

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE ELEVENTH DAY OF AUGUST, NINETEEN HUNDRED EIGHTY, AT 7:30 P.M. IN THE COUNTY GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA. 197

A. ROLL CALL

PRESENT: Jack D. Edwards, Chairman, Berkeley District
Abram Frink, Vice-Chairman, Roberts District
Gilbert A. Bartlett, Jamestown District
Perry M. DePue, Powhatan District

ABSENT: Stewart U. Taylor

PRESENT: James B. Oliver, Jr., County Administrator
John E. McDonald, Assistant to the Administrator
Frank M. Morton, III, County Attorney

Mr. Oliver requested that the record show that Mr. Stewart U. Taylor's absence was due to his being in the hospital. Mr. Oliver said that he had talked with Mr. Taylor and Mr. Taylor felt that he would be able to attend the August 25, 1980 Board meeting.

B. MINUTES

Mr. Frink moved for approval of the minutes of the July 28, 1980 meeting as printed. The motion carried by a 4-0 roll call vote.

C. PUBLIC HEARINGS

1. An ordinance to amend Chapter 4, Building Regulations, of the Code of the County of James City.

Mr. Daniel C. Waltrip, Building Official, presented this matter to the Board stating that the proposed changes in wording would clarify code numbers and make it an easier process for updating Building Regulations. He further stated that standards for minimum requirements have been updated to reflect current construction prices and that the fee schedule has been revised in order to bring the fees more in line with the operation of building inspections. Mr. Waltrip also stated that the fees have not changed since 1975 and since that time operational costs have increased sharply. Also, he stated that copies of the proposed ordinance had been sent to the Chamber of Commerce, Board of Electrical Examiners, Board of Plumbing Examiners, and the Board of Building Appeals with no adverse comments being received. Therefore, he recommended that the Board approve the ordinance.

Mr. Edwards opened the public hearing and, no one choosing to speak, closed the public hearing.

Following a brief discussion, Mr. Bartlett moved that the ordinance be adopted. The motion carried by a 4-0 roll call vote.

ORDINANCE NO. 81A - 2

AN ORDINANCE TO AMEND CHAPTER 4, BUILDING REGULATIONS, OF THE CODE OF THE COUNTY OF JAMES CITY, BY AMENDING ARTICLE I, VIRGINIA UNIFORM STATEWIDE BUILDING CODE: DIVISION 1, GENERALLY, TO PROVIDE FOR AUTOMATIC UPDATE OF THE COUNTY'S CODE WHEN AMENDMENTS TO THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE ARE ENACTED; AND DIVISION 3, PERMIT FEES, TO MAKE REFERENCE TO THE PROPER SECTION OF THE ZONING ORDINANCE RELATING TO GROSS SIGN AREA AND TO INSERT THE PROPER CHANGE DATE, AND REVISE THE PERMIT FEES FOR ALL PERMITS COVERED UNDER THIS CHAPTER: ARTICLE II, SUPPLEMENTAL REGULATIONS, TO BRING THIS ARTICLE IN LINE WITH THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE; AND ARTICLE VIII, ENFORCEMENT, TO UPDATE THE FEE SCHEDULE FOR REINSPECTIONS.

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BE IT ORDAINED, by the Board of Supervisors of James City County, Virginia, that Chapter 4, Building Regulations, of the Code of the County of James City be and the same is hereby amended by amending Article I, Virginia Uniform Statewide Building Code: Division 1, Generally, and Division 3, Permit Fees.

CHAPTER 4

BUILDING REGULATIONS

ARTICLE I. VIRGINIA UNIFORM STATEWIDE BUILDING CODE

As to the establishment and mandatory application of Virginia Uniform Statewide Building Code, see Code of Va., 36-105.

Division 1. Generally.

Sec. 4-1. Purpose of Article.

In order to preserve and secure the health, safety, and general welfare of the citizens of the county, and for those who are domiciled elsewhere but are employed in the county, and to assure the proper construction, alteration, addition, repair, removal, demolition, location, use and occupancy, and maintenance of all buildings and structures and their service equipment within the county, the enactment of this article is deemed necessary.

Sec. 4-2. Conflict of this article with other articles and ordinances.

Any ordinance or article of the Code of the County of James City, or any parts thereof, which are inconsistent with or are in conflict with the provisions herein contained are hereby repealed. This is in no way intended to supersede or nullify any of the provisions of Chapter 20, Zoning, except as that Chapter pertains to the elements set forth in Section 4-1 above.

Sec. 4-3. Adoption; amendments.

There is hereby adopted by reference in the County that certain code known as the Virginia Uniform Statewide Building Code and all Virginia Administrative Amendments/Accumulative Supplements thereto in being as of the effective date set forth below or subsequently issued, and the whole thereof and the same is hereby incorporated herein as fully as if set out in length. The effective date of the provisions of such Code is September 9, 1974, and shall control all matters set forth in Section 4-1 above, and all other functions which pertain to the installation of systems vital to all buildings and structures and their service equipment as defined by such Code, and shall apply to all existing and proposed structures in the County; prior to the enactment of this Code, all matters set forth in Section 4-1 above were governed by the provisions of the Southern Building Code and amendments thereto. Certain sections and subsections of the Uniform Statewide Building Code are amended as follows:

Sec. 4-3.1 BOCA Basic Building Code.

(a) Wherever the parenthetical phrases "name of municipality" or "name of jurisdiction" shall be found, the words "County of James City" shall be substituted therefore.

(b) Wherever the parenthetical phrase "date of adoption of this code" shall be found, the word and numbers "September 1, 1974" shall be substituted therefore.

Sec. 4-3.2 BOCA Basic Plumbing Code.

(a) Wherever the parenthetical phrase "date of adoption of this Code" appears, substitute the word and numbers "September 1, 1974."

(b) Wherever the parenthetical phrases "name of municipality" or "name of jurisdiction" shall appear, substitute the words "County of James City."

Sec. 4-3.3 BOCA Basic Mechanical Code.

- (a) The date of adoption of this Code is September 1, 1974.
- (b) Wherever the parenthetical phrases "name and municipality" or "name of jurisdiction" shall appear, substitute the words "County of James City."

Sec. 4-3.4 National Electrical Code.

- (a) Wherever reference is mad to governmental bodies or area jurisdiction the words "County of James City" shall be deemed to apply.
- (b) Wherever the terms "authority having jurisdiction" or "competant authority" or terms similar in nature are used, it shall be deemed to mean the "building official or a representative he may designate." Such representative shall normally be the Electrical Inspector or Chief Electrical Inspector.

Sec. 4-3.5 One and Two Family Dwelling Code.

(a) Table No. 2A in Section R-202 of that Code is amended by adding the following underlined words and numbers under each of the columnar headings as follows:

| | |
|-----------------------------------|----------------------|
| Roof Live Load, lbs. per sq. ft. | <u>20</u> |
| Roof Snow Load, lbs. per sq. ft. | <u>20</u> |
| Wind Velocity in lbs. per sq. ft. | <u>25</u> |
| Seismic Condition by Zone | <u>I</u> |
| Subject to Damage From: | |
| Weathering | <u>Yes</u> |
| Frost Line Depth | <u>Yes 12 inches</u> |
| Termite | <u>Yes</u> |
| Decay | <u>Yes</u> |

Sec. 4-3.6 Requirement to use Virginia Administrative Amendments/ Accumulative Supplements.

It is mandatory that the codes referenced in Sections 4-3.1 through 4-3.5 above, with the exception of the Southern Building Code, be compared with and updated by the Virginia Administrative Amendments/Accumulative Supplements prior to final interpretation of any of the provisions of those code.

Division 3, Permit Fees.

Sec. 4-8. Generally.

Permit fees are hereby established in accordance with the provisions of Section 117.0 Fees, as amended, of the Virginia Unfiomn Statewide Building Code, as follows:

Section 4-8.1 Building Permits.

- (a) The minimum fee for any building permit shall be five dollars.
- (b) For the construction of any building or addition thereto where the floor area is increased, and for the installation or erection of any industrialized building unit, the fee shall be based on the floor area to be constructed as computed from exterior building dimensions at each floor. As to 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. The fee shall be as follows:

TOTAL SQUARE FOOTAGE

| | |
|---------------------------------|---|
| 0 - 4,000 Square feet..... | \$ 0.05 per square foot |
| 4,001 - 40,000 Square feet..... | \$200.00 plus \$ 0.04 per square foot from 4,001 square feet to 40,000 square feet. |
| 40,001 or more Square feet..... | \$1,640.00 plus \$0.03 per square foot for all in excess of 40,000 square feet. |

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200 (c) For the construction of a garage, barn, pole shed, or similar structure, when not constructed at the time of an under the permit of the main dwelling, the fee shall be \$0.03 per square foot of the exterior dimensions of the building.

(d) For the alteration or repair of any building or structure, or for the construction or erection piers, bulkheads, exterior walls or fences, towers, swimming pools or other structures or things, the fee shall be at the rate of one-half of one percent of the current value of all service, labor and materials.

(e) For the demolition or razing of any building or structure having a floor area greater than two hundred square feet, the fee shall be five dollars. No fee shall be charged for a permit to raze a building with a floor area of two hundred fifty square feet or less.

(f) For the 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, the fee shall be at the rate of five cents per square foot of the gross floor area.

(g) For construction not covered by any of the above, the permit fee shall be assessed and collected at the rate of one-percent of the retail value or current market value of the work being done, provided that the minimum permit fee shall be \$5.00.

(h) For reinspection, see Section 4-82.

Sec. 4-8.2 Plumbing permits.

(a) The minimum fee for any plumbing permit shall be five dollars.

(b) For the installation of each plumbing fixture or appliance, the fee shall be three dollars.

(c) For the installation of the water distribution system in each building, the fee shall be three dollars.

(d) For the connection of any building drain to a public or private sanitary sewage disposal system the fee shall be three dollars.

(e) For each sewer (sanitary or storm), manhole (sanitary or storm), roof drain, or other similar device the fee shall be three dollars.

(f) For reinspection, see Section 4-82.

Section 4-8.5 Electrical permits.

(a) The minimum fee for any electrical permit shall be five dollars.

(b) For the 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:

| | <u>Single Phase</u> | <u>Three Phase</u> |
|----------------|--|--|
| 0 - 60 amps | \$15.00 | \$20.00 |
| 61 - 100 amps | 20.00 | 25.00 |
| 101 - 150 amps | 25.00 | 30.00 |
| 151 - 200 amps | 30.00 | 35.00 |
| Over 200 amps | 30.00 plus \$5.00 for each additional 50 amps or fraction thereof over 200 amps | 35.00 plus \$5.00 for each additional 50 amps or fraction thereof over 200 amps |

(c) For the installation of a temporary service, or the reconnection of a mobile home, the fee shall be \$10.00

(d) For increasing the size of the electrical service to any building, structure or mobile home, the fee shall be twenty dollars for service up to and including two hundred amperes; or twenty dollars plus five dollars for each fifty amperes or fraction thereof over two hundred amperes. For relocation of any existing service for which the size is not increased, the fee shall be \$5.00 dollars. No additional fee shall be charged for outlets when the size of the service is increased.

(e) For the addition to any existing electrical installation, the fee shall be based on the number of outlets to be installed at the following rates:

| | |
|-----------------------|---|
| 1 - 100 outlets..... | \$10.00 |
| Over 100 outlets..... | 10.00 plus \$0.10 for each outlet over 100. |

(f) For the installation of fixed or stationary appliances and/or associated electrical connections or outlets to any existing electrical installation, the fee shall be two dollars for each such fixed and/or stationary appliance. Fixed and/or stationary appliances include, but are not limited to, electric ranges, electric range tops, electric ovens, electric water heaters, dishwashers, garbage disposals, electric furnaces, electric clothes dryers, electric baseboard heating units and electric powered exhaust fans.

(g) For the installation of electrical service in new construction wherein the installation is limited to wiring from meter base to service panel (as for shell office complexes), the fee schedule set forth in (b) above shall be reduced by \$5.00 dollars.

(h) For reinspections, see Section 4-82.

Sec. 4-8.4 Mechanical permits.

(a) For the installation of mechanical systems or equipment in new construction, the fee shall be at the rate of three-tenths of one percent of the contract price or current retail value of all services, labor, materials, and equipment; provided, that the minimum fee shall be fifteen dollars. Mechanical systems and/or equipment shall include, but shall not be limited to storage tanks for flammable and/or combustible liquids or gases, other than electric heating and/or cooling systems, fire suppression systems, elevators, dumbwaiters, moving stairs and/or walkways, manlifts, special hoisting or conveying equipment, and free-standing fireplaces and solid fuel stoves when such fireplaces and/or stoves are installed in conjunction with other mechanical equipment. When the permit is for only a solid fuel stove and/or a free-standing fireplace, the minimum fee shall be \$5.00.

(b) For the replacement, repair or alteration of mechanical systems or equipment, such as those listed in (a) above, in existing buildings or structures, the fee shall be at the rate of three-tenths of one percent of the value of all services, labor, materials and equipment; provided, that the minimum fee shall be five dollars. The foregoing is also applicable to the installation of solid fuel stove inserts in fireplaces.

(c) For the installation of one kitchen hood vent and not more than three bathroom vents in a single family dwelling, the total fee shall be \$5.00.

(d) For the installation of fire alarm systems, music systems and/or burglar alarm systems in occupancies other than one and two family dwellings, the fee shall be at the rate of three-tenths of one percent of the contract price or current retail value of all services, labor, materials, and equipment; provided, however, that the minimum fee shall be \$5.00.

(e) For the installation of standpipes, the fee shall be \$5.00 for each riser plus \$1.00 for each floor served by that riser, including the first floor and basement.

(f) In other new construction, the permit fee for the installation of any equipment involving gas, liquid, and/or solid fuel piping (see article 6, BOCA Basic Mechanical Code), a separate permit fee of \$10.00 shall be added to the permit fee set forth in (b) above. If the installation only involves piping, the fee shall be \$15.00.

(g) For reinspections, see Section 4-82.

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Sec. 4-8.5 Elevator and Amusement Park Rides Operating Permit.

For periodic inspections made on all elevators, dumbwaiters, moving walks, moving stairways, and/or man lifts, in accordance with the Virginia Uniform Statewide Building Code, the fee shall be:

- (1) \$20.00 for the semi-annual inspection.
- (2) \$25.00 for the maintenance inspection.

Sec. 4-8.6 Sign permits.

For the erection, alteration or repair of any sign or outdoor advertising display, the fee shall be fifty cents per square foot of surface area. Area shall be computed in accordance with the Zoning Ordinance, section 20-129, covering gross sign area. For reinspections, see Sec. 4-82.

Sec. 4-9 Refunds.

No fee paid for any permit covered under Section 4-8 of this code shall be refunded unless the permit application is denied and a permit is not issued or if the permit is issued in error. If a permit is revoked, abandoned, or the project for which the permit is obtained is discontinued, a portion of the permit fee may be refunded after deducting \$5.00 for administrative costs plus \$5.00 for each normal inspection that has been made. (See Sec. 117.8 of the BOCA Basic Building Code.) No permit fee, the value of which is \$5.00 or less shall be refunded.

ARTICLE II. SUPPLEMENTAL REGULATIONS.

Sec. 4-11 Ordinary repairs.

For exemption of ordinary repairs, see Sec. 102 of the BOCA Basic Building Code.

Sec. 4-12 Service Reconnect Inspection.

See Section 1502.4 of the BOCA Basic Building Code and amendments thereto.

ARTICLE VI. REGISTRATION AND QUALIFICATIONS
OF CONTRACTORS AND TRADESMEN.

Division 3. Plumbers.

Sec. 4-49 Certified plumbers defined and classified; plumbing defined.

(a) For the purposes of this chapter the term "certified plumbers" shall be taken to mean a natural person to whom:

- (1) A current certificate of qualification as a plumber has been granted by the board of plumbing examiners of the county; or
- (2) A current certificate of qualification or equivalent has been granted by a political subdivision of the state which the board has established a reciprocal agreement on the qualification of plumbers; provided, that such certificate has been endorsed and recorded in the office of the division of building inspection.
- (3) A homeowner may only obtain a permit if he is to do the work himself.

(b) For the purpose of this chapter there shall be three classes of certificate of qualification for plumbers:

- (1) Master plumbers;
- (2) Journeyman plumbers;
- (3) Maintenance plumbers.

(c) Under Section P-201.0, definitions of plumbing terms, of the BOCA Basic Plumbing Code, the term "plumbing" shall be amended to read as follows:

"The practice, materials and fixtures used in the installation, maintenance, extension and alteration of all piping, fixtures, plumbing appliances and plumbing appurtenances in connection with any of the following: sanitary drainage or storm drainage facilities and venting systems and the public or private water supply systems, within any building structure or conveyance."

"This definition covers the extension of such lines described above to their connection with any point of public disposal or other acceptable terminal."

"Not included in this definition are installations of gas piping; chilled water piping in connection with refrigeration, process and comfort cooling; hot water piping in connection with building heating; and piping for fire sprinklers and standpipes." (10-14-74)

ARTICLE VIII. ENFORCEMENT

Division 1. Inspections

Sec. 4-74 Required under Building Code, exceptions.

(a) In addition to the provisions of section 110.0 of the BOCA Basic Building Code, a building inspector shall, upon notification from the permit holder or his agent make the following inspections of buildings and such other inspections as may be necessary, and shall notify the permit holder or his agent wherein the same fails to comply with the Building Code or other building regulations:

(1) Footing inspection. To be made after basement or footing trenches are excavated and forms, where applicable, are erected. All reinforcement steel when necessary, must be in place and anchored. This inspection must be made prior to pouring concrete.

(2) Foundation inspection. To be made after concrete is poured, load-bearing walls to the first floor sill height have been erected, beams and floor-joists have been installed, and grading within the perimeter walls has been completed.

(3) Exterior wall inspection. To be made after roof and exterior wall sheathing has been installed, but prior to installation of finished exterior wall. Vapor barrier, where required, must also have been installed.

(4) Fireplace inspection. Where there is to be a fireplace(s) installed in a building, this inspection must take place when the installation is between 4½ and 5 feet above hearth level.

(5) Framing inspection. To be made after the roof, all framing fire-stopping, blocking and bracing is in place, all chimneys are completed, and the sub-flooring has been installed. This inspection may not be requested and will not be made until all required electrical, plumbing, and mechanical rough-in inspections have been made and the work approved.

(6) Insulation inspection. To be made when all required insulation has been installed. In the event that the contractor intends to use blown insulation in the ceilings, that portion of this inspection may be delayed until and during the final inspection. Exception: insulation between slabs and exterior walls will be inspected during the foundation inspection.

(7) Final inspection. To be made after the building has been completed and ready for occupancy. This inspection may not be requested and will not be made until all required electrical, plumbing, and mechanical final inspections have been made and the work approved.

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(b) No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first verifying that a building inspector has approved the work in place.

(c) No reinforcing steel, structural framework, plumbing, electrical wiring, gas piping, standpipe or sprinkler system piping, ductwork, or required insulation or fireproofing material shall be covered or concealed in any manner whatsoever without first verifying that such work or materials have been inspected and approved by an inspector employed by the county authorized to perform such inspection, unless such inspection has been waived under the controlled materials procedure established in section 128.0 of the BOCA Basic Building Code.

(d) Any inspection required under this section may be waived by the building official under the following circumstances:

- (1) Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations;
- (2) Where prefabricated construction has been approved under the provisions of article 18 of the BOCA Basic Building Code;
- (3) Where farm buildings not used for residential purposes, or other buildings of a value less than two hundred dollars are being constructed outside of fire limits;
- (4) Where construction is exempted from the requirement for a building permit under section 4-11 of this chapter. (10-14-74)

Sec. 4-75 Required under Plumbing Code; exceptions.

(a) The inspections required under the provisions of article 18 of the BOCA Basic Building Plumbing Code shall be performed by a plumbing inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the plumbing work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Plumbing Code or other building regulations:

- (1) Rough-in and/or underslab inspection. To be made prior to pouring concrete (underslab); after all interior piping (water and sewer) has been installed and tested, and prior to concealment.
- (2) Final inspection. To be made after all plumbing work has been done and all appliances involving water and/or sewer connections have been installed.

(b) Completion of a final inspection of the plumbing system within a building shall not constitute final approval of such system where sanitary sewer or septic tank system connection have not been inspected and approved, or where the public sanitary sewer serving the premises has not been accepted for service by the department of public works.

(c) Any inspection required under article 18 of the BOCA Basic Plumbing Code may be waived by the building official under the following circumstances:

- (1) Where industrialized building units, mobile homes, travel trailers or recreational vehicles have been previously inspected and certified under the provisions of the Virginia Industrialized Building Unit and Mobile Home Safety Regulations;
- (2) Where prefabricated construction has been approved under the provisions of article 18 of the BOCA Basic Building Code.

(3) Where, in judgment of the chief plumbing inspector, certain inspections are not necessary because of scope and type of plumbing to be installed. (10-14-74.)

Sec. 4-76 Required under Electrical Code; exceptions.

(a) Inspections of electrical work covered by the National Electrical Code required under this section shall be performed by an electrical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the electrical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Electrical Code or other building regulations.

(b) As a minimum, the following inspections shall be required:

(1) Rough-in inspection. Underslab - prior to pouring concrete. Building - to be made after all interior wiring and electrical equipment has been installed, but prior to covering or concealment and prior to installation of any insulation.

(2) Final inspection. To be made after electrical work is complete and ready for meter connection.

(c) Additional inspections may be required by the chief electrical inspector where in his judgment such inspections are necessary because of the scope or complexity of the electrical work to be installed.

(d) Any rough-in inspection required under this section may be waived by the chief electrical inspector where in his judgment such inspection is not necessary because of the scope and type of electrical work to be installed.

(e) Inspections shall not be required of electrical work as may be installed without an electrical permit under the exemptions listed in section 1504.0 of the BOCA Basic Building Code, or such electrical work as may be installed in industrialized building units, mobile homes, travel trailers or recreational vehicles governed by the Virginia Industrialized Building Unit and Mobile Home Safety Regulations. (10-14-74)

Sec. 4-77 Certificates of inspection for electrical work.

(a) The certificate of inspection, as required by section 1504.0 of the BOCA Basic Building Code, shall be in a format as prescribed by the building official. The Virginia Electric and Power Company shall be notified and a record kept of that notification as prescribed by the building official.

(b) When required, the chief electrical inspector may authorize temporary service to a structure under the provisions of section 1503.0 of the BOCA Basic Building Code. Notice shall be given to the Virginia Electric and Power Company of such temporary service and a record made of such inspection.

Sec. 4-78 Required under Mechanical Code.

(a) The following inspections shall be required under the provisions of section M-115.0 of the BOCA Basic Mechanical Code or any inspections required under section 1102.0 of the BOCA Basic Building Code shall be performed by a mechanical inspector upon notification from the permit holder or his agent. Such inspector shall either approve that portion of the mechanical work as completed or shall notify the permit holder or his agent wherein the same fails to comply with the Mechanical Code or other building regulations:

(1) Rough-in inspection. Underslab - to be made prior to pouring concrete; Building - to be made after the installation of all equipment, ductwork, gas lines, fuel storage tanks, etc., and prior to covering or concealment.

(2) Final inspection. To be made after all heating, ventilating, air conditioning, and/or gas installations have been completed and tested.

(b) A final inspection of any mechanical work to which gas service has been furnished in connection therewith shall include a verification that an outside shut-off valve has been installed at or near a property line.

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(c) Additional inspections may be required by a mechanical inspector where, in his judgment, such inspections are necessary because of the scope or complexity of the mechanical work to be installed. (10-14-74)

Sec. 4-79 Certificate of inspection for gas piping.

The mechanical inspector shall notify the Virginia Electric and Power Company after a final inspection of all installations involving gas piping on any premises has been found to be in compliance with the Mechanical Code or other building regulations. A record shall be kept of that notification as prescribed by the building official. (10-14-74)

Sec. 4-80 Other required inspections.

The building official shall prescribe such other inspections as may be necessary to secure compliance with the Virginia Uniform Statewide Building Code, the Virginia Industrialized Building Unit and Mobile Home Safety Regulations, the Zoning Ordinance of the Code of the county, and such other regulations as shall properly fall within the enforcement responsibility of the division of building inspections. (10-14-74)

Sec. 4-81 Duty of permit holder to notify inspector; meaning of notification.

It shall be the duty of every person to whom a permit has been issued under the several provisions of the Virginia Uniform Statewide Building Code to arrange for each inspection required in this division. Such person may designate an agent in his employ to notify an appropriate inspector that specific construction work is ready for inspection. Receipt of such notification or request for a specific type of inspection shall be taken to mean that such work to be inspected has been completed to the degree required for such inspection and that reasonable access to the work has been provided to the inspector. (10-14-74)

Sec. 4-82 Service charge for additional inspections.

Whenever a building inspector, electrical inspector, plumbing inspector or mechanical inspector is required to make a reinspection of work for the convenience of the contractor or subcontractor because of incomplete, inadequate, or improper work, or because the inspector could not obtain reasonable access to the work to be inspected, such reinspection shall be charged for at the following rates:

- (1) First reinspection.....\$ 5.00
- (2) Each subsequent reinspection of the same work.....\$10.00

Such reinspection fee shall be paid at the office of building inspection prior to the reinspection.

Division 2, Violations.

Sec. 4-83 Provisions governing prosecution; authority of building official or other special police officers.

The provisions of section 121.0 of the BOCA Basic Building Code shall govern the prosecution of violations of such Code as adopted in section 4-3 of this chapter; provided, that the building official or any person assigned to the bureau of building inspection who has been appointed as a special police officer shall have the authority to serve a written notice of violation and to order the abatement of such violation. The building official or any such special police officer is hereby granted the authority to issue a summons to the General District Court to any person in the county who shall fail to obey a lawful order contained in such notice of violation. (10-14-74)

Sec. 4-84 Authority of building official, zoning administrator, etc., as to abatement of violations and issuance of summons.

The building official, zoning administrator, chief housing inspector or any person assigned to the bureau of building inspection who has been appointed as a special police officer and has been given the duty to enforce other building regulations set forth in this chapter, and the Zoning Ordinance set forth in this Code shall have the authority to serve a written notice of violation and to order the abatement of such violation. Such building official, zoning administrator and special police officers are each hereby granted the authority to issue a summons to the General District Court to any person in the county who shall fail to obey a lawful order contained in such notice of violation. (10-14-74)

Sec. 4-85 Generally.

(a) For the purpose of this section, the term "Basic Code" shall be taken to mean the Virginia Uniform Statewide Building Code.

(b) Any person who shall violate a provision of the Basic Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of the Basic Code, shall be guilty of a misdemeanor, punishable by a fine of not more than five hundred dollars. Each day that a violation continues shall be deemed a separate offense.

(c) Any person who shall violate a provision of this chapter or the Zoning Ordinance, or who shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this chapter or the Zoning Ordinance, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars. Each day that a violation continues shall be deemed a separate offense.

(d) Any person who shall continue any work in or about the building after having been served with a stop order, except such work as he is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than five hundred dollars. (10-14-74)

2. CASE NO. Z-4-80. An ordinance to amend Chapter 20, Zoning of the Code of the County of James City, Article III, Section 20-22, Permanent Mobile Home Parks, and Section 20-23, Temporary Trailer Parks.

Mr. William C. Porter, Jr., Director of Planning, presented this case to the Board stating that the proposed ordinance was developed by the staff at citizens, Planning Commission and Board of Supervisors requests. Mr. Porter pointed out three major purposes of the ordinance: (1) it permits the establishment of large lot mobile home parks and individual well an septic tank, the lot size is the same as in the A-1 District, which is 20,000 square feet; (2) establishes certain standards for mobile home parks such as minimum area requirements, minimum setbacks, recreation areas, and construction of all weather roads, and (3) eliminates any reference to temporary mobile home parks.

Mr. Porter also stated that the proposed ordinance had been sent to several organizations and interested individuals, but no comments have been received either for or against.

Mr. Edwards asked what the rationale was for making the area requirements similar to that of the A-1 District.

Mr. Porter stated that mobile home parks would be treated as a single family residence for area requirements.

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Mr. Edwards opened the public hearing. There were no speakers. Mr. Edwards then closed the public hearing.

Mr. Frink moved that the ordinance be adopted. The motion carried by a 4-0 roll call vote.

ORDINANCE NO. 31A-68

AN ORDINANCE TO AMEND CHAPTER 20, ZONING, OF THE CODE OF THE COUNTY OF JAMES CITY BY AMENDING ARTICLE III, SECTION 20-22, MOBILE HOME AND TRAILERS.

BE IT ORDAINED by the Board of Supervisors of James City County that Chapter 20, Zoning, of the Code of the County of James City, be and the same is, hereby, amended by amending Article III, Section 20-22, Mobile Homes and Trailers, to read as follows:

CHAPTER 4

ZONING

Article III. Mobile Home Parks

Section 20-22 Statement of Intent

The regulations contained herein are intended to foster the quiet, low and moderate density residential character of mobile home parks. The regulations are designed to stabilize and protect the residential areas in which mobile home parks are likely to be developed and to promote and encourage a suitable environment for family life both inside of the mobile home park and in the surrounding area. To these ends the location of mobile home parks and the expansion of existing mobile home parks shall require in addition to the site plan approval required by Article II of this chapter and the certificate of occupancy required by the Virginia Uniform Statewide Building Code, a special use permit as provided for in Article IV of this chapter.

Section 20-22.1 Area Requirements

Each mobile home in a mobile home park shall be placed upon a separate and individual lot.

Lots containing or intended to contain a single mobile home served by public water and public sewage disposal systems shall have a minimum area of six thousand square feet.

Lots containing or intended to contain a single mobile home served by a public sewage disposal system or by a public water system shall have a minimum area of ten thousand square feet.

Lots containing or intended to contain a single mobile home served by private water and private sewage disposal systems shall have a minimum area of twenty thousand square feet.

Section 20-22.2 Minimum lot width

The minimum width of a lot less than twenty thousand square feet in area shall be sixty feet measured at the setback line.

The minimum width of a lot less than twenty thousand square feet in area to ten thousand square feet in area shall be eighty feet measured at the setback line.

The minimum width of a lot twenty thousand square feet or greater in area shall be one hundred feet measured at the setback line.

Section 20-22.3 Minimum setback requirements

The minimum setback in a mobile home park for mobile homes and all accessory structures shall be fifteen feet from the right-of-way of internal private streets.

The minimum setback in a mobile home park for mobile homes and all accessory structures shall be thirty-five feet from the right-of-way of internal public streets.

The minimum setback in a mobile home park for mobile homes and all accessory structures shall be fifty feet from the right-of-way of any public street which creates a boundary for the mobile home park.

Section 20-22.4 Minimum yard requirements

No mobile home shall be placed closer than fifteen feet from any lot line within the mobile home park.

No mobile home shall be placed closer than fifty feet from any property boundary separating the mobile home park from adjacent property.

Section 20-22.5 Underground utilities

All utilities within the mobile home park, including but not limited to electrical distribution lines, telephone lines, cable television lines, natural gas lines, sewer lines and water lines, shall be placed underground.

Section 20-22.6 Road Frontage Required

Each mobile home lot shall front on a public road or on a private road. Public roads shall be part of Virginia Department of Highways and Transportation road system. Private roads shall be constructed and maintained to the following minimum standards:

1. Minimum right-of-way width of fifty feet.
2. Minimum cul-de-sac radii of fifty feet.
3. Minimum all weather surface width of twenty feet constructed of crusher run-stone to a minimum compacted depth of six inches or of aggregate base to a minimum compacted base depth of eight inches.
4. All intersections of private roads with public roads shall be constructed to the minimum design standards for a commercial entrance established by the Virginia Department of Highways and Transportation and the appropriate commercial entrance permit shall be obtained from the Virginia Department of Highways and Transportation.

Section 20-22.7 Storm Drainage

A storm drainage plan shall be included with the site plan of a mobile home park. It shall be the park developer's responsibility to provide and maintain adequate drainage and erosion controls within the mobile home park.

Section 20-22.8 Off-street Parking Required

Each mobile home park's lot shall contain at least two off-street parking spaces each at least nine feet by eighteen feet in size; or

Shall have access to a parking lot which meets the design standards contained in the Off-street Parking requirements of this Chapter, Section 20-12, and provides two spaces for each mobile home lot it is intended to serve. The location and the design of any parking lot shall be shown on the site plan and is subject to approval with the site plan.

21 (Section 20-22.9 Fire Hydrants Required

Mobile home parks served by a public water system shall provide fire hydrants located within the park such that no mobile home lot is more than five hundred feet by road frontage from a fire hydrant. Locations of the fire hydrant shall be approved by the Fire Marshal and shown on the site plan.

Section 20-22.10 Streetlights Required

The operator of the mobile home park shall provide streetlights within the mobile home park. The location of streetlights shall be shown on the site plan and approved by the Zoning Administrator.

Section 20-22.11 Solid Waste Disposal

Each operator of a mobile home park shall provide for the disposal of the solid waste generated by the park tenants. Dumpsters at locations shown and approved on the site plan or provisions for individual solid waste pick-up at each mobile home site shall be provided. If dumpsters are provided, they shall be placed on concrete pads with a drain connected to a septic drainfield as required by the Health Department.

Section 20-22.12 Recreation Area Required

Mobile home parks with twenty-five spaces or more shall have a developed recreation area.

The area shall have terrain suitable for active recreation. The size of the recreation area shall be not less than four hundred square feet multiplied by the number of mobile home spaces in the mobile home park. The area shall be shown on the site plan with a list of equipments and facilities.

Section 20-22.13 Applicability of Virginia Uniform Statewide Building Code

Mobile homes located in mobile home parks shall meet all applicable sections of the Virginia Uniform Statewide Building Code including, but not limited to, requirements for permanent tie downs located at each space.

Section 20-22.14 Site Plan Required

Prior to development of a mobile home park a site plan shall be filed and approved as provided for in Article II of this chapter.

Section 20-23 Temporary mobile homes.

Conditional use permits for temporary mobile homes may be issued by the governing body, subject to the following conditions:

- (a) That the location of a temporary mobile home is necessary for the housing of a property owner on the same lot, during the construction of a dwelling; or
- (b) That the location of a temporary mobile home is necessary for use as a business office during the construction of any commercial structure or structures or for the sale or rental of on site property by a developer.
- (c) That a minimum area of five thousand square feet be provided for the mobile home.
- (d) That sanitary facilities conform to county and state health regulations.
- (e) That electrical connections meet the requirements of the county Electrical Code.
- (f) That the period for the use of any such temporary mobile home shall not exceed the completion date of construction as submitted by the applicant or six months from the date of issue, whichever be the longest period, except that a permit may be renewed one time for an additional period not to exceed six months. Any such application for renewal shall be submitted to the zoning administrator at least thirty days prior to the expiration of the initial permit. (5/11/70)

3. Charter Change - James City Service Authority

Mr. John E. McDonald, Assistant to the Administrator, presented this matter to the Board stating that the Board had previously voted approval of the amendment about a month ago to authorize the James City Service Authority to own and operate water and sewerage systems and any other function permitted by the Code in any area of the County the Board designates, but the State Corporation Commission indicated that a public hearing was required.

Mr. Edwards opened the public hearing, no one chose to speak, so the public hearing was closed.

Mr. Morton requested that a slight change in the wording of the resolution be added, inserting "no person spoke against the resolution at the Public Hearing and there being no need for a referendum," between "BE IT FURTHER RESOLVED", and, "this resolution shall be effective on and after August 11, 1980."

Mr. Bartlett moved that the Charter Change be adopted with the insertion requested by Mr. Morton. The motion carried by a 4-0 roll call vote.

R E S O L U T I O N

JAMES CITY SERVICE AUTHORITY CHARTER CHANGE

WHEREAS, the Board of Supervisors of James City County, Virginia, by resolution duly adopted on the 30th day of June, 1969, created the James City Service Authority; and

WHEREAS, the State Corporation Commission did enter its order on the 18th day of July, 1969, that the Certificate of Incorporation for the James City Service Authority be issued; and

WHEREAS, the charter does not currently permit the Authority to operate in areas designated as Sanitary Districts; and

WHEREAS, it is the desire of the Board of Supervisors to amend the Charter of the James City Service Authority to permit the Authority to operate in Sanitary Districts as authorized. This resolution has been published in a newspaper of general circulation on July 31, 1980, and a public hearing held on the proposed amendment on August 11, 1980.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of James City County, Virginia, that paragraph (c) of the Articles of Incorporation of the James City Service Authority be amended pursuant to Section 15.1-1250(o) of the Code of Virginia, 1950, as amended, to delete the current language and substitute therefore the following:

(c) The Authority is authorized to carry out such projects and in such areas of the James City County as are or may be hereafter authorized by the Code of Virginia, 1950, as amended.

BE IT FURTHER RESOLVED, that no person spoke against the Resolution at the public hearing and there being no need for a referendum this resolution shall be effective on and after August 11, 1980.

D. CONSENT CALENDAR

Mr. Edwards moved to approve all items on the Consent Calendar. There was no discussion and the following Consent Calendar items were approved by a 4-0 roll call vote.

1a. CASE NO. Z-6-80. An ordinance to amend Chapter 20, Zoning, of the Code of the County of James City, Article I, Section 20-12, Minimum Off-street Parking.

A public hearing date of September 8, 1980 was set for Case No. Z-6-80.

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Ib. CASE NO. Z-7-80. Application of Mr. Joseph T. Welstead to rezone Temple Hall Estates Subdivision (82 acres) from A-1, General Agricultural to R-2, Limited Residential.

A public hearing date of September 8, 1980 was set for Case No. Z-7-80.

Ic. CASE NO. SUP-4-80. Application of Mrs. Joycie P. Braxton for a Special Use Permit to allow the operation of a small day care center within her home, which is located within the R-2, Limited Residential District.

A public hearing date of September 8, 1980 was set for Case No. SUP-4-80.

Id. PROPOSED MASTER WATER PLAN. To receive testimony on the 1979 Proposed Master Water Plan.

A public hearing date of September 8, 1980 was set for the Proposed 1979 Master Water Plan.

2. Request for a Service Connection to The Williamsburg Water System.

R E S O L U T I O N

CONNECTION TO WILLIAMSBURG WATER SYSTEM

WHEREAS, the well situated on property owned by Mrs. Percy Scott in James City County at the corner of Ironbound Road and Earnestine Avenue has ceased to supply water to meet Mrs. Scott's needs; and

WHEREAS, it will be several months before a County water main can be constructed to serve Mrs. Scott;

THEREFORE BE IT RESOLVED that the Board of Supervisors hereby approves Mrs. Scott's request to connect her dwelling to the City of Williamsburg Water System.

3. CASE NO. CUP-21-80. Pyramid Land Company

R E S O L U T I O N

CONDITIONAL USE PERMIT

WHEREAS, it is understood that all conditions for consideration of an application for a Conditional Use Permit have been met;

THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County that a Conditional Use Permit be granted for the placement of a mobile home on property owned and developed by the applicant as described below and as detailed in the attached application and site location:

| | |
|---------------------|---------------------------|
| Applicant: | Mr. James B. Martin |
| Tax Map ID: | (12-4) (1-37) |
| District: | Stonehouse |
| Zoning: | A-1, General Agricultural |
| Permit Terms: | N/A |
| Further Conditions: | None |

4. Poultry Claim - Mr. James R. HazelwoodR E S O L U T I O NPOULTRY CLAIM

WHEREAS, the poultry claim of Mr. James R. Hazelwood has been investigated and found to be valid; and

WHEREAS, the value of the poultry destroyed has been estimated to be:

| | |
|---------------------------------|--------------|
| 23 laying hens at \$3.00 each = | \$ 69.00 |
| 7 ducks at \$4.00 each = | <u>28.00</u> |
| Total | \$107.00 |

THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby reimburses Mr. James R. Hazelwood \$107.00 for poultry destroyed.

5. Certification of WarrantsR E S O L U T I O N

CERTIFICATION OF WARRANTS

WHEREAS, the Board of Supervisors of James City County must certify warrants under the Code of Virginia;

THEREFORE, BE IT RESOLVED, that on a motion made by Mr. Edwards and carried by a majority roll-call vote, the Board of Supervisors of James City County hereby certifies the following warrants for the month of July, 1980:

| | | |
|----------------------------|-----------|--------------|
| GENERAL FUND | Checks | 11046-11340 |
| | Totalling | \$480,755.95 |
| GENERAL FUND PAYROLL | Checks | 22621-23107 |
| | Totalling | \$182,329.77 |
| SANITARY DISTRICT NUMBER 1 | Check | 94 |
| | Totalling | \$1,832.29 |
| SANITARY DISTRICT NUMBER 2 | Checks | 177-182 |
| | Totalling | \$4,500.25 |
| SANITARY DISTRICT NUMBER 3 | Checks | 1105-1123 |
| | Totalling | \$74,315.49 |
| SUBDIVISION ESCROW | | -0- |
| COMMUNITY DEVELOPMENT | Checks | 159-183 |
| | Totalling | \$75,382.69 |
| REVENUE SHARING | | -0- |
| JCC BOND SINKING FUND | | -0- |

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1. Transfer of Assets/Liabilities of the James City County Sanitary District Number 3 to the James City Service Authority.

Mr. John E. McDonald presented this matter to the Board stating that there were two resolutions to be considered. The first resolution authorizes the Transfer of the Assets of Sanitary District Number 3 to the James City Service Authority and Deed of Real Property and a Bill of Sale for personal property was included also.

He further stated that the second resolution authorized and directed the County Treasurer to transfer cash assets and future revenues and receipts recieved during a reasonable period of time from the District to the Authority.

Mr. DePue moved that the two resolutions be approved. The motion carried by a 4-0 roll call vote.

RESOLUTION

TRANSFER OF ASSETS OF SANITARY DISTRICT NUMBER 3

WHEREAS, it is the desire of the Board of Supervisors of the James City County Sanitary District Number 3 to transfer all assets and liabilities of the District to the James City Service Authority;

NOW, THEREFORE, BE IT RESOLVED, that it is hereby determined to be in the best interests of James City County, Virginia, for the James City County Sanitary District Number 3 (the District) to convey all of the water and sewer facilities now owned by the District to the James City County Service Authority (the Authority); and

BE IT FURTHER RESOLVED, that the Chairman of the Board of Supervisors and the Clerk are hereby authorized and directed to execute and deliver on behalf of the District to the Authority a deed conveying all property of the District which constitutes real estate and a Bill of Sale conveying all property of the District constituting personal property to the Authority. The Deed and Agreement and the Bill of Sale shall be in substantially the form attached hereto as Exhibit A and Exhibit B; and

BE IT FURTHER RESOLVED, that the Board of Supervisors, and the officers and employees of James City County and James City County Sanitary District Number 3, shall do, execute, acknowledge and deliver, or cause to be done, executed, acknowledge and delivered, such further acts and delivery of all water and sewer facilities now owned by the District to the Authority; and

BE IT FURTHER RESOLVED, that this resolution shall be effective on or after August 11, 1980.

RESOLUTION

TRANSFER OF CASH ASSETS FROM SANITARY DISTRICT NUMBER 3

TO THE JAMES CITY SERVICE AUTHORITY

WHEREAS, the Board of Supervisors of James City County and the Board of Directors of the James City Service Authority have mutually agreed to transfer all assets and liabilities of the Sanitary District Number 3 (District) to the James City Service Authority (Authority);

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County does hereby authorize and direct the James City County Treasurer to transfer all cash assets of the District to the Authority on or within a reasonable time after the successful completion of the following:

1. Retirement of the District Bond Anticipation Notes with full payment of all interest due.
2. Execution of both a properly documented deed transferring all real property and a Bill of Sale transferring all personal property of the District to the Authority.

BE IT FURTHER RESOLVED, that the County Treasurer be authorized and directed to assign all subsequent revenues and receipts received by the District to the Authority in a manner consistent with the statutory requirements on said office.

2. Carriage Road/Acquisition of Properties

Mr. Frank M. Morton, III, County Attorney, presented this matter to the Board commenting that in accordance with the law in such cases as this, the County is unable to acquire property, therefore, it was necessary for the Board to adopt a resolution to allow the County the acquisition of the right to enter upon property.

Mr. Bartlett moved to approve the resolution. The motion carried by a 4-0 roll call vote.

R E S O L U T I O N

WHEREAS, the Board of Supervisors of James City County, Virginia deems it in the best interests of the said County that certain properties in the Carriage Road area of the County be acquired for purposes of water improvements.

NOW, THEREFORE, BE IT RESOLVED that in accordance with Section 15.1-238 (e) of the Code of Virginia, 1950, as amended, the Board of Supervisors of James City County does hereby declare its intent to enter and take certain properties for the purposes of construction, installing, expanding, and maintaining pipelines, meter boxes, pump, treatment and storage facilities as well as other appurtenances to the sewage disposal system and water distribution system in connection with the "Carriage Road Neighborhood Improvements Project". The compensation and damages, if any, offered each property owner by James City County are listed below with an appropriate reference to the plat describing such property.

BE IT FURTHER RESOLVED, that the Board of Supervisors declares that there is an immediate necessity for James City County to enter upon and take such property prior to the condemnation proceeding. By virtue thereof the Board of Supervisors of James City County shall perform the duties and functions required of the Commissioner of Highways and Transportation pursuant to Section 33.1-119 through 33.1-129, both inclusive, in respect to such property and the owner as described herein below.

MAGAZINE ROAD:

| | | |
|---|----------|----------|
| Est. of Earnest & Rosa Taylor - Lucy Piggott, et vir | J05-60 | \$ 27.00 |
| Est. of Luther Carey | J05-1-49 | 1,237.00 |
| Est. of Edward Palmer & Betty Palmer | J05-1-47 | 3,857.00 |

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TRACTS:

| | | |
|--|-------------|-----------|
| Norco, Inc. | J05-8-A-2 | 4,100.00 |
| Lynwood Jefferson, et ux Lathaniel Parker | J05-56 & 64 | 20,500.00 |

WATFORD LANE:

| | | |
|--------------------------|---------|----------|
| Robert L. Johnson, et ux | J05-106 | 106.00 |
| Est. of Mittie Robinson | J05-75 | 1,191.00 |

WATFORD LAND Continued:

| | | |
|--|---------|-----------|
| Richard Edward Lee, & Bernice Gloverton Lee | J05-114 | \$ 300.00 |
| Walker Bartlett, et ux | J05-115 | 300.00 |
| Charles Herbert Jimmerson, et als | J05-74 | 3,500.00 |
| Est. of Willie Robinson & Eugene Robinson | J05-109 | 111.00 |

CARRIAGE ROAD:

| | | |
|----------------------------|---------|--------|
| Peter D. Brown, et ux | J05-72 | 701.00 |
| Charles E. Chandler, et ux | J05-121 | 124.00 |
| Peninsula Board. Corp. | J05-118 | 54.00 |
| Est. of George Taylor | J05-122 | 325.00 |

CARRIAGE ROAD (Extended):

| | | |
|---|---------------------|--------|
| Milton Green, et ux | J05-4-1 | 100.00 |
| Thelma Gray, widow | J05-4-5 | 191.00 |
| Robert L. Williams, et ux and/or Continental Investors | J05-4-2 | 34.00 |
| Charles R. Moore, et ux | J05-1-54 J05-5-1 | 61.00 |
| Farmers Home Administration | J05-6-1 | 207.00 |

3. Replacement of Dental Equipment at Williamsburg James City County Health Department

Mr. Oliver stated that Ms. Darlene Burcham would present this item to the Board, and that he wished to present a substitute resolution changing the source of funds.

Ms. Darlene Burcham then presented this matter before the Board. Ms. Burcham stated that because the availability of State matching funds were unknown at the time, this request did not go into the FY 1981 Budget. She further stated that since the State matching funds are now available, the County is being asked to participate in the cost of purchasing the equipment. She commented that the equipment presently in use was installed in 1969 and is now beyond the point of being economically feasible to repair. She recommended the the Board approve the resolution to authorize the transfer of \$7,125.00 to assist in the purchase of the equipment taking the \$7,125.00 from the Contingency Fund.

Mr. Bartlett asked Ms. Burcham if any other equipment at the Health Department would eventually need replacing.

Ms. Burcham replied that much of the other equipment is not stative or fixed and she could not foresee the same issue arising again.

Mr. Frink moved that the revised resolution be approved. The motion carried by a 4-0 roll call vote.

R E S O L U T I O N

DENTAL EQUIPMENT BUDGET TRANSFER

WHEREAS, the Board of Supervisors of James City County has received a request for matching funds to replace the dental equipment at the Health Department; and

WHEREAS, the Board of Supervisors acknowledges the need for such equipment;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors authorizes the following transfer of \$7,125.00 to assistance in the purchase of this equipment.

FROM: Contingency \$7,125.00

TO: Dental Equipment - Health Department \$7,125.00
Capital Improvement Fund

Mr. Edwards asked if anyone in the audience wished to address the Board on any matter.

No one commented.

F. MATTERS OF SPECIAL PRIVILEGE

Mr. John E. McDonald presented a late item to the Board regarding the Sanitary District Number 3. Mr. McDonald stated that billings went out on August 11, 1980 and to assure that sufficient funds were available to make payment, he requested that the Board approve a resolution permitting the transfer of \$10,300 from the County General Fund to pay off interest due by September 18, 1980.

Mr. DePue moved to approve the resolution. The motion carried by a 4-0 roll call vote.

R E S O L U T I O N

SANITARY DISTRICT NUMBER 3 LOAN

WHEREAS, Sanitary District Number 3 is in temporary need of sufficient funds to pay the interest expense of its Bond Anticipation Notes and to meet its other financial obligations,

NOW, THEREFORE BE IT RESOLVED, that the James City County General Fund advance \$10,300 to Sanitary District Number 3 to be repaid no later than September 15, 1980.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Oliver introduced Ms. Shirley Willis who was in the audience, to the Board stating that she was the Acting Extension Agent since Mr. Melvin Bryant's retirement.

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Mr. Oliver addressed the Board concerning the County's status with the Peninsula Economic Development Council indicating that information was in their reading file regarding this issue. He stated that the County had communicated with our local Economic Advisory Committee and had been encouraged to seek some type of affiliation with Peninsula Economic Development Council.

Mr. Oliver stated that he was personally impressed with the Executive Director, Mr. Jim Hankla of Peninsula Economic Development Council, and that James City County had always been supportive of good regional arrangements in the economic development area.

Mr. Oliver also stated that Dr. Martin Garrett was in the audience, and has been working with the Economic Base Study, also, Mr. Porter, was in attendance to answer any questions the Board may have.

Mr. Oliver suggested that the Board discuss or take some action on Peninsula Economic Development Council. He stated that he would recommend a release of \$10,000, already appropriated within the Economic Development budget, and to authorize either himself, a supervisor or group of people to negotiate with Peninsula Economic Development Council.

Mr. DePue asked if there were any funds available for contributions to such organizations as VPIC in this year's budget.

Mr. Oliver stated that although there were no funds available for VPIC, \$10,000-12,000 in funds were incorporated into the Economic Development budget, but not specifically earmarked as to distribution of funds.

Mr. Bartlett asked Mr. Garrett if he would like to comment on what had been said thus far.

Mr. Garrett stated that he really did not come to speak and felt it would be better if the Board would ask him questions, however, he did comment that there were no clear-cut recommendations in terms of what should be done. Dr. Garrett stated that Peninsula Economic Development Council is counting on James City County to contribute to their goals. He stated that something should be done if no more than a monetary contribution.

Mr. Bartlett stated that he felt the Board should first determine a policy for economic endeavors. He also questioned the timing of this project.

Mr. Oliver stated that he wasn't sure, but since Peninsula Economic Development Council is in its formative stage now, he felt that we would have more of an impact at this point rather than later. Mr. Oliver further stated that we are not being pressured by the Peninsula Economic Development Council.

Mr. Bartlett suggested that a worksession with the Planning Commission and the Economic Development Advisory Committee be initiated to: (1) hear the final report from Dr. Garrett, and (2) have a Public Hearing to form an Economic Development policy.

Mr. Edwards asked Mr. Porter how much development of the Economic Plan had been incorporated into the Comprehensive Plan.

Mr. Porter stated that they were in the stages of public hearings for goals and that they're approximately two to three months away.

Mr. Edwards stated that perhaps in two or three months the Board would be in a better position to take action on the Peninsula Economic Development Council, therefore, he suggested that it be put off.

Mr. DePue stated that we should have some document to work from and that Peninsula Economic Development Council had been very patient with the County thus far, but he felt the Board should move ahead with some action.

Mr. Frink asked how our local Economic Advisory Committee would feel about our non-support of Peninsula Economic Development Council.

Mr. Oliver stated that perhaps he had not made it clear, that our own local Economic Advisory Committee is, of course, interested in our participation in such an organization, and that Mr. Garrett is a representative of the Committee.

Mr. Edwards requested that the Peninsula Economic Development Council issue be tabled for now and put back on the agenda in about a month.

Mr. Oliver announced that Craig Lea, of the Public Works Department would be leaving the County by the end of August to accept a position with a private firm in North Carolina. He pointed out that Mr. Lea's work with the County had been very commendable.

Mr. Edwards addressed Mr. Lea telling him that he was sorry to see him leave, but that he wished him the very best.

Mr. Bartlett questioned the status of the Route 199 and South Henry Street traffic counts.

Mr. Porter stated that he had not heard from Mr. Hall on the matter.

Mr. Oliver requested an executive session of the Board to discuss a personnel matter at the appropriate time.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Edwards stated that he had received a letter from the Virginia Association of Community Action Agencies inquiring about the County's interest in administering the Winterization Program that had been discontinued by our local Community Action Agency. He asked Mr. Oliver to handle the matter expressing the County's interest.

Mr. Edwards moved to go into executive session to discuss a personnel matter, pursuant to Section 2.1-344 (a)(6) of the Code of Virginia, 1950, as amended. The motion carried by a unanimous roll call vote.

The meeting convened into executive session at 8:30 P.M. and returned to public session at 9:11 P.M.

Mr. Edwards moved to adjourn. The motion carried by a unanimous roll call vote.

The meeting ADJOURNED at 9:13 P.M.

James B. Oliver, Jr.
Clerk to the Board

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AT A RECONVENED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, RECESSED FROM JULY 28, 1980 AND HELD ON THE ELEVENTH OF AUGUST AT 5:00 P.M. IN THE COUNTY GOVERNMENT CENTER, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

PRESENT: Jack D. Edwards, Chairman, Berkeley District
Abram Frink, Vice-Chairman, Roberts District
Gilbert A. Bartlett, Jamestown District
Perry M. DePue, Powhatan District

ABSENT: Stewart U. Taylor

PRESENT: James B. Oliver, Jr., County Administrator
John E. McDonald, Assistant to the Administrator
Frank M. Morton, III, County Attorney

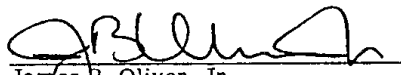
B. WORKSESSION ON FEDERAL AND COUNTY CENSUS RESULTS

Mr. Edwards reconvened the recessed meeting of July 28, 1980 in order to conduct a worksession on the Federal and County census results.

Mr. Allen A. Turnbull, Administrative Analyst, and Mrs. Victoria Gussman, Planner, made a joint presentation on the preliminary census data for both the County and Federal Census counts. General discussion followed.

Mr. Edwards moved to adjourn. The motion carried by a unanimous roll call vote.

The meeting ADJOURNED at 6:57 P.M.


James B. Oliver, Jr.
Clerk to the Board