

A G E N D A

JAMES CITY COUNTY BOARD OF SUPERVISORS

County Government Center Board Room

January 2, 2014

4:00 P.M.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. ORGANIZATIONAL MEETING**
 - 1. Nominations for Chairman and Vice-Chairman with Elections to Follow
 - 2. Establishment of Meeting Dates, Places, and Times
 - 3. Commission/Committee Appointments
 - 4. Adoption of Rules of Order
- D. BOARD CONSIDERATION**
 - 1. Policy of Recording Closed Session Meetings of the Board of Supervisors
 - 2. Bank Resolution Amendment
- E. BOARD REQUESTS AND DIRECTIVES**
- F. ADJOURNMENT** – to 7 p.m. on January 14, 2014

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MEMORANDUM COVER

Subject: Organizational Meeting of the Board of Supervisors

Action Requested: Shall the Board approve the resolution to organize at its first meeting in January?

Summary: The Code of Virginia, 1950, as amended, Section 15.2-1416 requires the Board of Supervisors to organize at its first meeting in January. At this meeting, the Board elects its Chairman and Vice Chairman, establishes meeting dates, place and times, make appointments to commissions and committees, and agrees on specific provisions of Robert's Rules of Order for conducting its meetings.

Staff recommends adoption of the attached resolution.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell 

Attachments:

1. Memorandum
2. Resolution
3. 2014 Calendar

Agenda Item No.: C-1

Date: January 2, 2014

M E M O R A N D U M

DATE: January 2, 2014
TO: The Board of Supervisors
FROM: Leo P. Rogers, County Attorney
SUBJECT: Organizational Meeting of the Board of Supervisors

The Code of Virginia, Section 15.2-1416, requires the Board of Supervisors to organize at its first meeting in January.

The meeting should proceed generally as follows:

1. Seek nominations for Chairman and Vice Chairman and then hold elections for such offices.
2. Establishment of meeting dates, place and times (this is accomplished by adopting the attached resolution).
3. Commission/Committee appointments, usually handled in closed session.
4. The Board of Supervisors agrees to follow Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et seq., in particular, the "Procedure in Small Boards" as follows:
 - Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - Motions need not be seconded.
 - There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
 - Informal discussion of a subject is permitted while no motion is pending.
 - The Chairman can speak in discussion without rising or leaving the chair; and can make motions and votes on all questions.

In addition, the Board for the last several years has chosen to follow the following:

- Motions to rescind shall not be in order after the Board has made a decision on land use matters involving rezonings or special use permits. A motion to reconsider such matters must be made at the same meeting the original decision is made by the Board.
- Should it be necessary to cancel an advertised Board of Supervisors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to the same time and place.

Organizational Meeting of the Board of Supervisors
January 2, 2014
Page 2

I believe these rules have worked effectively for these Boards and recommend its continuation.

I have attached the appropriate resolution for your consideration.



Leo P. Rogers

LPR/nb
BOSOrg14_mem

Attachment

RESOLUTION

ORGANIZATIONAL MEETING OF THE BOARD OF SUPERVISORS

WHEREAS, the Board of Supervisors of James City County, Virginia, is required by State law to organize at the first meeting in January.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following rules shall apply for the Year 2014:

1. Regular meetings of the Board shall be held as shown on the attached 2014 calendar, in the Board Room of the James City County Government Center. The meeting time shall be 7:00 p.m.

Work session meetings of the Board shall be held at 4:00 p.m., Tuesday before the second regular meeting in the Board Room of the James City County Government Center.

2. The Board of Supervisors agrees to follow Robert's Rules of Order, Newly Revised 10th Edition, October 2000, and more specifically, the provisions which pertain to the "Conduct of Business in Boards," at page 469 et. seq., in particular, the "Procedure in Small Boards" as follows:
 - a. Members are not required to obtain the floor before making motions or speaking, which they can do while seated.
 - b. Motions need not be seconded.
 - c. There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.
 - d. Informal discussion of a subject is permitted while no motion is pending.
 - e. The Chairman can speak in discussion without rising or leaving the chair; and can make motions and votes on all questions.
3. In addition, the Board agrees to the following:
 - a. A motion to rescind shall not be in order in a land use decision involving a rezoning or a special use permit. A motion to reconsider such a decision must be made at the same meeting the original decision is made by the Board.
 - b. Should it be necessary to cancel an advertised Board of Supervisors meeting due to weather or other conditions, the meeting shall be continued forty-eight hours to the same time and place.

Chairman, Board of Supervisors

ATTEST:

Doug Powell
Deputy Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	_____	_____	_____
JONES	_____	_____	_____
MCGLENNON	_____	_____	_____
ONIZUK	_____	_____	_____
HIPPLE	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of January, 2014.

BOSOrg14_res



2014 Board of Supervisors' Calendar

KEY
Months with change BOS Meeting Holiday
More Information
<ul style="list-style-type: none"> •2nd & 4th Tuesday meeting 7 p.m. •4th Tuesday Work Session 4 p.m. •January 2 BOS Organizational Meeting 4 p.m.
Location
101-F Mounts Bay Road Williamsburg, Virginia 23185
Mailing Address
P.O. Box 8784 Williamsburg, Virginia 23187-8784
www.jamescitycountyva.gov/BOS

JANUARY

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

BOS Meetings-14-28
 Martin Luther King, Jr. Day-20
 BOS Retreat 25

FEBRUARY

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

BOS Meetings 11, 25
 Legislative Day 6
 Presidents Day-17

MARCH

S	M	T	W	T	F	S
						1
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

BOS Meetings-11, 25

APRIL

S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

BOS Meetings-8, 22
 Budget Work Sessions 28, 30

MAY

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

BOS Meetings-13, 27
 Budget Work Session - 5
 Memorial Day-26

JUNE

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

BOS Meetings-10, 24

JULY

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

BOS Meetings-15, 29
 Independence Day - 4

AUGUST

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

BOS Meeting 12

SEPTEMBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

BOS Meetings-9, 23
 Labor Day - 1

OCTOBER

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

BOS Meetings-14, 28
 VML-5, 6, 7

NOVEMBER

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

BOS Meetings-12, 25
 VACO - 9, 10, 11
 Veteran's Day - 11
 Thanksgiving 26 & 27

DECEMBER

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

BOS Meeting 9
 Christmas - 24-25
 New Years Day Holiday-Jan 1
 BOS Organizational Meeting-1/2/15

MEMORANDUM COVER

Subject: List of Seats for Boards and Commissions for 2014

Action Requested: Shall the Board make appointments to the Boards and Commissions for the coming year?

Summary: Every year at the Organizational Meeting, the Board makes appointments for the Boards and Commissions. The Memorandum includes a list of the Board Members currently serving on each available Board or Commission.

Staff recommends that the Board make appointments for the coming year.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell DP

Attachment:
1. Memorandum

Agenda Item No. C-3

Date: January 2, 2014

M E M O R A N D U M

DATE: January 2, 2014

TO: The Board of Supervisors

FROM: Doug Powell, Assistant County Administrator

SUBJECT: List of Seats for Boards and Commissions for 2014

Below is a listing of requested Board/Commission/Committee appointments for Board Members for 2014.

Staff recommends that appointments be made for the coming year.

Board/Commission Committee	Board Member 2013	Board Member 2014
<i>Community Action Agency Board of Directors</i>	Hunter Old, Andrea Salamy, Cathy Richardson, Tucker Edmonds, John R. Smith	
<i>Hampton Roads Economic Development Authority (HREDA)</i>		
<i>Hampton Roads Military and Federal Facilities Alliance (HRMFFA)</i>	Mary Jones	
<i>Hampton Roads Planning District Commission</i>	Mary Jones, County Administrator	
<i>Hampton Roads Transportation Planning Organization</i>	Mary Jones	
<i>School Liaison</i>	James O. Icenhour, John J. McGlennon	
<i>Historic Triangle Collaborative</i>	John J. McGlennon	
<i>Agricultural and Forestal District (AFD) Advisory Committee</i>	James G. Kennedy	
<i>Economic Development Authority Liaison</i>		
<i>Farmers Advisory Committee</i>	James G. Kennedy	
<i>Williamsburg Area Destination Marketing Committee</i>	John J. McGlennon, Alternate – County Administrator	
<i>Community Services Coalition Board of Directors</i>	James O. Icenhour	
<i>Greater Peninsula Workforce Development Consortium</i>	James O. Icenhour	
<i>Peninsula Council for Workforce Development</i>	James O. Icenhour	
<i>Virginia Peninsula Regional Jail Authority</i>	John J. McGlennon	

<i>Board/Commission Committee</i>	Board Member 2013	
<i>Williamsburg Land Conservancy</i>	James O. Icenhour	
<i>Peninsula Public Sports Facility Authority (PPSFA) Board</i>	Not Active – May Reserve Appointment Until Necessary	
<i>Regional Issues Committee (RIC)</i>	Mary Jones	
<i>Greater Williamsburg Area Chamber and Tourism Alliance</i>	County Administrator	
<i>High Growth Coalition of VACo</i>	John J. McGlennon	
<i>Williamsburg Area Medical Assistance Corp (WAMAC)</i>	John J. McGlennon	

Doug Powell

DP/nb
2014BCCs_mem

MEMORANDUM COVER

Subject: Policy for Recording Closed Session Meetings of the Board of Supervisors

Action Requested: Shall the Board of Supervisors adopt a resolution requiring that all closed session meetings of the Board of Supervisors be recorded?

Summary: Members of the Board of Supervisors have requested a resolution requiring that closed session discussions of the Board be recorded. The attached resolution proposes that the closed session discussion be recorded unless the Board votes otherwise. The recordings will be retained by the County Attorney's Office for a period of four months unless there is a request to retain the recording for a longer period.

I recommend adoption of the attached resolution.

Fiscal Impact:

FMS Approval, if Applicable: Yes No

Assistant County Administrator

Doug Powell DP

Attachments:

1. Memorandum
2. Resolution

Agenda Item No.: D-1

Date: January 2, 2014

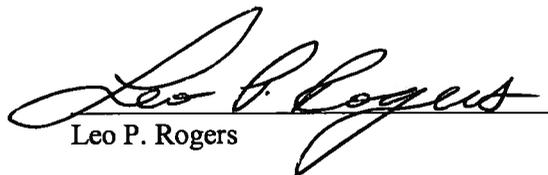
M E M O R A N D U M

DATE: January 2, 2014
TO: The Board of Supervisors
FROM: Leo P. Rogers, County Attorney
SUBJECT: Policy for Recording Closed Session Meetings of the Board of Supervisors

Attached for your consideration is a resolution requiring that closed session discussions of the Board of Supervisors be recorded. Closed session meetings can be properly convened by the Board of Supervisors to hold discussions on public business exempted from disclosure in accordance with the Virginia Freedom of Information Act (§§ 2.2-3700 et seq. of the Code of Virginia, 1950, as amended) ("FOIA"). Currently, the regular meetings and work sessions of the Board are recorded and broadcast on television and online. However, there is no record of the discussions held in closed session to which the Board may wish to refer. Members of the Board have requested that closed session meetings be recorded for future reference.

The resolution requires that any properly convened closed session meeting shall be recorded by default unless the members of the Board vote to dispense with the recording. The Board of Supervisors chairman or his or her designee shall be responsible for setting a recording device in the room to record the closed session meeting. At the beginning of each recording, the chairman shall call the roll and state the time, date, and code section under which the closed session meeting was convened, to include: (i) identifying the subject matter, (ii) stating the purpose of the meeting and (iii) making specific reference to the applicable exemption from open meeting requirements provided in § 2.2-3707 or subsection A of § 2.2-3711. Following the meeting, the chairman or his or her designee shall submit the recording to the County Attorney to be archived. The recordings shall be maintained in the County Attorney's office for at least four months, and may be retained longer at the request of a Board member or if there is a legal reason to retain the recording, such as pending litigation. The recordings are not subject to mandatory public disclosure under FOIA. However, the recording may be subject to disclosure pursuant to a subpoena or court order.

I recommend approval of the attached resolution.


Leo P. Rogers

LPR/nb
ClosedSession_mem

Attachment

RESOLUTION

POLICY FOR RECORDING CLOSED SESSION MEETINGS OF

THE BOARD OF SUPERVISORS

WHEREAS, James City County Board of Supervisors meetings are regularly recorded and broadcast on television and online; and

WHEREAS, the Board of Supervisors recesses into closed session meetings as necessary for discussions in accordance with the Virginia Freedom of Information Act (§§ 2.2-3700 et seq. of the Code of Virginia, 1950, as amended) (“FOIA”); and

WHEREAS, the closed session meetings are currently not recorded or broadcast, and, as such, no official record exists of the discussions held during the closed session meetings; and

WHEREAS, the Board wishes to maintain a record of closed session discussions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the following methodology and policy to record closed session meetings:

1. All closed session meetings held by the Board of Supervisors shall be recorded unless the Board votes to dispense with the recording.
2. The recordings shall constitute the minutes of the closed session meetings in accordance with § 2.2-3712 (I) of the Code of Virginia, 1950, as amended, and, as such, shall not be subject to mandatory disclosure.
3. The recordings shall be kept on file in the County Attorney’s Office and then destroyed after a period of four months.
 - a. A Board member may request that a recording be retained for a longer period of time.
 - b. Recordings may be retained for a longer period for another express purpose or if there is a legal reason to do so.
4. The Chairman shall be responsible for properly recording the meeting.
 - a. The Chairman may designate another member of the Board or staff to perform the tasks necessary for recording the meeting.
 - b. The Chairman or designee shall set the recording device in the room at the beginning of the closed session meeting.
 - c. At the beginning of the recording, the Chairman or designee shall call roll and state the time, date, and purpose of the closed session meeting, to include (i) identifying the subject matter, (ii) stating the purpose of the meeting and (iii) making specific reference to the applicable exemption from open meeting requirements provided in § 2.2-3707 or subsection A of § 2.2-3711.
 - d. If any Board member enters or exits the closed session meeting, the Chairman shall indicate the name and time of entry or exit for the recording.
 - e. The Chairman or designee should indicate the time at which the closed session meeting ends.

- f. Following the meeting, the Chairman or designee is responsible for submitting the recording to the County Attorney's office to be archived.


Chairman, Board of Supervisors

ATTEST:

Doug Powell
Deputy Clerk to the Board

	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
KENNEDY	___	___	___
JONES	___	___	___
MCGLENNON	___	___	___
ONIZUK	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of January, 2014.

ClosedSession_res

MEMORANDUM COVER

Subject: Bank Resolution Amendment

Action Requested: Shall the Board approve the resolution to amend the authorized signers of checks?

Summary: The James City County (JCC) bank resolution needs to be updated to add the Assistant County Administrator and reflect the change in County Administrator and Assistant Treasurer positions.

Staff recommends adoption of the attached resolution.

Fiscal Impact: N/A

FMS Approval, if Applicable: Yes No

Acting County Administrator

Doug Powell DP

Attachments:

1. Memorandum
2. Resolution

Agenda Item No.: D-2

Date: January 2, 2014

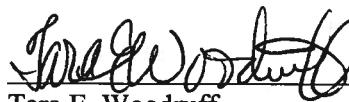
BkResolAmend_cvr

MEMORANDUM

DATE: January 2, 2014
TO: The Board of Supervisors
FROM: Tara E. Woodruff, Accounting Division Director
SUBJECT: Bank Resolution Amendment

The James City County (JCC) bank resolution needs to be updated to add the Assistant County Administrator and change in County Administrator.

The attached resolution amending the JCC bank resolution to include M. Douglas Powell and Jennifer D. Tomes, Assistant Treasurer, as an authorized signer of checks is recommended for approval.



Tara E. Woodruff

CONCUR:



Leo P. Rogers

TEW/nb
BkResolAmend_res

Attachment

RESOLUTION

BANK RESOLUTION AMENDMENT

BE IT RESOLVED that James City County (JCC) has multiple financial institutions designated as depositories for the JCC funds and that funds so deposited may be withdrawn upon a check, draft, note, or order of the Board of Supervisors; and

BE IT FURTHER RESOLVED that all checks, drafts, notes, or orders drawn against said accounts be signed by two of the following:

M. Douglas Powell	OR	Assistant County Administrator
M. Ann Davis	OR	Treasurer
Jennifer D. Tomes		Assistant Treasurer

whose signatures shall be duly certified to these financial institutions and that no checks, drafts, notes, or orders drawn against these financial institutions shall be valid unless so signed.

BE IT FURTHER RESOLVED, that these financial institutions are hereby authorized and directed to honor and pay any checks, drafts, notes or orders so drawn, whether such checks, drafts, notes or orders be payable to the order of any such persons signing and/or countersigning said checks, drafts, notes or orders, or any of such persons in their individual capacities or not, and whether such checks, drafts, notes or orders are deposited to the individual credit of the person so signing and/or countersigning said checks, drafts, notes or orders, or the individual credit of any of the other officers or not. For cash investment purposes, the institution is also authorized and directed to honor requests for the transfer of money from savings to checking, checking to savings, and transfers from checking or savings to purchase Certificates of Deposit, repurchase agreements or to make other lawful investments when requested by M. Ann Davis, Treasurer, or Jennifer D. Tomes, Assistant Treasurer. This resolution shall continue in force and these financial institutions may consider the facts concerning the holders of said offices, respectively, and their signatures to be and continue as set forth in the Certificate of the Secretary, accompanying a copy of this resolution when delivered to these financial institutions or in any similar subsequent certificate, until written notice to the contrary is duly served on these financial institutions.


Chairman, Board of Supervisors

ATTEST:

Doug Powell
Deputy Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 2nd day of
January, 2014.

BkResolAmend_res