

AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 21ST DAY OF JUNE, NINETEEN HUNDRED NINETY-THREE, AT 5:02 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Judith N. Knudson, Chairman, Jamestown District  
Stewart U. Taylor, Vice Chairman, Stonehouse District

Perry M. DePue, Powhatan District  
Jack D. Edwards, Berkeley District  
David L. Sisk, Roberts District  
David B. Norman, County Administrator  
Frank M. Morton, III, County Attorney

Ms. Knudson declared a recess for a meeting of the Route 5 Transportation Improvement District Commission.

B. WORK SESSION

1. Convenience Center Fee System

Mr. Larry Foster, General Manager, James City Service Authority, described the convenience centers and current costs of operations. He explained the three fee system options proposed by staff: bag, coupon and sticker. Staff conducted a customer survey with a majority preferring the coupon system. Staff recommended closure of Barnes Road and modification of hours of operation for remaining Convenience Centers, and development and implementation of a coupon system for use of those Convenience Centers.

The Board noted the good service provided County residents by the Convenience Centers, and tentatively concurred with staff's recommendation of the coupon system.

Ms. Knudson declared a recess for dinner at 6:15 p.m.

Ms. Knudson reconvened the Board at 7:00 p.m.

**C. PRESENTATIONS**

**1. 1993 Historical Preservation Awards**

Ms. Knudson presented a plaque and resolution from the James City County Historical Commission to Mr. Marion O'Connell Smith of Gospel Spreading Farm for 50 years of dedication and accomplishment of installation of historical marker on Colonial Parkway recognizing the goal of Elder Lightfoot Solomon Michaux. She also presented a plaque and resolution to Ms. Roxie White of Fort Magruder Inn for its outstanding civic consciousness and leadership in protecting historical earthworks and artifacts remaining from the Civil War.

Mr. Smith and Ms. White expressed their thanks to the Board.

**2. Video Volunteer Award**

Ms. Knudson presented the 1992 Outstanding Video Volunteer plaque to Dr. Robert Crossen, who has served as a volunteer in several capacities for three years and filled the Volunteer Production Coordinator position this year.

**3. Employee Outstanding Service Awards**

Ms. Knudson congratulated the recipients and presented Award of Excellence plaques to employees Kim Kellogg, Mooretown Neighborhood Comprehensive Improvements Project; Sheila Coles, Chickahominy After School Care Program; Valerie Wallace, Joe Edmonds, Adrian Ruttley, Jean Canady, Transit staff; Diana Hutchens, Iris Street, Joyce Morris, Mary Ann Lee, Diana Smith, Romona Robinson, Child Protective Services Unit; and, David Clark, Vicki Sprigg, Walter Schmidt, Darryl Cook, Eldridge Canaday, Brian Taber, Rosemary Randall, Diane Schregardus, Mary Sawyer and Dale Cooke, Innovation Team.

**D. MINUTES - June 7, 1993**

Ms. Knudson asked if there were corrections or additions to the minutes.

Mr. Sisk made a motion to approve the minutes as presented.

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

**E. HIGHWAY MATTERS**

Mr. Quintin Elliott, Williamsburg Resident Engineer, Virginia Department of Transportation, was present.

Mr. Taylor asked for trimming of trees that overhand Old Stage Road near Stuckey's.

Mr. Taylor asked the reason for lowering the speed limit from 35 mph to 25 mph in Woodland Farms subdivision.

Mr. Edwards asked about paving of lanes at Route 5 at Route 199 intersection.

Mr. Elliott responded the paving was done for maintenance reasons, the lane was not an addition and would be striped.

Mr. DePue read from a letter from the Schools Operations Center asking for advice on roadway signs directing persons to the Operations Center on Jolly Pond Road.

Mr. DePue asked if Mr. Steffy at Lafayette High School had been contacted.

Ms. Beverly Mazingo, Assistant Resident Engineer, stated a call had been placed to Mr. Steffy, but had not been returned.

Mr. DePue requested continuance of efforts to contact Mr. Steffy.

Mr. DePue asked for status of report about a left-turn lane on Longhill Road at The Mews subdivision.

Mr. DePue requested marking for Williamsburg Office Park entrance on Jamestown Road so drivers would be aware of oncoming traffic lane.

Mr. Elliott responded that funding for marking would not be available for 12 months in next year's schedule and investigations would be made on the other requests.

#### Norge School Expansion/Renovation

Ms. Knudson brought forward and read a resolution regarding funding for the Norge School expansion and renovation.

Ms. Knudson made a motion to approve the resolution.

The Board indicated support for the resolution and expressed thoughts that a plan for phasing of improvements might accomplish all goals; noted an interest in the issue of parity in all schools and suggested a competitive bid process might accomplish the entire project for fewer tax dollars; and, pointed out the funding would provide substantial improvements.

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

**RESOLUTION****NORGE SCHOOL EXPANSION/RENOVATION**

WHEREAS, the Board of Supervisors of James City County has previously adopted a five-year Capital Improvements Program that includes \$5.3 million for an expansion and renovation of Norge Elementary School; and

WHEREAS, the Williamsburg/James City County School Board has adopted a Scope of Work proposing \$6.8 million for the Norge School project; and

WHEREAS, the School Board has requested that a final decision be made on project funding in order to go to final design to maintain an August 1995 completion date.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, approve a project budget of \$6.0 million for the Norge School Expansion/Renovation and hereby amend its previously adopted FY 94-98 Capital Improvements Program by increasing the Norge School Project by \$700,000 in FY 95, from \$5.3 million to \$6.0 million.

BE IT FURTHER RESOLVED that a planned March 1, 1994, referendum include a request for \$5.7 million in borrowing authority for Norge School.

**F. CONSENT CALENDAR**

Ms. Knudson asked if any Board member wished to remove an item from the Consent Calendar.

Ms. Knudson requested Item No. 4 be removed and made a motion to approve remaining items on the Consent Calendar.

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

**1. Transit Budget Amendment - State Grant****RESOLUTION****TRANSIT BUDGET AMENDMENT - STATE GRANT**

WHEREAS, the Board of Supervisors of James City County has been requested to approve a grant administered by the Virginia Department of Rail and Public Transportation to the James City County Transit Company in the amount of \$14,500 for a Bus Maintenance Intern Program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby amends its FY 1994 budget, as follows:

Transit Company

Revenues:	
VDRPT Grant	<u>\$14,500</u>
Expenditures:	
Personnel Expenses	<u>14,500</u>
	<u>\$14,500</u>

2. Street Name Assignment - O.L. Taylor Drive

R E S O L U T I O N

STREET NAME ASSIGNMENT - O. L. TAYLOR DRIVE

WHEREAS, the residents whom reside on Parcels (1-28), (1-28A), (1-28B), (1-28C), and (1-28D) on James City County Real Estate Tax Map No. (32-2) have requested that the private road which serves their properties be named "O. L. Taylor Drive;" and

WHEREAS, it is the interest of public safety and convenience to assign a street name to heretofore unnamed streets in James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, assigns the name of "O. L. Taylor Drive" to the lane located between Richmond Road and Mooretown Road.

3. Seized Assets - Police Donation Trust Fund

R E S O L U T I O N

POLICE - DONATION TRUST FUND

WHEREAS, the James City County Police Department has received \$4,399 in forfeited assets as a result of a drug-related seizures; and

WHEREAS, Federal and State law requires that these funds be used exclusively by the Police Department for the investigation of drug-related offenses; and

WHEREAS, a line item account must be established into which these funds will be deposited and from which expenditures will be made.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors at James City County, Virginia, authorizes the deposit of up to \$4,399 into a line item account within the Donation Trust Fund from which the Police Department may make expenditures related to the investigation of drug-related offenses.

5. Appropriation to the Social Services Department

**R E S O L U T I O N**

**APPROPRIATION TO THE SOCIAL SERVICES DEPARTMENT**

WHEREAS, the State Department of Social Services has provided an additional allocation for the General Relief program; and

WHEREAS, additional funds for the Auxiliary Grants/Aged and Auxiliary Grants/Disabled have been provided; and

WHEREAS, additional funds for JOBS Administration have also been provided; and

WHEREAS, sufficient local matching funds are available in Account No. 007-083-5723.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendments:

Revenues:

Revenues from the Commonwealth	<u>\$3,715.00</u>
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Expenditures:

General Relief	\$ 507.00
JOBS Administration	1,740.00
Auxiliary Grants/Aged	1,000.00
Auxiliary Grants/Disabled	1,073.00
In Home Services	<u>( 605.00)</u>
Total	<u>\$3,715.00</u>

6. James River Elementary School Agreement

**R E S O L U T I O N**

**USE OF JAMES RIVER ELEMENTARY SCHOOL PROPERTY AGREEMENT**

WHEREAS, the Board of Supervisors of James City County and Williamsburg-James City County School Board determined it appropriate to enter into a partnership for joint use of school property and facilities; and

WHEREAS, the James City County Board of Supervisors and Williamsburg-James City County School Board recognize joint use provides educational and recreational opportunities for residents of the County in the most cost-effective manner.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the Chairman to sign the Use of James River Elementary School Property Agreement between James City County and Williamsburg-James City County School Board.

7. July - National Recreation and Parks Month

**R E S O L U T I O N**

**RECREATION AND PARKS MONTH**

WHEREAS, physical recreation and meaningful leisure experiences contribute to physical and mental well-being as well as the overall quality of life; and

WHEREAS, parks and recreation services provide preventive health benefits, support more productive work forces, enhance the desirability of locations for business and families, and stimulate tourism revenues to increase a total community economic development model; and

WHEREAS, the National Recreation and Park Association has designated July as Recreation and Parks Month.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby designates July 1993 as Recreation and Parks Month and encourages all citizens of James City County, Virginia, to join in this celebration bringing recognition to the benefits derived from quality recreation and park resources at the local level.

4. FY 93 Budget Adjustments

Mr. Walter Schmidt, Assistant Manager, Financial Management Services, explained the unanticipated spending increases for departments listed in the resolution.

Ms. Knudson made a motion to approve the resolution.

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

R E S O L U T I O N

OPERATING BUDGET CONTINGENCY TRANSFER

WHEREAS, the Board of Supervisors of James City County maintains a contingency fund within the General Fund Operating Budget for unanticipated spending.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following budget transfers be executed to accommodate unanticipated spending increases:

Transfer From:

Operating Contingency	\$45,000
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Transfer To:

Clerk, Circuit Court	\$ 7,000
General District Court	6,000
Contribution, Transit	<u>32,000</u>
	<u>\$45,000</u>

G. PUBLIC HEARINGS

1. Case No. SUP-30-92. C. Lewis Waltrip - Route 5 Water and Sewer Connection

Mr. R. Patrick Friel, Senior Planner, stated that Case No. SUP-30-92 had been deferred at the June 7, 1993, Board of Supervisors' meeting for additional information related to type of precedent that could be set with Board approval of the case.

At the June 7, 1993, Board of Supervisors' meeting, Mr. Friel stated that Mr. C. Lewis Waltrip had applied for a special use permit to allow for connection of a future single-family home to an existing 12-inch water main and 12-inch force main to serve 2.78 acres zoned A-1,



General Agricultural, located at 2692 John Tyler Highway, further identified as Parcel (1-12) on James City County Real Estate Tax Map No. (44-2).

In concurrence with staff, the Planning Commission voted 6-3 to deny the special use permit for the reasons that the proposal was inconsistent with the Comprehensive Plan, and a precedent would be set by allowing connections outside the Primary Service Area.

Without objection, Ms. Knudson invited speakers from the audience.

1. Mr. Vernon Geddy, III, Esq., once again asked the Board to approve the applicant's request for a sewer and water connection outside the Primary Service Area with a prepaid connection.

2. Mr. James Watson, 2702 John Tyler Highway, spoke in favor of allowing connection.

3. Mrs. Parrish stated that she would like to be able to use her lot.

Board members spoke about the regulations as set forth in the Comprehensive Plan and Primary Service Area.

Ms. Knudson made a motion to deny Case No. SUP-30-92.

On a roll call, the vote was: AYE: Edwards, DePue, Sisk, Knudson (4). NAY: Taylor (1).

2. Case No. SUP-19-93. David Nice Contractors

Mr. Friel stated that Mr. David A. Nice had applied for a special use permit to operate a builder's office and storage shed on 11.10 acres zoned A-1, General Agricultural, located at 4571 Ware Creek Road, further identified as Parcels (1-15) and (1-15B) on James City County Real Estate Tax Map No. (14-1).

Mr. Friel stated that the proposal is an expansion of an existing smaller service and with conditions, was generally consistent with the Comprehensive Plan.

In concurrence with staff, the Planning Commission unanimously recommended approval of the case with conditions listed in the resolution.

Ms. Knudson opened the public hearing, and as no one wished to speak, she closed the public hearing.

Mr. Taylor made a motion to approve the resolution.

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

**RESOLUTION****CASE NO. SUP-19-93. DAVID NICE CONTRACTORS**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a special use permit process; and

WHEREAS, the Planning Commission of James City County, following its public hearing on June 8, 1993, unanimously recommended approval of Case No. SUP-19-93 to allow a contractors' warehouses, sheds, and offices in the A-1, General Agricultural, district on property identified as Parcels (1-15) and (1-15B) on James City County Real Estate Tax Map No. (14-1).

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve the issuance of Special Use Permit No. SUP-19-93 as described herein with the following conditions:

1. This Special Use Permit shall allow the existing storage shed on the site to be expanded up to 6,600 square feet. In no case shall the structure exceed a height of 35 feet from the existing grade.
  2. This special use permit shall remain in effect for a period of 18 months from the date of issuance. If within this time site plan approval and/or building plan approvals are issued, the special use permit shall remain in effect for the term of those approvals and/or permits. Issuance of a Certificate of Occupancy would preserve the rights of the special use permit.
  3. A screening plan shall be submitted to the Planning Director for approval as part of any site plan submittal. The approved plan shall be implemented prior to the issuance of a Certificate of Occupancy.
3. Ordinance Amendment, Chapter 11, Motor Vehicles and Traffic, Articles I and II, Driving While Intoxicated

Mr. Leo P. Rogers, Assistant County Attorney, stated that the ordinance amendments incorporated by reference the amendments made by the General Assembly to the Driving While Intoxicated and traffic laws, which become effective July 1, 1993.

Staff recommended approval of the ordinance amendments.

Ms. Knudson opened the public hearing, and as no one wished to speak, she closed the public hearing.

Mr. Sisk made a motion to approve the ordinance amendments.

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

4. Ordinance Amendment, Chapter 1, General, Section 1-13, Courthouse Fee

Mr. Leo P. Rogers, Assistant County Attorney, stated that the ordinance amendment proposed to increase the Courthouse Fee on each civil action and each criminal and/or traffic case in District or Circuit Court from \$2.00 to \$4.00.

Ms. Knudson opened the public hearing, and as no one wished to speak, she closed the public hearing.

Mr. Edwards made a motion to approve the ordinance amendment.

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

5. Conveyance of Property To Williamsburg-James City County Public School - Schools Operations Center

Mr. Frank M. Morton, III, County Attorney, stated that the Special Warranty Deed would convey 8.2 acres on Jolly Pond Road to the Williamsburg-James City County Public Schools for the Schools Operations Center.

Staff recommended approval of the resolution authorizing execution of the deed.

Ms. Knudson opened the public hearing, and as no one wished to speak, she closed the public hearing.

Ms. Knudson made a motion to approve the resolution.

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

## R E S O L U T I O N

### DEED TO CONVEY PROPERTY TO THE WILLIAMSBURG-JAMES CITY COUNTY

#### PUBLIC SCHOOLS

WHEREAS, the Board of Supervisors of James City County, following a public hearing held on June 21, 1993, is of the opinion that certain real property fronting on Jolly Pond Road should be conveyed to the Williamsburg-James City County Public Schools.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Judith N. Knudson, Chairman of the Board of Supervisors, is hereby authorized and directed to execute a Special Warranty Deed dated June 21, 1993, conveying an 8.2-acre parcel located on Jolly Pond Road to the Williamsburg-James City County Public Schools, said property to be used as a school bus maintenance facility.

6. Regional Bikeways Plan

Mr. Jeffrey Mihelich, Senior Planner, stated that the Regional Bikeways Plan was developed, under the leadership of the Regional Issues Committee, to identify areas in James City County, City of Williamsburg, and York County where construction of bikeway facilities would be desirable and appropriate from a transportation perspective.

The Board discussed the 15-year construction time period, and acquisition of rights-of-way included in planning at the time when roadways would be widened.

Ms. Knudson opened the public hearing.

1. Mr. Grant Olson, 105 Holman Road, spoke in favor of the regional bikeways plan which would provide a useful purpose community-wide.

Ms. Knudson closed the public hearing.

Mr. Edwards made a motion to approve the resolution.

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

## R E S O L U T I O N

### REGIONAL BIKEWAYS PLAN

WHEREAS, a Regional Bikeways Plan for James City County, the City of Williamsburg, and York County was developed under the leadership of the Regional Issues Committee to encourage the coordinated development of a comprehensive system of bikeways throughout the region; and

WHEREAS, the 3 regional governing bodies are committed to pursuing all alternative funding sources such as State grants, Federal transportation funds, and developer proffers, prior to using local funds exclusively; and

WHEREAS, James City County, with the assistance of the Virginia Department of Transportation, will facilitate the timely construction of bikeways in James City County in accordance with the priorities established by this plan; and

WHEREAS, the Regional Bikeways Plan was unanimously endorsed by the Regional Issues Committee on March, 26, 1993, the City of Williamsburg Planning Commission on May 18, 1993, and the York County and James City County Planning Commissions on May 11, 1993.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, adopts the Williamsburg, James City, and York Regional Bikeways Plan as its official Comprehensive Bikeways Development Plan.

7. Transportation Enhancement Program

Mr. Mihelich stated that the County was applying for grants through the Virginia Transportation Enhancement Program for construction of bikeways and for removal of nonconforming signs.

The Planning Commission unanimously found the proposed enhancement projects consistent with the Comprehensive Plan, and staff recommended approval of the resolutions.

Ms. Knudson opened the public hearing, and as no one wished to speak, she closed the public hearing.

Mr. Morton suggested an amendment to the Virginia Transportation Enhancement Program - Bikeways resolution to add the language "for projects located in James City County" in the last sentence to read, "... by the Department for projects located in James City County through the date ...."

The Board discussed the obligation of the funding amount. Staff assured the Board that each project would be brought forward for its consideration.

Without objection, Ms. Knudson made a motion to approve the resolutions: The amended version of the Virginia Transportation Enhancement Program - Bikeways and Virginia Transportation Enhancement Program - Nonconforming Signs.

On a roll call, the vote was: AYE: Edwards, DePue, Sisk, Knudson (4). NAY: Taylor (1).

R E S O L U T I O N

VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM-BIKEWAYS

WHEREAS, the Regional Issues Committee comprised of representatives of Williamsburg, James City County, and York County has expressed its intent to make application to the Commonwealth Transportation Board under the Virginia Transportation Enhancement Program for funding to construct certain bicycle facilities contained in the adopted Regional Bikeways Plan; and

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that such application be endorsed by resolution of the James City County Board of Supervisors in order for the Virginia Department of Transportation to program an Enhancement Program Project in James City County; and

WHEREAS, the Virginia Department of Transportation has indicated its willingness to provide from State funds the required twenty percent (20%) match for bicycle facilities constructed within the State right-of-way and to work with localities to reduce local funding requirements for facilities not located within the State right-of-way; and

WHEREAS, the Regional Issues Committee and the staff of the 3 localities have worked in close cooperation with the Virginia Department of Transportation in developing this application; and

WHEREAS, the James City County Board of Supervisors has carefully considered the public response to the Regional Bikeway Plan and the public input received at the public hearing.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the application of the Regional Issues Committee to the Commonwealth Transportation Board under the Virginia Transportation Enhancement Program be, and it is hereby, endorsed including the construction of bicycle facilities in the following corridors/locations:

- Rochambeau Drive (York County)
- Merrimac Trail (York County, Williamsburg, James City County)
- Longhill Road (James City County)
- Ironbound Road (James City County)
- South Henry Street (Williamsburg)
- Route 17 (York County)
- Frances Circle (York County)
- Strawberry Plains Road (James City County)
- Waller Mill Park Rails-to-Trails (York County on property owned by Williamsburg)
- Williamsburg Municipal Center Intermodal Transfer Station (Williamsburg)

BE IT FURTHER RESOLVED that the Commonwealth Transportation Board be, and it is hereby, requested to establish the Transportation Enhancement Project contained in the application of the Regional Issues Committee.

BE IT STILL FURTHER RESOLVED that the James City County Board of Supervisors agrees to work with the Virginia Department of Transportation to secure the necessary twenty percent nonfederal match for the total cost of the planning and design, right-of-way and construction of the portions of this project located in James City County, and that, if James City County elects to cancel this project after construction has begun, the Board hereby agrees to reimburse the Virginia Department of Transportation for

the total amount of the costs expended by the Department for projects located in James City County through the date the Department is notified of such cancellation.

## R E S O L U T I O N

### VIRGINIA TRANSPORTATION ENHANCEMENT PROGRAM-NONCONFORMING SIGNS

WHEREAS, in accordance with Commonwealth Transportation Board construction allocation procedures, it is necessary that such application be endorsed by resolution of the James City County Board of Supervisors in order for the Virginia Department of Transportation to program an Enhancement Program Project in James City County; and

WHEREAS, the James City County Board of Supervisors has carefully considered the public input regarding nonconforming sign removal at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, requests the Commonwealth Transportation Board to establish the Transportation Enhancement Project to remove nonconforming signs along Route 5 in James City County, a Virginia Scenic Byway.

BE IT STILL FURTHER RESOLVED that the James City County Board of Supervisors agrees to work with the Virginia Department of Transportation to secure the necessary twenty percent nonfederal match for the total cost of this project, and that, if James City County elects to cancel this project, the Board hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation.

### Establishment of Tax Rate for the Route 5 Transportation Improvement District

Mr. Home provided a resolution establishing the initial tax rate for FY 93-94 at \$.01 per \$100 of assessed value for all real estate lying within the Route 5 Transportation Improvement District.

Staff recommended approval.

Mr. DePue made a motion to approve the resolution.

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

**RESOLUTION****ESTABLISHMENT OF TAX RATE FOR THE ROUTE 5 TRANSPORTATION****IMPROVEMENT DISTRICT**

WHEREAS, the Board of Supervisors of James City County has approved the creation of the Route 5 Transportation Improvement District in order to provide funding to pay for a roadway in the County on a new alignment beginning at a point approximately one-quarter mile east of the entrance to the Governor's Land project on existing Route 5, a distance of approximately 5 miles to News Road, where it will connect with planned improvements to State Route 199; and

WHEREAS, the creation of this District gives the Board of Supervisors on behalf of the District, the ability to impose a special real estate tax assessment for land within the District; and

WHEREAS, the levying this tax for the fiscal year beginning July 1, 1993, and ending June 30, 1994, is necessary to meet future District financial obligations; and

WHEREAS, the Route 5 Transportation Improvement District Commission voted 5 to 0 and recommended approval of the establishment of the District tax rate; and

WHEREAS, it is now necessary to set tax rates on real estate to provide revenue to support the creation and continuation of the Route 5 Transportation Improvement District.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The special District tax on real estate within the Route 5 Transportation Improvement District is set at \$.01 per \$100 of assessed value; and
2. Authorizes the transfer of any collected revenue to the Route 5 Transportation Improvement District.

H. PUBLIC COMMENT - None

I. **REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. David B. Norman, County Administrator, reported that the estimated savings for innovation projects in FY 93 were \$332,900, and the team would continue to search for cost savings.



Mr. Norman recommended an executive session pursuant to Section 2.1-344(a) of the Code of Virginia to consider a personnel matter, appointment of individuals to County boards and/or commissions.

**J. BOARD REQUESTS AND DIRECTIVES - None**

Ms. Knudson made a motion to convene into an executive session as recommended by the County Administrator, at 8:40 p.m.

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

Ms. Knudson reconvened the Board into open session and made a motion to approve the executive session resolution, at 8:47 p.m.

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

**R E S O L U T I O N**

MEETING DATE: June 21, 1993

**CERTIFICATION OF EXECUTIVE MEETING**

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.1-344.1 of the Code of Virginia requires a certification by the Board that such executive meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge; (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and, (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board.

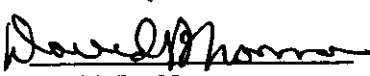
Ms. Knudson made a motion to reappoint Walter Lysaght to the Williamsburg Regional Library Board for a 4-year term, term expiring 6/30/97; to reappoint Dwight Dansby to the Peninsula Alcohol Safety Action Program for a 3-year term, term expiring 7/1/96; to appoint Mary Ann Wright to a 4-year term on the Social Services Advisory Board, term expiring 7/1/97; and, to appoint Tom Flanary to the Williamsburg Arts Commission for a 3-year term, term expiring 6/30/96.

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

Mr. DePue made a motion to adjourn.

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

The Board adjourned at 8:48 p.m.



David B. Norman  
Clerk to the Board

onejuly.bos

**AGREEMENT****USE OF JAMES RIVER ELEMENTARY SCHOOL PROPERTY**

THIS AGREEMENT, made and entered into this 21st day of June 1993, by and between the Williamsburg-James City County School Board (Board) and the County of James City (County).

WHEREAS, the parties to this Agreement are desirous of entering into an agreement for the use of the property and facilities as described below situate at the James River Elementary School (School).

NOW THEREFORE WITNESSETH, that for and in consideration of the mutual covenants and agreements set forth herein, the parties agree as follows:

**SECTION I: PURPOSE**

The Board and the County recognize the financial and social benefits to the community of entering into a partnership for the joint use of the School property and facilities located thereon, as defined in Attachment A, attached hereto and made a part hereof. The purpose of this Agreement is to maximize the educational and recreational facilities and opportunities for the residents of the County in the most cost-effective manner.

**SECTION II: TERM OF AGREEMENT**

This Agreement shall commence on July 1, 1993, and continue for the duration of the 1993-94 school year at the school. The Agreement shall renew automatically unless terminated as provided herein.

**SECTION III: TERMINATION**

This Agreement may not be terminated during the first year except for cause or by agreement of both parties. Thereafter, either party may terminate the Agreement by giving not less than 90 days written notice prior to the end of the school year.

Either party shall have a reasonable period of time, not to exceed 30 days following termination of the Agreement, to remove personal property and equipment.

**SECTION IV: SITE MANAGEMENT TEAM**

The Williamsburg-James City County Superintendent of Public Schools (Superintendent) and the County Administrator shall each appoint three designees who shall serve on a Site Management Team, whose responsibility it shall be to oversee the community use of the school facilities and resolve any conflicts in

use, including those set forth in Section VII. The Superintendent shall appoint the following members: the School principal who shall serve as chairman, a teacher from the school and a parent from the School PTA. The County Administrator shall appoint the following members: a County staff member, the facility supervisor and a member of the community-at-large. The team shall meet at least two times per year to evaluate the current use of the facility and to plan for future use of the facility. An annual report to the Board and County will be made in June. Any changes in the type of activities scheduled during the school day will be recommended at that time.

#### **SECTION V: FEES AND CHARGES; FINANCIAL PROCEDURES**

It is the intention of each party to waive facility use fees which might otherwise be charged the other party; provided charges tied directly to a program, including but not limited to staff overtime, shall not be waived. The parties agree to make every effort to limit staff overtime by cooperating in the scheduling of staff.

The County and the Board shall follow their respective policies and procedures regarding financial transactions. Facility charges shall be itemized and provided to the prospective user. Prior to using the facility, any such charge shall be reviewed and accepted by the group, department, or agency using the facility.

**SECTION VI: FACILITY AND EQUIPMENT USE**

The County and the Board agree to share the use of all facilities and equipment when possible, including but not limited to, that set forth in Attachment B. Any damage as a result of improper use shall be the responsibility of the group, department or agency using the facility and/or equipment. Any group, department, or agency shall be permitted to arrange an inspection of the facilities through the facility supervisor.

In accordance with Board Policy KG Community Use and School Facilities, Attachment C, and Board Policy KG-R, Regulations for Use of Williamsburg-James City County Public Schools Facilities, Attachment D, both of which are attached hereto and made a part hereof, school facilities may be made available for use during nonschool hours and/or after school programs have ended. If the school has not scheduled the facility, the County shall have priority use of said facilities over community groups and the general public. The County agrees to make available to the Board as provided herein all recreational facilities during the normal operating season for that facility. For example, the County shall make available a soccer field during the season soccer is scheduled to be played. The Board shall have priority use of recreational facilities after the scheduling of County programs.

During school hours, the school shall have priority over use of the building's facilities. Only organized classes and activities sponsored by the school shall take

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place in the community use area during the school day. Open play at outside facilities shall not be permitted during the school day.

## **SECTION VII: FACILITY SCHEDULING**

Day-to-day scheduling of the recreational facility shall be the responsibility of the community facility supervisor in accordance with the guidelines set forth in Attachment C attached hereto and make a part hereof. The schedule developed by the facility supervisor shall be reviewed by the principal prior to public release. School functions shall take priority if scheduled by school staff at least six weeks prior to the event. An unforeseen school function shall take precedence over a non-school function, even though it was not scheduled six weeks prior to the event. Any scheduling conflicts during the school day shall be resolved by the principal and the facility supervisor. Should the conflict not be resolved, the Site Management Team shall be convened to resolve the conflict. Should the conflict not be resolved by the Site Management Team, it shall be resolved by the Superintendent and the County Administrator.

## **SECTION VIII: FACILITY SUPERVISION**

It is the responsibility of any group using the facility to provide adequate supervision. The recreational facility shall be staffed by County personnel during

all hours of operation. During school hours, at least one full-time facility supervisor shall be present. The facility supervisor shall work under the operational direction of the principal during school hours. After school hours, at least one County staff member shall be present to supervise the recreational facility during all operating hours. Each user shall have a group supervisor who shall be responsible for the supervision and behavior of all program participants, including spectators. The group supervisor shall report to the facility supervisor upon arrival.

#### **SECTION IX: COOPERATIVE DEVELOPMENT OF RECREATIONAL FACILITIES**

If the parties determine it to be mutually beneficial to jointly undertake a future renovation or construction of recreational facilities, the parties shall enter into a separate written agreement which shall set forth the rights and obligations of the parties with respect to that development.

#### **SECTION X: MAINTENANCE OF FACILITIES**

Each party shall be responsible for maintaining their facilities. The incidental and ordinary costs of making the Schools available for recreational use (such as heat and light or making parks and recreational facilities available for school use) are



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deemed to be offsetting. Direct costs, however, incurred in making facilities available, which are over and above incidental or ordinary costs, shall be reimbursable by either party to the other. Direct costs shall include, but are not limited to, vandalism, janitorial services or special modifications of a facility. Each party hereby agrees to maintain the facilities of the other parties in good repair while such facilities are under its' control. Each party further agrees to bear the cost for required repairs attributable to a breach of this duty.

## **XI: INSURANCE REQUIREMENTS**

### **Property**

The County will be responsible for its property, including materials, supplies, furniture and fixtures. The Board will not provide any insurance coverages for any property owned, rented, leased or in the care, custody or control of the County, either on or off premises, including the real and personal property of any volunteer or other organization providing such property to the County for its use and enjoyment.

The Board shall be responsible for its own real and personal property.

**Commercial General Liability**

The County shall provide to the Board prior to assuming possession of the premises proof of insurance for the following:

1. A \$1,000,000 Combined Single Limit of Commercial General Liability insurance per occurrence with a \$2,000,000 Aggregate CGL limit, which policy shall include.
  - o Fire Damage Limit of at least \$250,000.
  - o Coverage for attorneys' fees as a result of a suit alleging child molestation and all other covered acts of all employees, volunteers, and visitors.
  - o The policy shall name the Board as an additional insured for all coverages.
2. County shall provide a Certificate of Insurance reflecting the above items, with a 30-day notice of either cancellation or nonrenewal.
3. County will provide a Certificate of Insurance illustrating the existence of Workers Compensation and Employers Liability insurance coverages.

**Hold Harmless Agreement**

The County shall be responsible from the time of the beginning of its operation at any location belonging to the Board for all injury or damage of any kind resulting from its operations, to persons or property regardless of who may be the owner of the property; provided that the extent of the County's liability in all instances shall be limited by and payable from the valid and collectible insurance in force at that time; provided, further, the County shall not agree to waive its right to governmental immunity in any action brought against the County.

In addition to the liability imposed upon County on account of personal injury, including death, or property damage suffered through the County's negligence, or the negligence of County employees or volunteers, which liabilities are not impaired nor otherwise affected hereunder, the County assumes the obligation to save the Board, including its employees and volunteers harmless, and to indemnify the Board from every expense, liability or payment arising out of or through injury, including death, to any person or persons or damage to property, regardless of who may be the owner of the property, of any site at School in which the County's operations are located, arising out of or suffered through any negligent act or omission of the County, including its employees and volunteers or anyone directly or indirectly employed by or under the supervision of any of County employee or volunteer, in the prosecution of the operations included in this agreement; provided that the extent of the County's liability in all instances shall be limited by and payable from the valid and collectible insurance in force at that

time; provided, further, the County shall not agree to waive its right to governmental immunity in any action brought against the County.

## **SECTION XII: LIABILITY/ENFORCEMENT OF RULES AND REGULATIONS**

To the extent permitted by law, the County hereby agrees to accept responsibility for any and all costs, damages or expenses arising from any injury to persons or property on the premises belonging to the Board which occurs while the County is using the premises; and which are attributable to the negligence of the County or its employees.

So as to assure the County's ability to maintain order in its programs, the Board hereby grants the County authority to promulgate rules and regulations for the use of the Board's premises and further grants to the County the authority to enforce such rules and regulations on the subject premises during such times as they are under the County control.

To the extent permitted by law, the Board hereby agrees to accept responsibility for any and all costs, damages, or expenses arising from any accident or other occurrence to persons or property on the premises belonging to the County which occurs while the Board has control of the subject premises and which are attributable to the negligence of the Board or its employees.

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So as to assure the Board's ability to maintain order in its programs, the County hereby grants to the Board authority to promulgate rules and regulations for the use of the County premises and further grants to the Board the authority to enforce these rules and regulations during such times as they are under the Board's control.

#### **SECTION XIII: ASSIGNMENT**

The County shall not sell, assign or convey its rights under this Agreement. However, the County may enter into secondary agreements with other parties or agencies so as to permit the other parties or agencies to use the subject premises. Any secondary agreements shall be approved in writing by the other party to this agreement.

#### **SECTION XIV: NO DISCRIMINATION/THIRD PARTIES**

Each party agrees that at no time shall it discriminate against any person on the grounds of race, religious affiliation, national origin, disability or age when using the facilities of the other parties.

Further, the parties agree that, to the extent that one party should make the subject facilities available to a third party, individual or organization, it will assure

that the third party abides by this contract. Any third party agreements shall contain similar nondiscriminatory language.

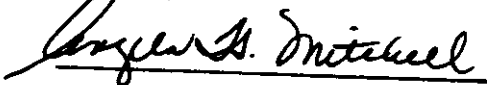
#### SECTION XV: SEVERABILITY

It is hereby declared to be the intention of the parties that the sections, paragraphs, sentences, clauses, and phrases of the Agreement are severable, and if any phrase, clause, sentence, paragraph, or section of this Agreement shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Agreement.

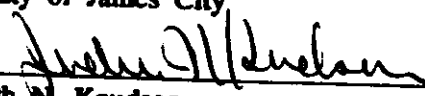
Williamsburg-James City County School Board

  
Nolan Yelich  
Chairman

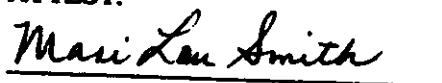
ATTEST:

  
Angela H. Mitchell

County of James City

  
Judith N. Knudson  
Chairman, Board of Supervisors

ATTEST:

  
Mari Lou Smith

**Attachment A**

Facilities shall be defined as follows:

**Indoor Facilities of County**

One expanded basketball court/two volleyball courts  
Two racquetball courts  
One game room  
Locker rooms - male/female  
Lobby/entrance of recreational area  
Office  
Four child-care rooms = four classrooms, as needed for Headstart  
Equipment checkout/vending/storage areas

**Indoor Facilities of Board**

School Clinic, as needed  
Kitchen, as needed

**Outdoor Facilities of County**

Various Playing Fields  
Tennis Courts  
Volleyball Courts  
Soccer/General Recreation  
Basketball Courts  
Play Area  
Maintenance Building/Public Rest Rooms

**Outdoor Facilities of Board**

Kindergarten Play Area  
Hard Surface Play Area  
Softball/General Recreation  
Apparatus Play Area

**SPECIFIC GUIDELINES FOR THE CONCURRENT USE  
FOR THE FIRST YEAR OF THE  
JAMES RIVER ELEMENTARY SCHOOL**

**PURPOSE:**

To provide for the concurrent use of the Roberts District School by the public while at all times preserving the educational character of the facility and providing for the safety, security, welfare and learning environment of school children.

In order to ensure that the integrity of the school is maintained while offering concurrent public access to the nonschool facilities on site, the following guidelines are proposed:

**GENERAL:**

The County will appoint a facility supervisor who will have overall responsibility for all County sponsored activities and community facilities. At all times when the facility is officially open to the public the facility supervisor, or someone designated by the Director of Parks and Recreation as a site supervisor, will be present.

The school principal and the facility supervisor shall have direct responsibility for ensuring that the safety, security, welfare and learning environment of school children are maintained as they strive for maximum community use of the facility. The principal has overall responsibility for the facility during the school day and will coordinate its use with the facility supervisor.

- o All recreational activities will be scheduled to avoid conflict with the arrival and departure of students, i.e., 8:45 a.m. to 9:15 a.m. and 3:15 p.m. to 3:45 p.m.
- o No recreational activities will be scheduled in the recreational side of the gymnasium or the outdoor recreational areas between the hours of 11:00 a.m. to 1:30 p.m. The school will be able to schedule full use of these areas during these hours.
- o All recreation facilities not scheduled for community use may be scheduled for use by school staff.

**INDOOR USE:**

A facility supervisor shall be present whenever the facility is open.

Each recreational program scheduled during the school day shall be directly supervised.



Recreational programs or activities designed for any school age children, ages 5-18, will not be scheduled at any time the elementary school is in session.

Each person using the facility shall have a facility access card or have made application for same.

Only organized activities shall be allowed during the school day.

The gym divider wall shall remain in place except when scheduled open/down by the building principal and the facility supervisor.

All access from the Community Facility to the School and from the School to the Community Facility shall be controlled at all times and limited to authorized staff.

Activities that create a disruption of the educational function of the school shall be prohibited or discontinued. This determination shall be made jointly by the principal and facilities supervisor.

#### **OUTDOOR USE:**

Only scheduled and supervised adult recreational activities may be allowed on outside facilities while school is in session.

Persons using outside facilities must check in at the center desk prior to beginning their activity.

#### **SCHEDULE OF FIRST YEAR CLASSES AND ACTIVITIES**

	1st Qtr. (Sep-Nov)	2nd Qtr. (Nov-Jan)	3rd Qtr. (Jan-Apr)	4th Qtr. (Apr-Jn)
1. Headstart	X	X	X	X
2. Preschool Exercise Classes		X	X	X
3. Racquetball		X	X	X
4. Adult Art and Craft Classes			X	X
5. Adult Exercise Classes (i.e., stress management, aerobics, stretch and flexibility, yoga)			X	X
6. Outdoor Tennis Classes				X
7. Senior Walking Program				X

guidelns.txt

File: KG

## COMMUNITY USE OF SCHOOL FACILITIES

Consistent with state law, the Board authorizes the superintendent to permit use of school property as deemed proper. The superintendent will report monthly to the Board all actions regarding building use permits and will develop rules and regulations to implement this policy.

### Fees

A fee schedule for use of school property will be approved annually by the Board.

No fee will be charged for building or grounds use in direct support of public school student activities, for use by city or county governmental units, for use by voter registration and polling, nor to organizations directly associated with the division. Cost data for this usage will be maintained for review purposes.

Fees may be waived by the superintendent in consideration of services rendered by public institutions or nonprofit organizations in direct support of public school students.

### Extended Use

The use of school facilities for extended periods of time by one organization, e.g., community college classroom usage, will be approved by the Board.

### Exceptional Usage

All requests for exceptional usage of facilities will be approved by the School Board.

Temporary use of school facilities may be permitted for religious services or instruction by a locally established religious organization whose usual meeting place has been destroyed or damaged or who can present satisfactory evidence (site plan and building permit) that it is in the process of building a facility of its own in the Williamsburg area. Newly-established or organizing religious groups who do not meet site plan and building permit criteria must show evidence of an affiliated, sponsoring religious organization, or other documentation of official organization. Use will be limited to a two year period and will be approved by the Board.

Adopted 11/20/79  
Revised 8/17/82, 9/18/90

LEGAL REFS: Code of Virginia, secs. 22.1-131 and 22.1-132

CROSS REFS: GBA, Equal Opportunity Employment  
KK, Visitors to the Schools

File: KG-R

**WILLIAMSBURG-JAMES CITY COUNTY PUBLIC SCHOOLS****REGULATIONS FOR USE OF FACILITIES****APPLICATION AND APPROVAL**

Application for use of school facilities shall be made at least two weeks prior to the requested use. "Application for Revocable License to Use Facilities" forms are available at the schools and the Finance Office.

Approval must first be obtained by the requesting party from the building Principal, who shall:

1. Determine suitability of the school's facilities for the requested use.
2. Determine availability of these facilities on the date and time requested.
3. Establish estimated custodial and security hours.
4. Review security procedures for the facilities.

Following approval by the building Principal, the Executive Director of Finance and Administrative Services or his designee shall:

1. Review application for compliance with School Board Policy.
2. Accept payment for use of the facilities.
3. Accept evidence of nonprofit status from applicants desiring use of school facilities for fund-raising purposes.
4. Return the original copy of the approved building use "Application for Revocable License to Use Facilities" to the user, one copy to the school, one copy to the Director of Operations, and retain one copy for building use files.

**EXCEPTIONAL USAGE**

All requests for exceptional usage of facilities must be approved by the School Board. Letters of application must be presented to the Finance Office no later than the 5th of the month prior to the School Board meeting to ensure inclusion on the agenda.

Fees established for long-term exceptional usage will be payable as directed by the Finance Office and as set forth in the Fee Schedule. Any adjustments in the use of facilities which affect the fees being charged must be approved by the building Principal and the Executive Director of Finance and Administrative Services.

**INSURANCE**

Excluding local governmental units, all others authorized to use school facilities shall provide evidence of liability insurance naming the Williamsburg-James City County School Board as an additional named insured in the following amounts: \$100,000/\$300,000 bodily injury and \$100,000 property damage. Evidence of insurance is required prior to use.

SCHOOL ACTIVITIES

School activities shall take precedence over all permit holders. The school division retains the right to cancel a permit when a school activity not previously scheduled preempts the building or grounds use.

MAINTENANCE AND CUSTODIAL CARE

It is the responsibility of the permit holder to return the school facility in good, clean condition to the school for occupation by students and staff. The school division will not provide custodial and maintenance personnel nor pay for such services. Failure to comply with this condition shall be grounds for cancellation of any current permit and denial of future permits. A maintenance security fee shall be required for each use. If the facilities are not accepted by the building Principal or Director of Operations after use, the maintenance/security fee shall be forfeited, and fees for actual damages shall be payable by the permit holder.

STORAGE OF SUPPLIES AND EQUIPMENT

With the exception of voting machines, no storage of supplies and equipment belonging to permit holders is permitted.

FEE SCHEDULE FOR USE OF FACILITIES

Fees shall be payable as set forth on the attached schedule.

WILLIAMSBURG-JAMES CITY COUNTY SCHOOLS

Clara Byrd Baker School	221-0949
Berkeley Middle School	229-8051
James Blair Middle School	229-1341
Lafayette High School	565-0373
Matthew Whaley School	229-1931
D. J. Montague School	258-3022
Norge School	564-3372
Rawls Byrd School	229-7597

Williamsburg-James City County Public Schools, Williamsburg, Virginia

## WILLIAMSBURG-JAMES CITY COUNTY PUBLIC SCHOOLS

FEE SCHEDULE FOR USE OF FACILITIESSPACE TO BE USEDRENTAL FEESATHLETIC FIELDSMon-ThurFri-Sun

Cooley Field  
Preparation Fee for Fields  
Other Fields

\$100/hr  
\$250  
\$ 25/day

\$150/hr  
\$250  
\$50/day

AUDITORIUMS/MULTIPURPOSE ROOMS

Auditorium: Berkeley, James Blair  
Matthew Whaley

\$ 40/hr

\$ 60/hr

Auditorium: Lafayette

\$ 70/hr

\$100/hr

Stage lighting and audio equipment are available using the services of a school staff lighting technician. The fee is \$15 per hour for each adult technician and \$10 per hour for each student technician. Arrangements for these services must be made through the Principal at Lafayette.

Multipurpose Room: Clara Byrd Baker, D. J.  
Montague, Rawls Byrd

\$ 40/hr

\$60/hr

CAFETERIA DINING AREAS/COMMONS AREA

\$ 35/hr

\$45/hr

Any use of kitchen facilities and equipment requires approval of the Supervisor of Cafeteria, and/or the Director of Operations

CLASSROOMS

Regular  
KIVAs

\$ 12/hr  
\$ 25/hr

\$ 12/hr  
\$ 30/hr

GYMNASIUMS

\$ 30/hr

\$ 40/hr

Use of the main gymnasium at Lafayette is only permitted by authorization of School Principal or designee.

OTHER CHARGES

PUBLIC ADDRESS SYSTEM  
PIANO

\$ 25  
\$ 35

\$ 25  
\$ 35

**FEE SCHEDULE FOR USE OF FACILITIES**

Page 2

**MAINTENANCE/SECURITY FEE**

50% of user's cost. May be waived at discretion of the Executive Director of Finance and Administrative Services.

**MINIMUM FEE**

To ensure that the rental fees for use of facilities adequately cover the cost of opening the facility for the user, a minimum fee may be charged at the discretion of the Executive Director of Finance and Administrative Services.

**CUSTODIAL SERVICES FEE**

Custodial services may be provided as required by the building Principal or as desired by the lessee at the rate of \$15 per hour.

**EXCEPTIONAL USE****AS APPROVED BY THE SCHOOL BOARD**

All requests for exceptional use of facilities must be approved by the School Board at its regular meeting on the third Tuesday of the month. Letters of application must be presented to the Finance Office in time to allow for placement on the agenda.

Fees established for long-term exceptional use will be payable as directed by the Finance Office. Maintenance security fees shall be paid prior to use.

It is the responsibility of the permit holder to return the facility in good, clean condition to the school for occupation by students and staff. Failure to comply with this condition shall be grounds for cancellation of any current permit and denial of future permits. If the facility involved is not accepted after use by the building Principal or Director of Operations, the maintenance/security fee shall be forfeited, and fees for actual damages shall be payable by the permit holder.

Services of custodial and maintenance personnel are not included in any fees for use of facilities. If a custodian is required, the Principal and/or the Director of Operations will set the hours and arrange for personnel. Payment for custodial services will be made to Williamsburg-James City County Public Schools, along with the monthly use of facilities fees.

Revised 8/21/90  
Updated 3/2/92

Williamsburg-James City County Public Schools, Williamsburg, Virginia

# APPLICATION FOR REVOCABLE LICENSE TO USE FACILITIES

NAME OF ORGANIZATION \_\_\_\_\_

ADDRESS \_\_\_\_\_

Zip Code \_\_\_\_\_

☐ Williamsburg ☐ James City County

Telephone Number \_\_\_\_\_

Telephone No. (Home) \_\_\_\_\_

Telephone No. (Work) \_\_\_\_\_

Zip Code \_\_\_\_\_

☐ Williamsburg ☐ James City County Resident

## FACILITIES DESIRED

School \_\_\_\_\_

Facility (Auditorium, etc.) \_\_\_\_\_

DATES DESIRED \_\_\_\_\_

TIME DESIRED \_\_\_\_\_ AM \_\_\_\_\_ PM

Will the Public be Admitted? ☐ YES ☐ NO

Will an Admission Fee be Charged? ☐ YES ☐ NO

Will Funds be Collected/Solicited? ☐ YES ☐ NO

## ACKNOWLEDGEMENT

I, the undersigned, the duly authorized agent of the Applicant, do hereby acknowledge that I, on behalf of the Applicant, have read and understand the Williamsburg James City County School Boards Policy 3.16 (revised 11-28-79) and do hereby agree, on behalf of the Applicant, to observe and enforce all rules and regulations of the Williamsburg James City County School Boards governing the use of public school property, including but not limited to Policy 3.16.1 on behalf of the Applicant do further agree to protect indemnify and save harmless the School Boards of the City of Williamsburg and County of James City its officers and employees from any and all claims, liabilities, damages or rights of action, directly or indirectly, growing out of the use of the premises I, on behalf of the Applicant, do further agree to carry liability insurance in the amount of \$100,000.00 covering the School Boards of the City of Williamsburg and County of James City as additional insured, evidence of which is attached herein and made a part hereof I, on behalf of the Applicant, enclose a check for \$\_\_\_\_\_ covering the base charge for the revocable license to use the facilities for the date and time period as above described I, on behalf of the Applicant, do further acknowledge that the right of the Applicant to use the facilities as aforesaid may be revoked at any time for a violation by the Applicant its agents, employees, independent contractors, agents or members of any rule regulation or policy governing the use of public school property.

Signature \_\_\_\_\_

Date \_\_\_\_\_

## FOR SCHOOL DIVISION USE

Facility Usage Fee \_\_\_\_\_

Minimum Security Fee \_\_\_\_\_

Curricular Means \_\_\_\_\_ \$ \_\_\_\_\_ Hour

Security Means \_\_\_\_\_ \$ \_\_\_\_\_ Hour

Public Address System \_\_\_\_\_

TOTAL FEE \$ \_\_\_\_\_

Facility Use Approved \_\_\_\_\_

Principal \_\_\_\_\_

Date \_\_\_\_\_

☐ Payment Received \_\_\_\_\_

(Amount) \_\_\_\_\_

☐ Insurance Certified \_\_\_\_\_

☐ Non-Profit Status Certified \_\_\_\_\_

Facility Use Approved \_\_\_\_\_

Director of Finance \_\_\_\_\_

Date \_\_\_\_\_

Copies Original Applicant  
Yellow Parent/Other  
Gold Principal  
Pink Operations

JUN 21 1993

ORDINANCE NO. 66A-31

BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, SECTION 11-6, "BUSINESS DISTRICT" AND "RESIDENCE DISTRICT" DEFINED; SECTION 11-7, ADOPTION OF STATE LAW; AND ARTICLE II, DRIVING AUTOMOBILES, ETC., WHILE INTOXICATED OR UNDER THE INFLUENCE OF ANY DRUG, SECTION 11-28, ADOPTION OF STATE LAW, GENERALLY.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that effective July 1, 1993, Chapter 11, Motor Vehicles and Traffic, is hereby amended and reordained by amending Section 11-6, Definitions; Section 11-7, Adoption of State law; and Section 11-28, Adoption of state law, generally.

#### Chapter 11. Motor Vehicles and Traffic

##### Article I. In General

Section 11-6. ~~"Business district" and residence district" defined.~~ *Definitions.*

*For the purposes of this Chapter, the following words and phrases shall have the meaning respectively ascribed to them by this section:*



Ordinance to Amend and Reordain  
Chapter 11. Motor Vehicles and Traffic  
Page 2

**Business district.** The territory contiguous to a highway where seventy-five (75) per centum or more of the property contiguous to a highway, on either side of the highway, for a distance of three hundred (300) feet or more along the highway is occupied by land and buildings actually in use and operation for business purposes shall constitute a business district for purposes of this chapter.

*Highway. The entire width between the boundary lines of every public road, street; way or place open to the use of the public for purposes of vehicular travel in the County. For law enforcement purposes only, highway shall include all private roads, streets or other access ways located within any residential development containing 100 or more lots.*

**Residence district.** The territory contiguous to a highway, not comprising a business district, where seventy-five (75) per centum or more of the property contiguous to such highway, on either side of the highway, for a distance of three hundred (300) feet or more along the highway is occupied by dwellings and land improved for dwelling purposes, or by dwellings, land improved for dwelling purposes and land or buildings in use for business purposes shall constitute a residence district for the purposes of this chapter.

**State law reference -** For similar definitions relating to state motor vehicle laws, Code of Va., Section 46.2-100 and Section 46.2-1307.

Ordinance to Amend and Reordain  
Chapter 11. Motor Vehicles and Traffic  
Page 3

Section 11-7. Adoption of state law.

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 of the Code of Virginia, as amended, and in force on July 1, 1992 1993, except those provisions and requirements the violation of which constitutes a felony and those provisions and requirements which by their very nature can have no application to or within the county, are hereby adopted and incorporated in this chapter by reference and made applicable within the county. ~~References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the county. For law enforcement purposes only, all private roads and private streets located within any residential development containing 100 or more lots shall be designated highways as defined by Section 46.2-100 of the Code of Virginia, as amended.~~ Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the county, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 of the Code of Virginia.

State law reference - General authority of County to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., Section 15.1-132; authority to adopt state law on the subject, Code of Va., Section 46.2-1313.

**ARTICLE II. Driving Automobiles, etc., While Intoxicated  
or Under the Influence of Any Drug**


Section 11-28. Adoption of state law, generally.

*Article 9 (Section 16.1-278 et seq.) of Chapter 11 of Title 16.1 and Article 2 (Section 18.2-266 et seq.) of Chapter 7 of Title 18.2, Code of Virginia, as amended and in force July 1, 1992-1993, is hereby adopted and made a part of this chapter as fully as though set out at length herein. It shall be unlawful for any person within the county to violate or fail, neglect or refuse to comply with any section of the Code of Virginia as adopted by this Section.*


**State law reference - General authority of county to prohibit operation of vehicles while under the influence of alcohol or drugs, Code of Va., 15.1-132; authority to adopt state law on the subject, Code of Va. § 46.2-1313.**

**The effective date of this Ordinance shall be July 1, 1993.**

Ordinance to Amend and Reordain  
Chapter 11. Motor Vehicles and Traffic  
Page 5

  
Judith N. Knudson  
Chairman, Board of Supervisors

ATTEST:                   —

  
David B. Norman  
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
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TAYLOR	AYE
EDWARDS	AYE
DEPUE	AYE
SISK	AYE
KNUDSON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 21st day of June,  
1993.

2043-2U.wp5

THIS DEED IS EXEMPT FROM TAXATION PURSUANT TO  
SECTION 58.1-811A(3), CODE OF VIRGINIA OF 1950, AS AMENDED.

SPECIAL WARRANTY DEED

THIS DEED, made this 21st day of June, 1993, by and between JAMES CITY COUNTY, ("Grantor") and WILLIAMSBURG-JAMES CITY COUNTY PUBLIC SCHOOLS ("Grantee"), whose mailing address is P.O. Box 179, Williamsburg, Virginia 23187-0179.

WITNESSETH:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant and convey, with SPECIAL WARRANTY of title, unto the Grantee with full power to sell, lease, encumber and otherwise dispose of, all of its interests, being a full undivided fee simple interest, in the following described property ("Property"), to wit:

All that certain lot, piece or parcel of land, with improvements thereon and appurtenances thereunto belonging, lying and being in Powhatan District, James City County, Virginia, as shown on a plat entitled "PLAT SHOWING PROPERTY LINE ADJUSTMENT BETWEEN THE PROPERTY OF TOANO HUNTING CLUB, INC., AND JAMES CITY COUNTY," prepared by The DeYoung-Johnson Group, Inc., dated February 7, 1990, and recorded in the Circuit Court Clerk's Office for the City of Williamsburg and County of James City in Plat Book 52, page 1.

This conveyance is made subject to the conditions, restrictions, easements and reservations of record, if any, affecting the aforesaid Property, and constituting constructive notice.

WITNESS the following signature and seal:

JAMES CITY COUNTY

By: Judith N. Knudson  
Judith N. Knudson, Chairman  
Board of Supervisors

COMMONWEALTH OF VIRGINIA

AT-LARGE

I, Mary Frances Rieger, a Notary Public in and for the Commonwealth of Virginia at Large, do hereby certify that Judith N. Knudson, whose name is signed to the foregoing writing dated June 21, 1993, has acknowledged the same before me in the ~~City~~/County of James City.

Given under my hand and seal this 21st day of June, 1993.

Mary Frances Rieger  
Notary Public

My Commission Expires:

October 31st

VIRGINIA: City of Williamsburg and County of James City, to Wit:  
I, Mary Frances Rieger, Notary Public for the County of James City the  
28th day of June, 1993. This 21st day of June, 1993, I did witness certificate annexed and admitted to me at 1:00 o'clock  
Tested before me at James City, Virginia, by Deborah Ward,  
Deputy Clerk

SpcWDeed.ded