

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 12TH DAY OF OCTOBER, 1999, AT 7:04 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
David L. Sisk, Vice Chairman, Roberts District

John J. McGlennon, Jamestown District
Ronald A. Nervitt, Powhatan District
M. Anderson Bradshaw, Stonehouse District
Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. PUBLIC COMMENT

Mr. Danny Poe, representing Williamsburg Indoor Soccer, asked members of the Inline Hockey League in the audience to stand to show support for an indoor sports facility in the District Park Sports Complex. Mr. Poe thanked the Board for allowing the school age children to be recognized.

C. PRESENTATIONS

1. Virginia Citizens Planning Association 1999 Citizen Award

Mr. Edwards presented the Virginia Citizens Planning Association's 1999 Citizen Award to Joe McCleary, Jack Fraley, and Peggy Wildman and to Vincent Campana, Myrl Hairfield, Don Hunt, and Alex Kuras, in absentia, for the Business and Industrial Committee's work on updating the Zoning Ordinance.

Mr. Joe McCleary stated that the Committee was pleased with the outcome.

2. Thomas Nelson Community College, Loretta Hannum

1. Ms. Loretta Hannum, representative for James City County on the Thomas Nelson Community College Board of Directors, gave an update of off-campus sites, courses and degrees available, enrollment figures, and being a part of the Peninsula Workforce Development network.

Mr. Richard Calver, Dean of Administrative Services, explained the education programs available at the different locations.

Dr. Shirley Pippins, President, thanked all citizens for their support of Thomas Nelson Community College.

D. CONSENT CALENDAR

Mr. Edwards asked if a Board member wished to remove any item from the Consent Calendar.

Mr. Bradshaw asked that Item No. 2 be removed.

Mr. Edwards made a motion to approve Item No. 1 on the Consent Calendar.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

- 1. Minutes of September 28, 1999, Regular Meeting, and September 29, 1999, Work Session
- 2. Department of Justice Grant, High School Resource Officer

Mr. Robert C. Key, Police Chief, stated that the three-year grant would provide another officer who would alternate between the two high schools and spend considerable time in the neighborhoods, visiting parents, advising at-risk kids and providing resources as necessary.

Staff recommended approval of the resolution.

Mr. Bradshaw made a motion to approve the resolution.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

RESOLUTION

APPROPRIATION TO THE POLICE DEPARTMENT

WHEREAS, the Department of Justice has approved a three-year grant to provide \$ 106,192 to the Police Department for a High School Resource Officer; and

WHEREAS, the grant does not require a local match and covers salary and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of the \$106,192 three-year grant and approves the following budget amendments to the FY 2000 operating budget:

From:

Federal Government	<u>\$ 35,392</u>
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To:

Police Department Budget	<u>\$ 35,392</u>
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In order to staff this third High School Resource Officer position the Board of Supervisors hereby authorizes the establishment of one full-time limited-term police officer position.

E. PUBLIC HEARINGS

1. Case Nos. Z-5-99 and SUP-15-99. Taylor/Armistead

Ms. Tamara Rosario, Senior Planner, stated that Mr. Henry H. Stephens of Associate Developers, Inc., applicant, had requested that these cases be deferred until the October 26, 1999, Board of Supervisors meeting to allow time to explore issues related to the cases.

Staff concurred with the applicant's request.

Mr. Edwards opened the public hearing, and continued the public hearing until the October 26, 1999, Board of Supervisors meeting.

2. Case No. SUP-22-99. Hairworks Beauty Salon

Ms. Rosario stated that Ms. Margaret Moyer and Mr. Phillip Hull had applied for a special use permit to locate each respective business in buildings on 1.013 acres, zoned R-8, Rural Residential, located at 116 Powhatan Springs Road, further identified as Parcel Nos. (1-12 and 1-14) on James City County Real Estate Tax Map No. (47-1).

Ms. Rosario stated that Mr. Hull and Ms. Moyer wish to locate their businesses in two buildings closest to Powhatan Springs, each business approximately 900 square feet; they desire to lease the remaining space (180 feet) as an office in Ms. Moyer's building and to retain the building located on the rear parcel as a residence. She explained that neither Mr. Hull nor Ms. Moyer intend to reside on the property.

Staff determined that the proposal was compatible with surrounding zoning and development; conditions have been added requiring a modified commercial entrance and limited parking; proposed use of existing structures maintaining character of buildings as residences was consistent with the Comprehensive Plan.

The Planning Commission, by a vote of 7-0, recommended approval of the application.

Staff recommended approval of the application with the condition: beauty shop with one beautician's chair, one contractor's administrative office, and two residences.

Mr. Edwards opened the public hearing.

1. Ms. Margaret Moyer and Mr. Phillip Hull stated that the property would be improved and each confirmed a desire to not have a business in a strip mall area.

Board members and the applicants discussed an additional office space, rental properties, and possibly future increase of employees and parking.

2. Mr. Ed Oyer, 139 Indian Circle, suggested that a time frame be included in the resolution.

Mr. Edwards closed the public hearing.

Mr. Sisk made a motion to approve the resolution recommended by the Planning Commission.

Mr. Bradshaw made a motion to amend by deleting...one general office... in Condition No. 1.

On a roll call, the vote was: AYE: Nervitt, McGlennon, Bradshaw, Edwards (4). NAY: Sisk (1).

Mr. Nervitt asked staff to reexamine zoning language about requirement of owners with a limited business to occupy residence.

The Board agreed to a change in the number of signs from three to two in Condition 4.

On a roll call for the amended resolution, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw (4). NAY: Edwards (1).

RESOLUTION

CASE NO. SUP-22-99. HAIRWORKS BEAUTY SALON

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 September 8, 1999, recommended approval of Case No. SUP-22-99 by a vote of 7 to 0 to permit the operation of a beauty shop and contractor administrative office on Parcel Nos. (1-12) and (1-14) on James City County Real Estate Tax Map No. (47-1).

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-22-99 as described herein with the following conditions:

1. The use of the site shall be limited to a beauty shop with one beautician's chair, one contractor's administrative office, and one residence.
2. All business operations of the beauty shop and the contractor administrative offices shall be contained within Buildings 3 and 4, and all storage related to the businesses including, but not limited to materials and equipment, shall be contained and fully enclosed within Buildings 8, 9, and 2 as shown on the drawing entitled "Applicant's Master Plan for SUP-22-99."
3. Exterior modifications to Buildings 3 and 4 shall be submitted to the Planning Director for approval and shall be compatible with the existing residential character of the buildings as demonstrated in the picture entitled "Photographs of Buildings 3 and 4." There shall be no expansions permitted to Buildings 3 and 4.
4. Signage shall be limited to a maximum of two signs with a maximum size of four square feet per sign. The sign(s) must be attached to the building(s) and shall not be illuminated.
5. No articles shall be displayed or otherwise offered for sale upon the premises with the exception of services and hair care products associated with the beauty shop.
6. Site plan approval shall be required. All lighting proposed for the site shall be recessed and shall be approved by the Planning Director prior to final site plan approval.

- 7. Areas on the site associated with parking for the businesses shall be limited to the area for seven parking spaces, and the parking areas shall be screened from the road with enhanced landscaping as determined by the Planning Director.
- 8. A modified commercial entrance as conditioned by the Virginia Department of Transportation is required for the site and shall be installed prior to issuance of any certificate of occupancy for the businesses.
- 9. If certificates of occupancy for the businesses have not been obtained within a period of 24 months from the date of issuance of this permit, this permit shall become void.
- 10. This special use permit is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

3. Ordinance Amendment, Chapter 2, Administration, Division 2, Section 2-16.5, Auxiliary Police Force

Mr. Robert Key, Police Chief, stated that the proposed Ordinance would establish an auxiliary police force and authorizing the County Administrator or designee to appoint up to 25 volunteers as auxiliary officers. He explained the duties, training, and service of the officers as an extension to the County's philosophy of community policing.

Staff recommended approval.

Board and staff discussed cost of training uniforms and development of a pool of potential future police officers.

Mr. Edwards opened the public hearing.

- 1. Mr. Ed Oyer, 139 Indian Circle, asked if there were age limitations or waivers.

Chief Key responded that age of police officers was not a factor if physical requirements were met.

Mr. Edwards closed the public hearing.

Mr. Sisk made a motion to approve the Ordinance.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

4. Ordinance Amendment, Chapter 13, Motor Vehicle and Traffic, Article I, Section 13-4.1, Bicycle Helmet Required

Mr. Leo Rogers, Deputy County Attorney, stated that the proposed Ordinance would require persons 14 years or younger to wear a helmet while riding or being carried on a bicycle on a highway, with a penalty of violation being a \$25.00 fine, suspended for first time violators who purchase an appropriate helmet prior to the imposition of the fine.

Staff recommended approval of the Ordinance.

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

Mr. McGlennon made a motion to approve the Ordinance.

Mr. McGlennon encouraged citizens to purchase and wear helmets for safety. The Board also discussed enforcement of the Ordinances.

On a roll call the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

5. Ordinance Amendment, Chapter 14, Sections 14.2 and 14.6, Conditions Precedent of Granting of Permit, Outdoor Gatherings

Mr. Rogers stated that the proposed Ordinance would clarify the definition of an outdoor gathering, would amend the hours of operation, and require a certificate of insurance to accompany permit applications rather than a financial statement.

Staff recommended approval of the Ordinance.

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

Mr. Edwards asked staff to develop language for administrative approval of outdoor gatherings.

Mr. Bradshaw asked staff to include in that language a provision of appeal.

Mr. McGlennon asked staff to emphasize categories in the definition.

With Board agreement, Mr. Edwards asked that the item be brought back to the Board during November.

6. Ordinance Amendment, Chapter 2, Administration, Article IV, Section 2-15.1, Authority to Obtain Criminal History Record Information for Employees and Applicants for Employment, Permits, and Licenses

Mr. Rogers stated that the proposed Ordinance would authorize the County Administrator or designees to obtain criminal records information on County employees and applicants for employment, applicants for volunteer positions, permits and licenses with the County for persons who work with children and families, and for public safety positions.

Mr. Edwards opened the public hearing.

1. Mr. Ed Oyer, 139 Indian Circle, asked for explanation of permits and licenses.

Mr. Rogers responded with examples such as for hire licenses and massage permits.

Mr. Edwards closed the public hearing.

Mr. Bradshaw made a motion to approve the Ordinance.

Mr. Bradshaw asked staff to consolidate and clarify County Personnel policies as to which positions/permits/licenses would have criminal history checks.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0)

7. Lease of Three Plus Acres of Warhill Tract for an Indoor Sports Facility

Mr. Needham S. Cheely, III, Director, Parks and Recreation, stated that Williamsburg Indoor Sports, LLC., proposed to develop and operate an indoor sports facility within the District Park Sports Complex. He further stated that the public/private partnership was consistent with the Comprehensive Plan and continued the County's practice of considering alternative funding and developing partnerships that are beneficial to the citizens.

Mr. Cheely stated that the 38,000-square foot facility would accommodate soccer, inline hockey, basketball and volleyball. He explained that the public/private partnership would be a cost effective and creative way to provide services to the citizens, and outlined the terms of the lease agreement.

Staff recommended approval of the resolution.

Board and staff discussed when gate near entrance would be locked; hours of operation to be reviewed when lights installed for ballfields; and amounts of monthly lease and scholarships would be revisited periodically.

Mr. Edwards opened the public hearing.

1. Mr. Vernon Geddy, III, representing the applicant, stated that the facility would provide a service to citizens and maintain the area's quality of life.

2. Mr. Danny Poe, 3016 Camrose Drive, stated the facility would allow accommodation to more participants and community organizations would benefit.

3. Mr. Ed Oyer, 139 Indian Circle, asked whether this facility would be for-profit.

Mr. Edwards responded in the affirmative to Mr. Oyer's question.

Mr. Sisk made a motion to approve the resolution.

Board members spoke of their support for the project.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

RESOLUTION

LEASE AGREEMENT - WILLIAMSBURG INDOOR SPORTS

DISTRICT PARK SPORTS COMPLEX

WHEREAS, a lease agreement between James City County and the Williamsburg Indoor Soccer, LLC., has been prepared that would lease three acres of land within the District Park Sports Complex to Williamsburg Indoor Soccer, LLC., for the purpose of constructing and operating an indoor sports facility; and

WHEREAS, Williamsburg Indoor Soccer, LLC., will design, construct, and operate the facility as defined in the lease at no cost to James City County for an initial period of 30 years; and

WHEREAS, the lease agreement provides significant public benefit, protects the integrity of the District Park Sports Complex, and ensures that all citizens, regardless of financial ability, will have the opportunity to participate in the programs offered at this facility; and

WHEREAS, the lease agreement provides the County monthly lease payments, a significant contribution to the District Park's capital account, and annual scholarship funds to be administered by the County's Division of Parks and Recreation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the necessary documents to lease three acres of land within the District Park Sports Complex to Williamsburg Indoor Soccer, LLC.

F. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, recommended the reading of a lengthy article in Economist: "20th Century Freedoms."

2. Mr. Jeff Cattell, 2805 Sassafras, emphasized that budget monies belong to the taxpayers. He questioned the status of the independent investigation regarding the schools repairs.

Mr. Nervitt responded that the County Administrator was pursuing the independent assessment and would be providing that information for review.

G. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner asked Assistant County Administrator, William C. Porter, Jr., to give the status of repairs from the aftermath of Hurricane Floyd.

Mr. Porter stated the Virginia Department of Transportation (VDOT) had picked up debris from the right-of-way; would begin work on the Lake Powell bridge on Jamestown Road (Route 31); utility lines would be laid parallel to the bridge disguised in a walkway; generally would not install a temporary bridge if another access was available; Economic Development staff had delivered the Federal Emergency Management Agency flyer to businesses effected along Jamestown Road. He further stated that an advertisement would be published in the local newspapers with a map showing the detour route to Jamestown Road and announcing that the businesses were open.

Mr. Porter explained an electronic mail tree would be set up to communicate with connected neighborhoods and businesses on a weekly basis.

Mr. McGlennon asked that the electronic mail effort emphasize that the proposed walkway over the lake at Jamestown Road as an amenity to the County.

Mr. Nervitt asked about responses from VDOT regarding the temporary bridge and the time for bridge replacement.

Mr. Wanner responded that communication with the Williamsburg Area Residency was daily.

Mr. Nervitt asked about contact with State government.

Mr. Edwards suggested Mr. Nervitt contact the Governor's office.

Mr. Wanner recommended adjournment until 7:00 p.m., Tuesday, October 26, 1999, after a closed session pursuant to Section 2.1-344(A)(1) of the Code of Virginia to consider appointment of individuals to County boards and/or commissions and pursuant to Section 2.1-344(A)(3) of the Code of Virginia to consider acquisition of parcels of property dealing with greenspace and environmental protection.

H. BOARD REQUESTS AND DIRECTIVES

Mr. Bradshaw mentioned the death of Mr. Phillip R. Cooke, Sr., who would be missed for his community leadership.

Mr. Edwards made a motion to convene into closed session as recommended by the County Administrator, at 9:30 p.m.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

Mr. Edwards reconvened the Board into open session and made a motion to approve the closed session resolution, at 11:02 p.m.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Sisk (5). NAY: (0).

RESOLUTION

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors of James City County, Virginia, (Board) has convened a closed 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 closed 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 closed meeting to which this certification resolution applies; and, ii) only such public business matters were heard, discussed or considered by the Board as were identified in the motion, Section 2.1-344(A)(1), appointment of individuals to County boards and/or commissions and Section 2.1-344(A)(3), acquisition of parcels of property for public use.

Mr. Edwards made a motion to reappoint Donna Garrett, Lin Walker, Grant Mouser, and Alain Outlaw to the Historical Commission for a three-year term, terms expiring August 31, 2002, respectively; and

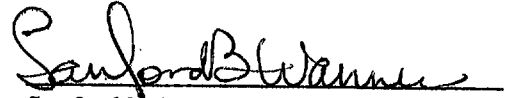
made a motion to appoint Ronald A. Nervitt to the Williamsburg Land Conservancy Board of Directors as an ex officio member until January 2000 Board of Supervisors organizational meeting.

On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

Mr. Edwards made a motion to adjourn.

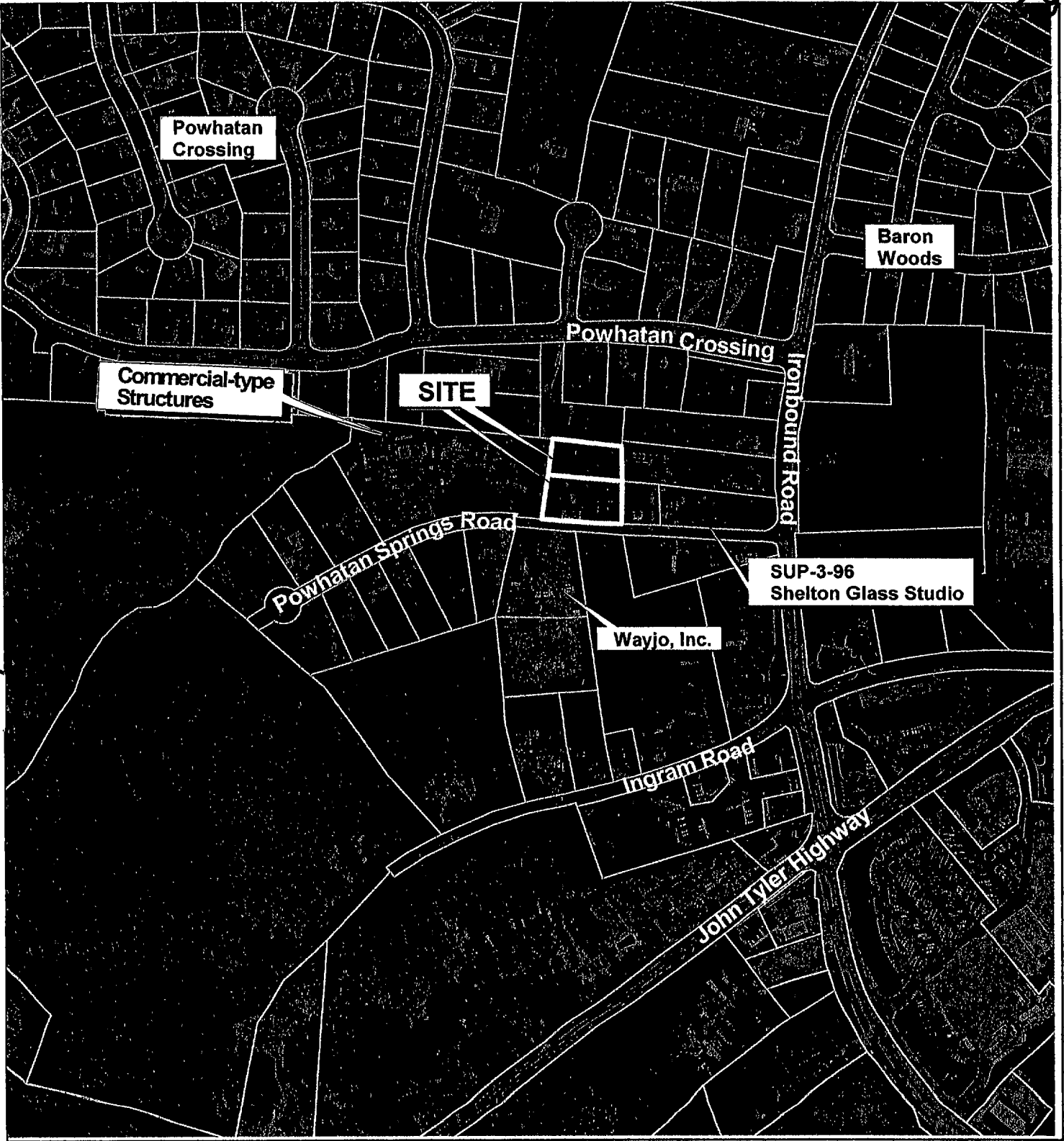
On a roll call, the vote was: AYE: Nervitt, Sisk, McGlennon, Bradshaw, Edwards (5). NAY: (0).

The Board adjourned at 11:04 p.m.



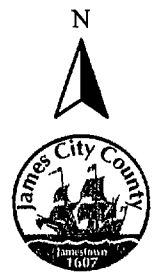
Sanford B. Wanner
Clerk to the Board

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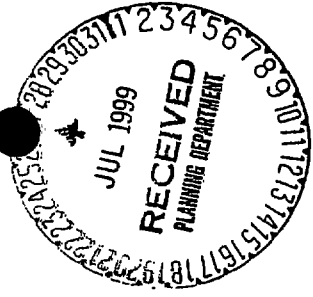


SUP-22-99
Hairworks Beauty Salon

200 0 200 400 Feet



APPLICANTS' MASTER PLAN FOR SUP-22-97



#9

#10

(47-1)(1-12)

Approximate Property line

(47-1)(1-14)

#8

#5

#4

#6

#3

#2

#7

#11

#1



ATTACHMENT 4

MIN. DN

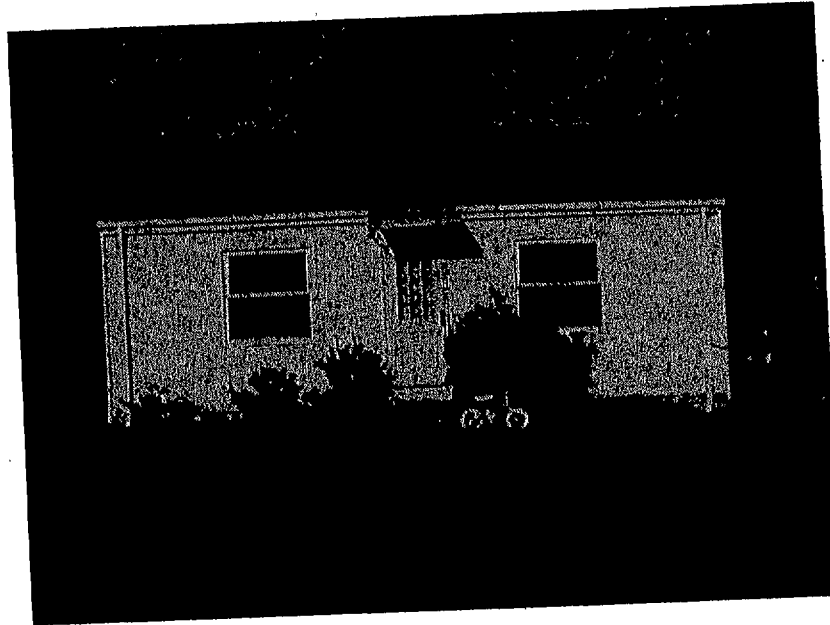
INDEX:

31.

- 1- Gravel LANE to REAR of property (Existing Easement)
- 2- (4) car carport, to be enclosed on (3) sides to match existing structure
- 3- small cottage, to be used for (1) Business office, same appearance (exterior)
- 4- minor interior renovation to "MAIN house", Hair styling salon and general offices, same appearance (exterior)
- 5- to be paved for parking (low visibility from Powhatan Springs)
- 6- large oak tree to remain
- 7- to be gravelled for entrance to parking lot
- 8- storage building to remain
- 9- storage building to remain
- 10- Existing house to remain as existing residence
- 11- To be gravelled for entrance to carport



Photographs of Buildings 3 and 4



Building 3



Building 4

OCT 12 1999

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

ORDINANCE NO. 55A-27

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 2, SPECIFIC OFFICERS, BY ADDING SECTION 2-16.5, AUXILIARY POLICE FORCE.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, is hereby amended and reordained by amending Article IV, Officers and Employees, Division 2, Specific Officers, by adding Section 2-16.5, Auxiliary police force.

Chapter 2. Administration

Article IV. Officers and Employees

Division 2. Specific Officers

Sec. 2-16.5. Auxiliary police force.

a) There is hereby created a volunteer auxiliary police force which shall be designated the James City County Auxiliary Police Force. Member of the James City County Auxiliary Police Force shall have all the powers, authorities, and immunities of full-time law-enforcement officers.

b) Members of the James City County Auxiliary Police Force shall be designated as Auxiliary Officers. Auxiliary officers shall be appointed by the county administrator or his designee.

Ordinance to Amend and Reordain
Chapter 2. Administration
Page 2

Such appointments may be revoked at any time at the sole discretion of the county administrator or his designee. The number of auxiliary officers shall not exceed 25. Auxiliary officers shall have good moral character, have the status of volunteer, and shall receive no compensation or other benefits except liability and disability coverage.

c) Auxiliary officers who have been trained in accordance with the provisions of Virginia Code Section 15.2-1731B may be called into service by the chief of police to aid and assist full-time law-enforcement officers in the performance of their duties. The auxiliary officers shall be under the supervision of the chief of police or his designee and shall wear the prescribed uniform.

d) The county administrator or his designee is authorized to prescribe and promulgate rules and regulations governing the qualifications, manner of selection, training, uniforms, and equipment of auxiliary police officers. Such rules and regulations shall require that all auxiliary officers satisfy all training requirements established by The Department of Criminal Justice Services. The badges of auxiliary officers shall be distinguishable from those of full-time law-enforcement officers.

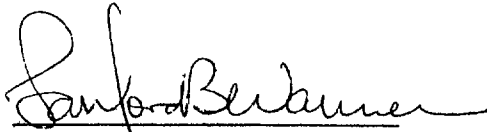
State law reference - Code of Va., § 15.2-1731 et seq.

Ordinance to Amend and Reordain
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Page 3



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 1999.

employees.ord

OCT 12 1999

ORDINANCE NO. 66A-44

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 13, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE I, IN GENERAL, BY ADDING SECTION 13-4.1, BICYCLE HELMET REQUIRED.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 13, Motor Vehicle and Traffic, is hereby amended and reordained by amending Article I, In General, by adding Section 13-4.1, Bicycle helmet required.

Article I. In General

Sec. 13-4.1. Bicycle helmet required.

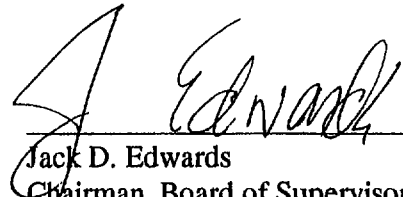
a) Every person 14 years of age or younger shall wear a protective helmet which meets the standards promulgated by the American National Standards Institute or the Snell Memorial Foundation whenever riding or being carried on a bicycle on any highway (as defined in §46.2-100 Code of Virginia), street, sidewalk, or bicycle path.

b) Violation of this section shall be punishable by a fine of \$25.00. However, with respect to any person riding or being carried on a bicycle, such fine shall be suspended for any person who meets both of the following criteria: (i) is a first-time violator and (ii) purchases a helmet of the type required by this section subsequent to the violation but prior to imposition of the fine.

Ordinance to Amend and Reordain
Chapter 2. Administration
Page 2

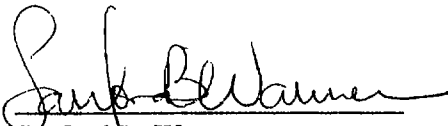
c) Violation of this section shall not constitute negligence or assumption of risk, be considered in mitigation of damages of whatever nature, be admissible in evidence, or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation of any bicycle, nor shall anything in this section change any existing law, rule, or procedure pertaining to any civil action.

State law reference - Code of Va., § 46.2-906.1



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 1999.

bikehelmet.ord

OCT 12 1999.

ORDINANCE NO. 55A-26

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 2, ADMINISTRATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE IV, OFFICERS AND EMPLOYEES, DIVISION 1, GENERALLY, BY ADDING SECTION 2-15.1, AUTHORITY TO OBTAIN CRIMINAL HISTORY RECORD INFORMATION FOR EMPLOYEES, ETC.

BE IT ORDAINED, by the Board of Supervisors of the County of James City, Virginia, that Chapter 2, Administration, is hereby amended and reordained by amending Article IV, Officers and Employees, Division 1, Generally, by adding Section 2-15.1, Authority to obtain criminal history record information for employees, etc.

Chapter 2. Administration

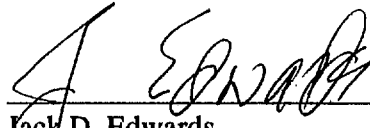
Article IV. Officers and Employees

Division 1. Generally

Sec. 2-15.1. Authority to obtain criminal history record information for employees, etc.

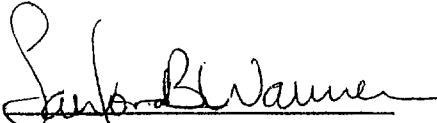
The county administrator or his designees, is authorized to obtain criminal history record information from the Virginia Central Criminal Records Exchange of the Department of State Police on county employees and any applicant for employment, applicant for volunteer position, a permit or a license with the county to determine if the past criminal conduct of a person with a conviction record would be compatible with the nature of the employment, volunteer position, permit, or license.

Ordinance to Amend and Reordain
Chapter 2. Administration
Page 2



Jack D. Edwards
Chairman, Board of Supervisors

ATTEST:



Sanford B. Wanner
Clerk to the Board

<u>SUPERVISOR</u>	<u>VOTE</u>
NERVITT	AYE
SISK	AYE
MCGLENNON	AYE
BRADSHAW	AYE
EDWARDS	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of October, 1999.