

AT A REGULAR MEETING OF THE BOARD **OF SUPERVISORS** OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF MARCH, 2003, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. ROLL CALL

Jay T. Harrison, Sr., **Chairman**, Berkeley District
Bruce C. **Goodson**, Vice Chairman, Roberts District
John J. **McGlennon**, **Jamestown** District
Michael J. Brown, **Powhatan** District
James G. **Kennedy**, Stonehouse District

Sanford B. Wanner, County Administrator
Frank M. Morton, III, County Attorney

B. MOMENT OF SILENCE

Mr. Harrison recognized Wilford Kale, Planning Commission member, in the audience.

Mr. Harrison requested the Board and citizens observe a moment of silence.

C. PLEDGE OF ALLEGIANCE

Anthony Green, a fourth-grade student at James River Elementary **School**, led the Board and citizens in the Pledge of Allegiance.

D. PRESENTATION

1. **Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day – April 5, 2003**

Ms. Erika Cohane provided the Board with an overview of the events for the Family **P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day** on April 5, 2003, at the **Williamsburg** Outlet Mall and invited citizens to attend.

E. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, posed two items to the Board. One regarding the County's financial status **and the** other on telephone bills. Mr. Oyer also stated that the **town** meetings held by Delegates Hamilton and Norment were beneficial and encouraged citizens to voice concerns to them

F. HIGHWAY MATTERS

Mr. Steven Hicks, Resident Engineer, Virginia Department of Transportation (VDOT), commented on the VDOT's employees' diligence in repairing approximately 2,000 potholes on the primary and Interstate roads, advised citizens of the Work Zone Safety Awareness Week beginning on April 6, and stated that the Route 199 east access ramp to I-64 will be repaved during the Jarnestown Corridor improvements.

Mr. Harrison requested the deteriorating condition of the main entryway into Governor's Land be addressed.

Mr. Kennedy requested enforcement information regarding the removal of independently posted signs along roadways.

Mr. Kennedy requested authorization for designated County staff to remove such signs from the roadways.

Mr. Hicks stated that posting signs in VDOT right-of-ways is a code violation and that he would step up enforcement.

G. CONSENT CALENDAR

Mr. Kennedy made a motion to adopt the items on the Consent Calendar.

On a roll call, the vote was: AYE: **McGlennon, Brown, Goodson, Kennedy, Harrison (5)**. NAY: **(0)**.

1. Minutes -

a. February 11, 2003, Regular Meeting

b. March 11, 2003, Regular Meeting

2. Family P.A.R.T.Y. (Promoting Alcohol Responsibility Through You) Day - April 5, 2003

RESOLUTION

FAMILY PROMOTING ALCOHOL RESPONSIBILITY THROUGH YOU DAY

WHEREAS, about 7.9 million Americans between ages 12-20 consume five or more drinks on the same occasion; and

WHEREAS, people who begin drinking before age 15 are four times more likely to develop alcoholism than those who begin at 21; and

WHEREAS, locally approximately 64 percent of 6th graders, 39 percent of 8th graders, 43 percent of 9th graders, and 31 percent of 12th graders have chosen to abstain from the use of alcohol; and

WHEREAS, increased alcohol awareness and knowledge of community resources can lead to prevention and early intervention of alcohol abuse; and

WHEREAS, community involvement has been shown to decrease illegal alcohol use and other drug activity.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby proclaim April 5, 2003, as Family Promoting Alcohol Responsibility Through You (P.A.R.T.Y.) Day in James City County and calls upon all citizens, pments, governmental agencies, public and private institutions, businesses, hospitals, and schools in James City County to support efforts that will prevent underage drinking throughout our community.

3. Extrinsic Structure Agreements for Governor's Land at Two Rivers Subdivision – Golf Cart Tunnel

RESOLUTION

EXTRINSIC STRUCTURE AGREEMENTS FOR

GOVERNOR'S LAND AT TWO RIVERS SUBDIVISION - GOLF CART TUNNEL

WHEREAS, an agreement is **required** to address the legal requirement of the Virginia Department of Transportation (VDOT) to accept the maintenance responsibility for one extrinsic structure, specifically a golf cart path tunnel under a secondary road, in the Governor's Land at Two Rivers subdivision; and

WHEREAS, in order to induce the County to enter into an inspection and maintenance agreement with VDOT, the Two Rivers Club at Governor's Land ("**Club**"), the **owner** of the property served by the extrinsic structure, is willing to enter into an agreement with the County to assume any maintenance liability the County may have for the extrinsic structure; and

WHEREAS, the agreement with the Club protects the interest of the County concerning liability for the extrinsic structure.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is hereby authorized and directed to execute an agreement on behalf of the County with the Club for the inspection and maintenance of an extrinsic structure, specifically a golf cart path **tunnel**, in the Governor's Land at Two Rivers subdivision.

BE IT FURTHER RESOLVED that the **County** Administrator is hereby authorized and directed to enter into an agreement on behalf of the County with the Virginia Department of Transportation for the inspection and maintenance of an extrinsic structure, a golf cart path **tunnel**, in the Governor's Land at Two Rivers subdivision.

4. Dedication of Streets in St. George's Hundred-Section 6: and Governor's Land – Founder's Hill, Wythe Hamlet, and Nathaniel's Green

R E S O L U T I O N

DEDICATION OF STREETS IN SAINT GEORGE'S HUNDRED - SECTION 6

WHEREAS, the streets described on the attached Additions Form **SR-5(A)**, fully incorporated herein by reference, are shown on plats recorded in the **Clerk's Office** of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, **1993**, for comprehensive stormwater detention which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to add the streets described on the attached Additions Form **SR-5(A)** to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, **fills** and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation

R E S O L U T I O N

DEDICATION OF STREETS IN GOVERNOR'S LAND -

FOUNDER'S HILL, WYTHE HAMLET, AND NATHANIEL'S GREEN

WHEREAS, the streets described on the attached Additions Forms **SR-5A's**, fully incorporated herein by reference, are shown on plats recorded in the **Clerk's Office** of the Circuit Court of James City County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

WHEREAS, the County and the Virginia Department of Transportation entered into an agreement on November 1, **1993**, for comprehensive stormwater detention which applies to this request for addition; and

,WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on March 11, 2003, for the crossing of one extrinsic structure, which applies to this request for addition.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby requests the Virginia Department of Transportation to **add** the streets described on the attached Additions Forms **SR-5A's** to the secondary system of State highways, pursuant to §33.1-229, of the Code of Virginia, and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation

5. 2004 Primary Road Priorities

R E S O L U T I O N

2004 PRIMARY ROAD PRIORITIES

WHEREAS, the James City County Board of Supervisors believes that a safe, efficient, and adequate transportation network is vital to the future of the County, the region, and State; and

WHEREAS, the James City County **Comprehensive Plan and/or** regional **and state** transportation plans and studies conclude that the following highway projects are essential to permit the safe and efficient movement to traffic in the Williamsburg-James City County area; and

WHEREAS, there exists a pressing need to implement the projects below in order to relieve traffic congestion which impedes the action of emergency vehicles and personnel, causes inconvenience and delays, and contributes the major source of air pollution to the area.

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

- On schedule completion of the widening of the existing sections of Route 199 to four lanes;

On schedule completion of the Route 199/Route 31 intersection improvements, with adequate pedestrian facilities;
- Funding for design and construction of Route 60 relocation with priority given to the section between Route 60 at a point east of Blow Flats Road in the County to the Fort Eustis Interchange;
- Funding for landscaping along the Route 199 corridor; and

- Proceeding with the next phases of preliminary design and environmental study for the Capital to Capital Bikeway project consistent with a resolution adopted by the Board of Supervisors on November 10, 1998.

6. Budeet Amendment – Emergency Medical Services

R E S O L U T I O N

BUDGET AMENDMENT - EMERGENCY MEDICAL SERVICES

WHEREAS, the Commonwealth of **Virginia** Office of Emergency Medical Services has approved a Rescue Squad Assistance Grant providing \$7,540 to the Fire Department for Emergency Alert Radio Pagers; and

WHEREAS, local matching funds of \$7,540 are available in the Emergency Medical Services budget.

NOW, **THEREFORE**, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation amendment to **the Special Project/Grants Fund**:

Revenue:

Department of Emergency Management	<u>\$7,540</u>
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Expenditures:

Emergency Medical Services	<u>\$7,540</u>
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7. FY 04 State Aid Matching Public Transportation Application

R E S O L U T I O N

FY 04 STATE AID MATCHING PUBLIC TRANSPORTATION APPLICATION

WHEREAS, the Commonwealth of **Virginia** has made funds available for public transportation; and

WHEREAS, the Board of Supervisors is **desirous** of securing said funds **in support** of the James City County Transit Company's operations.

NOW, **THEREFORE**, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to execute and file the application to the Virginia Department of Rail and Public Transportation, Commonwealth of Virginia, for a grant of State public transportation matching assistance under Section 58.1-638.A.4 of the Code of Virginia. The amount requested for State assistance is \$232,000 to assist in eligible expenses. The County Administrator shall be authorized to accept grant funds awarded and to furnish the Virginia Department of Rail and Public Transportation documents and other information as may be required for processing this grant request.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, certifies that the funds shall be used in accordance with the requirements of Section 58.1-638.A.4 of the Code of Virginia Program and that James City County may be subject to audit by the Virginia Department of Rail and Public Transportation and by the State Auditor of Public Accounts.

H. PUBLIC HEARING

1. Case No. SUP-3-03. JCSA Route 5 Water Main Extension Amendment

Mr. Christopher Johnson, Senior Planner, stated that Larry Foster, General Manager of the James City Service Authority, has applied for a special use permit to change the limits of clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5 on approximately 20.66 acres, zoned R-8, Rural Residential, at 3123 Ironbound Road, further identified as Parcel Nos. (1-34) and (1-38) on James City County Real Estate Tax Map No. (46-2).

Staff found the proposal, with conditions, to be consistent with surrounding zoning and development and consistent with the Comprehensive Plan.

The Planning Commission, at its meeting on March 3, 2003, recommended approval of the application by a vote of 7 to 0.

Staff recommended the Board approve the application with conditions.

Mr. Harrison opened the Public Hearing.

1. Mr. Larry Foster, applicant, requested the Board approve the application and stated that he would answer questions from the Board.

As no one else wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. Kennedy made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

CASE NO. SUP-3-03. JAMES CITY SERVICE AUTHORITY

ROUTE 5 WATER MAIN EXTENSION AMENDMENT

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, water facilities (public and private), including transmission mains, a specially permitted uses in the R-8 Zoning District; and

WHEREAS , Mr. Larry Foster, General Manager of the James City Service Authority, has applied for a special use permit to amend the conditions of Case No. SUP-22-01 to change the limits of clearing for a portion of the water main extension and change the location of approximately 350 linear feet of 16-inch potable water main from the north side of Route 5 to the south side of Route 5; and

WHEREAS, the properties are located at 3123 Ironbound Road and 4321 John Tyler Highway, zoned R-8, Rural Residential District, and further identified as Parcel Nos. (1-34) and (1-38) on James City County Real Estate **Tax** Map No. (46-2); and

WHEREAS , the Planning Commission of James City County, following its public hearing on March 3, 2003, voted 7 to 0 to approve this application.

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-3-03 as described herein with the following conditions:

1. Construction. Start of Construction on the Groundwater Treatment Facility, as defined in the Zoning Ordinance, shall **commence** within 36 months of approval of this special use permit, or the permit shall become void.
2. Compliance. Construction, operation, and maintenance of the Groundwater Treatment Facility, water transmission main, production wells, and concentrate discharge main shall comply with all local, State, and Federal requirements.
3. Permits. All permits and easements shall be acquired prior to the commencement of construction for the water transmission main and concentrate discharge main.
4. Erosion and Sediment Control. The project shall comply **with** all Virginia erosion and sediment control regulations as specified in the 1992 Virginia Erosion and Sediment Control Handbook as amended.
5. Development Plan. Development and land clearing of the site shall be generally in accordance with the "Preliminary Plan, Brackish Groundwater Desalination Facility" prepared by **AES** Consulting Engineers, March 19, 2002, **with** such accessory structures and minor changes as the Development Review Committee determines does not change the basic concept or character of the development.
6. Spill Containment. Prior to the issuance of a Certificate of Occupancy, a spill **containment** plan which addresses the chemical handling and storage areas shall be submitted to the Environmental Director and Fire Department for their review and approval.
7. Archaeology. Prior to the issuance of a land disturbing permit for this project, an archaeological survey shall be conducted for the project area for the water treatment facility and along the recommended alignment for the concentrate discharge main in accordance with the adopted Board of Supervisors policy. The results shall be submitted to the Director of Planning for review and approval.
8. Lighting. All exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In

addition, prior to final site plan approval, a lighting plan shall be submitted to, and approved by, the Planning Director or his designee which indicates no glare outside the property lines. "Glare" shall be defined as more than 0.1 footcandle at the property line or any direct view of the lighting source from the adjoining residential properties.

- 9. Architecture. Prior to final site plan approval, architectural elevations, building materials, and colors shall be submitted to the Director of Planning for review and approval for all structures on the site. The intent of this condition is to ensure that all future buildings on the site are uniform and compatible in terms of design, materials and colors, have a residential appearance, and are designed for minimal visual impact.
- 10. Landscaping. Any accessory structures on the site, such as storage tanks and production well structures, shall be screened with enhanced landscaping or constructed with materials and colors matching the treatment facility. Enhanced landscaping shall be defined as either 133 percent of evergreen trees required by the Zoning Ordinance or 125 percent of general planting required by the Zoning Ordinance as determined by the Planning Director.
- 11. Utilities. The water main shall be located within the limits of clearing for the access driveway to the site from John Tyler Highway, the existing JCSA easement or within W O T right-of-way.
- 12. Route 5 Buffer. A 250-foot undisturbed wooded buffer shall be maintained along John Tyler Highway with the exception of the clearing necessary for the driveway providing access to the site and any portion of the existing JCSA utility easement along John Tyler Highway. The driveway shall be curved in such a way to minimize views of the site from John Tyler Highway to the greatest extent possible, as determined by the Planning Director.
- 13. Chanw's Grant Buffer. A 300-foot undisturbed wooded buffer shall be maintained along the southern property line of the treatment facility site adjacent to the Chanco's Grant subdivision with the exception of the clearing necessary for the construction of the concentrate discharge main and greenway trail.
- 14. Greenway Trail. The applicant shall construct a greenway trail to the specifications of the James City County Division of Parks and Recreation over the areas of construction for the concentrate discharge main between the treatment facility site and the directional drill location north of Jamestown Road. The final alignment of the concentrate discharge main and greenway trail shall generally be as shown on the plan "Brackish Groundwater Desalinization Facility, SUP Pipeline," dated May 21, 2002, prepared by Buchart Horn, Inc., and Skipper Engineering Associates, PC. The final location for both the concentrate discharge main and greenway trail shall be subject to the approval of the Planning Director.
- 15. Community Character. The applicant shall avoid removing trees, bushes, and shrubs along the water main and concentrate discharge main corridors along Route 5, 4-H Club Road, and Jamestown Road. Trees, bushes, and shrubs damaged during construction shall be replaced with a tree, bush, or shrub of equal type as approved by the Planning Director.

16. Dust and Siltation Control. For water main or concentrate main construction adjacent to existing development, adequate dust and siltation control measures shall be taken to prevent adverse effects on adjacent property. It is intended that the present and future results of the proposed water transmission main and concentrate discharge main do not create adverse effects on **the** public health, safety, comfort, convenience, or value of the surrounding property and uses thereon.
 17. Access. Vehicular access to residences within the effected right-of-ways shall be maintained at all times.
 18. Construction Time. All construction activity for the concentrated discharge main and the water main extension adjacent to existing residential development shall **occur** between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.
 19. Vehicle and Equipment Storage. Construction vehicles and equipment shall not be parked or stored along Route 5, 4-H Club Road or Jamestown Road between the hours of 5:00 p.m. and 8:00 a.m.
 20. Severability. This special use permit is not severable. Invalidation of any word phrase, clause, sentence, or paragraph shall invalidate the remainder.
2. Amended Articles of Incorporation for the James City Service Authority and 50-year Extension of Corporate Term

Mr. Frank M. Morton, III, County Attorney, presented a resolution to amend and update the Articles of Incorporation for the James City Service Authority (JCSA) that was drawn up in **1969**.

Mr. Harrison opened the **Public Hearing**.

As no one wished to speak to this matter, Mr. Harrison closed the Public Hearing.

Mr. **McGlennon** made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: **McGlennon**, Brown, **Goodson**, Kennedy, Harrison (5). NAY: (0).

RESOLUTION

AMENDED ARTICLES OF INCORPORATION FOR JAMES CITY SERVICE AUTHORITY

AND 50-YEAR EXTENSION OF CORPORATE TERM

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

WHEREAS, the State Corporation Commission issued a certificate of incorporation to the James City Service Authority dated July **9, 1969**; and

- WHEREAS, the James City County Board of Supervisors amended the Articles of Incorporation by resolution adopted on August 12, 1980, in order expand the area in which the James City Service Authority **may** operate; and
- WHEREAS, James City Service Authority's recorded Articles of Incorporation do not provide for the term for each member of its Board of **Directors** to run **coterminously** with the term of the appointing member of the Board of Supervisors; and
- WHEREAS, the James City Service Authority's recorded Articles of Incorporation do not provide for a street address for a principal office; and
- WHEREAS, the Board of Supervisors desires to extend the corporate life of the James City Service Authority for 50 years as provided in Virginia Code Section 15.2-5114; and
- WHEREAS, a public hearing to consider a change to the James City Service Authority's Articles of Incorporation was held by the Board of Supervisors on March 25, 2003, more than thirty days after a descriptive notice of the proposed action was published in The Daily Press and The Virginia Gazette, newspapers of general circulation in James City County, Virginia.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the creation of the James City Service Authority is hereby reaffirmed and that the Articles of Incorporation of the James City Service Authority shall be amended and restated as follows:

ARTICLES OF INCORPORATION OF THE JAMES CITY SERVICE AUTHORITY

Pursuant to the authority of the Virginia Water and Waste Authorities Act (Chapter 51 of Title 15.2 of the Code of **Virginia**, 1950, as amended) the Board of Supervisors of James City County, Virginia adopted a Resolution on March 25, 2003, reaffirming the creation of an authority which shall be a public body corporate and politic.

- Article 1. The authority is formed under the Virginia Water and Waste Authorities Act, as amended and its name shall be:

"JAMES CITY SERVICE AUTHORITY

and the address of its principal office shall be 101-E Mounts Bay Road,
Williamsburg, Virginia.

- Article 2. The name of the incorporating political subdivision is:

COUNTY OF JAMES CITY, VIRGINIA

- Article 3. The purpose of the James City Service authority is to carry out any such projects in all areas of James City County, Virginia, as **are or** may hereafter be authorized by the Code of Virginia, 1950, as amended. Given the ongoing projects and services currently performed by the James City Service Authority and the engineering studies and estimates needed for proposed and potential projects, it is not practicable to set forth herein preliminary estimates of capital costs and initial rates for such proposed and potential projects.

Article 4. The following citizens of James City County, Virginia, are hereby appointed as members of the Board of Directors of the James City Service Authority, each of whom shall continue in office for the term expiring ~~after~~ the period set opposite his name and until his successor shall be duly qualified:

<u>Name</u>	<u>Address</u>	<u>Electoral District</u>	<u>Expiration of Initial Term</u>
Michael J. Brown	160 Devon Road	Powhatan	12/31/05
John J. McGlennon	2817 Mockingbird Lane	Jamestown	12/31/05
Bruce C. Goodson	318 Littleton Quarter	Roberts	12/31/03
Jay T. Harrison, Sr.	4821 John Tyler Highway	Berkeley	1Y31/03
James G. Kennedy	7681 Thacher Drive	Stonehouse	12/31/03

The successor for each member shall be the duly elected or appointed member of the James City County Board of Supervisors for the respective electoral district and the term for each member shall run ~~coterminously~~ with the term of the elected or appointed member of the James City County Board of Supervisors for the respective electoral district. Each member of the Board of Directors shall serve for such compensation as may be set from time to time by the James City County Board of Supervisors and shall be reimbursed for such expenses necessarily incurred in the performance of his duties.

Article 5. The registered agent for the James City Service Authority shall be the duly appointed County Attorney for James City County, Virginia.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that in accordance with Virginia Code Section ~~15.2-5114~~ the term of the James City Service Authority is hereby extended for a period of fifty (50) years from the date of this resolution.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that Jay T. Harrison, Sr., Chairman of the Board of Supervisors, is hereby authorized and directed to execute the Articles of Incorporation for the James City Service Authority, in substantially the form set forth in this Resolution and the official seal of the County of James City, Virginia, shall be affixed thereto and that the Articles of Incorporation be attested to by Sanford B. Wanner, Clerk to the Board, and said officers are hereby authorized, empowered, and directed to do all things necessary and appropriate, including the execution of additional documents, to amend the Articles of Incorporation and reaffirm the creation of the James City Service Authority pursuant to the Virginia Water and Waste Authorities Act.

BE IT FURTHER RESOLVED, by the Board of Supervisors of James City County, Virginia, that the changes to the amended Articles of Incorporation for the James City Service Authority shall be effective immediately and all prior actions of the James City Service Authority ~~Board of Directors~~ are hereby ratified and confirmed.

I. BOARD CONSIDERATIONS

1. PDR Program – Offer to Sell a Conservation Easement:

- a. 2511 and 2611 Forge Road
- b. 9038 Diascund Road

Mr. Michael H. **Drewry**, Administrator of the **Purchase** of Development Rights Program (**PDR**), stated that Lyle G. Hall, Jr. and Maria Hall Temple have accepted the conservation easement appraisal value and agreed upon terms of a conservation easement on approximately 123 acres of their property located at 2511 and 2611 **Forge Road**, further identified as Parcel Nos. (1-9) and (J-10) on **James City County Real Estate Tax Map No. (11-4)**. The PDR Committee and staff recommend approval of the resolution accepting the offer by Lyle G. Hall, Jr. and Maria Hall Temple.

Mr. Drewry also stated that Mr. Randall C. Davis has accepted the conservation easement appraisal value and agreed upon terms of a conservation easement on approximately 18.9 acres of his property located at 8038 Diascund Road, further identified as Parcel No. (1-9) on James City County Real Estate Tax Map No. (9-2). The PDR Committee and staff recommend approval of the resolution accepting the offer by Mr. **Randall C. Davis**.

Members of the Board thanked property owners for their participation in the **PDR Program**, and thanked the members of the PDR Committee and Mr. Drewry for their work

Mr. **Kennedy** made a motion to adopt the resolutions.

On a roll call vote, the vote was: **AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).**

R E S O L U T I O N

PDR PROGRAM - OFFER TO SELL A CONSERVATION EASEMENT

2511 AND 2611 FORGE ROAD

WHEREAS, the County has received an offer to sell a conservation easement under the Purchase of Development Rights (**PDR**) Program from the owners of the property known as 2511 and 2611 Forge Road, Tax Parcel Nos. (11-4)(1-9) and (11-4)(1-10); and

WHEREAS, the owners offered to sell a conservation easement on the property for a purchase price of Five Hundred Seventy-Six Thousand and 001100 Dollars (**\$576,000.00**), subject to the conditions set forth in the proposed deed of easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the offer to sell a conservation easement described above, or as modified by the County Attorney, and authorizes the County Administrator to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the PDR Administrator to send a copy of this resolution to the owners of the property identified herein.

RESOLUTION**PDR PROGRAM - OFFER TO SELL A CONSERVATION EASEMENT****9038 DIASCUND ROAD**

WHEREAS, the County has received an offer to sell a conservation easement under the Purchase of Development Rights (**PDR**) Program from the owner of the property known as 9038 Diascund Road, Tax Parcel No. (9-2)(1-9); and

WHEREAS, the owner offered to sell a conservation easement on the property for a purchase price of Seventy-Six Thousand and 00/100 Dollars (\$76,000.00), subject to the conditions set forth in the proposed deed of easement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts the offer to sell a conservation easement described above, or as modified by the County Attorney, and authorizes the County Administrator to execute all documents necessary for completing the acquisition.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby directs the PDR Administrator to send a copy of this resolution to the owner of the property identified herein.

2. **Change to Military Leave Policy – Chapter 5 of the Personnel Policies and Procedures Manual**

Ms. Carol M. Luckam, Human Resource Manager, presented a resolution to revise Section 5.4 E.5, **Military Leave** of the James City County **Personnel Policies and Procedures Manual** to implement the Board's desire to provide a military pay differential to County employees who are involuntarily called to active duty, and to provide them with leave upon their return.

The Board and staff held a discussion regarding the notification of affected employees of this benefit available to them, estimated number of employees that may utilize this benefit, and the range of fiscal impact of this revision.

Mr. Kennedy made a motion to adopt the resolution.

On a roll call vote, the vote was: AYE: McGlennon, Brown, Goodson, Kennedy, Harrison (5). NAY: (0).

RESOLUTION**CHANGE TO MILITARY LEAVE POLICY - CHAPTER FIVE OF THE PERSONNEL****POLICIES AND PROCEDURES MANUAL**

WHEREAS, reserve members of the uniformed services are being called up for active duty for an extended period of time; and

WHEREAS, many such reserve members and their families may be experiencing a reduction in income through lower military pay while defending the United States of America; and

WHEREAS, the Board of Supervisors does not believe that our employees who are members of the reserve components called to active duty with the armed forces and their families should sacrifice a salary reduction while defending our country.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the attached revision to Section 5.4 E.5, Military Leave, of the James City County Personnel Policies and Procedures Manual. Without a resolution to extend it, the policy shall cease on June 30, 2004.

Effective date: July 1, 2002.

J. PUBLIC COMMENT

1. Mr. Ed Oyer, 139 Indian Circle, commented on **the County's** Military Leave Policy and stated that Congress is going to address benefits for those **called** to active duty.

K. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Wanner **recommended that** at the conclusion of the Board's agenda, the Board adjourn until 7 p.m. on April 8.

Mr. Wanner recommended that the Board recess while the James City Service Authority Board of Directors held a brief meeting, and then the Board should reconvene into Open Session to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

L. BOARD REQUESTS AND DIRECTIVES

Mr. Harrison invited the members of the Board to meet on March 27 with the Mayor of the City of Williamsburg, the York County Chair, the James City County Chair, and members of the Regional Issues Committee regarding **the** corridor **entryway** beautification, and stated that the City had offered to pay for a consultant to come in to review regional practices and offer suggestions on ways to protect the **entryway corridors**.

Mr. **McGlennon** stated that the Jamestown Corridor Contractors met regarding the Jamestown Road and Route 199 intersection to resolve the pedestrian problem at the intersection and a proposal was drafted in **the** form of a letter to VDOT to eliminate the free-flow, right-hand turn lanes at the intersection as well as the 7-Eleven structure to permit a modified free-flow, right-hand, turn lane and incorporate a **landscaped pedestrian island** in the intersection.

Mr. **McGlennon** stated that the City of **Williamsburg** has found the proposal to be acceptable and requested the Board endorse the proposal and authorize the letter to be forwarded to VDOT.

The Board held a brief discussion regarding the proposal's benefits to pedestrians,

The Board, by consensus, agreed for the letter to be forwarded to VDOT.

Mr. **McGlennon** recognized the passing of Ms. Evelyn Curd who was a longtime standing member of the County's Cable Television Advisory Board.

At 7:45 p.m., Mr. Harrison recessed the Board for a James City Service Authority meeting.

Mr. Harrison reconvened the Board into Open Session at 7:48 p.m.

Mr. McGlennon made a motion to go into Closed Session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia to consider the acquisition of a parcel of property for public use.

On a roll call vote, the vote was: AYE: **McGlennon, Brown, Goodson, Kennedy, Harrison** (5). NAY: (0).

Mr. Harrison convened the Board into Closed Session at 7:48 p.m.

At 7:52 p.m. Mr. Harrison reconvened the Board into Open Session.

Mr. McGlennon made a motion to adopt the Closed Session resolution.

On a roll call vote, the vote was: AYE: **McGlennon, Brown, Goodson, Kennedy, Harrison** (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 2.2-3711 of the Code of Virginia requires a certification by the Board that such closed meeting was conducted in conformity with Virginia law.

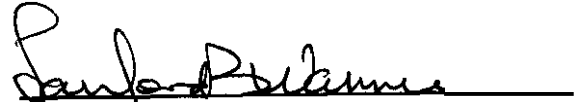
NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby certifies that, to the best of each member's knowledge: i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this **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 2.2-3711(A)(3) to consider the acquisition of a parcel of property for public use.

M. ADJOURNMENT

Mr. **Goodson** made a motion to adjourn,

On a roll call vote, the vote was: AYE: **McGlennon, Brown, Goodson, Kennedy, Harrison** (5). NAY: (0).

At 7:52 p.m. Mr. Harrison adjourned the Board until 7 p.m. on April 8, 2003.

A handwritten signature in black ink, appearing to read "Sanford B. Wanner", written over a solid horizontal line.

Sanford B. Wanner
Clerk to the Board

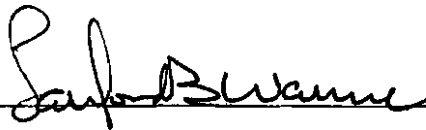
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In the County of James City

By resolution of the governing body adopted March 25, 2003

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy *Testee* Signed (County Official):



Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Saint George's Hundred, Sect 6

Type of Change: Addition

The following addition to the Secondary System of State Highways, pursuant to the statutory provision or requested, the right of way for which, including additional elements for drainage as required, is cited, amended:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

Charleston Place, State Route Number 1437

Description: From: Rt 1438. Saint George's Boulevard
To: Rt 1504. **Market** Street Court
A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 09/01/1988. Plat Book 49, Pg 39. and Plat Book 67, Pg 92, 11/18/1997, with a width of 50'

Description: From: Rt 1504. Market Street Court
To: End of cul-de-sac
A distance of: 0.10 miles.

Right of Way Record. Filed with the Land Records Office on 11/18/1997, Plat Book 67, Pg 92, with a width of 50'

Market Street (North), State Route Number 1504

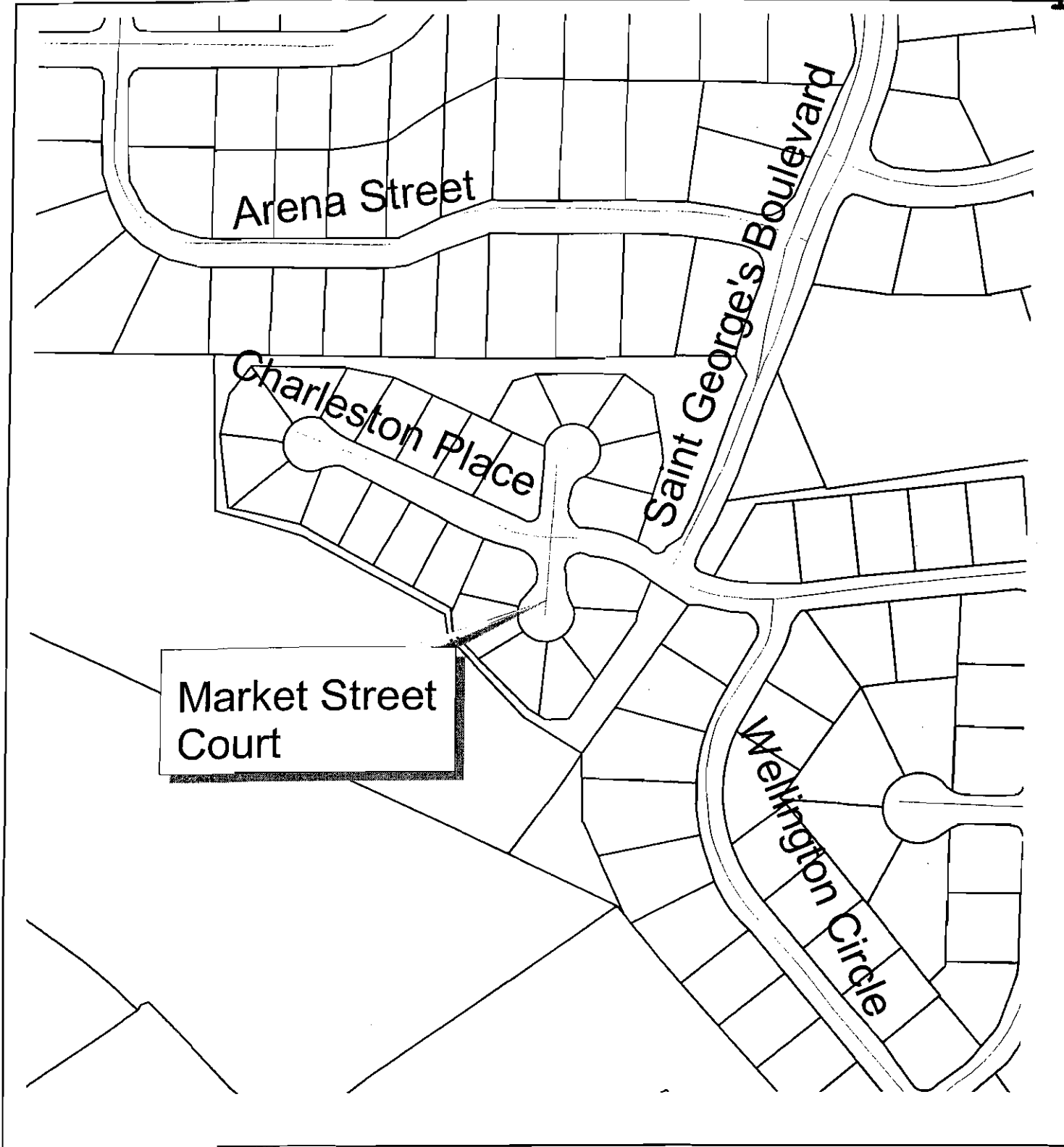
Description: From: Rt 1437, Charleston Place
To: End of cul-de-sac
A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 11/18/1997, Plat Book 67, Pg 92. with a width of 50'

Market Street (South), State Route Number 1504

Description: From: Rt 1437, Charleston Place
To: End of **cul-de** Sac
A distance of: 0.03 miles.

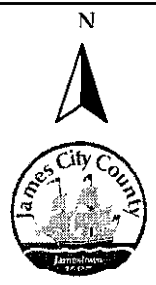
Right of Way Record: Filed with the Land Records Office on 11/18/1997. Plat Book 67, Pg 92, with a width of 50'



DEDICATION OF STREET IN ST. GEORGES HUNDRED, SECT 6



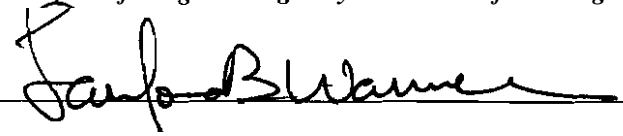
Street Being Dedicated



In the County of James City

By resolution of the governing body adopted March 25, 2003

The following Form SR-5A is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.



A Copy Testee Signed (County Official):

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Governor's Land - Wythe Hamlet

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition, New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

John Hancock, State Route Number 1730

Description: **From:** Rt 1350. Two Rivers Road
To; Rt 1731. Old Woods Court
A distance of: 0.01 miles.

Right of Way Record: Filed with the Land Records Office on 09/08/1998. Plat B w k 70. Pages 50-52, with a width of 50'

Description: **From:** Rt 1731, Old Woods Court
To: End of cul-de-sac
A distance of: 0.13 miles.

Right of Way Record Filed with the Land Records Office on 09/08/1998, Plat B w k 70, Pages 50-52, with a width of 50'

Miln House Road, State Route Number 1397

Description: **From:** Rt 1388. Nathaniel's Green
To: End of cul-de-sac
A distance of: 0.20 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'-150'

Moses Harper, State Route Number 1396

Description: **From:** Rt 1388, Nathaniel's Green
To: Rt 1388, Nathaniel's Green
A distance of: 0.13 miles.

Right of Way Record: Filed with the Land Records Office on 10/19/1993, Plat Book 58, Pages 38-41, with a width of 50'

Nathaniel's Close, State Route Number 1389

Description: **From:** Rt 1388, Nathaniel's Green
To: End of cul-de-sac
A distance of: 0.07 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 511199

Nathaniel's Green, State Route Number 1388

- Description: **From:** Rt 1350, Two Rivers Road
To: Rt 1389, Nathaniel's Close
A distance of: 0.04 miles.
- Right of Way Record: Filed with the Land Records Office on 07/17/1992. Plat Book 56, Pages 6-9, with a width of 90'
- Description: **From:** Rt 1389, Nathaniel's Close
To: Rt 1398, Whittle's Wood Road (North End)
A distance of: 0.03 miles.
- Right of Way Record. Filed with the Land Records Office on 07/17/1992. Plat Book 56, Pages 6-9, with a width of 90'
- Description: **From:** Rt 1398, Whittle's Wood Road (North End)
To: Rt 1398, Whittle's Wood Road (South End)
A distance of: 0.04 miles.
- Right of Way Record: Filed with the Land Records Office on 07/17/1992. Plat Book 56, Pages 6-9, with a width of 90'
- Description: **From:** Rt 1398, Whittle's Wood Road (South End)
To: Rt 1397, Miln House Road
A distance of: 0.08 miles.
- Right of Way Record: Filed with the Land Records Office on 07/17/1992. Plat Book 56, Pages 6-9, with a width of 90'
- Description: **From:** Rt 1397, Miln House Road
To: Rt 1395, Nathaniel's Run
A distance of: 0.17 miles.
- Right of Way Record: Filed with the Land Records Office on 11/30/1992, Plat Book 56, Pages 55-57, with a width of 90'
- Description: **From:** Rt 1395, Nathaniel's Run
To: Rt 1396, Moses Harper West End
A distance of: 0.03 miles.
- Right of Way Record: Filed with the Land Records Office on 10/19/1993, Plat Book 58, Page 40, with a width of 50'
- Description: **From:** Rt 1396, Moses Harper (West End)
To: Rt 1396, Moses Harper (East End)
A distance of: 0.09 miles.
- Right of Way Record: Filed with the Land Records Office on 10/19/1993, Plat Book 58, Page 40, with a width of 50'
- Description: **From:** Rt 1396, Moses Harper (East End)
To: End of cul-de-sac
A distance of: 0.22 miles.
- Right of Way Record: Filed with the Land Records Office on 10/19/1993. Plat Book 58. Pages 40-41, with a width of 50'-90'

Nathaniel's Run, State Route Number 1395

- Description: **From:** Rt 1388, Nathaniel's Green
To: End of cul-de-sac
A distance of: 0.31 miles.
- Right of Way Record: Filed with the Land Records Office on 11/30/1992, Plat Book 56, Pages 58-61, with a width of 50'

Old Woods Court, State Route Number 1731

- Description: **From:** Rt 1730, John Hancock
To: End of cul-de-sac
A distance of: 0.06 miles.
- Right of Way Record: Filed with the Land Records Office on 09/08/1998, Plat Book 70, Pages 50-52, with a width of 50'

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 5/1/99

Two Rivers Road, State Route Number 1350

Description: **From:** Rt 1365, Fowler's Lake Road
To: Rt 1388, Nathaniel's Green
A distance of: 0.16 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 80'

Whittle's Wood Road (Alignment A), State Route Number 1398

Description: **From:** Rt 1388, Nathaniel's Green
To: Whittle's Wood Road (Alignment B, North End)
A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'

Description: **From:** Whittle's Wood Road (Alignment B, North End)
To: Whittle's Wood Road (Alignment B, South End)
A distance of: 0.08 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'

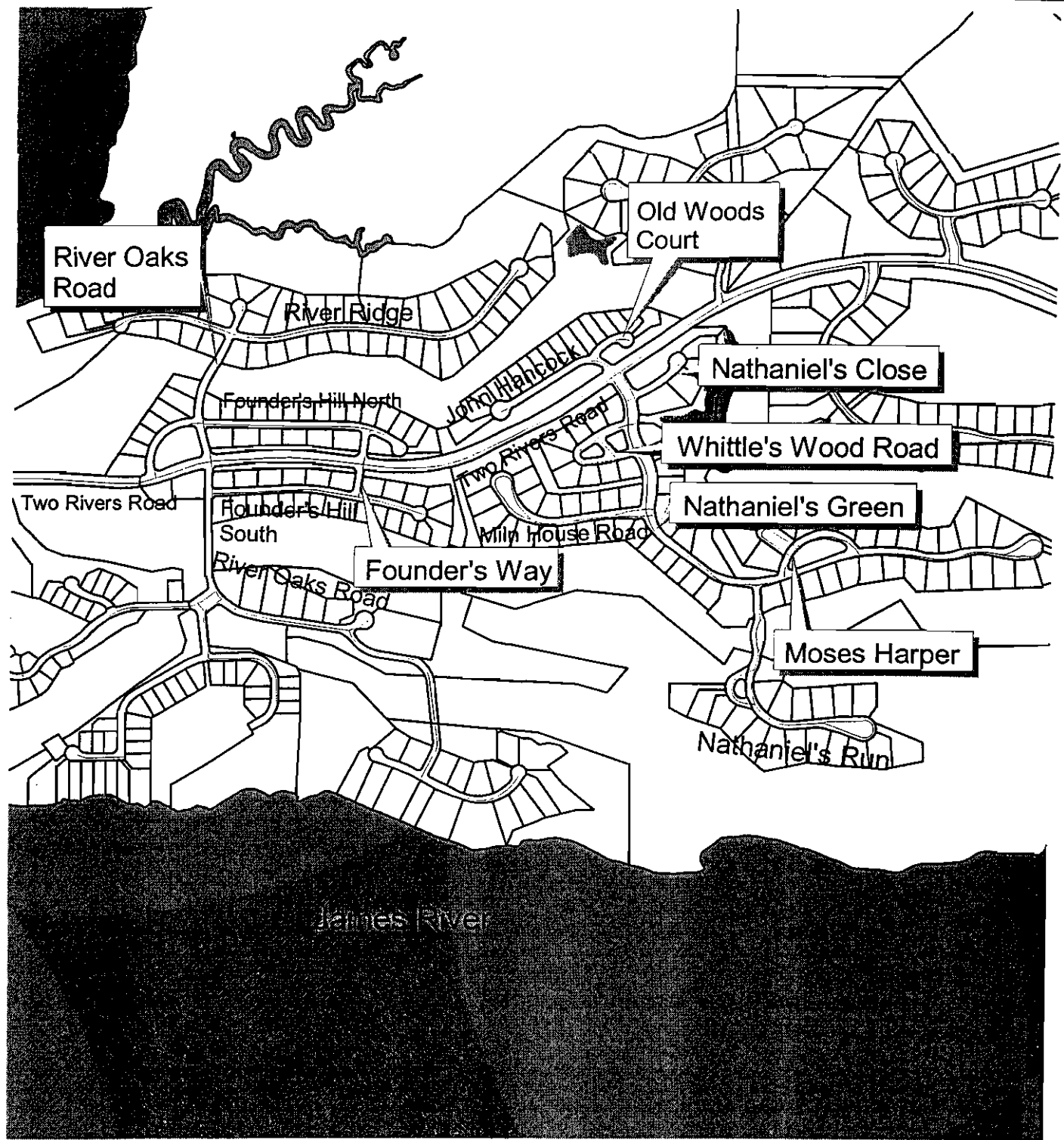
Description: **From:** Whittle's Wood Road (Alignment B, South End)
To: Rt 1388, Nathaniel's Green
A distance of: 0.02 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'

Whittle's Wood Road (Alignment B), State Route Number 1398

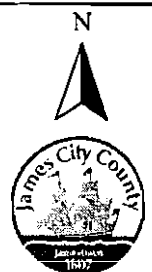
Description: **From:** Rt 1398, Whittle's Wood Road (Alignment A, North Side)
To: Rt 1398, Whittle's Wood Road (Alignment A, South Side)
A distance of: 0.03 miles.

Right of Way Record: Filed with the Land Records Office on 07/17/1992, Plat Book 56, Pages 6-9, with a width of 50'



DEDICATION OF STREETS IN GOVERNOR'S LAND

 Street Being Dedicated

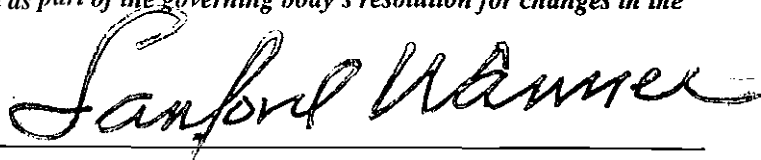


In the County of James City

By resolution of the governing body adopted March 25, 2003

The following Form SR-SA is hereby attached and incorporated as part of the governing body's resolution for changes in the secondary system of state highways.

A Copy Testee Signed (County Official):



Report of Changes in the Secondary System of State Highways

Farm SR-5A
Secondary Roads Division 5/1/99

Project/Subdivision

Governor's Land - Founder's Hill

Type of Change: **Addition**

The following additions to the Secondary System of State Highways, pursuant to the statutory provision or provisions cited, are hereby requested, the right of way for which, including additional easements for drainage as required, is guaranteed:

Reason for Change: Addition. New subdivision street

Pursuant to Code of Virginia Statute: **§33.1-229**

Route Number and/or Street Name

Founder's Hill North, State Route Number 1733

Description: **From:** Rt 1732, Founder's Way

To: End of cul-de-sac

A distance of: 0.06 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 50'

Description: **From:** Rt 1732, Founder's Way

To: Rt 1735, River Oaks Road

A distance of: 0.20 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 50'

Description: **From:** Rt 1735, River Oaks Road

To: Rt 1350, Two Rivers Road

A distance of: 0.11 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 50'

Founder's Hill South, State Route Number 1734

Description: **Front:** Rt 1732, Founder's Way

To: End of cul-de-sac

A distance of: 0.09 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 50'

Description: **From:** Rt 1732, Founder's Way

To: Rt 1735, River Oaks

A distance of: 0.18 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-18, with a width of 50'

Founder's Way North, State Route Number 1732

Description: **Front:** Rt 1350, Two Rivers Road

To: Rt 1733, Founder's Hill North

A distance of: 0.04 miles.

Right of **Way Record:** Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 50'

Report of Changes in the Secondary System of State Highways

Form SR-5A
Secondary Roads Division 511199

Founder's Way South, State Route Number 1732

Description: **From:** Rt 1350. Two Rivers Road
To: Rt 1734. Founder's Hill South
A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19. with a width of 50'

River Oaks Road (North), State Route Number 1735

Description: **From:** Rt 1350, Two Rivers Road
To: Rt 1733. Founder's Hill North
A distance of: 0.05 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995. Plat Book 62, Page 18, with a width of 50'

Description: **From:** Rt 1733. Founder's Hill North
To: Rt 1736. River Ridge
A distance of: 0.12 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995, Plat Book 62, Page 18, with a width of 50'

Description: **From:** Rt 1736. River Ridge
To: End of cul-de-sac
A distance of: 0.04 miles.

Right of Way Record: Filed with the Land Records Office on 10/22/1996, Plat Book 65. Pg 34-38. with a width of 50'

River Oaks Road (South), State Route Number 1735

Description: **From:** Rt 1350, Two Rivers Road
To: Rt 1734. Founder's Hill South
A distance of: 0.03 miles.

Right of Way Record Filed with the Land Records Office on 07/20/1995, Plat Book 62, Page 18, with a width of 50'

Description: **From:** Rt 1734. Founder's Hill South
To: End of cul-de-sac
A distance of: 0.31 miles.

Right of Way Record Filed with the Land Records Office on 05/26/1995, Plat Book 61, Page 84, with a width of 50'

River Ridge, State Route Number 1736

Description: **From:** Rt 1735. River Oaks (North)
To: End of cul-de-sac
A distance of: 0.38 miles.

Right of Way Record. Filed with the Land Records Office on 10/22/1996, Plat Book 65, Pg 34-38. with a width of 50'

Report of Changes in the Secondary System of State Highways

Farm SR-5A
Secondary Roads Division 5/1/99

Two Rivers Road, State Route Number 1350

Description: **From:** Rt 1388, Nathaniel's Green

To: Rt 1732, Founder's Way

A distance of: 0.30 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 80'

Description: **From:** Rt 1732, Founder's Way

To: Rt 1735, River Oaks Road

A distance of: 0.19 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 80'

Description: **From:** Rt 1735, River Oaks Road

To: Rt 1733, Founder's Hill North

A distance of: 0.08 miles.

Right of Way Record: Filed with the Land Records Office on 07/20/1995, Plat Book 62, Pages 16-19, with a width of 80'

ARTICLES OF INCORPORATION OF THE
JAMES CITY SERVICE AUTHORITY

Pursuant to the authority of the Virginia Water and Waste Authorities Act (Chapter 51 of Title 15.2 of the Code of Virginia, 1950, as amended) the Board of Supervisors of James City County, Virginia, adopted a Resolution on March 25, 2003, reaffirming the creation of an authority which shall be a public body corporate and politic.

Article 1. The authority is formed under the Virginia Water and Waste Authorities Act, as amended, its name shall be:

"JAMES CITY SERVICE AUTHORITY"

and the address of its principal office shall be 101-E Mounts Bay Road, Williamsburg, Virginia.

Article 2. The name of the incorporating political subdivision is:

COUNTY OF JAMES CITY. VIRGINIA

Article 3. The purpose of the James City Service Authority is to carry out any such projects in all areas of James City County, Virginia, as are or may hereafter be authorized by law. Given the ongoing projects and services currently performed by the James City Service Authority and the engineering studies and estimates needed for proposed and potential projects, it is not practicable to set forth herein preliminary estimates of capital costs and initial rates for such proposed and potential projects.

Article 4. The following citizens of James City County, Virginia, are hereby appointed as members of the Board of Directors of the James City Service Authority, each of whom shall continue in office for the term expiring after the period set opposite his name and until his successor shall be duly qualified:

<u>Name</u>	<u>Address</u>	<u>Electoral District</u>	<u>Expiration of Initial Term</u>
Michael J. Brown	160 Devon Road	Powhatan	12/31/05
John J. McGlennon	2817 Mockingbird Lane	Jamestown	12/31/05
Bruce C. Goodson	318 Littleton Quarter	Roberts	12/31/03
Jay T. Harrison, Sr.	4821 John Tyler Highway	Berkeley	12/31/03
James G. Kennedy	7681 Thacher Drive	Stonehouse	12/31/03

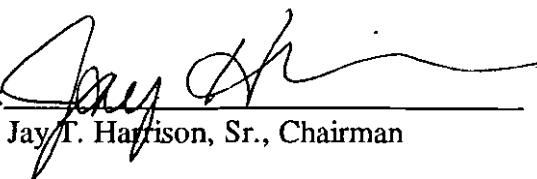
The successor for each member shall be the duly elected or appointed member of the James City County Board of Supervisors for the respective electoral district and the term for each member shall run coterminously with the term of the elected or appointed member of the James City County Board of Supervisors for the respective

electoral district. Each member of the Board of Directors shall serve for such compensation as may be set from time to time by the James City County Board of Supervisors and shall be reimbursed for such expenses necessarily incurred in the performance of his duties.


Article 5. The registered agent for the James City Service Authority shall be the duly appointed County Attorney for James City County, Virginia.

INCORPORATOR:

COUNTY OF JAMES CITY, VIRGINIA

BY: 
Jay T. Harrison, Sr., Chairman

ATTEST:


Sanford B. Wanner
Clerk to the Board

County Seal

balance at the rate of one hour's pay for every four hours of accrued sick leave or \$1,000, whichever is less. If two weeks' notice is not given by the employee, or if the employee is discharged for disciplinary reasons, sick leave payments shall be forfeited. Exceptions may be made by the department manager.

- d. Sick Leave Bank - Employees may elect to pool accumulated sick leave into a sick leave bank for the purpose of providing participating employees additional leave for extended illness or injury. Such a bank shall be administered by employees, supported by employees, and shall cease to exist should there be insufficient employee interest.
3. Personal Leave - may be used by an employee to provide paid absences upon the death of a member of an employee's immediate family or upon the life-threatening illness of a member of an employee's immediate family which requires the employee's attendance.
 - a. Amount of Leave - Personal leave, if requested by the employee, shall be granted by the supervisor for up to three (3) days per death or life-threatening illness which requires the attendance of the employee. Exceptions may be granted by the department manager.
 4. Civil Leave - may be used by an employee to provide paid absences while serving on a jury, or attending court as a witness under subpoena.
 - a. Compensation - An employee compensated for civil duties, as by jury or witness fees, shall either take annual or compensatory leave, or turn over compensation received to the County.
 - b. Exclusion - In those circumstances where a County employee is acting as an expert witness in a court proceeding which is not directly related to his duties for the County, the employee shall be charged annual or compensatory leave or leave without pay.
 5. Military Leave - may be used by an employee who is a member of the organized reserve forces of any of the armed services of the United States, National Guard, or naval militia to provide paid absences of up to fifteen days per Federal fiscal year during which he is engaged in annual active duty for training, or when called forth by the Governor during a disaster.

a. Special Circumstances - Employees who are members of the forces listed above and are involuntarily called to Federally funded military active duty shall receive the following:

1) A Military Pay Differential in the amount of the difference between the employee's military base pay plus basic allowances

for housing and subsistence, and the employee's regular County base pay. If the employee's military pay plus allowance exceeds the County pay, no differential shall be paid.

2) Up to one year's accrual of sick and annual leave credited to the employee 30 days after return to employment. Exceptions may be granted by the County Administrator.

6. School Leave - may be used by an employee to provide paid absences to perform volunteer work in a school, to meet with a teacher or administrator concerning the employee's children, step-children, or children over whom the employee has custody, or to attend a school function in which such a child is participating. School leave may be used for these purposes in a public or private elementary, middle, or high school.

a. Amount of Leave

- 1) Employees in full-time permanent and limited-term positions may take up to eight (8) hours of **School Leave** per **fiscal** year.
- 2) Employees in part-time permanent and limited-term positions may take up to the number of hours of their monthly sick leave accrual rate per **fiscal** year.

7. Leave Without Pay - may be used by an employee to provide unpaid absences for a variety of reasons outlined below **including** any **mutually** agreeable reason.

a. Purpose - An employee shall be on leave without pay under the following circumstances:

- 1) Approved absence for which the employee has insufficient accrued leave, or for which the employee elects, with the concurrence of the department manager, not to use accrued leave.
- 2) Absences authorized as a condition of employment; or
- 3) Unapproved absence **from** the job during a scheduled work period;

b. Other Benefits and Conditions of Employment

- 1) Sick and **annual** leave shall not be earned for any pay period during which an employee takes leave without pay that is not approved prior to use or which exceeds one full work day.
- 2) An employee's performance increase date shall be deferred one calendar month for each period of thirty (30) consecutive