

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 16TH DAY OF MARCH, NINETEEN HUNDRED NINETY-TWO, AT 1:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jack D. Edwards, Chairman, Berkeley District
Judith N. Knudson, Vice Chairman, Jamestown District

Perry M. DePue, Powhatan District
David L. Sisk, Roberts District
Stewart U. Taylor, Stonehouse District
David B. Norman, County Administrator
Frank M. Morton, III, County Attorney

B. MINUTES - March 2, 1992

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

Mr. Edwards made a motion to approve the minutes.

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

C. PRESENTATION

1. Route 5

Mr. John T. P. Horne, Manager, Development Management, presented an alternative Route 5 plan to an upgrade of the existing Scenic Byway to a divided, 4-lane road. He stated that a traffic analysis would be completed to compare whether volume of traffic would be less than that needed for an upgrade of Route 5, and emphasized that the alternate route would be limited access. He further indicated that funding was under discussion, but had not yet been determined.

Mr. Horne advised that a request for Board action regarding feasibility of an alternate Route 5 might be forthcoming during May 1992.

D. HIGHWAY MATTERS

Mr. Quintin Elliott, Resident Engineer, responded to previous requests: 1) a speed limit study had been requested on Route 5, from Five Forks to Chickahominy Bridge; 2) Longhill Road and Centerville Road intersection will be patched, then overlay applied; and, 3) Jolly Pond dam repair was funded from maintenance replacement funds. He further stated that a new traffic signal system had been installed on Route 60 at Busch Gardens, monitored in Suffolk, to move traffic through faster when needed, and would become operational when Busch Gardens opens for the season.

Mr. Taylor asked that Mr. John Leonard be contacted about erosion at Chickahominy Road opposite Friendship Drive.

E. CONSENT CALENDAR

Mr. Edwards asked if any member of the Board wished to discuss the item on the Consent Calendar.

Mr. Edwards made a motion to approve the Consent Calendar.

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

1. Bid Award - Transit Bus ReplacementRESOLUTIONBID AWARD (BUS REPLACEMENT)

WHEREAS, funds are appropriated in the FY 92 Transit Budget to purchase a 25-passenger wheelchair-equipped bus; and

WHEREAS, requests for bids were issued, responses evaluated and the lowest bid meeting specifications was determined; and

WHEREAS, it has been determined that the bid submitted by Sonny Merriman, Inc., for a 25-passenger wheelchair-equipped bus in the amount of \$62,685 meets specifications and was the lowest responsible/responsive bid.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes and directs the County Administrator to enter into a contract with Sonny Merriman, Inc., for the purchase of a 25-passenger wheelchair-equipped bus for the sum of \$62,685.

F. PUBLIC HEARINGS

1. Case No. SUP-1-92. Florence Gray Manufactured Home

Mr. Allen J. Murphy, Jr., Principal Planner, stated that Ms. Florence Gray had applied for a special use permit to allow the placement of a manufactured home on .653 acres in R-2, General Residential, located at 418-A Carriage Road, further identified as Parcel No. (5-31) on James City County Real Estate Tax Map No. (39-1).

Staff recommended denial of the special use permit application as the placement of this manufactured home would represent continuance of nonconforming use, and new manufactured home placement was not permitted in areas zoned residential.

Mr. Edwards opened the public hearing and declared that it be held open until the next Board of Supervisors' meeting to allow time for further review of the information.

Mr. DePue asked that a picture of new or replacement manufactured home be included in future agenda items dealing with manufactured homes.

2. Case No. SUP-3-92. Carol L. Berkley Manufactured Home

Mr. Murphy stated that Ms. Carol L. Berkley had applied for a special use permit to allow the placement of a manufactured home on .64 acres in A-1, General Agricultural, located at 256 Ivy Hill Road, further identified as Parcel No. (3-5) on James City County Real Estate Tax Map No. (11-3).

Staff recommended approval of the special use permit with conditions listed in the resolution.

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

Mr. Taylor made a motion to approve the resolution.

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

R E S O L U T I O NCASE NO. SUP-3-92. CAROL L. BERKLEY

WHEREAS, it is understood that all conditions for the consideration of an application for a Special Use Permit have been met.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that a Special Use Permit be granted for the placement of a manufactured home on property owned and developed by the applicant as described below and as shown on the attached site location map.

Applicant: Carol L. Berkley
 Real Estate Tax Map ID: (11-3)
 Parcel No.: (3-5)
 Address: 256 Ivy Hill Road
 District: Stonehouse
 Zoning: A-1

- Conditions:
1. Prior to the placement of the manufactured home on the lot, the applicant shall submit to the Director of Code Compliance a full description of the manufactured home including the serial number of the unit. This permit shall be valid only for the manufactured home described above. If the manufactured home is removed, this permit shall become void. Any replacement shall require a new permit from the Board of Supervisors. If the permit is not exercised, it shall become void one year from the date of approval.
 2. The manufactured home shall be skirted and meet the requirements of the Department of Housing and Urban Development Manufactured Home Construction and Safety Standards.
 3. The replacement manufactured home shall not exceed 3 bedrooms.

3. Case No. SUP-4-92. William Jordan Family Subdivision

Mr. O. Marvin Sowers, Jr., Director of Planning, stated that Mr. William L. Jordan had applied for a special use permit to allow a family subdivision with lot sizes of less than 3 acres in A-1, General Agricultural, by addition of approximately 1 acre from an adjacent parcel, which he does not own, thereby creating 2 one-acre lots.

Staff requested deferral of this case until the April 6, 1992, Board of Supervisors' meeting because the owner of the adjacent property had not yet decided to participate in the special use permit application.

Mr. Edwards opened the public hearing.

1. Mr. John Hanna, owner of property adjacent to property in question, stated that, in his opinion, the removal of the junked vehicles from the one-acre parcel could not be accomplished by the April 6 date and requested the public hearing be continued until an evening meeting.

Without objections, Mr. Edwards deferred the case until a future Board of Supervisors' evening meeting.

4. Capital Improvement Program, FY 93-97

Mr. Sowers introduced Ms. Willafay McKenna, representative for the Planning Commission, who presented the Planning Commission recommendations for the Capital Improvement Program FY 93-97.

Ms. McKenna stated the priority recommendations were made for service needs, impact on existing services, health and safety, site acquisition, Comprehensive Plan and education.

Mr. DePue expressed thanks to the Planning Commission for its efforts.

Ms. McKenna thanked the County staff for working with the Planning Commission.

Mr. Edwards opened the public hearing and declared the hearing open until the Board of Supervisors' April 20, 1992 meeting.

G. **BOARD CONSIDERATIONS**

1. Revision to Personnel Policies and Procedures Manual, Chapter 2, Section 2.23, and Chapter 5, Section 5.20

Ms. Carol M. Luckam, Personnel Manager, stated that the proposed amendment to Chapter 2, Section 2.23 would establish a Political Activity Policy and the proposed amendment to Chapter 5, Section 5.20 would establish a Tool Allowance Policy as outlined.

Staff recommended approval of the resolutions.

After a brief discussion regarding amount of tool allowance versus cost if County supplied tools, Ms. Knudson made a motion to approve the resolutions.

Mr. Taylor asked that a separate vote be taken on the resolutions.

On a roll call for Chapter 2, Section 2.23 resolution, the vote was: DePue, Taylor, Sisk, Knudson, Edwards (5). NAY: (0).

R E S O L U T I O N

ESTABLISHING A POLITICAL ACTIVITY POLICY IN CHAPTER 2 OF
THE PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the County wishes to avoid the conflict of interest that would occur if a County or James City Service Authority employee also served on the Board of Supervisors; and

WHEREAS, employees would continue to be able to seek elected office.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached revision to Chapter 2 of the Personnel Policies and Procedures Manual.

On a roll call for Chapter 5, Section 5.20 resolution, the vote was: DePue, Sisk, Knudson, Edwards (4). NAY: Taylor (1).

R E S O L U T I O N

ESTABLISHING A TOOL ALLOWANCE POLICY IN CHAPTER 5 OF
THE PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the County requires Automotive Mechanics to supply and maintain the tools necessary to perform their work; and

WHEREAS, the County wishes to help defray the expense of replacing old or damaged tools; and

WHEREAS, it is the practice of many other jurisdictions to provide such an allowance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, adopts the attached revision to Chapter 5 of the Personnel Policies and Procedures Manual.

2. 1992 Virginia Department of Transportation Pre-Allocation Hearing

Mr. Horne stated that the pre-allocation hearing determining priorities for funding primary, urban and interstate road projects over the next 6 years (FY 93-98) had been scheduled.

Staff recommended approval of priorities as listed in the resolution.

Board and staff discussed that the State allocation would be finalized by June and that Route 199 was subject to reapproval by the Commonwealth Transportation Board each year and subject to availability of funds.

Mr. DePue asked staff at some future date to contact our State delegate and senator about using Grove interchange monies for other projects if Federal funding was stalled.

Mr. Edwards made a motion to approve the resolution.

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

R E S O L U T I O N

HIGHEST PRIORITY HIGHWAY PROJECTS IN JAMES CITY COUNTY

- WHEREAS, the James City County Board of Supervisors believes that a safe, efficient and adequate transportation network is vital to the future of the County and the region; and
- WHEREAS, the James City County Comprehensive Plan and/or regional and State transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement of traffic in the Williamsburg-James City County area; and
- WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which causes inconvenience and delay, impedes the actions of emergency vehicles and personnel, and contributes the major source of air pollution to the area; and
- WHEREAS, public hearings for the corridor selection of Route 199 were successfully completed in 1979 and again in 1986, and the access point for the Grove Interchange on Interstate 64 was approved in 1979; and
- WHEREAS, the Commonwealth Transportation Board has included funding for the Grove Interchange in the Six-Year Improvement Program, FY 91-96, in recognition of the need for improved traffic circulation in the vicinity of Busch Gardens and the need to provide improved access to major developing industrial and commercial areas in James City County and Newport News; and
- WHEREAS, the Commonwealth Transportation Board has also recognized the tremendous traffic impacts caused by commercial development in the Lightfoot area by approving funding for the construction of Route 199 between Interstate 64 and Olde Towne Road (Route 658) and between John Tyler Highway (Route 5) and Ironbound Road (Route 615) in the FY 91-96 Six-Year Program; and

WHEREAS, the adopted Skiffe's Creek Area Development Plan, incorporated into the Comprehensive Plan of James City County, designates new roadway construction bypassing hazardous portions of Pocahontas Trail (Route 60 East) and providing access to a major future industrial area; and

WHEREAS, the Secretary of Transportation has requested lower cost interim improvements along our major roadways.

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

- o The design, construction and completion of Route 199 from Interstate 64 to John Tyler Highway (Route 5) as a full four-lane facility, and the widening of the existing section of Route 199 to four lanes in those areas where only two lanes presently exist.
- o The design and construction of the Grove Interchange on Interstate 64 as programmed in the adopted FY 91-96 Six-Year Improvement Program.
- o The design of an alternate alignment of Pocahontas Trail (Route 60 East) between the Anheuser Busch access road and the Newport News city limits.
- o Interim improvements to six intersections on Pocahontas Trail (Route 60 East) by constructing turn lanes.

G. PUBLIC COMMENT

1. Thomas O. Williams

Mr. Edwards noted that Mr. Thomas O. Williams had declined to attend this Board of Supervisors' meeting and participate in his portion of the agenda.

2. Ms. Eleanor Davidson, Chairman, Court-Appointed Special Advocate Program, 211 Burns Lane, Williamsburg, responded to a memorandum dated February 25, 1992, from John Holdren, Director of Social Services, clarifying CASA's position on statements made in that memo. She requested a review of those statements.

3. Mr. Monty McCarty, 2732 Persimmon Place, stated a written response that would address items and material about the CASA program would be provided for careful consideration by the Board of Supervisors.

4. Ms. Maurine Bailey, 102 Sunningdale, stated that cessation of the CASA program would be a loss to the community and well-being of its children.

5. Ms. Willafay McKenna stated that as a regularly appointed guardian ad litem, she focused on the children's needs and best interests, and asked the Board to support the CASA program.

Mr. Edwards announced that a meeting to discuss the matter was scheduled for March 27, 1992.

Mr. Norman assured the Board and CASA volunteers that staff would work to an acceptable solution with all concerned parties.

6. Mr. Bill Barner, volunteer for the Lafayette High School's After Prom Party, detailed the activities of the event and asked the Board for its continued support of a worthwhile cause.

Mr. Edwards expressed appreciation for the work done by the volunteers.

7. Mr. David Woodward, 105 Northpoint Drive, stated due to Sign Ordinance restrictions, he was requesting that an adequate solution be reached for a sign at his newly established business on Route 5 near Five Forks.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. David B. Norman, County Administrator, stated that the Strategic Plan documents provided to the Board addressed what staff had determined were critical issues for the next 3 to 5 years. He explained that the Strategic Plan was a most important management tool which would be updated annually to focus on the future as expressed by the Board and indicated by citizens' concerns. He introduced Mr. Walter C. Schmidt, Assistant Manager of Financial and Management Services.

Mr. Schmidt stated that five identified issues were: education, economic development, housing, resource management and people with special needs. He stated the Strategic Plan teams, comprised of staff, progressed through Phases (I) Where Are We Now, (II) Where Do We Want To Be, (III) How Do We Get There, and (IV) Review. He concluded that implementation of the Strategic Plan will occur over a 3- to 5-year period with updates during Spring 1993, 1994 and 1995.

I. BOARD REQUESTS AND DIRECTIVES

Ms. Knudson asked the status of response to citizens' correspondence regarding Continental Cablevision rate increase.

Mr. Sanford B. Wanner, Assistant County Administrator, replied that staff was drafting a response.

Ms. Knudson requested staff to pursue options, cost and impact of County involvement in Lake Powell dam repair.

Mr. Taylor asked that any engineering study for Lake Powell dam be done in-house.

Mr. Edwards recessed the Board for a break at 3:00 p.m., and reconvened into a work session with the Health Services Advisory Committee at 3:06 p.m.

WORK SESSION - Health Services Advisory Committee

Mr. Anthony Conyers, Jr., Community Services Manager and Ms. Ann Yankovich, Chairperson of the Health Services Advisory Committee presented a progress report on goals and accomplishments to the Board of Supervisors. They thanked the Board for its support during the past year.

The Board convened into a work session on Natural Areas Inventory at 3:20 p.m.

WORK SESSION - Natural Areas Inventory

Mr. John T. P. Horne, Manager, Development Management and Mr. Wayland N. Bass, County Engineer, gave a brief summary on the Natural Areas Inventory (NAI), which was a 3-year regional project conducted in the following 6 steps: 1) Review aerial photographs; 2) Gather existing information; 3) Conduct aerial reconnaissance of potential natural areas (PNAs); 4) Perform an initial ground survey; 5) Complete a thorough inventory of the PNAs; and, 6) Compile the results and prepare a final report. The report included five recommendations for the regional localities: 1) Participate fully in the development of local protection tools; 2) Include the Department of Conservation and Recreation's Division of Natural Heritage in the review of projects in or near natural area; 3) Expand public awareness of the need for protecting natural areas; 4) Increase cooperation among pertinent organizations; and, 5) Properly manage natural areas within the Lower Peninsula.

Mr. DePue asked that the Natural Areas Inventory be added to the Comprehensive Plan.

The Board convened into a work session on the Sign Ordinance at 4:05 p.m.

WORK SESSION - Sign Ordinance

Mr. Horne introduced Mr. John Patton who briefly outlined the Sign Ordinance.

Mr. Robert Hershberger, Executive Vice President, Williamsburg Area Chamber of Commerce, expressed thanks to staff and stated the Chamber supported the Sign Ordinance guidelines, which would be beneficial to the County in the future.

Mr. Larry Fowler, Chamber of Commerce Economic Development Committee member, stated some Chamber members were confused about vehicle signs in parking lots, mailbox signs, and inside and/or outside signs on windows.

Mr. Jay Everson, representative of a local Kentucky Fried Chicken restaurant, expressed dissatisfaction with the enforcement of the Sign Ordinance regarding outside or inside of windows; designation of windows as a wall; mailbox signs; parking of vehicle with signs near the highway; and, permanent banners.

Mr. Ray Wright, sign maker, felt that enforcement had not been applied to all businesses in a similar fashion and opposed having to obtain a business contractor's license.

Mr. Lloyd Jobson, Scotty's Signs, disliked: requirement of wooden signs due to rapid deterioration; sign setback of 50 feet from corner a problem for small lots; no neon signs allowed in windows that can be seen from highway; violation when vehicle was parked for advertisement; and, temporary banners cannot be used by businesses when time is limited.

Mr. Skip Campana, Drucker and Falk, spoke in opposition to the permit and fee required for broker sales signs, and the restriction of only one freestanding sign at commercial businesses.

Mr. Roy Turman, representative for H. Branscome, emphasized the importance of signs to the commercial development in the greenbelt area on Route 5. He asked that the problem be addressed.

Mr. Grant Olson, a participant in the development of the Comprehensive Plan, spoke in favor of retaining control in the Sign Ordinance by avoiding exceptions and allowing only policy changes because of inconsistency or inadequacy.


Ms. Willafay McKenna stated that no input was received from sign makers during the Comprehensive Plan update process.

Mr. Edwards requested Board members to contact Mr. Norman within the next week with changes to the Sign Ordinance and asked that the item be placed on the next Board of Supervisors' agenda for April 6, 1992.

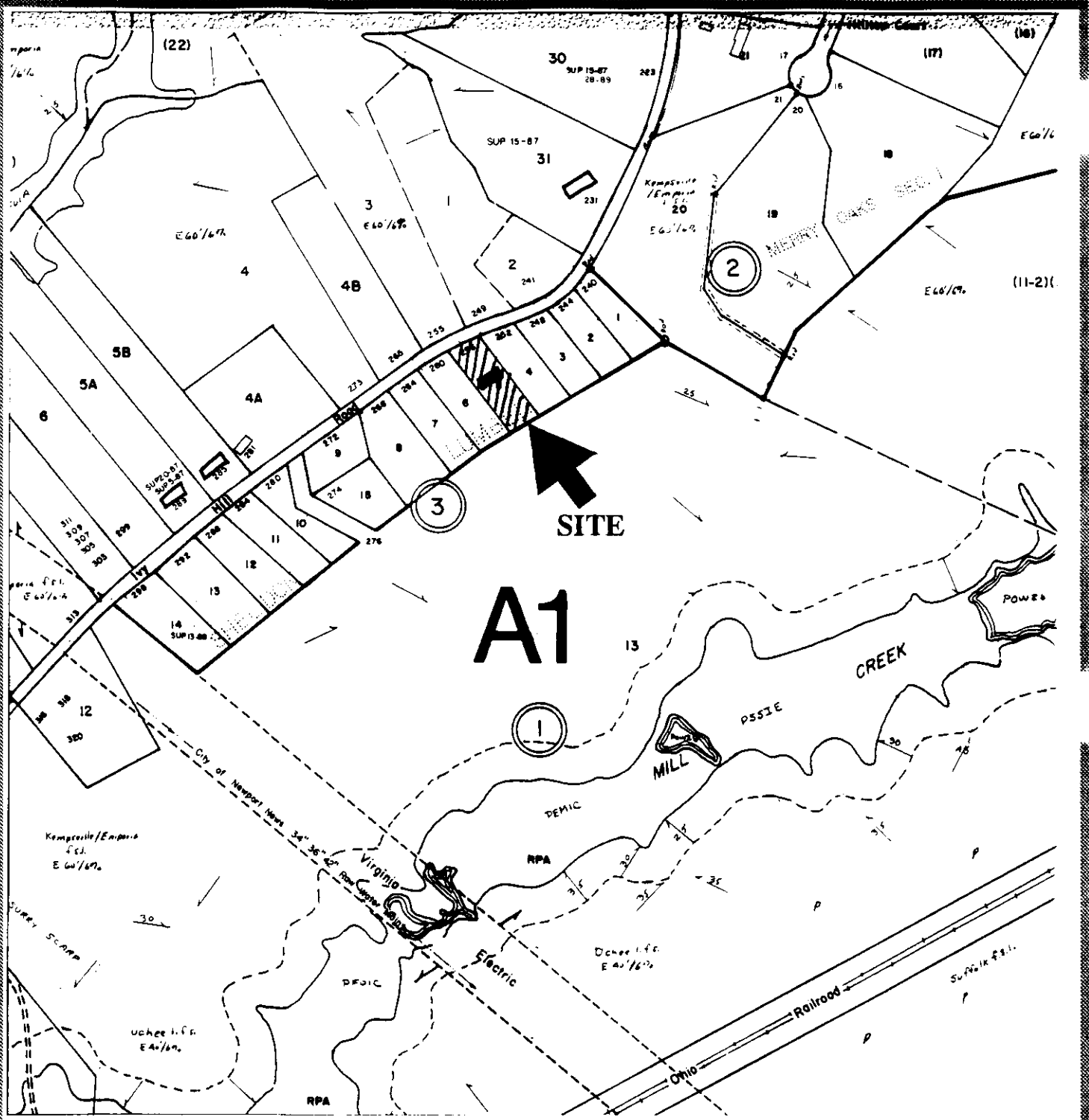
Mr. Morton reminded the Board that any Sign Ordinance revisions would be sent back to the Planning Commission.

Mr. Edwards made a motion to adjourn.

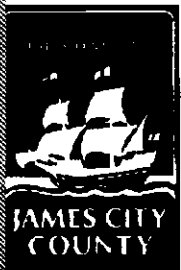
On a roll call, the vote was AYE: DePue, Taylor, Sisk, Knudson, Edwards (5). NAY: (0).


 David B. Norman
 Clerk to the Board

2094w



SCALE 1"=400 Feet



Case No: **SUP-3-92**
 Name : **Carol L. Berkley (MH)**
 Existing Manufactured Home
 Proposed Manufactured Home



PLANNING DIVISION

Attachment 1

- D. Salary - Salary of the employee in a temporary assignment shall not change except as outlined in Chapter 4, Section 4.10B.

Section 2.22 Outside Employment

- A. Conflict With County Employment - An employee may engage in supplemental employment, provided that the performance of assigned duties with the County is not impaired and provided an actual or potential conflict is not created.
- B. Approval - Each employee who desires to engage in supplemental employment shall inform the department manager and Personnel Department, in writing, prior to beginning such work. If the department manager or the Personnel Department determines at any time that the other employment creates an actual or potential conflict which reflects discredit or potential discredit upon the County, or that the performance of assigned duties with the County are impaired by the supplementary job, the employee shall be requested to terminate the outside employment. Refusal to comply with such request shall result in disciplinary action.
- C. Appeal - An unfavorable decision made by the department manager or Personnel Manager may be appealed to the County Administrator.

Section 2.23 Political Activity

An employee may not serve as a member of the James City County Board of Supervisors while employed by the County or the James City Service Authority. This does not prohibit County employees from seeking election to the Board of Supervisors; however, the employee shall submit his or her resignation within seven (7) days of being elected. In the event that he or she fails to resign, he or she shall cease to be a County-James City Service Authority employee. Effective (3-16-92).

Section 2.24 Reductions in Force

- A. Definition - A reduction in force is the elimination of a permanent County position by the Board of Supervisors.
- B. Policy - When a reduction in force occurs, every effort shall be made to place the incumbent in another position for which he or she qualifies. Seniority and job performance shall be used to determine which employees shall be laid off. (Rev. 11-21-88)

Section 5.19 Clothing Maintenance

- A. Employee Responsibility - Each uniformed employee in the public safety departments shall be responsible for the cleaning and maintenance of his County issued uniforms. Only an initial uniform alteration shall be the responsibility of the County.
- B. Annual Allowance - An annual allowance shall be paid to each uniformed employee in the public safety departments for the cleaning and maintenance of County issued uniforms. Such an annual allowance shall also be paid to each Investigator and the Captain of Investigations in the Police Department for the cleaning and maintenance of their on-duty clothing. The annual allowance shall be set forth in the adopted budget. Payments shall be made for only the period of actual employment.

Section 5.20 Tool Allowance

- A. Employee Responsibility - Employees in the position of Auto Mechanic shall be responsible for the purchase and maintenance of tools required to perform their duties. Tools purchased by the Automotive Mechanics are their property, but are insured by the County against fire and theft.
- B. Annual Allowance - An annual allowance shall be paid to each employee in the position of Automotive Mechanic in the Central Garage for the purchase and maintenance of tools required to perform their duties. The amount of the annual allowance shall be set forth in the adopted budget. (Effective 3-16-92).

Section 5.21 Bonding

Each County employee is covered under a general employee "blanket" bond at no cost to the employee. In those positions where a higher bond is required, because of the nature of the position, the County pays for any further costs.

Section 5.22 Notary Fees

Several County employees maintain "Notary Public" permits. The fees for such permits shall be paid by the County, when such services by an employee are felt to assist the County's service to the public or to further the County's own business operations. There shall be no charge for notary services for the County.

Section 5.23 Travel

- A. Authorization - Employees may be required to travel out of the County when such travel is beneficial or necessary to the official business and conduct of the