945</b> per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit	<del>5%</del>
24-7	<b>Rezoning ****</b>		
	5 acres or less	<del>\$1,200</del> <b>\$1,260</b> plus <del>\$75</del> <b>\$78.75</b> per acre	<del>5%</del>
	More than 5, but no more than 10 acres	<del>\$1,200</del> <b>\$1,260</b> plus <del>\$75</del> <b>\$78.75</b> per acre	<del>5%</del>
	More than 10 acres	<del>\$1,200</del> <b>\$1,260</b> plus <del>\$75</del> <b>\$78.75</b> per acre	<del>5%</del>
	Written request to the board of supervisors to amend proffered conditions where such amendment does not affect conditions of use or density and where a public hearing is not required	<del>\$200</del> <b>\$210</b>	<del>5%</del>
	**** Not to exceed \$15,000/proffer amendments pay base fee only		

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>Plus</b>
24-7	<b>Zoning - Administrative Variance</b>	<del>\$250</del> <b>\$262.50</b>	<del>5%</del>
24-7	<b>Zoning - Board of Zoning Appeals</b>	<del>\$500</del> <b>\$525</b>	<del>5%</del>
24-7	<b>Zoning Verification Request</b>	<del>\$100</del> <b>\$105</b>	<del>5%</del>

<b>SUBDIVISION</b>			
<b>CHAPTER 19 - SUBDIVISIONS</b>			
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>	<b>Plus</b>
19-15	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	<del>\$900</del> <b>\$945</b> per practice for each best management practice constructed and <del>\$0.90</del> <b>\$0.9450</b> per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit	<del>5%</del>
19-15	<b>Water and Sewer Line Installation Inspection</b> (For inspection by the service authority of public water and sewer system installations)	<del>\$1.43</del> <b>\$1.5015</b> per foot for every foot of sewer main or water main constructed	<del>5%</del>
19-15	<b>Major/Minor Subdivision</b>		
	No Public improvements required	<del>\$200</del> <b>\$210</b> per plan plus <del>\$70</del> <b>\$73.50</b> per lot for each lot over 2	<del>5%</del>
	Public improvements required	<del>\$250</del> <b>\$262.50</b> per plan plus <del>\$70</del> <b>\$73.50</b> per lot for each lot over 2	<del>5%</del>
19-15	<b>Townhouse or condominium subdivisions that have undergone site plan review</b>	<del>\$50</del> <b>\$52.50</b>	<del>5%</del>
19-15	Each additional review after second resubmission	<del>\$250</del> <b>\$262.50</b>	<del>5%</del>

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

AppendixA-FeeSch-ord

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 22, WETLANDS, OF THE CODE OF JAMES CITY COUNTY BY AMENDING ARTICLE II, USE PERMITS, SECTION 22-4, REQUIRED FOR CERTAIN ACTIVITIES; APPLICATION GENERALLY; FEE BY DELETING REFERENCES TO FEES AND ADDING THAT ADMINISTRATIVE FEES ARE SET FORTH IN COUNTY CODE APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 22, Wetlands, is hereby amended and reordained by amending Section 22-4, Required for certain activities; application generally; fee.

## **Chapter 22. Wetlands**

### **Article I. In General**

#### **Sec. 22-1. Purpose of chapter.**

The governing body of the county acting pursuant to Virginia Code sections 28.2-1300 et seq., for purposes of fulfilling the policy standards set forth in such sections, adopts this chapter regulating the use and development of wetlands.

### **Article II. Use Permits**

#### **Sec. 22-4. Required for certain activities; application generally; fee.**

- (a) Any person who desires to use or develop any wetland within this county, other than for the purpose of conducting the activities specified in section 22-3 of this chapter, shall first file an application for a permit directly with the wetlands board or with the commission.
- (b) The permit application shall include the following: The name and address of the applicant; a detailed description of the proposed activities; a map, drawn to an appropriate and uniform scale, showing the area of wetlands directly affected, the location of the proposed work thereon, the area of existing and proposed fill and excavation, the location, width, depth and length of any proposed channel and disposal area, and the location of all existing and proposed structures, sewage collection and treatment facilities, utility installations, roadways and other related appurtenances or facilities, including those on adjacent uplands; a description of the type of equipment to be used and the means of equipment access to the activity site; the names and addresses of owners of record of adjacent land and known claimants of water rights in or adjacent to the wetland of whom the application has notice; an estimate of cost; the primary purpose of the project; any secondary purposes of the project, including further projects; the public benefit to be derived from the proposed project; a complete description of measures to be taken during and after the alteration to reduce detrimental off-site effects; the completion date of the proposed work, project, or structure; and such additional materials and documentation as the wetlands board may require.
- (c) A nonrefundable processing fee shall accompany each permit application to cover the cost of processing as follows *set forth in Appendix A - Fee Schedule for Development Related Permits*:
  - (1) For permits affecting 20,000 square feet or less of wetlands—\$100.00.

- (2) ~~For permits affecting more than 20,000 but not more than 40,000 square feet of wetlands—\$200.00.~~
- (3) ~~For permits affecting more than 40,000 square feet of wetlands—\$200.00 plus \$100.00 for each acre in excess of one acre of affected wetlands.~~
- (4) Payment of any permit fees established in section 24-4 shall be waived for the county, any entity created solely by the county and those regional entities to which the county is a party provided that: (1) The other parties to the regional entity similarly waive fees; and (2) The regional entity has locations in more than one locality.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

VOTES

AYE      NAY      ABSTAIN

SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 14<sup>th</sup> day of April, 2020.

Ch22Sec1\_4Wetlands-ord

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 23, CHESAPEAKE BAY PRESERVATION, OF THE CODE OF JAMES CITY COUNTY BY AMENDING SECTION 23-15, APPLICATIONS FOR EXCEPTIONS BY DELETING REFERENCES TO FEES AND ADDING THAT ADMINISTRATIVE FEES ARE SET FORTH IN COUNTY CODE APPEDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 23, Chesapeake Bay Preservation, is hereby amended and reordained by amending Section 23-15, Applications For exceptions.

### **Chapter 23. Chesapeake Bay Preservation**[11](#)

Footnotes:

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**Cross reference** - Erosion and sediment control, Ch. 8; health and sanitation, Ch. 11; public parks and recreation facilities, Ch. 16; sewers and sewage, Ch. 17; subdivisions, Ch. 19; wetlands, Ch. 22; zoning, Ch. 24.

#### **Sec. 23-1. Short title.**

This chapter shall be known and may be cited as "The Chesapeake Bay Preservation Ordinance" (ordinance).

#### **Sec. 23-2. Statement of intent.**

The Chesapeake Bay Preservation Act (Act), chapter 3.1 of title 62.1 of the Code of Virginia, recognizes that healthy state and local economies are integrally related to each other and the environmental health of the Chesapeake Bay. The purpose of this chapter is to control and regulate runoff at the source to protect against and minimize pollution and deposition of sediment in wetlands, streams and lakes in James City County which are tributaries of the Chesapeake Bay. This chapter is intended to assist in protection of the Chesapeake Bay and its tributaries from nonpoint source pollution from land uses or appurtenances within the Chesapeake Bay drainage area. Regulations in this chapter are necessary for:

- (1) Protection of existing high quality state waters and restoration of all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them;
- (2) Safeguarding the clean waters of the commonwealth from pollution;
- (3) Prevention of any increase in pollution;
- (4) Reduction of existing pollution; and
- (5) Promotion of water resource conservation in order to provide for the health, safety and welfare of present and future citizens of the commonwealth.

This chapter establishes criteria used by James City County in granting, denying or modifying requests to subdivide or develop land in Chesapeake Bay Preservation Areas.

**Sec. 23-15. Applications for exceptions.**

Applications for exceptions shall be made in writing to the board or the manager as appropriate in accordance with sections 23-14(a) and (e), and shall include the following:

- (1) Name and address of applicant and property owner;
  - (2) Legal description of the property and type of proposed use and development;
  - (3) A sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, the RPA, slopes greater than 25 percent and all wetlands;
  - (4) Location and description of any existing private water supply or sewage system;
  - (5) A water quality impact assessment completed in accordance with section 23-11 of this chapter and guidelines established by the manager;
  - (6) For exceptions that must be granted by the Chesapeake Bay Board, a nonrefundable processing fee ~~of \$125~~ *set forth in Appendix A – Fee Schedule for Development Related Permits* shall accompany each application to cover the cost of processing;
  - (7) For exceptions that must be granted by the manager, a nonrefundable processing fee ~~of \$25~~ *set forth in Appendix A - Fee Schedule for Development Related Permits* shall accompany each application to cover the cost of processing. This fee shall be collected for any administrative approval, waiver, exception, exemption, variance and buffer modification which may be necessary through the plan of development process as outlined in sections 23-5, 23-7(a), 23-7(c), 23-9, 23-10, 23-12, 23-13, and 23-14(e).
  - (8) Payment of any permit fees established in section 23-15 shall be waived for the county, any entity created solely by the county and those regional entities to which the county is a party provided that: (1) The other parties to the regional entity similarly waive fees; and (2) The regional entity has locations in more than one locality.
- (c) The board may impose conditions to the granting of any waiver, exception or appeal as it may deem necessary in the public interest, and may, to ensure compliance with the imposed conditions, require a cash escrow, bond with surety, letter of credit or other security as is acceptable to the county attorney.
- (d) An owner of a property subject to a board decision, order or requirement may appeal to the circuit court of James City County no later than 30 days from the rendering of such decision, order or requirement.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

Ch23Sec1-2-15CBPres-ord



ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF JAMES CITY COUNTY BY AMENDING APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS BY MAKING GENERAL FORMATTING CHANGES AND TO DETAIL THE FEES FOR WETLANDS AND THE CHESAPEAKE BAY PRESERVATION ORDINANCE TO DEFRAY THE COSTS INCURRED BY THE COUNTY NECESSARY TO ADMINISTRATE EACH AND FOR THE FILING AND PROCESSING OF AMENDMENTS, APPLICATIONS, AND APPEALS RELATED TO EACH OF THE LISTED PROGRAMS

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the code of James City County is hereby amended and reordained by Amending Appendix A - Fee Schedule For Development Related Permits by making general formatting changes and to detail the fees for Wetlands and The Chesapeake Bay Preservation Ordinance to defray the costs incurred by the County to administrate each and for the filing and processing of amendments, applications, and appeals related to each of the listed programs.

**Appendix A - Fee Schedule for Development Related Permits**

<b>BUILDING SAFETY AND PERMITS</b>		
<b>CHAPTER 4 - BUILDING REGULATIONS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-8	<b>Annual Elevator Inspections</b>	
	Traction Elevator	\$210.00
	Hydraulic Elevator	\$157.50
	Annual Inspection certificate by a third-party inspector	\$52.50
4-8	<b>Amusement Device Inspection</b>	
	Kiddie Ride	\$26.25 each
	Circular or Flat-ride less than 20 feet in height	\$36.75 each
	Spectacular Ride which cannot be inspected as a circular ride or flat-ride due to complexity or height	\$57.75 each
	Coaster exceeding 30 feet in height	\$157.50 each
4-8	<b>Certificate of Occupancy</b> (No certificate of occupancy shall be issued until all inspection fees have been paid)	\$52.50

CODE REFERENCE	DESCRIPTION	FEE
4-8	<b>Fire Department - New Construction</b> (In addition to fees for building code permits and inspections when a fire department employee will participate in such inspections)	
	Fire protection system acceptance tests (Including fire alarm, fire sprinkler, standpipe, fire pump)	\$52.50
	Commercial range hood fire suppression system acceptance tests	\$52.50
	Certificate of occupancy inspections excluding single- and two-family residences	\$52.50
4-8	<b>Mobile Home Installation</b> (The fee for the inspection of the mobile home installation shall supersede any fee otherwise required for the inspection for an electrical or plumbing permit for that mobile home)	\$52.50
	<b>Permits</b>	
4-8	<b>Building Permit</b>	
	Minimum Building Permit Fee	\$52.50
	Construction of any building or addition where the floor area is increased, and installation or erection of any industrialized building unit based on the floor area to be constructed as computed from exterior building dimensions at each floor  (Any residential building, any unenclosed carport, porch or stoop, when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation)	\$0.1365 per square foot
4-8	Construction of a garage, barn, pole shed or similar structure, when not constructed at the time of and under the permit of the main dwelling	\$0.105 per square foot of the exterior dimensions of the building
	Alteration or repair of any building or structure, or for the construction or erection of piers bulkheads, exterior walls or fences, towers, swimming pools or other structures or things	1.05 percent of the current value of all service, labor and materials

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Demolition or razing of any building or structure having a floor area greater than 200 square feet (No fee shall be charged for a permit to raze a building with a floor area of 200 square feet or less)	\$52.50
	Erection, placement or removal of a building or structure, in part or in whole from one location to another, or into or out of the county or to a new location within the same lot or parcel of land	\$0.105 per square foot of the gross floor area.
	Construction not covered by any of the above	1.05 percent of the retail value or current market value of the work being done; provided, that the minimum permit fee shall be \$52.50
	The Building Permit Fee shall be double for any construction that has commenced before a permit is obtained	As listed above
4-8	<b>Electrical Permit</b>	
	Minimum Electrical Permit Fee	\$52.50
	Installation of each electrical service system in new construction, the fee shall be determined from the rated size of the service panels in amperes as follows:	
		Single Phase    Three Phase
	0-60 amps	\$52.50    \$52.50
	61-100 amps	\$52.50    \$57.75
	101-150 amps	\$63.00    \$68.25
	151-200 amps	\$68.25    \$73.50
	Over 200 amps, plus \$15.75 for each additional 50 amps or fraction thereof over 200 amps	\$68.25    \$73.50
	Installation of a temporary service, or the reconnection of a mobile home	\$52.50
	Increasing the size of the electrical service to any building structure, or mobile home	
	Service up to and including 200 amperes	\$52.50

CODE REFERENCE	DESCRIPTION	FEE
4-8	Service over 200 amperes	\$52.50 plus \$15.75 for each 50 amperes or fraction thereof over 200 amperes.
	For relocation of any existing service for which the size is not increased	\$52.50
	No additional fee shall be charged for outlets when the size of the service is increased	
	Addition to any existing electrical installation	
	1-100 outlets	\$52.50
	Over 100 outlets	\$52.50 plus \$0.21 for each outlet over 100
4-8	<b>Mechanical and Gas Permits</b>	
	Minimum Mechanical or Gas Permit Fee*	\$52.50
	Basic permit fee	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	Replacement, repair or alteration of mechanical systems or equipment in existing buildings, structures or additions thereto	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>*Domestic cooking equipment and space heaters in dwelling units are exempt from mechanical permit fees. Inspections of this equipment are required</b>	
	Fuel piping permit (applies when permit is for fuel piping work only)	\$0.01 × \$1,000 of valuation or fraction thereof

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	L.P.G. (i.e. butane, propane, etc.) tanks and associated piping permit (Total water capacity in gallons)	
	0-500	\$52.50
	501-2,000	\$57.75
	Over 2,000	\$57.75 plus \$1.05 per 10,000 gallons
	Tanks and associated piping for flammable liquids permit (Capacity in gallons)	
	0-10,000	\$52.50
	10,001-20,000	\$57.75
	20,001-50,000	\$63.00
	Over 50,000	\$73.50 plus \$5.25 per 25,000 gallons or fraction thereof
	Removal of storage tanks	\$52.50
	Fire suppression systems (Includes standpipes)	
	New construction	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	All others	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	Elevators, dumbwaiters, moving stairways, moving walks, manlifts or special hoisting and conveying equipment	
	New construction	
	First \$1,000 value	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	All others	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Permit Reissuance</b> Permits becoming invalid, as specified by the Code, may be reissued up to a period of five years	\$52.50 for each six- month period
4-8	<b>Plumbing Permit</b>	
	<b>Minimum Plumbing Permit Fee</b>	\$52.50
	<b>Installation of each plumbing fixture or appliance</b>	\$7.35
	<b>Installation of the water distribution system in each building</b>	\$15.75
	<b>Connection of any building drain to a public or private sanitary sewage disposal system</b>	\$7.35
	Each sewer (sanitary or storm), manhole (sanitary or storm), roof drain or other similar device	\$7.35
4-8	<b>Plan Review</b>	
	Minimum Review Fee	\$15.75
	Plan Review Fee	\$21 for each 1,000 square feet of floor space or part thereof
	Revised Plans - when such plans are substantially different than the original plans or the previous review comments have not been addressed and necessitate the issuance of additional review comments	
	Minimum Review Fee	\$7.35
	Plan Review Fee	\$21 for each 1,000 square feet of floor space or part thereof
4-8	<b>Reinspection</b> (any building, electrical, mechanical, plumbing, elevator, mobile home, amusement device)	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-60	<b>Administrative Fee</b> A fee of shall be charged at the time of application to offset the cost of making inspections, issuing permits, enforcement and other expenses incident to the administration of this article or to the filing or processing of any appeal or amendment thereto	\$52.50

<b>STORMWATER AND RESOURCE PROTECTION</b>
<b>CHAPTER 8 - EROSION AND SEDIMENT CONTROL</b>

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
8-5	<b>Land Disturbing Activity &amp; Erosion &amp; Sediment Control Plans</b>	
	Single-family residential structure	\$105
	Residential subdivisions	\$73.50 per lot
	All other land disturbing activities (residential site plan)	\$882 per acre for first 15 acres plus \$588 for each additional acre over 15 acres
	All other land disturbing activities (non-residential plan)	\$630 per acre for first 15 acres plus \$420 for each additional acre over 15 acres
8-34	<b>Fee Schedule for Registration and Issuance of General VPDES Permit for Discharge of Stormwater from Construction Activities</b>	
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$304.50
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$304.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$2,835**

CODE REFERENCE	DESCRIPTION	FEE
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$3,570
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$4,725
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,405
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$10,080
	**Pursuant to amendments to the Virginia Stormwater Management Act, as amended, § 62. 1-44. 15:28 of the Code of Virginia this fee tier will be \$290 for small construction activity involving a single-family detached residential structure with a site or area, within or outside a common plan of development or sale, that is equal to or greater than one acre but less than five acres. In addition, neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale within this tier, and all other tiers consistent with §62. 1-44. 15:28(A)(8)	
8-34	<b>Modification or Transfer of Registration Statements for the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-825</b>	
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre)	\$21
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$210
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$262.50



CODE REFERENCE	DESCRIPTION	FEE
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$315
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$472.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$735
8-34	<b>Fee Schedule for the Maintenance of the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-830</b>	
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$420
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	\$525
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$682.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$945.00

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
8-34	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$1,470

<b>STORMWATER &amp; RESOURCE PROTECTION</b>		
<b>CHAPTER 22 - WETLANDS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
22-4	Permits affecting 20,000 square feet or less of wetlands	\$100
22-4	Permits affecting more than 20,000 but not more than 40,000 square feet of wetlands	\$210
22-4	Permits affecting more than 40,000 square feet of wetlands	\$200 plus \$100 for each additional acre in excess of one acre of affected wetlands
<b>CHAPTER 23 - THE CHESAPEAKE BAY PRESERVATION ORDINANCE</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
23-15	Exceptions that must be granted by the Chesapeake Bay Board	\$125
23-15	Exceptions that must be granted by the manager	\$25

PLANNING AND ZONING		
CHAPTER 24 - ZONING		
CODE REFERENCE	DESCRIPTION	FEE
24-7	<b>Conceptual Plan</b>	\$26.25
24-7	<b>Height Limitation Waiver</b>	\$210
24-47	<b>Chicken Keeping</b>	\$21
24-7	<b>Master Plan</b>	
	Initial Review Residential cluster, mixed use or a PUD with less than 400 acres (PUDs more than 400 acres shall pay a rezoning fee only)	\$210
	Revision of an Approved Plan	
	Residential Cluster	\$78.75
	R-4, PUD, Mixed Use	\$157.50
24-7	<b>Public Hearing Applicant Deferral Request</b> Does not apply where deferral is the result of a commission or board action Does apply when the applicant fails to meet a staff imposed deadline for additional information relevant to the application	\$367.50 per request
24-7	<b>Sign Permits</b>	Size (per square foot of gross sign area) x \$5.25
24-7	<b>Site Plan</b>	
	Administrative Review	
	Residential structures or improvements	\$630 plus \$63 per unit
	Nonresidential structures or improvements	\$630 plus \$0.0252 per sq. ft. of building area

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Mixed Use structures or improvements	\$630 plus \$63 per unit plus \$0.0252 per sq. ft. of nonresidential building area
	Planning Commission and/or DRC Review	
	Residential structures or improvements	\$1,890 plus \$63 per unit
	Nonresidential structures or improvements	\$1,890 plus \$0.0252 per sq. ft. of building area
	Mixed Use structures or improvements	\$1,890 plus \$63 per residential unit plus <del>\$0.024</del> \$0.0252 per sq. ft. of nonresidential building area
	Amendment to an Approved Plan	
	Residential structures or improvements	\$105 plus \$10.50 per residential unit
24-7	Nonresidential structures or improvements	\$105 plus \$0.0042 per sq. ft. of building area
	Mixed Use structures or improvements	\$105 plus \$10.50 per residential unit plus \$0.0042 sq. ft. of nonresidential building area
	Other	
	Residential or nonresidential structures or improvements where number of dwelling units, building area, pavement or open space is not changed more than 15%	\$105
	Zoning/Fire Dept. review only	\$21
	Each additional review after second resubmission	\$262.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
24-7	<b>Special Use Permit</b>	
	General  (If processed with a rezoning shall pay a rezoning fee only)	\$1,050 plus \$31.50 per acre***
	Manufactured Home	\$105
	Family Subdivision under Section 24-214	\$105
	Amendment/Renewal to a Special Use Permit	\$420
	Communication Facilities under Division 6	\$1,575
	***Not to exceed \$5,000	
24-7	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	\$945 per practice for each best management practice constructed and \$0.945 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit
24-7	<b>Rezoning ****</b>	
	5 acres or less	\$1,260 plus \$78.75 per acre
	More than 5, but no more than 10 acres	\$1,260 plus \$78.75 per acre
	More than 10 acres	\$1,260 plus \$78.75 per acre

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Written request to the board of supervisors to amend proffered conditions where such amendment does not affect conditions of use or density and where a public hearing is not required	\$210
	**** Not to exceed \$15,000/proffer amendments pay base fee only	
24-7	<b>Zoning - Administrative Variance</b>	\$262.50
24-7	<b>Zoning - Board of Zoning Appeals</b>	\$525
24-7	<b>Zoning Verification Request</b>	\$105

<b>SUBDIVISION</b>		
<b>CHAPTER 19 - SUBDIVISIONS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
19-15	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	\$945 per practice for each best management practice constructed and \$0.9450 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit
19-15	<b>Water and Sewer Line Installation Inspection</b> (For inspection by the service authority of public water and sewer system installations)	\$1.5015 per foot for every foot of sewer main or water main constructed
19-15	<b>Major/Minor Subdivision</b>	
	No Public improvements required	\$210 per plan plus \$73.50 per lot for each lot over 2
	Public improvements required	\$262.50 per plan plus \$73.50 per lot for each lot over 2

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
19-15	<b>Townhouse or condominium subdivisions that have undergone site plan review</b>	\$52.50
19-15	Each additional review after second resubmission	\$262.50

AppendixA-FeeSch-ord-final

ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 22, WETLANDS, OF THE CODE OF JAMES CITY COUNTY BY AMENDING ARTICLE II, USE PERMITS, SECTION 22-4, REQUIRED FOR CERTAIN ACTIVITIES; APPLICATION GENERALLY; FEE BY DELETING REFERENCES TO FEES AND ADDING THAT ADMINISTRATIVE FEES ARE SET FORTH IN COUNTY CODE APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 22, Wetlands, is hereby amended and reordained by amending Section 22-4, Required for certain activities; application generally; fee.

## **Chapter 22. Wetlands**

### **Article I. In General**

#### **Sec. 22-1. Purpose of chapter.**

The governing body of the county acting pursuant to Virginia Code sections 28.2-1300 et seq., for purposes of fulfilling the policy standards set forth in such sections, adopts this chapter regulating the use and development of wetlands.

### **Article II. Use Permits**

#### **Sec. 22-4. Required for certain activities; application generally; fee.**

- (a) Any person who desires to use or develop any wetland within this county, other than for the purpose of conducting the activities specified in section 22-3 of this chapter, shall first file an application for a permit directly with the wetlands board or with the commission.
- (b) The permit application shall include the following: The name and address of the applicant; a detailed description of the proposed activities; a map, drawn to an appropriate and uniform scale, showing the area of wetlands directly affected, the location of the proposed work thereon, the area of existing and proposed fill and excavation, the location, width, depth and length of any proposed channel and disposal area, and the location of all existing and proposed structures, sewage collection and treatment facilities, utility installations, roadways and other related appurtenances or facilities, including those on adjacent uplands; a description of the type of equipment to be used and the means of equipment access to the activity site; the names and addresses of owners of record of adjacent land and known claimants of water rights in or adjacent to the wetland of whom the application has notice; an estimate of cost; the primary purpose of the project; any secondary purposes of the project, including further projects; the public benefit to be derived from the proposed project; a complete description of measures to be taken during and after the alteration to reduce detrimental off-site effects; the completion date of the proposed work, project, or structure; and such additional materials and documentation as the wetlands board may require.
- (c) A nonrefundable processing fee shall accompany each permit application to cover the cost of processing as set forth in Appendix A - Fee Schedule for Development Related Permits:

Payment of any permit fees established in section 24-4 shall be waived for the county, any entity created solely by the county and those regional entities to which the county is a party provided that: (1) The other parties to the regional entity similarly waive fees; and (2) The regional entity has locations in more than one locality.



ORDINANCE NO.: \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 23, CHESAPEAKE BAY PRESERVATION, OF THE CODE OF JAMES CITY COUNTY BY AMENDING SECTION 23-15, APPLICATIONS FOR EXCEPTIONS BY DELETING REFERENCES TO FEES AND ADDING THAT ADMINISTRATIVE FEES ARE SET FORTH IN COUNTY CODE APPEDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 23, Chesapeake Bay Preservation, is hereby amended and reordained by amending Section 23-15, Applications For exceptions.

### **Chapter 23. Chesapeake Bay Preservation**[11](#)

Footnotes:

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**Cross reference** - Erosion and sediment control, Ch. 8; health and sanitation, Ch. 11; public parks and recreation facilities, Ch. 16; sewers and sewage, Ch. 17; subdivisions, Ch. 19; wetlands, Ch. 22; zoning, Ch. 24.

#### **Sec. 23-1. Short title.**

This chapter shall be known and may be cited as "The Chesapeake Bay Preservation Ordinance" (ordinance).

#### **Sec. 23-2. Statement of intent.**

The Chesapeake Bay Preservation Act (Act), chapter 3.1 of title 62.1 of the Code of Virginia, recognizes that healthy state and local economies are integrally related to each other and the environmental health of the Chesapeake Bay. The purpose of this chapter is to control and regulate runoff at the source to protect against and minimize pollution and deposition of sediment in wetlands, streams and lakes in James City County which are tributaries of the Chesapeake Bay. This chapter is intended to assist in protection of the Chesapeake Bay and its tributaries from nonpoint source pollution from land uses or appurtenances within the Chesapeake Bay drainage area. Regulations in this chapter are necessary for:

- (1) Protection of existing high quality state waters and restoration of all other state waters to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, including game fish, which might reasonably be expected to inhabit them;
- (2) Safeguarding the clean waters of the commonwealth from pollution;
- (3) Prevention of any increase in pollution;
- (4) Reduction of existing pollution; and
- (5) Promotion of water resource conservation in order to provide for the health, safety and welfare of present and future citizens of the commonwealth.

This chapter establishes criteria used by James City County in granting, denying or modifying requests to subdivide or develop land in Chesapeake Bay Preservation Areas.

**Sec. 23-15. Applications for exceptions.**

Applications for exceptions shall be made in writing to the board or the manager as appropriate in accordance with sections 23-14(a) and (e), and shall include the following:

- (1) Name and address of applicant and property owner;
  - (2) Legal description of the property and type of proposed use and development;
  - (3) A sketch of the dimensions of the lot or parcel, location of buildings and proposed additions relative to the lot lines, the RPA, slopes greater than 25 percent and all wetlands;
  - (4) Location and description of any existing private water supply or sewage system;
  - (5) A water quality impact assessment completed in accordance with section 23-11 of this chapter and guidelines established by the manager;
  - (6) For exceptions that must be granted by the Chesapeake Bay Board, a nonrefundable processing fee set forth in Appendix A – Fee Schedule for Development Related Permits shall accompany each application to cover the cost of processing;
  - (7) For exceptions that must be granted by the manager, a nonrefundable processing fee set forth in Appendix A - Fee Schedule for Development Related Permits shall accompany each application to cover the cost of processing. This fee shall be collected for any administrative approval, waiver, exception, exemption, variance and buffer modification which may be necessary through the plan of development process as outlined in sections 23-5, 23-7(a), 23-7(c), 23-9, 23-10, 23-12, 23-13, and 23-14(e).
  - (8) Payment of any permit fees established in section 23-15 shall be waived for the county, any entity created solely by the county and those regional entities to which the county is a party provided that: (1) The other parties to the regional entity similarly waive fees; and (2) The regional entity has locations in more than one locality.
- (c) The board may impose conditions to the granting of any waiver, exception or appeal as it may deem necessary in the public interest, and may, to ensure compliance with the imposed conditions, require a cash escrow, bond with surety, letter of credit or other security as is acceptable to the county attorney.
- (d) An owner of a property subject to a board decision, order or requirement may appeal to the circuit court of James City County no later than 30 days from the rendering of such decision, order or requirement.

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Increase Certain Fees to Defray the Costs Incurred by the County and for Additional Resources to Administrate Each Program

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**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo
▣	1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version	Ordinance
▣	2. Proposed Ordinance Amendments to Chapter 8 of the County Code, Strikethrough Version	Ordinance
▣	3. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version	Exhibit
▣	4. Proposed Ordinance Amendments to Chapter 8 of the County Code, Clean Version	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	3/27/2020 - 2:25 PM
Publication Management	Daniel, Martha	Approved	3/27/2020 - 2:31 PM
Legal Review	Kinsman, Adam	Approved	3/30/2020 - 8:43 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:03 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:11 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 1:35 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Increase Certain Fees to Defray the Costs Incurred by the County and for Additional Resources to Administrate Each Program

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As part of the Fiscal Year 2021-2022 Budget process, staff are proposing several amendments to Appendix A of the County Code. These amendments generally fall into one of several categories:

1. Formatting. Several formatting changes are proposed that are intended to accomplish the following:
  - a. Staying consistent with corresponding references in the Code of Virginia. For example, in the Chapter 4 references (Building Safety and Permits), changing “Kiddie Ride” to “Small Mechanical Ride or Inflatable Amusement Device” would ensure the County Code remains consistent with references in the Virginia Uniform Statewide Building Code.
  - b. Clarifying how the fees are administered to minimize confusion and ensure consistency in implementation. For example, in the Chapter 4 references (Building Safety and Permits), the current Code states that no certificate of occupancy shall be issued until all inspection fees have been paid. Staff is proposing to include clarifying language that this language applies to both non-residential and residential permit types.

In another Chapter 4 reference example, additional language has been added clarifying that Building Permit Plan review fees are due at the beginning of the process versus at the end of the process (i.e., after the plan review has already occurred). This would ensure plan review staff are not reviewing plans where ultimately no fee is paid.

- c. Other general formatting changes. For example, in the Chapter 4 references (Building Safety and Permits), there is a plan review and inspection fee for the “erection, placement or removal” of a building or structure to another location. Staff is proposing simplifying the language to simply be the “Relocation” of a building or structure.

In another example, staff has provided a cross-reference to the pass-through levy on building permits that is required by State Code. This is revenue that the State collects (i.e., 2% is added to each permit fee).

2. Changes to some existing fees. While the changes described above may affect the timing of when certain fees are collected and help to ensure consistency in applying fees between all of the various permit types, the changes listed in Item No. 1 do not change any existing fee amounts. However, staff are proposing changes to some existing fees. These include:
  - a. Increasing the fees for exception requests to the Chesapeake Bay Ordinance and reviews by the Wetlands Board, primarily to cover the significantly increased costs of advertising requirements in the local newspaper.

An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Increase Certain Fees to Defray the Costs Incurred by the County and for Additional Resources to Administrate Each Program

April 14, 2020

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- b. Increasing the fees for multiple reinspections. Under the current Code, there is no fee associated with a first inspection and the existing fee for a reinspection is \$52.50. To cover the costs of multiple reinspections, staff proposes increasing the fee for a second reinspection and third and subsequent reinspections.
  - c. For legislative review of land use cases (i.e., Rezoning, SUPs, Height Waivers, Master Plans, Amendments, Wireless applications), staff is proposing to amend the fee schedule to include the postage costs necessary to notify adjacent property owners as required by State Code. The additional revenue will help cover increased costs of advertising requirements.
3. New fees. To help defray the costs incurred by the County to administrate each program, several new fees are proposed. These include the following for which no fee is currently charged:
- a. For amusement device and tent inspections that occur on weekends or after-hours;
  - b. Electrical inspections for generators used exclusively with amusement devices;
  - c. For temporary certificate of occupancy inspections;
  - d. Additional plan review when work is proposed in the floodplain;
  - e. Administrative review of Wetlands Permits;
  - f. Certificate of Occupancy site inspections and multiple site reinspections by the Stormwater and Resource Protection Division;
  - g. Fees for the Stormwater and Resource Protection Division to review and administer the as-built plan process; and
  - h. Requests for Exceptions to the Subdivision Ordinance, which include a requirement for staff to notify adjacent property owners.

Further, under the current Code, fees for building permits “shall be double for any construction that has commenced before a permit is obtained.” A similar fee structure is proposed if land disturbing occurs prior to the issuance of a permit or if development occurs within wetlands or Chesapeake Bay Preservation Areas prior to the issuance of a permit.

Most significantly, staff is proposing a new fee structure that is designed to provide additional resources to more proactively administer and manage the development surety process. For each development, the current County Code requires the developer provide a surety (e.g., bond, letter of credit, etc.) to ensure the completion of Ordinance requirements and the infrastructure needed for the proposed development. Such improvements could include water/sewer lines, streets and sidewalks, stormwater systems, etc. The additional resources will assist in getting projects completed and turned over for ongoing maintenance. The additional resources can also be used to complete annual reevaluations to ensure the County is holding an appropriate amount of surety. The additional resources can also be invaluable in working to clear the most aged sureties and ensuring sureties do not become aged in the first place if there are only minor items needing to be resolved (especially in instances where a developer may be choosing to renew the surety annually rather than completing the necessary work). To allow for such a fee structure to be created in Appendix A, a subsequent minor change to Chapter 8 of the Code setting forth the charges is also required.

An Ordinance to Amend and Reordain the Code of James City County by Amending Appendix A - Fee Schedule for Development Related Permits to Increase Certain Fees to Defray the Costs Incurred by the County and for Additional Resources to Administrate Each Program

April 14, 2020

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**Recommendation**

Staff recommends the Board of Supervisors conduct the public hearing on April 14 and consider the attached proposed Ordinances with the Budget Ordinance on May 12. If adopted, these proposed fee changes would take effect on January 1, 2021.

PDH/md

AppAFY21-22-mem

Attachments:

1. Proposed Ordinance Amendments to Appendix A of the County Code, Strikethrough Version
2. Proposed Ordinance Amendments to Chapter 8 of the County Code, Strikethrough Version
3. Proposed Ordinance Amendments to Appendix A of the County Code, Clean Version
4. Proposed Ordinance Amendments to Chapter 8 of the County Code, Clean Version

**ORDINANCE NO.:** \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF JAMES CITY COUNTY BY AMENDING APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS TO DETAIL THE FEES FOR BUILDING SAFETY AND PERMITS, EROSION AND SEDIMENT CONTROL, WETLANDS, THE CHESAPEAKE BAY PRESERVATION ORDINANCE, PLANNING, AND ZONING TO DEFRAY THE COSTS INCURRED BY THE COUNTY NECESSARY TO ADMINISTRATE EACH OF THE SIX LISTED PROGRAMS AND FOR THE FILING AND PROCESSING OF AMENDMENTS, APPLICATIONS, AND APPEALS RELATED TO EACH OF THE SIX LISTED PROGRAMS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the code of James City County is hereby amended and reordained by Amending Appendix A – Fee Schedule For Development Related Permits to detail the fees for Building Safety and Permits, Erosion and Sediment Control, Wetlands, The Chesapeake Bay Preservation Ordinance, Planning, and Zoning to defray the costs incurred by the county to administrate each of the six listed programs and for the filing and processing of amendments, applications, and appeals related to each of the four listed programs.

**Appendix A - Fee Schedule for Development Related Permits**

<b>BUILDING SAFETY AND PERMITS</b>		
<b>CHAPTER 4 - BUILDING REGULATIONS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-8	<b>Annual Elevator Inspections</b>	
	Traction Elevator	\$210.00
	Hydraulic Elevator	\$157.50
	Annual Inspection certificate by a third-party inspector	\$52.50

CODE REFERENCE	DESCRIPTION	FEE
4-8	<b>Amusement Device Inspection</b>	
	<del>Kiddie Ride</del> <i>Small Mechanical Ride or Inflatable Amusement Device</i>	\$26.25 each
	Circular or Flat-ride less than 20 feet in height	\$36.75 each
	Spectacular Ride which cannot be inspected as a circular ride or flat-ride due to complexity or height	\$57.75 each
	Coaster exceeding 30 feet in height	\$157.50 each
4-8	<i>Weekend or after-hours amusement device and tent inspections</i>	<i>\$90</i>
4-8	<i>Generators used exclusively with amusement devices; excluding small portable generators serving only cord and plug connected equipment loads</i>	<i>\$52.50</i>
4-8	<b>Certificate of Occupancy</b> (No certificate of occupancy shall be issued until all inspection fees have been paid, <i>includes residential and non-residential</i> )	\$52.50
4-8	<i>30-day temporary certificate of occupancy - residential</i>	<i>\$52.50</i>
4-8	<i>30-day temporary certificate of occupancy - non-residential</i>	<i>\$105</i>
4-8	<i>30-day temporary certificate of occupancy renewal - residential</i>	<i>\$105</i>
4-8	<i>30-day temporary certificate of occupancy - non-residential</i>	<i>\$210</i>
4-8	<b>Fire Department - New Construction</b> (In addition to fees for building code permits and inspections when a fire department employee will participate in such inspections)	
	Fire protection system acceptance tests (Including fire alarm, fire sprinkler, standpipe, fire pump)	\$52.50



<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-8	Commercial range hood fire suppression system acceptance tests	\$52.50
	Certificate of occupancy inspections excluding single- and two-family residences	\$52.50
4-8	<b>Mobile Home Installation</b> (The fee for the inspection of the mobile home installation shall supersede any fee otherwise required for the inspection for an electrical or plumbing permit for that mobile home)	\$52.50
	<b>Permits</b>	
4-8	<b>Building Permit</b>	
	Minimum Building Permit Fee	\$52.50
	Construction of any building or addition where the floor area is increased, and installation or erection of any industrialized building unit based on the floor area to be constructed as computed from exterior building dimensions at each floor  (Any residential building, any unenclosed carport, porch or stoop, when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation.)	\$0.1365 per square foot
4-8	Construction of a garage, barn, pole shed or similar structure, when not constructed at the time of and under the permit of the main dwelling	\$0.105 per square foot of the exterior dimensions of the building

CODE REFERENCE	DESCRIPTION	FEE
	Alteration or repair of any building or structure, or for the construction or erection of piers bulkheads, exterior walls or fences, towers, swimming pools or other structures or things	1.05 percent of the current value of all service, labor and materials
	Demolition or razing of any building or structure having a floor area greater than 200 square feet  (No fee shall be charged for a permit to raze a building with a floor area of 200 square feet or less)	\$52.50
	<del>Erection, placement or removal</del> <b>Relocation</b> of a building or structure, in part or in whole from one location to another, or into or out of the county or to a new location within the same lot or parcel of land	\$0.105 per square foot of the gross floor area.
	Construction not covered by any of the above	1.05 percent of the retail value or current market value of the work being done; provided, that the minimum permit fee shall be \$52.50
	The Building Permit Fee shall be double for any construction that has commenced before a permit is obtained	As listed above
	<b>Electrical Permit</b>	
4-8	Minimum Electrical Permit Fee	\$52.50

CODE REFERENCE	DESCRIPTION	FEE
	<b>Installation of each electrical service system in new construction, the fee shall be determined from the rated size of the service panels in amperes as follows:</b>	
		<b>Single Three Phase Phase</b>
	0-60 amps	\$52.50 \$52.50
	61-100 amps	\$52.50 \$57.75
	101-150 amps	\$63.00 \$68.25
	151-200 amps	\$68.25 \$73.50
	Over 200 amps, plus \$15.75 for each additional 50 amps or fraction thereof over 200 amps	\$68.25 \$73.50
	Installation of a temporary service, or the reconnection of a mobile home	\$52.50
	<b>Increasing the size of the electrical service to any building structure, or mobile home</b>	
	Service up to and including 200 amperes	\$52.50
4-8	Service over 200 amperes	\$52.50 plus \$15.75 for each 50 amperes or fraction thereof over 200 amperes.
	For relocation of any existing service for which the size is not increased	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	No additional fee shall be charged for outlets when the size of the service is increased	
	<b>Addition to any existing electrical installation</b>	
	1-100 outlets	\$52.50
	Over 100 outlets	\$52.50 plus \$0.21 for each outlet over 100
4-8	<b>Mechanical and Gas Permits</b>	
	Minimum Mechanical or Gas Permit Fee*	\$52.50
	<b>Basic permit fee</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Replacement, repair or alteration of mechanical systems or equipment in existing buildings, structures or additions thereto</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof

CODE REFERENCE	DESCRIPTION	FEE
	<b>*Domestic cooking equipment and space heaters in dwelling units are exempt from mechanical permit fees. Inspections of this equipment are required</b>	
	Fuel piping permit (applies when permit is for fuel piping work only)	\$0.01 × \$1,000 of valuation or fraction thereof
	<b>L.P.G. (i.e. butane, propane, etc.) tanks and associated piping permit</b>  (Total water capacity in gallons.)	
	0-500	\$52.50
	501-2,000	\$57.75
	Over 2,000	\$57.75 plus \$1.05 per 10,000 gallons
	<b>Tanks and associated piping for flammable liquids permit (Capacity in gallons)</b>	
	0-10,000	\$52.50
	10,001-20,000	\$57.75
	20,001-50,000	\$63.00
	Over 50,000	\$73.50 plus \$5.25 per 25,000 gallons or fraction thereof

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Removal of storage tanks	\$52.50
	<b>Fire suppression systems (Includes standpipes)</b>	
	<b>New construction</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>All others</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Elevators, dumbwaiters, moving stairways, moving walks, manlifts or special hoisting and conveying equipment</b>	
	<b>New construction</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	<b>All others</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Permit Reissuance</b> Permits becoming invalid, as specified by the Code, may be reissued up to a period of five years	\$52.50 for each six-month period
	<b>Plumbing Permit</b>	
	Minimum Plumbing Permit Fee	\$52.50
	Installation of each plumbing fixture or appliance	\$7.35
4-8	Installation of the water distribution system in each building	\$15.75
	Connection of any building drain to a public or private sanitary sewage disposal system	\$7.35
	Each sewer (sanitary or storm), manhole (sanitary or storm), roof drain or other similar device	\$7.35
	<b>Plan Review</b>	
	Minimum Review Fee	\$15.75
4-8	Plan Review Fee <i>(to be paid at the time of application submittal)</i>	\$21 for each 1,000 square feet of floor space or part thereof

CODE REFERENCE	DESCRIPTION	FEE
	<i>Supplemental plan review for work proposed in the flood plain</i>	<i>\$52.50</i>
	<b>Revised Plans - when such plans are substantially different than the original plans or the previous review comments have not been addressed and necessitate the issuance of additional review comments</b>	
	Minimum Review Fee	\$7.35
	Plan Review Fee	\$21 for each 1,000 square feet of floor space or part thereof
	Reinspection (any building, electrical, mechanical, plumbing, elevator, mobile home, amusement device)	<i>First: \$52.50</i> <i>Second: \$105</i>  <i>Third &amp; Subsequent: \$210</i>
4-60	Administrative Fee A fee of shall be charged at the time of application to offset the cost of making inspections, issuing permits, enforcement and other expenses incident to the administration of this article or to the filing or processing of any appeal or amendment thereto	\$52.50
<i>36-137, Code of Virginia</i>	<i>Levy required by the Code of Virginia of up to two percent. Local building departments shall collect such levy and transfer it quarterly to the Department of Housing and Community Development.</i>	



STORMWATER AND RESOURCE PROTECTION		
CHAPTER 8 - EROSION AND SEDIMENT CONTROL		
CODE REFERENCE	DESCRIPTION	FEE
8-5	<b>Land Disturbing Activity &amp; Erosion &amp; Sediment Control Plans</b>	
	Single-family residential structure	\$105
	Residential subdivisions	\$73.50 per lot
	All other land disturbing activities (residential site plan)	\$882 per acre for first 15 acres plus \$588 for each additional acre over 15 acres
	All other land disturbing activities (non-residential plan)	\$630 per acre for first 15 acres plus \$420 for each additional acre over 15 acres
8-5	<i>The permit fee shall be double for any land disturbing that has commenced before a permit is obtained.</i>	<i>As listed above</i>
8-34	<b>Fee Schedule for Registration and Issuance of General VPDES Permit for Discharge of Stormwater from Construction Activities</b>	
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$304.50

CODE REFERENCE	DESCRIPTION	FEE
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$304.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$2,835**
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$3,570
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$4,725
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,405
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$10,080
	<p>**Pursuant to amendments to the Virginia Stormwater Management Act, as amended, § 62. 1-44. 15:28 of the Code of Virginia this fee tier will be <del>\$290</del> <b>\$304.50</b> for small construction activity involving a single-family detached residential structure with a site or area, within or outside a common plan of development or sale, that is equal to or greater than one acre but less than five acres. In addition, neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale within this tier, and all other tiers consistent with §62. 1-44. 15:28(A)(8)</p>	

CODE REFERENCE	DESCRIPTION	FEE
8-34	<b>Modification or Transfer of Registration Statements for the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-825</b>	
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre)	\$21
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$210
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$262.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$315
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$472.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$735

CODE REFERENCE	DESCRIPTION	FEE
8-34	<b>Fee Schedule for the Maintenance of the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-830</b>	
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$420
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	\$525
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$682.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$945.00
8-34	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$1,470
8-34	<i>The Permit fee shall be double for any construction that has commenced before a permit is obtained</i>	<i>As listed above</i>

CODE REFERENCE	DESCRIPTION	FEE
8-34	<i>Certificate of Occupancy</i> <i>(No certificate of occupancy shall be issued until all inspection fees have been paid, includes residential and non-residential)</i>	\$52.50
8-34	<i>30-day temporary certificate of occupancy - residential</i>	\$52.50
8-34	<i>30-day temporary certificate of occupancy - non-residential</i>	\$105
8-34	<i>30-day temporary certificate of occupancy renewal - residential</i>	\$105
8-34	<i>30-day temporary certificate of occupancy renewal - non-residential</i>	\$210
8-34	<i>Reinspection</i>	<i>First: \$52.50</i> <i>Second: \$105</i> <i>Third &amp; Subsequent: \$210</i>
8-35	<i>Initial Surety Establishment</i>	\$500
8-35	<i>Surety Renewal: Years 1-2</i>	\$-
8-35	<i>Surety Renewal: Years 3-5</i>	\$500
8-35	<i>Surety Renewal: Years 6-9</i>	\$700
8-35	<i>Surety Renewal: Year 10</i>	\$1,200
8-35	<i>Surety Renewal: Year 11 plus each subsequent year</i>	\$2,000
8-34	<i>As-Built Plan Review: Small Non-Residential (up to 3 BMPs)</i>	\$300
8-34	<i>As-Built Plan Review: Large Non-Residential (&gt; 3 BMPs)</i>	\$500
8-34	<i>As-Built Plan Review: Small Residential (less than 5 acres)</i>	\$300
8-34	<i>As-Built Plan Review: Large Residential (&gt; 5 acres)</i>	\$500

CHAPTER 22 - WETLANDS		
CODE REFERENCE	DESCRIPTION	FEE
<del>22-4</del>	<del>Exceptions that must be granted by the manager</del>	<del>\$105</del>
22-4	Permits affecting 20,000 square feet or less of wetlands	<del>\$100</del> \$300
22-4	Permits affecting more than 20,000 but not more than 40,000 square feet of wetlands	<del>\$200</del> \$400
22-4	Permits affecting more than 40,000 square feet of wetlands	<del>\$200 plus \$100 for each additional acre in excess of one acre of affected wetlands</del> \$500
<del>22-4</del>	<del>The Permit fee shall be double for any construction that has commenced before a permit is obtained</del>	<del>As listed above</del>
CHAPTER 23 - THE CHESAPEAKE BAY PRESERVATION ORDINANCE		
CODE REFERENCE	DESCRIPTION	FEE
23-15	Exceptions that must be granted by the Chesapeake Bay Board	<del>\$125</del> \$300
23-15	Exceptions that must be granted by the manager	<del>\$25</del> \$105
<del>23-15</del>	<del>The Permit fee shall be double for any construction that has commenced before a permit is obtained</del>	<del>As listed above</del>

PLANNING AND ZONING		
CHAPTER 24 - ZONING		
CODE REFERENCE	DESCRIPTION	FEE
24-7	Conceptual Plan	\$26.25
24-7	Height Limitation Waiver	<i>\$210 plus the cost of postage to notify adjacent property owners</i>
24-47	Chicken Keeping	\$21
24-7	<b>Master Plan</b>	
	Initial Review Residential cluster, mixed use or a PUD with less than 400 acres (PUDs more than 400 acres shall pay a rezoning fee only)	<i>\$210 plus the cost of postage to notify adjacent property owners</i>
	<b>Revision of an Approved Plan</b>	
	Residential Cluster	<i>\$78.75 plus the cost of postage to notify adjacent property owners</i>
	R-4, PUD, Mixed Use	<i>\$157.50 plus the cost of postage to notify adjacent property owners</i>

CODE REFERENCE	DESCRIPTION	FEE
24-7	Public Hearing Applicant Deferral Request  Does not apply where deferral is the result of a commission or board action  Does apply when the applicant fails to meet a staff imposed deadline for additional information relevant to the application	<del>\$367.50 per request</del> Cost of re-advertising
24-7	<b>Sign Permits</b>	Size (per square foot of gross sign area) x \$5.25
24-7	<b>Site Plan</b>	
	<b>Administrative Review</b>	
	Residential structures or improvements	\$630 plus \$63 per unit
	Nonresidential structures or improvements	\$630 plus \$0.0252 per sq. ft. of building area
	Mixed Use structures or improvements	\$630 plus \$63 per unit plus \$0.0252 per sq. ft. of nonresidential building area
	<b>Planning Commission and/or DRC Review</b>	
	Residential structures or improvements	\$1,890 plus \$63 per unit



<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Nonresidential structures or improvements	\$1,890 plus \$0.0252 per sq. ft. of building area
	Mixed Use structures or improvements	\$1,890 plus \$63 per residential unit plus \$0.0252 per sq. ft. of nonresidential building area
	<b>Amendment to an Approved Plan</b>	
	Residential structures or improvements	\$105 plus \$10.50 per residential unit
24-7	Nonresidential structures or improvements	\$105 plus \$0.0042 per sq. ft. of building area
	Mixed Use structures or improvements	\$105 plus \$10.50 per residential unit plus \$0.0042 sq. ft. of nonresidential building area
	<b>Other</b>	
	Residential or nonresidential structures or improvements where number of dwelling units, building area, pavement or open space is not changed more than 15%	\$105

CODE REFERENCE	DESCRIPTION	FEE
	Zoning/Fire Dept. review only	\$21
	Each additional review after second resubmission	\$262.50
24-7	<b>Special Use Permit</b>	
	General  (If processed with a rezoning shall pay a rezoning fee only)	\$1,050 plus \$31.50 per acre*** <i>plus the cost of postage to notify adjacent property owners</i>
	Manufactured Home	\$105
	Family Subdivision under Section 24-214	\$105
	Amendment/Renewal to a Special Use Permit	\$420 <i>plus the cost of postage to notify adjacent property owners</i>
	Communication Facilities under Division 6	\$1,575 <i>plus the cost of postage to notify adjacent property owners</i>
	***Not to exceed \$5,000	

CODE REFERENCE	DESCRIPTION	FEE
24-7	<p>Stormwater Installation Inspection</p> <p>(For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)</p>	<p>\$945 per practice for each best management practice constructed and \$0.945 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit.</p>
24-7	<b>Rezoning ****</b>	
	5 acres or less	<p>\$1,260 plus \$78.75 per acre <i>plus the cost of postage to notify adjacent property owners</i></p>
	More than 5, but no more than 10 acres	<p>\$1,260 plus \$78.75 per acre <i>plus the cost of postage to notify adjacent property owners</i></p>

CODE REFERENCE	DESCRIPTION	FEE
	More than 10 acres	\$1,260 plus \$78.75 per acre <i>plus the cost of postage to notify adjacent property owners</i>
	Written request to the board of supervisors to amend proffered conditions where such amendment does not affect conditions of use or density and where a public hearing is not required	\$210
	**** Not to exceed \$15,000/proffer amendments pay base fee only	
24-7	<b>Zoning - Administrative Variance</b>	\$262.50 <i>plus the cost of postage to notify adjacent property owners</i>
24-7	<b>Zoning - Board of Zoning Appeals</b>	\$525 <i>plus the cost of postage to notify adjacent property owners</i>
24-7	<b>Zoning Verification Request</b>	\$105

SUBDIVISION		
CHAPTER 19 - SUBDIVISIONS		
CODE REFERENCE	DESCRIPTION	FEE
19-15	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	\$945 per practice for each best management practice constructed and \$0.9450 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit
19-15	<b>Water and Sewer Line Installation Inspection</b> (For inspection by the service authority of public water and sewer system installations)	\$1.5015 per foot for every foot of sewer main or water main constructed
19-15	<b>Major/Minor Subdivision</b>	
	No Public improvements required	\$210 per plan plus \$73.50 per lot for each lot over 2
	Public improvements required	\$262.50 per plan plus \$73.50 per lot for each lot over 2
19-15	Townhouse or condominium subdivisions that have undergone site plan review	\$52.50
19-15	Each additional review after second resubmission	\$262.50
<i>19-15</i>	<i>Exception Requests pursuant to Section 19-18</i>	<i>\$300</i>

BE IT FURTHER ORDAINED that this Ordinance shall be made effective on January 1, 2021.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of May,  
2020.

AppendixA-FeeSch-Amend-ord

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8. EROSION AND SEDIMENT CONTROL, BY AMENDING SECTION 8-35, PERFORMANCE SURETY TO ADD A REFERENCE THAT FEES FOR COSTS OF ADMINISTRATION OF THE PERFORMANCE SURETY REQUIREMENT ARE SET FORTH IN COUNTY CODE APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the Code of James City County is hereby amended and reordained by Amending Chapter 8. Erosion and Sediment Control, by amending Section 8-35, Performance surety to add a reference that fees for costs of administration of the performance surety requirement are set forth in County Code Appendix A - Fee Schedule for Development Related Permits.

**CHAPTER 8. EROSION AND SEDIMENT CONTROL**

**Sec. 8-35. Performance surety.**

(a) Prior to issuance of any permit, the applicant shall be required to submit a reasonable performance surety such as a bond, letter of credit, bank escrow account, or cash surety or escrow in the form of a cashier's or certified check made payable to the Treasurer, James City County, or any combination thereof, or such other legal arrangement acceptable to the county attorney to ensure that measures could be taken by the county at the applicant's expense should he/she fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him/her by the permit conditions as a result of his/her land disturbing activity. If the county takes such action upon such failure by the applicant, the locality may collect from the applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, including permit termination and proper submittal and approval of construction record drawings and construction certifications for permanent BMP facilities and permanent stormwater conveyance system facilities by the administrator or the VSMP authority, such surety including bond, letter of credit, bank escrow account, or cash surety, or other legal arrangement, or the unexpended or unobligated portion thereof, shall be released or refunded to the applicant or terminated, as applicable.

(b) *Fees to cover the costs associated with the administration of the performance surety requirement of this section are set forth in County Code Appendix A - Fee Schedule for Development Related Permits.*

BE IT FURTHER ORDAINED that this Ordinance shall be made effective on January 1, 2021.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of May,  
2020.

Sec8-35PerformanceSurety-ord



**ORDINANCE NO.:** \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN THE CODE OF JAMES CITY COUNTY BY AMENDING APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS TO DETAIL THE FEES FOR BUILDING SAFETY AND PERMITS, EROSION AND SEDIMENT CONTROL, WETLANDS, THE CHESAPEAKE BAY PRESERVATION ORDINANCE, PLANNING, AND ZONING TO DEFRAY THE COSTS INCURRED BY THE COUNTY NECESSARY TO ADMINISTRATE EACH OF THE SIX LISTED PROGRAMS AND FOR THE FILING AND PROCESSING OF AMENDMENTS, APPLICATIONS, AND APPEALS RELATED TO EACH OF THE SIX LISTED PROGRAMS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the code of James City County is hereby amended and reordained by Amending Appendix A – Fee Schedule For Development Related Permits to detail the fees for Building Safety and Permits, Erosion and Sediment Control, Wetlands, The Chesapeake Bay Preservation Ordinance, Planning, and Zoning to defray the costs incurred by the county to administrate each of the six listed programs and for the filing and processing of amendments, applications, and appeals related to each of the four listed programs.

**Appendix A - Fee Schedule for Development Related Permits**

<b>BUILDING SAFETY AND PERMITS</b>		
<b>CHAPTER 4 - BUILDING REGULATIONS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-8	<b>Annual Elevator Inspections</b>	
	Traction Elevator	\$210.00
	Hydraulic Elevator	\$157.50
	Annual Inspection certificate by a third-party inspector	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
4-8	<b>Amusement Device Inspection</b>	
	Small Mechanical Ride or Inflatable Amusement Device	\$26.25 each
	Circular or Flat-ride less than 20 feet in height	\$36.75 each
	Spectacular Ride which cannot be inspected as a circular ride or flat-ride due to complexity or height	\$57.75 each
	Coaster exceeding 30 feet in height	\$157.50 each
4-8	Weekend or after-hours amusement device and tent inspections	\$90
4-8	Generators used exclusively with amusement devices; excluding small portable generators serving only cord and plug connected equipment loads	\$52.50
4-8	<b>Certificate of Occupancy</b> (No certificate of occupancy shall be issued until all inspection fees have been paid, includes residential and non-residential)	\$52.50
4-8	30-day temporary certificate of occupancy - residential	\$52.50
4-8	30-day temporary certificate of occupancy - non-residential	\$105
4-8	30-day temporary certificate of occupancy renewal - residential	\$105
4-8	30-day temporary certificate of occupancy - non-residential	\$210
4-8	<b>Fire Department - New Construction</b> (In addition to fees for building code permits and inspections when a fire department employee will participate in such inspections)	
	Fire protection system acceptance tests (Including fire alarm, fire sprinkler, standpipe, fire pump)	\$52.50
4-8	Commercial range hood fire suppression system acceptance tests	\$52.50
	Certificate of occupancy inspections excluding single- and two-	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	family residences	
4-8	<b>Mobile Home Installation</b> (The fee for the inspection of the mobile home installation shall supersede any fee otherwise required for the inspection for an electrical or plumbing permit for that mobile home)	\$52.50
	<b>Permits</b>	
	<b>Building Permit</b>	
	Minimum Building Permit Fee	\$52.50
4-8	Construction of any building or addition where the floor area is increased, and installation or erection of any industrialized building unit based on the floor area to be constructed as computed from exterior building dimensions at each floor  (Any residential building, any unenclosed carport, porch or stoop, when built in conjunction with and at the same time as the dwelling, shall be excluded from the square footage computation.)	\$0.1365 per square foot
4-8	Construction of a garage, barn, pole shed or similar structure, when not constructed at the time of and under the permit of the main dwelling	\$0.105 per square foot of the exterior dimensions of the building
	Alteration or repair of any building or structure, or for the construction or erection of piers bulkheads, exterior walls or fences, towers, swimming pools or other structures or things	1.05 percent of the current value of all service, labor and materials

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Demolition or razing of any building or structure having a floor area greater than 200 square feet  (No fee shall be charged for a permit to raze a building with a floor area of 200 square feet or less)	\$52.50
	Relocation of a building or structure, in part or in whole from one location to another, or into or out of the county or to a new location within the same lot or parcel of land	\$0.105 per square foot of the gross floor area.
	Construction not covered by any of the above	1.05 percent of the retail value or current market value of the work being done; provided, that the minimum permit fee shall be \$52.50
	The Building Permit Fee shall be double for any construction that has commenced before a permit is obtained	As listed above
4-8	<b>Electrical Permit</b>	
	Minimum Electrical Permit Fee	\$52.50
	<b>Installation of each electrical service system in new construction, the fee shall be determined from the rated size of the service panels in amperes as follows:</b>	

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
		<b>Single Phase    Three Phase</b>
	0-60 amps	\$52.50    \$52.50
	61-100 amps	\$52.50    \$57.75
	101-150 amps	\$63.00    \$68.25
	151-200 amps	\$68.25    \$73.50
	Over 200 amps, plus \$15.75 for each additional 50 amps or fraction thereof over 200 amps	\$68.25    \$73.50
	Installation of a temporary service, or the reconnection of a mobile home	\$52.50
	<b>Increasing the size of the electrical service to any building structure, or mobile home</b>	
	Service up to and including 200 amperes	\$52.50
4-8	Service over 200 amperes	\$52.50 plus \$15.75 for each 50 amperes or fraction thereof over 200 amperes.
	For relocation of any existing service for which the size is not increased	\$52.50
	No additional fee shall be charged for outlets when the size of the service is increased	

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	<b>Addition to any existing electrical installation</b>	
	1-100 outlets	\$52.50
	Over 100 outlets	\$52.50 plus \$0.21 for each outlet over 100
4-8	<b>Mechanical and Gas Permits</b>	
	Minimum Mechanical or Gas Permit Fee*	\$52.50
	<b>Basic permit fee</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Replacement, repair or alteration of mechanical systems or equipment in existing buildings, structures or additions thereto</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>*Domestic cooking equipment and space heaters in dwelling units are exempt from mechanical permit fees. Inspections of this equipment are required</b>	

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Fuel piping permit (applies when permit is for fuel piping work only)	\$0.01 × \$1,000 of valuation or fraction thereof
	<b>L.P.G. (i.e. butane, propane, etc.) tanks and associated piping permit</b>  (Total water capacity in gallons.)	
	0-500	\$52.50
	501-2,000	\$57.75
	Over 2,000	\$57.75 plus \$1.05 per 10,000 gallons
	<b>Tanks and associated piping for flammable liquids permit (Capacity in gallons)</b>	
	0-10,000	\$52.50
	10,001-20,000	\$57.75
	20,001-50,000	\$63.00
	Over 50,000	\$73.50 plus \$5.25 per 25,000 gallons or fraction thereof
	Removal of storage tanks	\$52.50

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	<b>Fire suppression systems (Includes standpipes)</b>	
	<b>New construction</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>All others</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Elevators, dumbwaiters, moving stairways, moving walks, manlifts or special hoisting and conveying equipment</b>	
	<b>New construction</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof



<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	<b>All others</b>	
	First \$1,000 value	\$52.50
	Over \$1,000 value	\$52.50 plus \$5.25 per \$1,000 or fraction thereof
	<b>Permit Reissuance</b> Permits becoming invalid, as specified by the Code, may be reissued up to a period of five years	\$52.50 for each six-month period
4-8	<b>Plumbing Permit</b>	
	Minimum Plumbing Permit Fee	\$52.50
	Installation of each plumbing fixture or appliance	\$7.35
	Installation of the water distribution system in each building	\$15.75
	Connection of any building drain to a public or private sanitary sewage disposal system	\$7.35
	Each sewer (sanitary or storm), manhole (sanitary or storm), roof drain or other similar device	\$7.35
4-8	<b>Plan Review</b>	
	Minimum Review Fee	\$15.75
	Plan Review Fee (to be paid at the time of application submittal)	\$21 for each 1,000 square feet of floor space or part thereof

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	Supplemental plan review for work proposed in the flood plain	\$52.50
	<b>Revised Plans - when such plans are substantially different than the original plans or the previous review comments have not been addressed and necessitate the issuance of additional review comments</b>	
	Minimum Review Fee	\$7.35
	Plan Review Fee	\$21 for each 1,000 square feet of floor space or part thereof
	Reinspection (any building, electrical, mechanical, plumbing, elevator, mobile home, amusement device)	First: \$52.50 Second: \$105  Third & Subsequent: \$210
4-60	Administrative Fee A fee of shall be charged at the time of application to offset the cost of making inspections, issuing permits, enforcement and other expenses incident to the administration of this article or to the filing or processing of any appeal or amendment thereto	\$52.50
36-137, Code of Virginia	Levy required by the Code of Virginia of up to two percent. Local building departments shall collect such levy and transfer it quarterly to the Department of Housing and Community Development.	

<b>STORMWATER AND RESOURCE PROTECTION</b>		
<b>CHAPTER 8 - EROSION AND SEDIMENT CONTROL</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
8-5	<b>Land Disturbing Activity &amp; Erosion &amp; Sediment Control Plans</b>	
	Single-family residential structure	\$105
	Residential subdivisions	\$73.50 per lot
	All other land disturbing activities (residential site plan)	\$882 per acre for first 15 acres plus \$588 for each additional acre over 15 acres
	All other land disturbing activities (non-residential plan)	\$630 per acre for first 15 acres plus \$420 for each additional acre over 15 acres
8-5	The permit fee shall be double for any land disturbing that has commenced before a permit is obtained.	As listed above
8-34	<b>Fee Schedule for Registration and Issuance of General VPDES Permit for Discharge of Stormwater from Construction Activities</b>	
	Chesapeake Bay Preservation Act land disturbing activity (not subject to general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$304.50

CODE REFERENCE	DESCRIPTION	FEE
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$304.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$2,835**
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$3,570
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$4,725
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,405
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$10,080
	<p>**Pursuant to amendments to the Virginia Stormwater Management Act, as amended, § 62. 1-44. 15:28 of the Code of Virginia this fee tier will be \$304.50 for small construction activity involving a single-family detached residential structure with a site or area, within or outside a common plan of development or sale, that is equal to or greater than one acre but less than five acres. In addition, neither a registration statement nor payment of the Department's portion of the statewide permit fee shall be required for construction activity involving a single-family detached residential structure, within or outside a common plan of development or sale within this tier, and all other tiers consistent with §62. 1-44. 15:28(A)(8)</p>	

CODE REFERENCE	DESCRIPTION	FEE
8-34	<b>Modification or Transfer of Registration Statements for the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-825</b>	
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance less than one acre)	\$21
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$210
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than ten acres)	\$262.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than ten acres and less than 50 acres)	\$315
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$472.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$735

CODE REFERENCE	DESCRIPTION	FEE
8-34	<b>Fee Schedule for the Maintenance of the General VPDES Permit for Discharges of Stormwater from Construction Activities 9VAC25-870-830</b>	
	Chesapeake Bay Preservation Act Land Disturbing Activity (not subject to the general permit coverage; sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (areas within common plans of development or sale with land disturbance acreage less than one acre)	\$52.50
	General/Stormwater Management - small construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than one acre and less than five acres)	\$420
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than five acres and less than 10 acres)	\$525
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$682.50
	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$945.00
8-34	General/Stormwater Management - large construction activity/land clearing (sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$1,470
8-34	The Permit fee shall be double for any construction that has commenced before a permit is obtained	As listed above

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
8-34	Certificate of Occupancy (No certificate of occupancy shall be issued until all inspection fees have been paid, includes residential and non-residential)	\$52.50
8-34	30-day temporary certificate of occupancy - residential	\$52.50
8-34	30-day temporary certificate of occupancy - non-residential	\$105
8-34	30-day temporary certificate of occupancy renewal - residential	\$105
8-34	30-day temporary certificate of occupancy renewal - non-residential	\$210
8-34	Reinspection	First:\$52.50 Second:\$105 Third & Subsequent: \$210
8-35	Initial Surety Establishment	\$500
8-35	Surety Renewal: Years 1-2	\$-
8-35	Surety Renewal: Years 3-5	\$500
8-35	Surety Renewal: Years 6-9	\$700
8-35	Surety Renewal: Year 10	\$1,200
8-35	Surety Renewal: Year 11 plus each subsequent year	\$2,000
8-34	As-Built Plan Review: Small Non-Residential (up to 3 BMPs)	\$300
8-34	As-Built Plan Review: Large Non-Residential (> 3 BMPs)	\$500
8-34	As-Built Plan Review: Small Residential (less than 5 acres)	\$300
8-34	As-Built Plan Review: Large Residential (> 5 acres)	\$500

<b>CHAPTER 22 - WETLANDS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
22-4	Exceptions that must be granted by the manager	\$105
22-4	Permits affecting 20,000 square feet or less of wetlands	\$300
22-4	Permits affecting more than 20,000 but not more than 40,000 square feet of wetlands	\$400
22-4	Permits affecting more than 40,000 square feet of wetlands	\$500
22-4	The Permit fee shall be double for any construction that has commenced before a permit is obtained	As listed above
<b>CHAPTER 23 - THE CHESAPEAKE BAY PRESERVATION ORDINANCE</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
23-15	Exceptions that must be granted by the Chesapeake Bay Board	\$300
23-15	Exceptions that must be granted by the manager	\$105
23-15	The Permit fee shall be double for any construction that has commenced before a permit is obtained	As listed above
<b>PLANNING AND ZONING</b>		
<b>CHAPTER 24 - ZONING</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
24-7	Conceptual Plan	\$26.25



<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
24-7	Height Limitation Waiver	\$210 plus the cost of postage to notify adjacent property owners
24-47	Chicken Keeping	\$21
24-7	<b>Master Plan</b>	
	Initial Review Residential cluster, mixed use or a PUD with less than 400 acres (PUDs more than 400 acres shall pay a rezoning fee only)	\$210 plus the cost of postage to notify adjacent property owners
	<b>Revision of an Approved Plan</b>	
	Residential Cluster	\$78.75 plus the cost of postage to notify adjacent property owners
	R-4, PUD, Mixed Use	\$157.50 plus the cost of postage to notify adjacent property owners
24-7	Public Hearing Applicant Deferral Request  Does not apply where deferral is the result of a commission or board action  Does apply when the applicant fails to meet a staff imposed deadline for additional information relevant to the application	Cost of re-advertising

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
24-7	<b>Sign Permits</b>	Size (per square foot of gross sign area) x \$5.25
24-7	<b>Site Plan</b>	
	<b>Administrative Review</b>	
	Residential structures or improvements	\$630 plus \$63 per unit
	Nonresidential structures or improvements	\$630 plus \$0.0252 per sq. ft. of building area
	Mixed Use structures or improvements	\$630 plus \$63 per unit plus \$0.0252 per sq. ft. of nonresidential building area
	<b>Planning Commission and/or DRC Review</b>	
	Residential structures or improvements	\$1,890 plus \$63 per unit
	Nonresidential structures or improvements	\$1,890 plus \$0.0252 per sq. ft. of building area

CODE REFERENCE	DESCRIPTION	FEE
	Mixed Use structures or improvements	\$1,890 plus \$63 per residential unit plus \$0.0252 per sq. ft. of nonresidential building area
	<b>Amendment to an Approved Plan</b>	
	Residential structures or improvements	\$105 plus \$10.50 per residential unit
24-7	Nonresidential structures or improvements	\$105 plus \$0.0042 per sq. ft. of building area
	Mixed Use structures or improvements	\$105 plus \$10.50 per residential unit plus \$0.0042 sq. ft. of nonresidential building area
	<b>Other</b>	
	Residential or nonresidential structures or improvements where number of dwelling units, building area, pavement or open space is not changed more than 15%	\$105
	Zoning/Fire Dept. review only	\$21
	Each additional review after second resubmission	\$262.50

CODE REFERENCE	DESCRIPTION	FEE
24-7	<b>Special Use Permit</b>	
	General  (If processed with a rezoning shall pay a rezoning fee only)	\$1,050 plus \$31.50 per acre*** plus the cost of postage to notify adjacent property owners
	Manufactured Home	\$105
	Family Subdivision under Section 24-214	\$105
	Amendment/Renewal to a Special Use Permit	\$420 plus the cost of postage to notify adjacent property owners
	Communication Facilities under Division 6	\$1,575 plus the cost of postage to notify adjacent property owners
	***Not to exceed \$5,000	

CODE REFERENCE	DESCRIPTION	FEE
24-7	<p>Stormwater Installation Inspection</p> <p>(For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)</p>	<p>\$945 per practice for each best management practice constructed and \$0.945 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit.</p>
24-7	<b>Rezoning ****</b>	
	5 acres or less	<p>\$1,260 plus \$78.75 per acre plus the cost of postage to notify adjacent property owners</p>
	More than 5, but no more than 10 acres	<p>\$1,260 plus \$78.75 per acre plus the cost of postage to notify adjacent property owners</p>

<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
	More than 10 acres	\$1,260 plus \$78.75 per acre plus the cost of postage to notify adjacent property owners
	Written request to the board of supervisors to amend proffered conditions where such amendment does not affect conditions of use or density and where a public hearing is not required	\$210
	**** Not to exceed \$15,000/proffer amendments pay base fee only	
24-7	<b>Zoning - Administrative Variance</b>	\$262.50 plus the cost of postage to notify adjacent property owners
24-7	<b>Zoning - Board of Zoning Appeals</b>	\$525 plus the cost of postage to notify adjacent property owners
24-7	<b>Zoning Verification Request</b>	\$105

<b>SUBDIVISION</b>		
<b>CHAPTER 19 - SUBDIVISIONS</b>		
<b>CODE REFERENCE</b>	<b>DESCRIPTION</b>	<b>FEE</b>
19-15	<b>Stormwater Installation Inspection</b> (For inspection by the stormwater and resource protection division of public stormwater installations and private stormwater installations)	\$945 per practice for each best management practice constructed and \$0.945 per foot for every foot of stormwater drain or channel constructed. This fee shall be submitted at the time of filing an application for a land disturbance permit
19-15	<b>Water and Sewer Line Installation Inspection</b> (For inspection by the service authority of public water and sewer system installations)	\$1.5015 per foot for every foot of sewer main or water main constructed
19-15	<b>Major/Minor Subdivision</b>	
	No Public improvements required	\$210 per plan plus \$73.50 per lot for each lot over 2
	Public improvements required	\$262.50 per plan plus \$73.50 per lot for each lot over 2
19-15	Townhouse or condominium subdivisions that have undergone site plan review	\$52.50
19-15	Each additional review after second resubmission	\$262.50
19-15	Exception Requests pursuant to Section 19-18	\$300

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 8. EROSION AND SEDIMENT CONTROL, BY AMENDING SECTION 8-35, PERFORMANCE SURETY TO ADD A REFERENCE THAT FEES FOR COSTS OF ADMINISTRATION OF THE PERFORMANCE SURETY REQUIREMENT ARE SET FORTH IN COUNTY CODE APPENDIX A - FEE SCHEDULE FOR DEVELOPMENT RELATED PERMITS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the Code of James City County is hereby amended and reordained by Amending Chapter 8. Erosion and Sediment Control, by amending Section 8-35, Performance surety to add a reference that fees for costs of administration of the performance surety requirement are set forth in County Code Appendix A - Fee Schedule for Development Related Permits.

#### **CHAPTER 8. EROSION AND SEDIMENT CONTROL**

##### **Sec. 8-35. Performance surety.**

- (a) Prior to issuance of any permit, the applicant shall be required to submit a reasonable performance surety such as a bond, letter of credit, bank escrow account, or cash surety or escrow in the form of a cashier's or certified check made payable to the Treasurer, James City County, or any combination thereof, or such other legal arrangement acceptable to the county attorney to ensure that measures could be taken by the county at the applicant's expense should he/she fail, after proper notice, within the time specified to initiate or maintain appropriate actions which may be required of him/her by the permit conditions as a result of his/her land disturbing activity. If the county takes such action upon such failure by the applicant, the locality may collect from the applicant for the difference should the amount of the reasonable cost of such action exceed the amount of the security held, if any. Within 60 days of the completion of the requirements of the permit conditions, including permit termination and proper submittal and approval of construction record drawings and construction certifications for permanent BMP facilities and permanent stormwater conveyance system facilities by the administrator or the VSMP authority, such surety including bond, letter of credit, bank escrow account, or cash surety, or other legal arrangement, or the unexpended or unobligated portion thereof, shall be released or refunded to the applicant or terminated, as applicable.
- (b) Fees to cover the costs associated with the administration of the performance surety requirement of this section are set forth in County Code Appendix A - Fee Schedule for Development Related Permits.



**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development

SUBJECT: Amendment to Regjag/Gilley Deed of Easement

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Cover Memo
▣	Attachment 1. Resolution	Resolution
▣	Attachment 2. Location Map	Exhibit
▣	Attachment 3. Illustrations	Backup Material
▣	Attachment 4. Fence Layout	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	3/30/2020 - 8:15 AM
Development Management	Holt, Paul	Approved	3/30/2020 - 8:15 AM
Publication Management	Burcham, Nan	Approved	3/30/2020 - 8:22 AM
Legal Review	Kinsman, Adam	Approved	3/30/2020 - 8:43 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:03 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:10 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 1:35 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development

SUBJECT: Amendment to Regjag/Gilley Deed of Easement

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Mr. Coby Linton has submitted a request to amend an existing conservation easement on properties identified as James City County Real Estate Tax Map No. 4740100040 (227 Gate House Boulevard), 4740100041 (134 Smokehouse Lane), 4740100042 (unaddressed), and 4740100042E (131 Smokehouse Lane), together, the “Property” as shown on Attachment No. 2. The applicant desires to construct an eight-foot wire mesh fence as part of a reforestation and water quality effort at 134 Smokehouse Lane.

### Background

On June 25, 2013, the Board of Supervisors (the “Board”) approved the purchase of a conservation easement on the Property for \$1,175,000.00 (the “Easement”). The staff report noted the Property’s 124 acres of tidal marshes along Mill Creek and the Easement’s multiple conservation benefits to the County, including:

- Increased water quality protection of Mill Creek, through significantly reduced impervious cover, compared to permitted residential development of the property;
- Avoidance of neighborhood drainage issues similar to those in adjacent neighborhoods;
- Reduction of approximately 500 trips on Neck-O-Land and Jamestown Roads, both of which have limited additional capacity; and
- Avoidance of secondary fiscal impacts related to schools and other public facilities required to serve residential development.

The terms of the Easement are a blend of restrictions found in other easements purchased with Greenspace and Purchase of Development Rights (PDR) funds with respect to future subdivision and dwelling units, structures, agricultural and forestal BMPs, and future land uses. Since the Easement was established on the Property, the Property has been reconfigured from six parcels into three developable parcels of 50+ acres and one parcel consisting of marsh land, in accordance with the terms of the Easement.

In late 2019, Mr. Linton purchased the parcel at 134 Smokehouse Lane and began working with the Virginia Department of Forestry, the Virginia Department of Environmental Quality and an environmental consultant to convert 16 acres of cropland to forest to reduce fertilizer runoff in the James River watershed. In February of this year, Mr. Linton contacted the County seeking permission for an eight-foot wire mesh fence (illustrated in Attachment No. 3) to enclose and protect the associated 6,000+ seedlings from deer (location shown in Attachment No. 4). The terms of the Easement limit fencing height to six feet and do not contain a mechanism for the Grantee (the “County”) to grant permission for fencing above this height.

## **Amendment**

Section X of the Easement permits it to be amended upon the written consent of the parties, provided such amendments are consistent with the Open-Space Land Act, Chapter 16A of the County Code, and the overall purposes and intent of the Deed of Easement. Section 15.2-1800 of the Code of Virginia permits the Board of Supervisors to dispose of any interest in real property following a public hearing. The Virginia Department of Agriculture and Consumer Services (VDACS), which contributed funding toward the Easement, must be notified of any amendment to the Easement.

## **Proposal**

As noted previously, the applicant proposes to amend the Easement to allow for eight-foot wire mesh fencing. The Easement would be amended to allow this specific type and height of fencing without prior permission from the County. The amendment would apply to all parcels within the Property.

In recognition of the fact that there is currently no mechanism in the Easement for the County to consider fencing not strictly meeting the criteria, an additional amendment is proposed which would allow the County to consider and grant written permission.

A final amendment would move the fencing provisions into its own section to further clarify that the fencing is not considered an accessory structure, similar to the format found in other Greenspace/PDR easements.

## **Conclusion**

As stated in the Deed of Easement, the goals of the Regjag/Gilley Easement are to protect the historic, aesthetic, agricultural and open space values of the Property. This corresponds to the broader goals of the Greenspace and PDR programs to protect environmentally sensitive land, active farm land, and agricultural/forestral activities, to preserve view sheds and scenic vistas, and to protect against over development of sensitive areas.

The goal of the amendments before the Board is to allow fencing of a type and height which would facilitate reforestation and increase water quality in Mill Creek and the James River watershed. Although the fencing is higher than what was originally allowed in the Easement, it is specific to wire mesh fencing, which as opposed to privacy fencing, will blend into landscape. The amendments would also add procedure and clarity which would aid in administering the Easement. VDACS staff have reviewed the amended language and have no objections.

Staff recommends that the Board adopt the attached resolution to allow amendment of the Easement.

TMR/nb

AmdRjagGilyDOE-mem

### Attachments:

1. Resolution
2. Location Map for Regjag/Gilley Easement
3. Illustrations of Comparable Fencing
4. Fence Layout

## **RESOLUTION**

### **AMENDMENT TO REGJAG/GILLEY DEED OF EASEMENT**

- WHEREAS, on June 25, 2013, the Board of Supervisors of James City County, Virginia, (the “Board”) adopted a resolution accepting an offer to sell to the County of James City (the “County”) a conservation easement on properties identified as James City County Real Estate Tax Map No. 4740100040 (227 Gate House Boulevard), 4740100041 (134 Smokehouse Lane), 4740100042 (unaddressed), and 4740100042E (131 Smokehouse Lane), together, the “Property”); and
- WHEREAS, the conservation easement on the Property was recorded in the Clerk’s Office for the City of Williamsburg and the County of James City on April 18, 2014, as Instrument No. 140006461 (the “Easement”) which, among other restrictions, limits the height of fencing on the Property to six feet, and sets forth procedures for the Grantor to grant approvals and permissions; and
- WHEREAS, Mr. Coby Linton, member and manager of Smokehouse Lane, LLC, has requested that the Board amend the Easement to permit eight-foot wire mesh fencing on the Property in order to protect seedlings to be planted as part of a reforestation and water quality effort at 134 Smokehouse Lane; and
- WHEREAS, Section X of the Easement permits amendment upon the written consent of the grantee and grantor, Section 15.2-1800 of the Code of Virginia, 1950, as amended (the “Virginia Code”) permits the County to, *inter alia*, exchange interest in real property.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby find that the proposed amendment to the conservation easement on property identified as James City County Real Estate Tax Map No. 4740100040 (227 Gate House Boulevard), 4740100041 (134 Smokehouse Lane), 4740100042 (unaddressed), and 4740100042E (131 Smokehouse Lane) that is recorded in the Clerk’s Office for the City of Williamsburg and the County of James City on April 18, 2014, as Instrument No. 140006461 (the “Easement”) is in the best interest of the citizens of James City County, furthers the goals of the County’s Comprehensive Plan, and comports with the Virginia Open Space Land Act set forth in Section 10.1-1700 et seq. of the Code of Virginia.
- BE IT FURTHER RESOLVED that the County Administrator of James City County, Virginia, or his designee, is hereby authorized to sign those documents necessary to amend the Easement to allow wire mesh fencing up to eight feet in height, to provide a mechanism for the County to consider and grant permission for fencing not meeting the criteria set forth in the terms of the Easement, and other minor amendments as may be necessary to further the goals as articulated in the staff report and this resolution.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

AmdRjagGilyDOE-res



# Amendment to Regjag/Gilley Deed of Easement

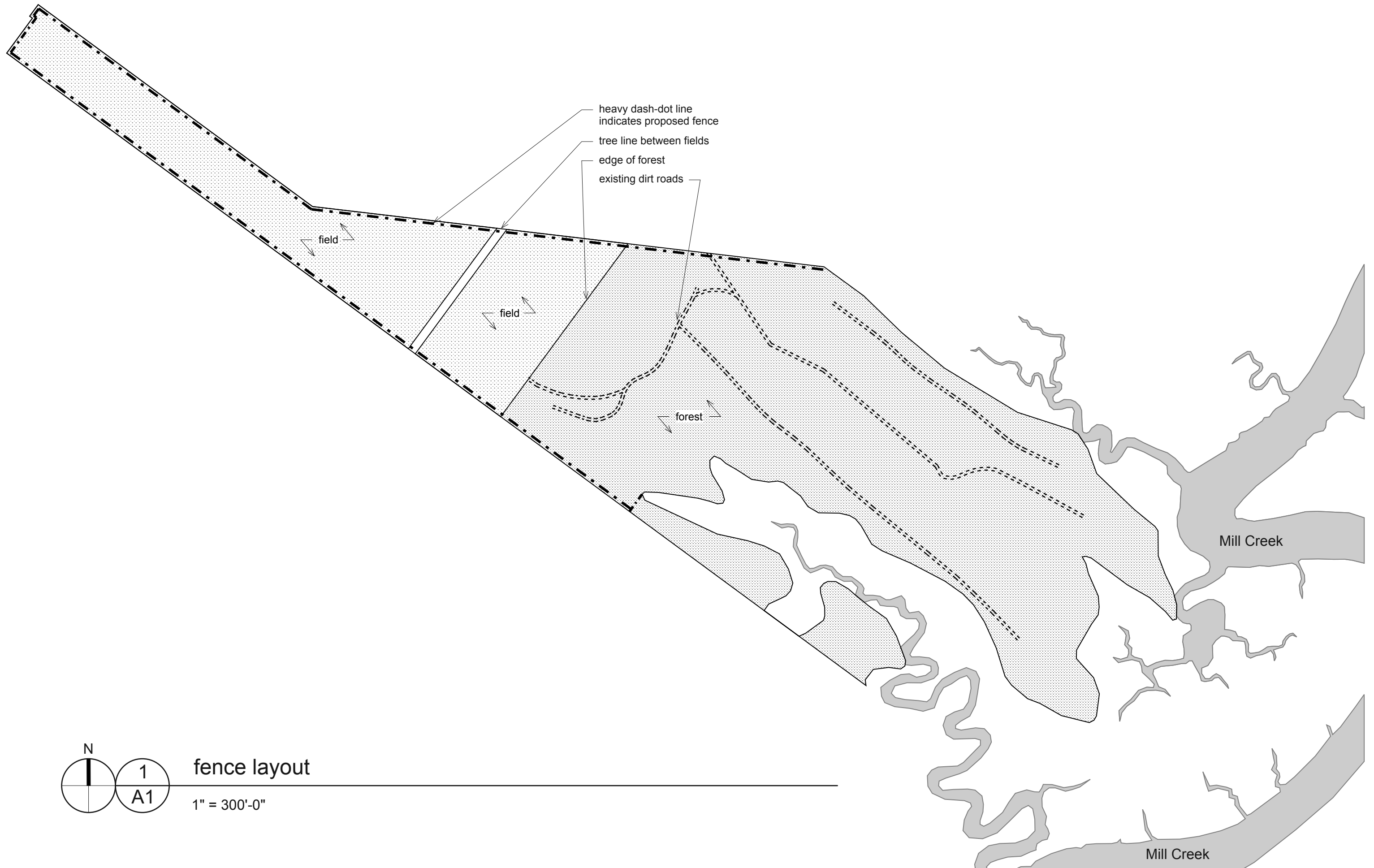




## ILLUSTRATIONS OF COMPARABLE FENCING

Pictures provided by Coby Linton:







**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Readoption of Continuity of Government Ordinance

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**ATTACHMENTS:**

	Description	Type
📎	memo	Cover Memo
📎	ordinance	Ordinance
📎	ordinance - final	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	3/31/2020 - 3:38 PM
Publication Management	Daniel, Martha	Approved	3/31/2020 - 3:41 PM
Legal Review	Kinsman, Adam	Approved	3/31/2020 - 3:43 PM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:05 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:12 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 2:07 PM

## MEMORANDUM

DATE: April 14, 2020  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: Readoption of Continuity of Government Ordinance

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At the March 24, 2020 meeting of the Board of Supervisors (the “Board”), an Emergency Continuity of Government Ordinance as permitted by section 15.2-1413 of the Code of Virginia, 1950, as amended (the “Virginia Code”) was adopted without prior advertisement pursuant to section 15.2-1427.F of the Virginia Code. This Emergency Ordinance is only effective for sixty (60) days unless it is readopted by the Board following advertisement and a public hearing. On April 7, 2020, the Williamsburg-James City County School Board requested that they be added to the Ordinance and I have amended it accordingly.

I recommend readoption of the Ordinance adopted by the Board on March 24, 2020, subject to the one above-referenced change to add the Williamsburg-James City County School Board.

ARK/nb  
ReadoptGovCont-mem

Attachment

READOPTED

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT

WHEREAS, on January 31, 2020, the Secretary of Health and Human Resources declared a public health emergency in response to the spread of novel coronavirus, or COVID-19 (the “virus”); and

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a State of Emergency in the Commonwealth of Virginia in response to the spread of the virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency, beginning March 1, 2020, in response to the spread of the virus; and

WHEREAS, at 11:30 a.m. on March 13, 2020, the James City County Director of Emergency Management declared a local State of Emergency (the “declaration”) in James City County (the “County”) due to the outbreak of the virus in the County and the resulting danger to the public’s health, safety, and welfare due to the transmission and contraction of the virus; and

WHEREAS, on March 17, 2020, the Board of Supervisors of James City County (the “Board”) convened in a special meeting, confirmed the declaration, and further found the emergency to be a “disaster” and amended the declaration accordingly; and

WHEREAS, subsequent to the March 17, 2020 special meeting, there have been additional confirmations of County citizens having contracted the virus and the Virginia State Health Commissioner has determined that the County is an “outbreak” area in the Commonwealth; and

WHEREAS, the Board has found that emergency measures are necessary to mitigate the ongoing emergency and disaster that is occurring in the County and to protect the health, safety, and welfare of the citizens; and

WHEREAS, the Board desires to ensure the continuity of government pursuant to section 15.2-1413 of the Code of Virginia, 1950, as amended and Section 3.6 of the Charter of James City County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the following rules, laws, actions, and regulations are effective immediately and shall remain so until this Ordinance is repealed by the Board or until six (6) months from the date of adoption, whichever comes first; further, normal governmental activity shall resume subsequent to repeal or expiration of this Ordinance.

BE IT FURTHER ORDAINED that the James City Service Authority - a public body created by resolution of the Board of Supervisors dated June 30, 1969, and whose Board of Directors is the Board of Supervisors, is a critical component of the County’s government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that the Economic Development Authority of James City County, Virginia, which is a public body created by Ordinance No. 55 adopted by the Board of Supervisors on September 8, 1969 - is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that on March 24, 2020 an Emergency Ordinance was adopted by the Board of Supervisors of James City County, in accordance with section 15.2-1427(F) of the Code of Virginia, 1950, as amended, and took effect immediately upon adoption; further, the Board directed staff to advertise its readoption at the Board of Supervisors' next regularly scheduled meeting in conformance with section 15.2-1427 of the Code of Virginia, 1950, as amended.

BE IT FURTHER ORDAINED that, following advertisement of the Emergency Ordinance and a public hearing held in accordance with the Emergency Ordinance, the Board of Supervisors of James City County does hereby READOPT the Emergency Ordinance adopted on March 24, 2020, reprinted in full below.

## **PART A. - GENERAL PROVISIONS**

### **Sec. A-1. Declaration of policy.**

Because of the rapid spread of the novel coronavirus, COVID-19 (the "virus") in James City County and the designation of the County as an "outbreak area," the Board of Supervisors of James City County (the "Board") desires to ensure the continuation of effective, legally constituted leadership, authority, and responsibility in the governance of the County during this disaster, to ensure the continuation of essential government functions and responsibilities, and to facilitate the early resumption of functions temporarily suspended. The Board has found and declared it necessary to: (1) provide for additional officers who can exercise the powers and discharge the duties of the key executive, administrative, and legislative offices of the County in the event that the incumbents thereof are unable to perform the duties and functions of their offices during the disaster; (2) limit, modify, or suspend certain non-essential government functions; (3) temporarily suspend certain policies and regulations; and (4) limit or prohibit certain public interaction at County meetings, in County offices, and with County employees.

### **Sec. A-2. Definitions.**

- (a) Board means the Board of Supervisors of James City County.
- (b) County Administrator means the County Administrator of James City County or his successor, Deputy, or emergency interim successor
- (c) County Charter means the Charter of the County of James City.
- (d) County Code means the Code of the County of James City, as amended.
- (e) Disaster means the effects caused by or related to the spread of the novel coronavirus, COVID-19, including but not limited to the injury or threat of injury to the public health, safety, and welfare and related damage, hardship, suffering, or loss of life.

- (f) Deputy means a person who is presently authorized by the Virginia Code, County Code, or County Charter to exercise all of the powers and discharge all of the duties of an office in the event that the office is vacant or at such times as it lacks administration due to the death, absence, or inability of the incumbent.
- (g) Emergency interim successor means a person designated pursuant to this chapter for temporary succession to the powers and duties, but not the office, of an officer in the event that such officer or a duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office.
- (h) Incumbent means the person who is entitled to exercise the powers and discharge the duties, and who is the holder, of an office by virtue of employment or appointment thereto as provided in the Virginia Constitution, Virginia Code, County Charter, and/or the ordinances of the County.
- (i) Manual means the James City County *Personnel Policies and Procedures Manual*, as amended.
- (j) Unavailable means either:
  - a. That a vacancy exists in an office and there is no duly authorized deputy to exercise all the powers and discharge all the duties of the office; or
  - b. That the incumbent (including any duly authorized deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy, and all of them if more than one, are absent from the County or unable, for physical, mental, or legal reason, to exercise the powers and discharge the duties of the office.
- (k) Virginia Code means the Code of Virginia, 1950, as amended.

## **PART B. - EMERGENCY INTERIM SUCCESSORS**

### **Sec. B-1. Applicability.**

The provisions of this Part shall apply, and authorization to designate emergency interim successors is granted, only to the following (collectively, the “Departments”):

- (a) All department heads and deputy department heads;
- (b) The Clerk of the Board of Supervisors;
- (c) The Director of Emergency Management;
- (d) Fire Marshal;
- (e) Animal Control Officer; and
- (f) The Zoning Administrator.

**Sec. B-2. Designation.**

The incumbent of each Department shall designate in writing two or more emergency interim successors to the office and specify their rank in order of succession after any duly authorized deputy. The name, address, and rank in order of succession of each duly authorized deputy and each emergency interim successor shall be filed with the Director of Emergency Management within five (5) days of adoption of this ordinance, and all changes in the duly authorized deputies or in the designation or order of succession of emergency interim successor shall be filed with the Director of Emergency Management within two (2) days of such change. Designations of emergency interim successors and changes therein and in the order of succession thereof shall become effective when filed with the Director of Emergency Management.

**Sec. B-3. Qualifications.**

No person shall be designated or serve as an emergency interim successor unless they are qualified to hold the office to which they are designated an emergency interim successor, but no provision of the County Code or of any ordinance prohibiting an officer or employee of the County from holding another office shall be applicable to an emergency interim successor. At the time of their designation, an emergency interim successor shall do such things, if any, as are required to qualify them to exercise the powers and discharge the duties of the office as to which they have been designated an emergency interim successor; provided, that the designation of an emergency interim successor for an office subject to confirmation by the Board shall be considered to have been appointed by adoption of this Ordinance and shall not require further approval of the Board to be effective.

**Sec. B-4. Assumption of powers and duties of office.**

If, in the event that the incumbent of a Department becomes unavailable and any deputy is unavailable, the emergency interim successor to that office who is highest in rank in order of succession and who is not unavailable shall, except for the power to appoint emergency interim successors, exercise the powers and discharge the duties of the office. An emergency interim successor shall exercise the powers and discharge the duties of the office only until such time as the incumbent or deputy or an emergency interim successor higher in rank in order of succession becomes available to exercise the powers and discharge the duties of the office or until, where an actual vacancy exists, a successor is appointed.

**Sec. B-5. Restrictions on persons to be designated.**

No person shall be designated as an emergency interim successor for two offices at the same time. No person who is a duly authorized deputy shall be designated as an emergency interim successor for any office.

**Sec. B-6. Termination of authority.**

Notwithstanding any other provision of this ordinance, the County Administrator may at any time terminate the authority of any one or more, or all, emergency interim successors to exercise the powers and discharge the duties of office as herein provided. The Board of Supervisors may at any time terminate the authority of any emergency interim successor to the County Administrator.

## **PART C. - SUSPENSION OF ADOPTED POLICIES**

### **Sec. C-1. Suspension of Certain Chapters, Sections of the Manual**

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety:
  - a. Section 2.5, to allow the County to hire employees as needed without delay.
  - b. Section 2.8, to allow the County to promote, transfer, reinstate, and other needed job changes without delay.
  - c. Section 2.13, prior to initiating a reduction in workforce.
  - d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.
2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety:
  - a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.
  - b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.
3. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety:
  - a. Section 5.4, to allow the County to publish new leave guidance and categories as Federal/State Legislation emerges.
  - b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.
  - c. Section 5.10 to allow the County to temporarily suspend new requests for Employer Assisted Home Ownership program.
4. The following section in Chapter 10, Diversity and Equal Opportunity, of the Manual is suspended in its entirety:
  - a. Section 10.10, to allow the County flexibility in timelines for resolving discrimination and harassment claims.
5. The following general changes are hereby made to Chapters 7, Standards of Conduct, and 8, Grievance Procedure, of the Manual:
  - a. Each and every deadline shall be multiplied by a factor of three (3). For example, a five (5) workday deadline shall be automatically changed to a fifteen (15) day deadline.

### **Sec. C-2. Suspension of Expedited Review Procedures**

All expedited review procedures provided by any County rule, regulation, and the County Code are hereby suspended.

### **Sec. C-3. Suspension of Inconsistent Policies**

The following are suspended to the extent they are inconsistent with this ordinance and its authorizations:

- (a) Policies adopted by the Board or its subordinate committees, commission, or boards;
- (b) James City County Administrative Regulations.

### **Sec. C-4. Tolling of all Time Limits in the Event of an Order or Declaration that Requires the Complete or Partial Closure of County Offices.**

Upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any County office, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, or otherwise, shall be tolled during such time.

## **PART D. - LIMITATION ON PERSON-TO-PERSON CONTACT**

### **Sec. D-1 Public Buildings, Facilities, and Real Property**

The County Administrator is empowered and directed to restrict public from entering or congregating around County-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and County staff.

### **Sec. D-2. Public Meetings**

Any regularly scheduled, special, or emergency meeting of the Board of Supervisors or any subordinate board, committee, or commission, or the School Board, may be held by solely electronic or telephonic means without a quorum of members physically present. Any such meeting of the Board of Supervisors or any subordinate board, committee, or commission shall follow the following criteria:

- (a) All meetings shall have a live audio or video broadcast accessible through the County website, a public access channel, or a dial-in audio number.
- (b) The agenda for any meeting held under this ordinance shall:
  - (1) affirmatively state that the meeting shall be held remotely pursuant to this ordinance;
  - (2) identify a person responsible for receiving public comment (the “Deputy Clerk”); and
  - (3) contain a notice of the opportunities for public access and participation.
- (c) Previously-scheduled Regular Meetings:
  - (1) Agendas and the associated materials shall be posted on the County website at least seven (7) days in advance of the meeting.



- (2) Public Comment: Citizens may provide written comments (including e-mail) to the Deputy Clerk. If available, citizens may provide audio comments to a dedicated voicemail as may be indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be out of order or obscene shall not be included in the record of the meeting.
- (3) Public Hearings: Any non-emergency public hearing items may be postponed until a date certain unless inconsistent with other statutory requirements. If an item requires statutory notice and hearing, including under Virginia Code § 15.2-2204, the following procedures shall apply:
  - i. The notice shall specify the time and place of hearing and the means by which persons affected may appear and present their views.
  - ii. The hearing shall occur not less than five days nor more than 21 days after the second advertisement appears in such newspaper.
  - iii. Applicant shall be given the opportunity to provide an electronic presentation to the public body of up to fifteen (15) minutes.
  - iv. Interaction between the applicant and public body will occur via an interactive video or audio chat.
  - v. Following the applicant's presentation, if any, to the public body, affected citizens shall be allowed to provide written comments, or audio comments of up to five (5) minutes.

(d) Special Meetings:

- (1) Notice of special meetings and the agendas and associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.
- (2) Public Comment: Citizens may provide written comments (including email) to the Deputy Clerk related to any agenda item. Citizens may provide audio comments to a dedicated voicemail as indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be unrelated to agenda items, out of order, or obscene shall not be included in the record of the meeting.

(e) Emergency Meetings:

- (1) Agendas and the associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.
- (2) Opportunities for public access and participation during any emergency meeting shall be given using the best available method under the circumstances.
- (3) The nature of the emergency shall be reflected in the minutes of the meeting.
- (4) All actions taken at an emergency meeting shall be ratified at a later regular or special meeting.

- (f) The fact that the meeting was held by electronic communication means, the type of electronic communication means by which the meeting was held, and the opportunities for public access and participation shall be reflected in the minutes of the meeting.

Any item on an agenda for a regularly scheduled, special, or emergency meeting held hereunder may be continued until a later time or date for the purposes of reviewing and considering input provided by the public.

---

James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

ReadoptGovtCont-ord

READOPTED

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO ENSURE THE CONTINUITY OF GOVERNMENT

WHEREAS, on January 31, 2020, the Secretary of Health and Human Resources declared a public health emergency in response to the spread of novel coronavirus, or COVID-19 (the “virus”); and

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a State of Emergency in the Commonwealth of Virginia in response to the spread of the virus; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency, beginning March 1, 2020, in response to the spread of the virus; and

WHEREAS, at 11:30 a.m. on March 13, 2020, the James City County Director of Emergency Management declared a local State of Emergency (the “declaration”) in James City County (the “County”) due to the outbreak of the virus in the County and the resulting danger to the public’s health, safety, and welfare due to the transmission and contraction of the virus; and

WHEREAS, on March 17, 2020, the Board of Supervisors of James City County (the “Board”) convened in a special meeting, confirmed the declaration, and further found the emergency to be a “disaster” and amended the declaration accordingly; and

WHEREAS, subsequent to the March 17, 2020 special meeting, there have been additional confirmations of County citizens having contracted the virus and the Virginia State Health Commissioner has determined that the County is an “outbreak” area in the Commonwealth; and

WHEREAS, the Board has found that emergency measures are necessary to mitigate the ongoing emergency and disaster that is occurring in the County and to protect the health, safety, and welfare of the citizens; and

WHEREAS, the Board desires to ensure the continuity of government pursuant to section 15.2-1413 of the Code of Virginia, 1950, as amended and Section 3.6 of the Charter of James City County.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that the following rules, laws, actions, and regulations are effective immediately and shall remain so until this Ordinance is repealed by the Board or until six (6) months from the date of adoption, whichever comes first; further, normal governmental activity shall resume subsequent to repeal or expiration of this Ordinance.

BE IT FURTHER ORDAINED that the James City Service Authority - a public body created by resolution of the Board of Supervisors dated June 30, 1969, and whose Board of Directors is the Board of Supervisors, is a critical component of the County’s government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that the Economic Development Authority of James City County, Virginia, which is a public body created by Ordinance No. 55 adopted by the Board of Supervisors on September 8, 1969 - is a critical component of the County's government and may hold meetings as authorized under Part D of this Ordinance to carry on the functions of the Authority, which are essential during this emergency and disaster.

BE IT FURTHER ORDAINED that on March 24, 2020 an Emergency Ordinance was adopted by the Board of Supervisors of James City County, in accordance with section 15.2-1427(F) of the Code of Virginia, 1950, as amended, and took effect immediately upon adoption; further, the Board directed staff to advertise its readoption at the Board of Supervisors' next regularly scheduled meeting in conformance with section 15.2-1427 of the Code of Virginia, 1950, as amended.

BE IT FURTHER ORDAINED that, following advertisement of the Emergency Ordinance and a public hearing held in accordance with the Emergency Ordinance, the Board of Supervisors of James City County does hereby READOPT the Emergency Ordinance adopted on March 24, 2020, reprinted in full below.

## **PART A. - GENERAL PROVISIONS**

### **Sec. A-1. Declaration of policy.**

Because of the rapid spread of the novel coronavirus, COVID-19 (the "virus") in James City County and the designation of the County as an "outbreak area," the Board of Supervisors of James City County (the "Board") desires to ensure the continuation of effective, legally constituted leadership, authority, and responsibility in the governance of the County during this disaster, to ensure the continuation of essential government functions and responsibilities, and to facilitate the early resumption of functions temporarily suspended. The Board has found and declared it necessary to: (1) provide for additional officers who can exercise the powers and discharge the duties of the key executive, administrative, and legislative offices of the County in the event that the incumbents thereof are unable to perform the duties and functions of their offices during the disaster; (2) limit, modify, or suspend certain non-essential government functions; (3) temporarily suspend certain policies and regulations; and (4) limit or prohibit certain public interaction at County meetings, in County offices, and with County employees.

### **Sec. A-2. Definitions.**

- (a) Board means the Board of Supervisors of James City County.
- (b) County Administrator means the County Administrator of James City County or his successor, Deputy, or emergency interim successor
- (c) County Charter means the Charter of the County of James City.
- (d) County Code means the Code of the County of James City, as amended.
- (e) Disaster means the effects caused by or related to the spread of the novel coronavirus, COVID-19, including but not limited to the injury or threat of injury to the public health, safety, and welfare and related damage, hardship, suffering, or loss of life.

- (f) Deputy means a person who is presently authorized by the Virginia Code, County Code, or County Charter to exercise all of the powers and discharge all of the duties of an office in the event that the office is vacant or at such times as it lacks administration due to the death, absence, or inability of the incumbent.
- (g) Emergency interim successor means a person designated pursuant to this chapter for temporary succession to the powers and duties, but not the office, of an officer in the event that such officer or a duly authorized deputy is unavailable to exercise the powers and discharge the duties of the office.
- (h) Incumbent means the person who is entitled to exercise the powers and discharge the duties, and who is the holder, of an office by virtue of employment or appointment thereto as provided in the Virginia Constitution, Virginia Code, County Charter, and/or the ordinances of the County.
- (i) Manual means the James City County *Personnel Policies and Procedures Manual*, as amended.
- (j) Unavailable means either:
  - a. That a vacancy exists in an office and there is no duly authorized deputy to exercise all the powers and discharge all the duties of the office; or
  - b. That the incumbent (including any duly authorized deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy, and all of them if more than one, are absent from the County or unable, for physical, mental, or legal reason, to exercise the powers and discharge the duties of the office.
- (k) Virginia Code means the Code of Virginia, 1950, as amended.

## **PART B. - EMERGENCY INTERIM SUCCESSORS**

### **Sec. B-1. Applicability.**

The provisions of this Part shall apply, and authorization to designate emergency interim successors is granted, only to the following (collectively, the “Departments”):

- (a) All department heads and deputy department heads;
- (b) The Clerk of the Board of Supervisors;
- (c) The Director of Emergency Management;
- (d) Fire Marshal;
- (e) Animal Control Officer; and
- (f) The Zoning Administrator.

**Sec. B-2. Designation.**

The incumbent of each Department shall designate in writing two or more emergency interim successors to the office and specify their rank in order of succession after any duly authorized deputy. The name, address, and rank in order of succession of each duly authorized deputy and each emergency interim successor shall be filed with the Director of Emergency Management within five (5) days of adoption of this ordinance, and all changes in the duly authorized deputies or in the designation or order of succession of emergency interim successor shall be filed with the Director of Emergency Management within two (2) days of such change. Designations of emergency interim successors and changes therein and in the order of succession thereof shall become effective when filed with the Director of Emergency Management.

**Sec. B-3. Qualifications.**

No person shall be designated or serve as an emergency interim successor unless they are qualified to hold the office to which they are designated an emergency interim successor, but no provision of the County Code or of any ordinance prohibiting an officer or employee of the County from holding another office shall be applicable to an emergency interim successor. At the time of their designation, an emergency interim successor shall do such things, if any, as are required to qualify them to exercise the powers and discharge the duties of the office as to which they have been designated an emergency interim successor; provided, that the designation of an emergency interim successor for an office subject to confirmation by the Board shall be considered to have been appointed by adoption of this Ordinance and shall not require further approval of the Board to be effective.

**Sec. B-4. Assumption of powers and duties of office.**

If, in the event that the incumbent of a Department becomes unavailable and any deputy is unavailable, the emergency interim successor to that office who is highest in rank in order of succession and who is not unavailable shall, except for the power to appoint emergency interim successors, exercise the powers and discharge the duties of the office. An emergency interim successor shall exercise the powers and discharge the duties of the office only until such time as the incumbent or deputy or an emergency interim successor higher in rank in order of succession becomes available to exercise the powers and discharge the duties of the office or until, where an actual vacancy exists, a successor is appointed.

**Sec. B-5. Restrictions on persons to be designated.**

No person shall be designated as an emergency interim successor for two offices at the same time. No person who is a duly authorized deputy shall be designated as an emergency interim successor for any office.

**Sec. B-6. Termination of authority.**

Notwithstanding any other provision of this ordinance, the County Administrator may at any time terminate the authority of any one or more, or all, emergency interim successors to exercise the powers and discharge the duties of office as herein provided. The Board of Supervisors may at any time terminate the authority of any emergency interim successor to the County Administrator.

## **PART C. - SUSPENSION OF ADOPTED POLICIES**

### **Sec. C-1. Suspension of Certain Chapters, Sections of the Manual**

1. The following sections in Chapter 2, Employment, of the Manual are suspended in their entirety:
  - a. Section 2.5, to allow the County to hire employees as needed without delay.
  - b. Section 2.8, to allow the County to promote, transfer, reinstate, and other needed job changes without delay.
  - c. Section 2.13, prior to initiating a reduction in workforce.
  - d. Section 2.14, to eliminate certain requirements prior to reducing Limited Term or Other positions.
2. The following sections in Chapter 4, Compensation Plan, of the Manual are suspended in their entirety:
  - a. Section 4.7, to allow greater flexibility in setting wages for new, reinstated, and rehired employees.
  - b. Section 4.14(G), to suspend pay discrepancy complaint process timelines.
3. The following sections in Chapter 5, Employee Benefits, of the Manual are suspended in their entirety:
  - a. Section 5.4, to allow the County to publish new leave guidance and categories as Federal/State Legislation emerges.
  - b. Sections 5.6(C)(1) and (D) to allow Employee Assistance Counseling benefits to be extended to all staff and temporarily suspends the requirement to assist employees to access at least one fitness center.
  - c. Section 5.10 to allow the County to temporarily suspend new requests for Employer Assisted Home Ownership program.
4. The following section in Chapter 10, Diversity and Equal Opportunity, of the Manual is suspended in its entirety:
  - a. Section 10.10, to allow the County flexibility in timelines for resolving discrimination and harassment claims.
5. The following general changes are hereby made to Chapters 7, Standards of Conduct, and 8, Grievance Procedure, of the Manual:
  - a. Each and every deadline shall be multiplied by a factor of three (3). For example, a five (5) workday deadline shall be automatically changed to a fifteen (15) day deadline.

### **Sec. C-2. Suspension of Expedited Review Procedures**

All expedited review procedures provided by any County rule, regulation, and the County Code are hereby suspended.

### **Sec. C-3. Suspension of Inconsistent Policies**

The following are suspended to the extent they are inconsistent with this ordinance and its authorizations:

- (a) Policies adopted by the Board or its subordinate committees, commission, or boards;
- (b) James City County Administrative Regulations.

### **Sec. C-4. Tolling of all Time Limits in the Event of an Order or Declaration that Requires the Complete or Partial Closure of County Offices.**

Upon a declaration that residents of the County are ordered to stay at home or are otherwise prevented from coming to any County office, all deadlines, wherever found, including but not limited to the Virginia Code, the County Code, County Ordinances, the Manual, or otherwise, shall be tolled during such time.

## **PART D. - LIMITATION ON PERSON-TO-PERSON CONTACT**

### **Sec. D-1 Public Buildings, Facilities, and Real Property**

The County Administrator is empowered and directed to restrict public from entering or congregating around County-owned buildings, facilities, and real property in the least restrictive manner as reasonably necessary to ensure the health, safety, and welfare of the public and County staff.

### **Sec. D-2. Public Meetings**

Any regularly scheduled, special, or emergency meeting of the Board of Supervisors or any subordinate board, committee, or commission, or the School Board, may be held by solely electronic or telephonic means without a quorum of members physically present. Any such meeting of the Board of Supervisors or any subordinate board, committee, or commission shall follow the following criteria:

- (a) All meetings shall have a live audio or video broadcast accessible through the County website, a public access channel, or a dial-in audio number.
- (b) The agenda for any meeting held under this ordinance shall:
  - (1) affirmatively state that the meeting shall be held remotely pursuant to this ordinance;
  - (2) identify a person responsible for receiving public comment (the “Deputy Clerk”); and
  - (3) contain a notice of the opportunities for public access and participation.
- (c) Previously-scheduled Regular Meetings:
  - (1) Agendas and the associated materials shall be posted on the County website at least seven (7) days in advance of the meeting.



- (2) Public Comment: Citizens may provide written comments (including e-mail) to the Deputy Clerk. If available, citizens may provide audio comments to a dedicated voicemail as may be indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be out of order or obscene shall not be included in the record of the meeting.
- (3) Public Hearings: Any non-emergency public hearing items may be postponed until a date certain unless inconsistent with other statutory requirements. If an item requires statutory notice and hearing, including under Virginia Code § 15.2-2204, the following procedures shall apply:
  - i. The notice shall specify the time and place of hearing and the means by which persons affected may appear and present their views.
  - ii. The hearing shall occur not less than five days nor more than 21 days after the second advertisement appears in such newspaper.
  - iii. Applicant shall be given the opportunity to provide an electronic presentation to the public body of up to fifteen (15) minutes.
  - iv. Interaction between the applicant and public body will occur via an interactive video or audio chat.
  - v. Following the applicant's presentation, if any, to the public body, affected citizens shall be allowed to provide written comments, or audio comments of up to five (5) minutes.

(d) Special Meetings:

- (1) Notice of special meetings and the agendas and associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.
- (2) Public Comment: Citizens may provide written comments (including email) to the Deputy Clerk related to any agenda item. Citizens may provide audio comments to a dedicated voicemail as indicated on the agenda. Normal rules of order shall apply to all comments and any comments found to be unrelated to agenda items, out of order, or obscene shall not be included in the record of the meeting.

(e) Emergency Meetings:

- (1) Agendas and the associated materials shall be posted on the County website within a reasonable time of being made available to the public body by the Deputy Clerk.
- (2) Opportunities for public access and participation during any emergency meeting shall be given using the best available method under the circumstances.
- (3) The nature of the emergency shall be reflected in the minutes of the meeting.
- (4) All actions taken at an emergency meeting shall be ratified at a later regular or special meeting.

- (f) The fact that the meeting was held by electronic communication means, the type of electronic communication means by which the meeting was held, and the opportunities for public access and participation shall be reflected in the minutes of the meeting.

Any item on an agenda for a regularly scheduled, special, or emergency meeting held hereunder may be continued until a later time or date for the purposes of reviewing and considering input provided by the public.

ReadoptGovtCont-ord-final

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Patrick O. Teague, Director of Human Resources

SUBJECT: Contract Award-Administration of Group Medical, Dental, Stop Loss, and Prescription Drug Coverage

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**ATTACHMENTS:**

	Description	Type
▣	Contract Award-Administration of Group Medical, Dental, Stop Loss, and Prescription Drug Coverage	Cover Memo
▣	Contract Award-Administration of Group Medical, Dental, Stop Loss, and Prescription Drug Coverage	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Human Resources	Teague, Patrick	Approved	3/24/2020 - 4:22 PM
Publication Management	Burcham, Nan	Approved	3/25/2020 - 7:36 AM
Legal Review	Kinsman, Adam	Approved	3/26/2020 - 11:08 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:04 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:11 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 2:05 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Patrick Teague, Director, Human Resources

SUBJECT: Contract Award - Administration of Group Medical, Dental, Stop Loss, and Prescription Drug Coverage

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A Request for Proposals (RFP) was solicited from qualified carriers/Offerors to provide comprehensive, full service medical, dental, prescription drug, and reinsurance to support the medical program on behalf of eligible employees, pre-65 retirees, and dependents for James City County.

Ten firms responded to the RFP by describing their ability to provide the described coverage, the firm's experience and references, quality and cost of proposed plans and services, quality of the provider network, and overall quality of the firm's proposal demonstrating understanding of the County's needs. The contract has an initial term of one year, with the option of four additional renewal terms.

Staff recommends approval of the attached resolution awarding a contract to OPTIMA Health and Delta Dental.

PT/md  
CA-GrpMed-Dent-mem

Attachment

## RESOLUTION

### CONTRACT AWARD - ADMINISTRATION OF GROUP MEDICAL, DENTAL, STOP LOSS,

### AND PRESCRIPTION DRUG COVERAGE

WHEREAS, a Request for Proposals (RFP) was advertised and proposals were evaluated for administration of group medical, dental, stop loss, and prescription drug coverage; and

WHEREAS, ten firms submitted proposals and OPTIMA Health and Delta Dental were determined to be the most fully qualified firms that best met the County's needs as defined in the RFP.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby awards the contracts for administration of group medical, stop loss, and prescription drug coverage to OPTIMA Health and Delta Dental.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

CA-GrpMed-Dent-res

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Authorization to Request Establishment of a No Wake Zone on Diascund Creek

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution
☐	Map	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	3/23/2020 - 3:27 PM
Publication Management	Colonna, Tina	Approved	3/23/2020 - 8:29 PM
Legal Review	Kinsman, Adam	Approved	3/24/2020 - 5:33 PM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:04 AM
Board Secretary	Purse, Jason	Approved	4/7/2020 - 10:11 AM
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 1:36 PM

## MEMORANDUM

DATE: April 14, 2020

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Authorization to Request Establishment of a No Wake Zone on Diascund Creek

---

James City County resident, Mr. Jim Miller, has made application to the Board to establish a “No Wake Zone” as shown on the map titled “Diascund Creek No Wake Zone” along Diascund Creek adjacent to the Cypress Point subdivision and between Real Estate Parcel Nos. 0930100005 and 0940100008B found on the James City County Real Estate Tax Map.

Pursuant to Va. Code Section 29.1-744 (A) the Board may apply, after public notice, to the Department of Game and Inland Fisheries for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits.

The attached resolution following public notice authorizes the County Administrator to submit those documents necessary to request the Virginia Department of Game and Inland Fisheries to establish a “No Wake Zone” along Diascund Creek as shown on the map titled “Diascund Creek No Wake Zone.”

EP/nb  
NoWakeZne-DiascCrk-mem

Attachments

## RESOLUTION

### AUTHORIZATION TO REQUEST ESTABLISHMENT OF A NO WAKE ZONE

#### ON DIASCUND CREEK

WHEREAS, Sections 29.1-744(A) and (B) of the Code of Virginia, 1950, as amended, provides for the establishment of “No Wake Zones” by the Board of the Virginia Department of Game and Inland Fisheries upon request by a local governing body; and

WHEREAS, Mr. Jim Miller has requested that a “No Wake Zone” be established as shown on the map titled “Diascund Creek No Wake Zone” along Diascund Creek adjacent to the Cypress Point subdivision and between Real Estate Parcel Nos. 0930100005 and 0940100008B found on the James City County Real Estate Tax Map; and

WHEREAS, the Board of Supervisors has agreed to bear the cost of the purchase, installation, and maintenance of the “No Wake Zone” markers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, pursuant to Section 29.1-744 of the Code of Virginia, hereby authorizes the County Administrator to submit those documents necessary to request the Virginia Department of Game and Inland Fisheries to establish a “No Wake Zone” along Diascund Creek as shown on the map titled “Diascund Creek No Wake Zone.”

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
SADLER	_____	_____	_____
MCGLENNON	_____	_____	_____
LARSON	_____	_____	_____
HIPPLE	_____	_____	_____
ICENHOUR	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of April, 2020.

NoWakene-DiascCrk-res



# Diascund Creek No Wake Zone

## Red dots-approx. location of markers





**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Chesapeake Bay/Wetlands Board Appointment

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 4:33 PM

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Economic Development Authority Appointment

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 4:45 PM

**ITEM SUMMARY**

DATE: 4/14/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 4 p.m. on April 21, 2020 for the Budget Work Session

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	4/7/2020 - 10:01 AM