

# **A G E N D A**

## **JAMES CITY COUNTY BOARD OF SUPERVISORS**

**County Government Center Board Room**

**April 22, 2014**

**7:00 P.M.**

- 
- A. CALL TO ORDER**
  - B. ROLL CALL**
  - C. MOMENT OF SILENCE**
  - D. PLEDGE OF ALLEGIANCE** – Claire Stemann, a 10<sup>th</sup> grade homeschool student and a resident of the Jamestown District
  - E. PRESENTATIONS**
    - 1. James Utterback, VDOT
    - 2. Capital Projects Report
  - F. PUBLIC COMMENT**
  - G. BOARD REQUESTS AND DIRECTIVES**
  - H. CONSENT CALENDAR**
    - 1. Minutes –
      - a. March 25, 2014, Work Session – pg. 1
      - b. March 25, 2014, Regular Meeting – pg. 7
    - 2. Contract Award - Replacement Ambulance - \$235,692 – pg. 15
    - 3. Dedication of Utility Easement to James City Service Authority (JCSA) - Mid County Park – pg. 19
    - 4. Contingency Transfer – Proffer Payment – pg. 24
  - I. PUBLIC HEARINGS**
    - 1. FY 2015-2016 County Budget – pg. 27
      - a. The Virginia Stormwater Management Ordinance
  - J. BOARD CONSIDERATION**
  - K. PUBLIC COMMENT**
  - L. REPORTS OF THE COUNTY ADMINISTRATOR**
  - M. BOARD REQUESTS AND DIRECTIVES**
  - N. CLOSED SESSION**
  - O. ADJOURNMENT** - until 4 p.m. on April 28, 2014, for the Budget Work Session

**AT A WORK SESSION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY,  
VIRGINIA, HELD ON THE 25TH DAY OF MARCH 2014, AT 4:00 P.M. IN THE COUNTY  
GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY,  
VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

Mary K. Jones, Chairman, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James G. Kennedy, Stonehouse District  
Kevin Onizuk, Jamestown District  
John J. McGlennon, Roberts District

M. Douglas Powell, Acting County Administrator  
Leo P. Rogers, County Attorney

**C. BOARD DISCUSSIONS**

**1. Facility Feasibility Study Update – Aquatic Center/Indoor Sports Facility**

Mr. Russell Seymour, Director of Economic Development, introduced Mr. Jason Clement, from the Sports Facilities Advisory, who gave a presentation to the Board about the Facility Feasibility Study. Mr. Clement gave background information into the work completed to this point regarding the study. Mr. Clement stated that there were two visions that were researched as part of the study; a court facility that would contain six high school regulation basketball courts or could be configured to support 12 regulation indoor volleyball courts and an indoor aquatic center with a 50-meter regulation pool. Mr. Clement gave a five-year projection for the cost of maintenance and operation of the indoor court facility that showed that the County would not generate revenue in the first five years of operations. Mr. Clement then showed projections for the number of tournaments and guests for the first five years of operation with additional information on the economic impact to the County and an estimate of the return to the County from taxes collected in association with the generated sports tourism.

Mr. McGlennon asked why the size of the facility was smaller than others that were studied in other areas.

Mr. Clement stated that the design of this structure was based on a six court model rather than an eight, ten, or twelve court model and was based on a more efficient use of space.

Mr. Clement then discussed the five-year projections for the Aquatic Center which showed that an aquatic center would show a loss on the first five years. He did state, however, that there is a greater regional need for an aquatic center as opposed to a court facility and would in fact draw more events per year. Mr. Clement stated that there would not be a good return on investment especially to local business, because more of the Aquatic Center events would be local clubs and high schools rather than larger regional events that would increase sports tourism.

Mr. Onizuk asked about the need between the two facilities, the Court Facility versus the Aquatic Center.

Mr. Clement stated that the need was equal but the economic impact from a Court Facility would be greater than an Aquatic Center. He stated that this is based on the fact that a Court Facility is a more versatile space and could be used for more different types of events.

Mr. McGlennon asked about projections for shared costs with other outside partners.

Mr. Clement said that he has seen partnerships with other outside organizations such as private sports clubs, schools, and health care facilities in order to make projects of this type feasible.

Mr. Onizuk asked about sponsorships for facilities.

Mr. Clement stated that he has seen sponsorship and the facilities that the Sports Facilities Advisory manages do attempt to get sponsorships, but those figures were not included in these projections.

Mr. Hipple asked about the life cycle of these facilities.

Mr. Clement stated that 40 to 50 years is what the current projections are based on.

Mr. Hipple asked at what point do each of these facilities become self-sufficient and break even or make a profit.

Mr. Clement stated that the Aquatic Center would never reach that point. He stated that the Court Facility profitability would be dependent on local use versus sports tourism.

Mr. Onizuk asked if the economic impact was based on overall impact regionally or just for the County.

Mr. Clement stated that the figures were just based on the impact to the County.

Mr. Kennedy asked if the financial impact was based on job creation and other factors or just on tax revenue created from tourism.

Mr. Clement stated that the figures were based on tax revenue only, but that the other figures could be generated if needed and the study was to go further.

Mr. Kennedy asked about non-sports related uses for the facility.

Mr. Clement stated that figures were included for non-sports-related uses of the Court Facility and that those figures were in fact calculated into the figures presented to the Board.

Mr. Powell stated that neither proposal was included in the draft Capital Improvements Program (CIP) that will be submitted in his proposed budget.

## 2. Tourism Partner Update and Discussion

### a. Williamsburg Hotel/Motel Association

Mr. Ron Kirkland, Executive Director of the Williamsburg Hotel/Motel Association, presented information on the distribution of the Association's Magazine locally and regionally as well as access to the [www.gowilliamsburg.com](http://www.gowilliamsburg.com) website and referrals to the County lodging facilities from the website. He stated that the Association hopes to increase traffic to the website in 2014, which would in turn generate more referrals to County lodging facilities. He stated that the Association does not receive nor requests any funds from the County.

Mr. McGlennon asked how the Association plans to hit its goals for occupancy in Hotel/Motel properties in 2014.

Mr. Kirkland stated that it is based on more focused advertising in the summer months and expanding west into areas that are not currently serviced.

Mr. Onizuk asked if the association had other areas of marketing in addition to the website and magazine.

Mr. Kirkland stated that at this time the Association does not have the resources to expand beyond the magazine and website.

### b. Diamond Resorts

Mr. Dale Young, Area Manager for Diamond Resorts, gave a presentation beginning with background information on Diamond Resorts. He outlined information regarding its Capital Improvements for its two properties, Powhatan Resort and Greensprings Resort.

Mr. McGlennon asked what the split is between timeshare and transient rentals.

Mr. Young stated that it was roughly 60 percent timeshare.

Mr. McGlennon asked about the occupancy rates.

Mr. Young stated that his yearly occupancy rate is approximately 70 percent.

Mr. Hipple asked about the expansion of the two resorts.

Mr. Young stated that there were no plans to expand either resort, only improvement projects.

Mr. McGlennon asked about why people choose timeshares rather than a traditional hotel.

Mr. Young stated it is because of the different offerings versus a traditional hotel.

Mr. McGlennon asked about Diamond's advertising.

Mr. Young stated that Diamond does advertise farther than the Hotel/Motel Association, but they also advertise internationally through the Diamond Brand.

Ms. Jones asked Mr. Young's opinion on what the County could do assist the resorts.

Mr. Young stated mainly assistance with logistical issues in relation to the resorts' location.

Mr. Hipple asked if a lot of their guests were utilizing the kitchens in the units or were utilizing outside restaurants.

Mr. Young stated that it was split between using the kitchen and using outside dining. He stated that families with children typically utilize the kitchen for breakfast and possibly lunch, but most dine out for dinner.

c. Greater Williamsburg Area Chamber and Tourism Alliance

Ms. Karen Riordan, President and CEO of the Greater Williamsburg Area Chamber and Tourism Alliance (the Chamber), addressed the Board and shared her impressions on the County and the region. She presented the Board with the Chamber's plan for the 2014 tourism season. She stated that the Chamber wants to focus on tourism areas other than historical ventures, to show what else the area has to offer. She showed that there has been a decline in room nights from 2007 to 2013 in hotels, but an increase in timeshare room nights from 2007 to 2013. She stated that the Chamber is requesting additional funding of \$100,000 for Christmas in Williamsburg due to \$227 million in revenue created by the program in 2013. She stated that the Chamber would like to see an increase in sports tourism. She concluded by stating that the Chamber is asking for \$100,000 in additional funding for Christmas in Williamsburg, \$50,000 to support September Arts Month, and \$25,000 for an economic impact study for sports tourism and to develop a strategic plan for sports tourism.

Mr. Kennedy stated that he did not agree with the comparison between independent hotels and timeshare resorts as they are two different products for the consumer and timeshare resorts have different avenues of recovering funds that are not available to independent hotel operators. Mr. Kennedy continued to state that in the past the Chamber was only there to support its members and did not assist in any type of marketing for non-members.

Ms. Riordan stated that this year is the first year that all hoteliers in the area will be listed in their publication, not just the member properties.

Mr. Kennedy asked what the total amount of funding that the Chamber is asking for from the County this year.

Ms. Riordan stated that the original request was for \$600,000, plus \$100,000 for Christmas in Williamsburg, plus \$50,000 for September Arts Month, plus a final \$25,000 for a sports tourism economic impact study and to generate a strategic plan for which types of events and trade shows should be targeted for the greater Williamsburg area.

Mr. Onizuk asked for her opinion on a time frame for a Court Facility before other areas have taken the market potential away from the County. He also asked what the Chamber could do to make this project a reality.

Ms. Riordan stated that she believes there is a window of three to five years to get into the sports tourism market before that market is dominated by Richmond and Virginia Beach. She said that she could not speak for other elected officials from the surrounding jurisdictions, but did feel like they might be amicable to some sharing of resources.

Mr. Kennedy asked what her opinion is on the six-court facility that was purposed in the Feasibility Study.

Ms. Riordan stated that she felt as though six courts were the absolute minimum in order to attract larger teams that would have greater financial impact.

Mr. McGlennon asked if York County and the City of Williamsburg were asked to contribute funds towards the Chamber's economic impact study.

Ms. Riordan stated no, the other jurisdictions had not been asked to contribute funds to the study; other financial requests were made of those jurisdictions.

Mr. McGlennon stated that all parties that would receive benefit from a sports tourism initiative undertaken by the County should have some sort of contribution into the funding and implementation of any initiative to include the other jurisdictions as well as restaurants and hoteliers.

d. Jamestown-Yorktown Foundation

Ms. Susan Bak, Director of Marketing and Retail Operations for the Jamestown-Yorktown Foundation, gave a presentation regarding the 2014 marketing initiatives by the Foundation. She continued to show information about the renovation of the Yorktown Victory Center. She also stated that she would like to see support from the County for marketing to local residents and broader efforts in coordination with the Chamber. She stated that she would like the Board's approval for the funding request of \$115,000.

e. Busch Gardens/Water Country USA

Mr. Carl Lum, President of Busch Gardens/Water Country USA, gave a presentation on their planned programs for 2014. He discussed their involvement with the Williamsburg Area Destination Marketing Committee (WADMC). He also discussed the changes over the past several years in the numbers of visitors to the region and the numbers of hotel/timeshare stays and the growth and decline in both areas.

Mr. McGlennon thanked Mr. Lum for his involvement with WADMC.

Mr. Onizuk asked what could be done to increase the length of visits of tourists to the area.

Mr. Lum stated that he agrees with the idea of reinventing the area's destination brand, by marketing the idea that there is more to do in the area than just the history. Along those lines, he stated that sports tourism could be a large market and avenue for increasing the length of stay.

f. Kingsmill Resort

Ms. Robin Carson, Executive Vice President for the Kingsmill Resort, gave a presentation on Kingsmill's attempts to increase business since the economic downturn in 2008. She showed who the major competitors are for the Kingsmill Resort in the region. She discussed the continued development in Kingsmill and capital development projects that have been undertaken. She discussed the continued presence of the Ladies' Professional Golf Association (LPGA) tournament at Kingsmill and the economic impact of the tournament on the County. She requested that the County continue to support the tournament, as well as to support and increase the funding to the Destination Marketing Organization, which is the Chamber. She concluded her presentation by discussing Kingsmill's efforts to market the Resort and the changes that they have made to their marketing campaign.

3. Board of Supervisors Feedback

Ms. Jones stated that she appreciated all of the great information presented this afternoon. She recommended the Board take a break, due to the time. She stated that there will be ongoing discussions regarding this information during budget discussions.

Mr. Powell stated that he understood the desire to break, but stated that the Board does need to have a meaningful discussion with staff to provide direction regarding tourism. He suggested that the Board email any thoughts or budgetary guidance it might have regarding tourism.

Mr. McGlennon asked if there would be time at the April 8, 2014, Work Session, to have the discussion.

Ms. Jones stated that Stormwater is on the Agenda for the April 8 Work Session. She asked Mr. Powell if he expected the discussion to take two hours.

Mr. Powell stated that he believes the Stormwater discussion could take the full two hours, but stated that he would speak with the Development Management staff to see if it would possible to allow time for the tourism discussion. He stated that he would let the Board know tomorrow by email.

**D. ADJOURNMENT** – to Regular Meeting at 7 p.m.

At 6:47 p.m., Ms. Jones recessed the Board until the Regular Meeting beginning at 7 p.m.

---

M. Douglas Powell  
Clerk to the Board

**AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 25TH DAY OF MARCH 2014, AT 7:00 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.**

**A. CALL TO ORDER**

**B. ROLL CALL**

Mary K. Jones, Chairman, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James G. Kennedy, Stonehouse District  
Kevin Onizuk, Jamestown District  
John J. McGlennon, Roberts District

M. Douglas Powell, Acting County Administrator  
Leo P. Rogers, County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE** – Sanai Rogers, a 5th grade student at J.B. Blayton Elementary School and a resident of the Powhatan District, led the Board and citizens in the Pledge of Allegiance.

**E. PRESENTATION** - None

**F. PUBLIC COMMENTS**

1. Mr. Randy O'Neill, 109 Sheffield Road, addressed the Board regarding economic growth and tourism.
2. Mr. Robert Venable, 9212 Diascund Road, addressed the Board offering an invocation.
3. Ms. Sue Sadler, 9929 Mountain Berry Court, addressed the Board regarding Cool Counties.
4. Ms. Betty Walker, 101 Locust Place, addressed the Board regarding Federal regulations.
5. Mr. Ed Oyer, 139 Indian Circle, addressed the Board regarding the School Board's budget request.
6. Ms. Marjorie Ponziani, 4852 Bristol Circle, addressed the Board regarding the School Board's budget request.
7. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board regarding the energy savings report and climate change.



8. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board regarding the energy savings report.

9. Mr. Keith Sadler, 9929 Mountain Berry Court, addressed the Board regarding Cool Counties.

## **G. BOARD REQUESTS AND DIRECTIVES**

Ms. Jones stated that the Chairman of the Planning Commission, Mr. Rich Krapf, is in attendance tonight; as well as School Board Chair, Ms. Ruth Larson; Vice Chair, Mr. Jim Kelly; Member, Ms. Heather Cordasco; and Member, Mr. James Nickols.

Mr. McGlennon stated that several tons of debris was cleaned up in the Grove Community over the weekend and thanked all of the volunteers for their time and efforts.

Mr. Onizuk stated that he met with representatives from the Virginia Department of Transportation (VDOT) regarding the impacted residents along Ironbound Road. He stated that VDOT has come up with three possible solutions and he will keep the Board apprised as it progresses.

Ms. Jones stated that she attended the ground-breaking ceremony at King of Glory Lutheran Church over the weekend. She stated that she spoke to the Historic Triangle Leadership Class this morning as well.

Mr. Hipple stated that he attended the dedication ceremony of the Living Wedge at Matoaka Elementary School and recognized Mr. John Spence for his efforts in bringing science to life for the students.

Ms. Jones stated that the Petco Grand Opening, in Settlers Market, is this coming Saturday morning at 8:55 a.m.

## **H. CONSENT CALENDAR**

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

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones (5). NAY: (0).

1. Minutes –
  - a. February 11, 2014, Regular Meeting
  - b. February 25, 2014, Work Session
  - c. February 25, 2014, Regular Meeting
2. Contract Award – Unarmed and Armed Security Guard Services

## **RESOLUTION**

### **CONTRACT AWARD – UNARMED AND ARMED SECURITY GUARD SERVICES**

WHEREAS, a Request for Proposals (RFP) for unarmed and armed security guard services was publicly advertised and staff reviewed proposals from four firms interested in providing the service; and

WHEREAS, funds are available in the FY 2014 budget for the purpose of providing unarmed and armed security guard services; and

WHEREAS, upon evaluating the proposals, staff determined that New Horizons Security Services, Inc. most fully qualified and submitted a proposal that best suited the County's needs as presented in the RFP and negotiated an annual price for a two year initial contract of \$34,000 with New Horizons Security Services, Inc. for unarmed and armed security guard services with the option for four additional one-year renewal periods upon mutual agreement of both parties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with New Horizon Security Services, Inc. for unarmed and armed security guard services.

3. Dedication of Streets within Jacobs Industrial Center

**RESOLUTION**

**DEDICATION OF STREETS WITHIN JACOBS INDUSTRIAL CENTER**

WHEREAS, the streets described on the attached AM-4.3, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of James City County; and

WHEREAS, the Residency Administrator for the Virginia Department of Transportation (VDOT) advised the Board that the streets meet the requirements established by the Subdivision Street Requirements of VDOT; and

WHEREAS, the County and VDOT entered into an agreement on July 1, 1994, 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 VDOT to add the streets described in the attached Additions Form AM-4.3 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 Residency Administrator for VDOT.

**I. PUBLIC HEARING - None**

**J. BOARD CONSIDERATIONS**

1. FY 2015 School Operating and Capital Budgets

Mr. John McDonald, Director of Financial and Management Services, addressed the Board giving a

summary of the memorandum included in the Agenda Packet.

Ms. Jones stated that she appreciated the attendance of several members of the School Board this evening, and that she looks forward to the revitalization of the School Liaison Committee meetings and the enhanced communication that it will bring between the School Board and the County. She stated that she has received several emails from citizens with concerns regarding moving forward with a new a middle school and new school administrative offices.

Mr. Onizuk stated that he has received significant feedback from citizens himself; however, he has a vested interest in this issue since he has school-aged children, one that will be directly affected by this discussion regarding the middle school. He stated that he is looking at this issue as both a Supervisor and as a parent. He stated that it is important that a top-quality education continue to be provided, but it must be done in a reasonable and affordable way. He stated that he is looking at this issue from the standpoint that the building is just a “thing” while the education inside that building is the most important thing. He stated that he supports the vision of the School Board of providing a top quality education; and that is achieved by focusing on the classrooms, the teachers, on technology, and investing in alternative and career-ready programs. He stated that a balance needs to be looked at between the buildings themselves, and what is being put inside those buildings. He stated that looking at the options on the table, he is not supportive of the current proposal from the School Board at this time. He stated that some of the options that were discussed previously need to be reevaluated, including the expansion of a current middle school, using retail office space that has been repurposed for the school administrative offices, reopening the James Blair School. He stated the Board must be good stewards of the taxpayers’ dollars, and he believes this issue needs to be seriously reevaluated.

Mr. Hipple stated that he is appreciative of the work that has been done by the School Board and the School Administration. He stated that he has been looking at this issue to try and come up with a way to get the School Board what they need, what the teachers need, and what is the most cost-effective way to achieve that for the taxpayers. He stated that what is being proposed now is a new middle school, but is that not effective long-range planning. He stated that there is a piece of property, on Jolly Pond Road, that has come available, as an option, to build a new high school. He stated that his idea is to build a new high school, which will be needed in five-ten years, and then to take one of the existing high schools and turn it into a fourth middle school. He stated that these are his thoughts, and after looking at the reports on student capacity, unless there is huge growth in the County, this plan would cover the needs of the schools for the next 10-15 years. He stated that the current plan of the School Board will handle the needs for the next five years or so, but what happens after that. He stated that his idea would serve the needs for the years to come, and save taxpayer money. He stated that a new high school could be built for \$10 million more than the new middle school, and is just a possible scenario that would address our needs for the next 15 years.

Mr. Onizuk stated that when discussing the idea of a new high school and it costing \$10 million more than a middle school, one must take into account that the associative costs would be about the same as building a new middle school and building new administrative offices. He stated that if the County is going to spend this much money on building a new school, then he would like to see the funds focused on the schools. He stated that a 21<sup>st</sup> century high school could be built that would meet the vision of the School Board and focus those technologies on the students that are getting ready for college and the career world.

Ms. Jones agreed that the plan proposed by Mr. Hipple and Mr. Onizuk would go a long way to solving the issues that the schools are currently facing as well as plan for the future. She stated that she would be very supportive of keeping the school administration at the James Blair site, and as mentioned by Mr. Hipple, this idea would negate the school administration from having to move. She stated that she has heard concerns from citizens about having the elementary, middle, and high school students so close together; however, with the different schedules, there really is minimal interaction unless actively promoted or arranged. She stated that she agrees that more long-range planning needs to be done. She thanked Mr. Hipple and Mr.

Onizuk for their long-range planning and for bringing this idea to the Board.

Mr. Hipple stated that for clarification, he is very much in favor of leaving the school administration at the James Blair site. He stated that there is plenty of room, the offices are already established, and there is the potential to utilize the entire site.

Mr. McGlennon asked Mr. Hipple what size high school his plan entails.

Mr. Hipple stated that a 45 acre parcel was needed to build the proposed middle school. He stated that the site he referenced is 44.8 acres and that was what he was looking at. He thought that perhaps instead of building a middle school, it would better suit the long-range needs to build a high school. He stated that he would have to rely on the School Board for the numbers of students.

Mr. McGlennon stated that he appreciates looking for innovative solutions; however, if the Board is telling the School Board to go back to the drawing board and rethink this whole plan, then the Board needs to say so. He stated that he believes the Board is not in a position to tell the School Board what the needs of the schools are going to be for the next 10-15 years. He stated that the Board needs to state what direction it would like the School Board to have going forward and also state how it would like the enrollment issues addressed now.

Ms. Jones stated that from her standpoint, the school administration offices should stay put at the James Blair site. She stated that there is some time to address the enrollment issues. She stated that at the forefront is being respectful of the taxpayers of this community.

Mr. McGlennon stated that a broader sense of direction needs to be given to the School Board.

Mr. Onizuk stated that perhaps not going all the way back to the drawing board, but he has received citizen outcry regarding moving the school administration out of the James Blair site into a newly constructed School Administration Building. He stated that the current plan being proposed by the School Board is not one that he believes he can support. He stated that there are alternatives out there, and those need to be reevaluated.

Mr. McGlennon stated that perhaps a set of parameters of what the Board members are willing to support would be beneficial for the School Board.

Ms. Jones stated that she can support the school administration staying at the James Blair site and then she would like to see more discussion had about building a new middle school or a discussion about the idea presented by Mr. Hipple and Mr. Onizuk.

Mr. Hipple stated that he can support the school administration staying at the James Blair site and then he would like to see a discussion regarding building a new high school and turning one of the other high schools into a middle school.

Mr. McGlennon stated that if the school administration remains at the James Blair site, then there will be property acquisition and site improvement costs that will have to be made for the new school. He questioned if that was something that the Board was satisfied with incurring.

Mr. Hipple stated that if James Blair is repurposed back into a middle school, then property will have to be acquired and site improvements done to build new school administrative offices. He stated that he and Mr. Onizuk met with Dr. Constantino, and the school administration is comfortable at the James Blair site. There is room to run other programs there if necessary, and there is room for all of the administrative functions. He

stated that if they are happy there then let's leave them there; and the next question becomes the necessary new middle school. He stated that his thought process was that if a new high school is built and one of the current high schools becomes a middle school, then the School Board would be getting a state of the art high school plus a larger middle school than they are asking for now.

Mr. Onizuk stated that when looking at all the options, expansion at a current middle school is the least cost and quickest to do to get the schools through this current phase of enrollment issues. He stated that the schools have stated that the James Blair site is really too small to be a middle school, so he began thinking why is the plan to put a newer middle school on that site. He stated that if a site could be acquired that would be a better fit, then that would be worth the cost outlay. He stated that if monies are going to be spent on building a new middle school on the James Blair site and monies spent on new administrative offices, then would it not be a more efficient use of funds to acquire a site that will fit the needs of a new middle school better and leave the school administrative offices at the James Blair site.

Mr. Kennedy stated that other sites are already owned and that is something that needs to be looked at and discussed. He stated that one of the issues tonight is that when this process started back in 2008 and 2009, there were different Board members. With new Board members come new ideas, new ways of looking at the situation, and differences of opinion. He stated that he is concerned that many projects that the County is going to need done are being put off because of the debt load and the costs incurred with the proposed plan by the School Board. He stated that a short-range projection and a long-range projection need to be done with the schools. He stated that his preference would be that school administration office stay at James Blair, but a definitive plan needs to be made to address the short-range issues. He stated that when the Board had the discussion with Davenport regarding the debt load and the bond rating, the number for the schools was \$35 million. He stated that all of these proposed plans are over that figure, so what happens when the County needs something and there is no more debt capacity. He stated that if revenues do not increase, then the County is going to be vulnerable. He questioned what the Board is willing to do once it reaches the debt capacity.

Ms. Jones stated that many communities have dealt with increases in enrollment by expansion of their current buildings. She stated that she has always been supportive of expanding the current schools.

Mr. Kennedy stated that this is a difficult decision to make after a two hour meeting with the schools with this dollar amount affixed to it. He stated that the other thing to remember is that the Board can request that the schools do something with the funds given them, but ultimately once the schools receive the monies, they can make their own decisions.

Ms. Jones stated that just for clarity for the public, the Board acts as the fiscal agent of the schools, but the Board does not have the authority to dictate how the monies are spent.

## **K. PUBLIC COMMENTS**

1. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board regarding the discussion of the School Board Budget.

2. Mr. Randy O'Neill, 109 Sheffield Road, addressed the Board regarding the discussion of the School Board Budget.

3. Ms. Heather Cordasco, 113 Alexander's Place, addressed the Board regarding the potential lack of a State budget.

4. Mr. Ed Oyer, 139 Indian Circle, addressed the Board regarding the demographics of the County.

5. Ms. Rosanne Reddin, 4700 President's Court, addressed the Board regarding the number of employees at the School Board office.

## **L. REPORTS OF THE COUNTY ADMINISTRATOR**

Mr. Powell stated beginning the end of this month, the Virginia Tech Center for Survey Research will begin conducting telephone surveys on behalf of the County for the Comprehensive Plan update. He stated that there will be other opportunities for citizen input for those that do not receive a telephone call. He stated that the County is accepting applications until June 13, 2014 for property additions to the following Agricultural and Forestal Districts prior to their renewal in October 2014: Armistead, Barnes Swamp, Carter's Grove, Christenson's Corner, Cranston's Pond, Croaker, Gordon Creek, Gospel Spreading Church Farm, Hill Pleasant Farm, Mill Creek, Williamsburg Farms, and Yarmouth Island. Mr. Powell requested that the Board adjourn until 4 p.m. on April 8, 2014 for the purpose of a Work Session prior to the Regular Meeting.

## **M. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon made a motion to appoint Mr. Phillip Doggett to the Board of Building Adjustments and Appeals, and to appoint Ms. Kensett Teller to the Clean County Commission.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones, (5). NAY: (0).

Mr. Onizuk made motion to amend the Board's Calendar to add the Work Session at 4 p.m. on April 8, 2014.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones, (5). NAY: (0).

At 9:53 p.m., Ms. Jones recessed the Board of Supervisors to conduct the James City Service Authority Board of Directors Meeting.

At 9: 58 p.m., Ms. Jones reconvened the Board of Supervisors.

## **N. ADJOURNMENT – until 4 p.m. on April 8, 2014, for the Work Session**

Mr. McGlennon made a motion to adjourn.

On a roll call vote, the vote was: AYE: Mr. Kennedy, Mr. Hipple, Mr. McGlennon, Mr. Onizuk, Ms. Jones, (5). NAY: (0).

At 9:59 p.m., Ms. Jones adjourned the Board.

---

M. Douglas Powell  
Clerk to the Board

032514bos-min

## MEMORANDUM COVER

**Subject:** Contract Award - Replacement Ambulance - \$235,692

**Action Requested:** Shall the Board approve the contract to FESCO Emergency Sales in the amount of \$235,692 for a replacement ambulance?

**Summary:** The FY 2014 Capital Improvements Program (CIP) budget includes funds for the purchase of a replacement ambulance.

The Fire Department, Fleet, and Purchasing staff determined the most efficient procurement method for this purchase is to use a cooperative purchasing contract issued by the Houston-Galveston Area Council (HGAC) to FESCO Emergency Sales as a result of a competitive sealed Invitation to Bid.

Staff recommends adoption of the attached resolution authorizing contract award to FESCO Emergency Sales in the amount of \$235,692 for a Horton medium-duty ambulance.

**Fiscal Impact:** Purchase is funded through the FY 2014 CIP budget.

**FMS Approval, if Applicable:** Yes ☐ No ☐

**Acting Assistant County Administrator**

Adam R. Kinsman



**Acting County Administrator**

M. Douglas Powell



**Attachments:**

1. Memorandum
2. Resolution

**Agenda Item No.:** H-2

**Date:** April 22, 2014



**M E M O R A N D U M**

DATE: April 22, 2014

TO: The Board of Supervisors

FROM: William T. Luton, Fire Chief

SUBJECT: Contract Award - Replacement Ambulance - \$235,692

---

The FY 2014 Capital Improvements Program (CIP) budget includes funds for the purchase of a replacement ambulance.

The Fire Department, Fleet, and Purchasing staff has determined the most efficient procurement method for this purchase is to use a cooperative purchasing contract issued by the Houston-Galveston Area Council (HGAC) to FESCO Emergency Sales as a result of a competitive sealed Invitation to Bid. The HGAC contract contains wording allowing other localities to purchase from the contract.

Cooperative procurement action is authorized by Chapter 1, Section 5 of the James City County Purchasing Policy and the Virginia Public Procurement Act. By participating in the cooperative procurement action, staff believes the County will increase efficiency, reduce administrative expenses, and benefit from an accelerated delivery process.

The HGAC Fire Service Apparatus cooperative contracts offer more than 20 vendors for various rescue and fire apparatus. Base bid items are listed on the specific product pages. Almost all contracts include a wide array of additional configurations, optional equipment, and accessories that are available to allow localities to configure equipment/services to suit their unique requirements. These items were included with the contractor's bid/proposal response and are part of the recommended contract. James City County purchased replacement ambulances in 2012 and 2013 utilizing the HGAC cooperative contract.

Market and pricing analysis validates that the HGAC cooperative contract offers apparatus that meets the County's needs at a fair and reasonable cost. This contract allows the County to purchase a standardized make and model that maintains consistency, quality, and performance across our fleet.

Fire Department technical staff researched the design, construction, and field performance of the Horton medium-duty ambulance, worked closely with FESCO Emergency Sales to design a vehicle that will meet the Department's needs, and negotiated a price of \$235,692 for the replacement ambulance.

The new ambulance is intended for Fire Station 5. Final placement may differ based on call volume and the condition of other units at the time of delivery. The Fire Department will shift a current ambulance to a reserve status and take the oldest reserve unit out of service. The former ambulance may be sold or used elsewhere in the County in a non-emergency capacity.

The FY 2014 CIP includes \$261,000 for the purchase of a replacement ambulance. The remainder of the CIP funding will be used for a power stretcher and power load system for the replacement ambulance. The County has achieved savings on these required items by purchasing them separately from the ambulance itself.

Staff recommends adoption of the attached resolution authorizing contract award to FESCO Emergency Sales in the amount of \$235,692 for the Horton medium-duty ambulance.

A handwritten signature in dark ink, appearing to read "William T. Luton", written in a cursive style.

William T. Luton

WTL/gb  
CA-Rep-Amb-mem

Attachment

## RESOLUTION

### CONTRACT AWARD - REPLACEMENT AMBULANCE - \$235,692

WHEREAS, funds are available in the FY 2014 Capital Improvement Fund (CIP) budget for the purchase of a replacement ambulance; and

WHEREAS, cooperative procurement action is authorized by Chapter 1, Section 5 of the James City County Purchasing Policy and the Virginia Public Procurement Act, and the Houston-Galveston Area Council issued a cooperative purchasing contract to FESCO Emergency Sales as a result of a competitive sealed Invitation for Bid; and

WHEREAS, Fire Department, Fleet, and Purchasing staff determined the contract specifications meet the County's performance requirements for an ambulance and negotiated a price of \$235,692 with FESCO Emergency Sales for a Horton medium-duty ambulance.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute a contract with FESCO Emergency Sales for a Horton medium-duty ambulance in the amount of \$235,692.

---

Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

---

M. Douglas Powell  
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 22nd day of April, 2014.

CA-RepAmb\_res

## MEMORANDUM COVER

**Subject:** Dedication of Utility Easement to James City Service Authority (JCSA) – Mid County Park

**Action Requested:** Shall the Board approve an underground utility easement for dedication to the James City Service Authority (JCSA)?

**Summary:** The Mid County Park site improvements received approval by the James City County Board of Supervisors through SUP-003-2011 on June 28, 2011. The Board approved the contract for construction of these Mid County Park Phase I Improvements by David A. Nice Builders on January 8, 2013. As part of the Phase I improvements at Mid County Park, a new 2-inch and 8-inch water main was installed to create a loop across the property from Monticello Avenue to Ironbound Road to meet current and future needs of the Park. In order for the JCSA to operate and maintain the water main, a utility easement centered over the alignment of the water main is required to provide a legal means of ingress and egress to traverse the utility.

The water main loop provides additional water pressure, the addition of an on-site fire hydrant, and overall improved water quality to Mid County Park. Since water is essential to the current and future operation of Mid County Park and to the welfare of adjacent residents, dedication of the utility easement shall ensure that JCSA can properly operate and maintain the looped water system across the Park. (Refer to the attached Exhibit 1 and Easement Plat).

Staff recommends approval of the attached resolution.

**Fiscal Impact:** Funded from the Capital Improvements Budget.

**FMS Approval, if Applicable:** Yes ☐ No ☐

**Acting Assistant County Administrator**

Adam R. Kinsman



**Acting County Administrator**

M. Douglas Powell



**Attachments:**

1. Memorandum
2. Resolution
3. Map
4. Plat

**Agenda Item No.:** H-3

**Date:** April 22, 2014

**M E M O R A N D U M**

DATE: April 22, 2014

TO: The Board of Supervisors

FROM: Shawn A. Gordon, Capital Projects Coordinator

SUBJECT: Dedication of Utility Easement to James City Service Authority (JCSA) – Mid County Park

---

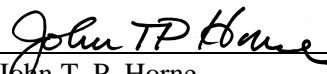
The Mid County Park site improvements received approval by the James City County Board of Supervisors through SUP-003-2011 on June 28, 2011. The Board approved the contract for construction of these Mid County Park Phase I Improvements by David A. Nice Builders on January 8, 2013. As part of the Phase I improvements at Mid County Park, a new 2-inch and 8-inch water main was installed to create a loop across the property from Monticello Avenue to Ironbound Road. The water main will be owned, operated, and maintained by the James City Service Authority (JCSA). In order for the JCSA to operate and maintain the water main, a utility easement centered over the alignment of the water main is required, providing a legal means of ingress and egress to traverse the utility. The proposed JCSA Utility Easement is 20 feet in width. (Refer to the attached Exhibit 1 and Easement Plat).

The water main loop provides additional water pressure, the addition of an on-site fire hydrant, and overall improved water quality to Mid County Park for current and future needs. Since water is essential to the current and future operation of Mid County Park and to the welfare of adjacent residents, dedication of the JCSA utility easement shall ensure that JCSA can properly operate and maintain the looped water system.

Staff recommends approval of the attached resolution.

  
Shawn A. Gordon

CONCUR:

  
John T. P. Horne

SAG/nb  
MCPPh1-JCSAEase-mem

Attachments

## RESOLUTION

### DEDICATION OF UTILITY EASEMENT TO JAMES CITY SERVICE AUTHORITY (JCSA) –

#### MID COUNTY PARK

WHEREAS, James City County owns property commonly known as 3793 Ironbound Road and further identified as James City County Real Estate Tax Map Parcel No. 3830100010 (the “Property”); and

WHEREAS, the Board of Supervisors previously authorized construction of the Mid County Park Phase I Improvements; and

WHEREAS, James City Services Authority (JCSA) requires that the County dedicate a utility easement across the Property and centered over the utility.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the Acting County Administrator to execute the appropriate documents to dedicate the utility easement to the JCSA.

\_\_\_\_\_  
Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

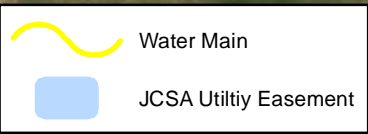
\_\_\_\_\_  
M. Douglas Powell  
Clerk to the Board

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

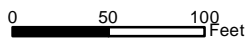
Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of April, 2014.

MCPPh1-JCSAEase-res





1 inch = 100 feet



## Mid County Exhibit 1



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.

Copyright James City County GIS Office 4/3/2014  
M:\Departments\General Services\Shawn\Mid\_County\Mid County Park Easement.mxd



OWNER'S CERTIFICATION

THE EASEMENTS DEDICATED AS SHOWN ON THIS PLAT ARE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND/OR TRUSTEES.

DATE

FOR JAMES CITY COUNTY

TITLE

CERTIFICATE OF NOTARIZATION:

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR THE CITY/COUNTY AND STATE AFORESAID, DO HEREBY CERTIFY THAT THE PERSON WHOSE NAME ARE SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY/COUNTY AFORESAID.

GIVEN UNTO MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC SIGNATURE

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY REGISTRATION NUMBER: \_\_\_\_\_

GENERAL NOTES

1. TOTAL AREA OF JCSA EASEMENT DEDICATED =10,904 S.F.± OR 0.250 AC.±

2. THIS PLAT IS BASED UPON RECORD AND OTHER AVAILABLE INFORMATION AND DOES NOT REPRESENT A CURRENT FIELD BOUNDARY SURVEY. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT, OTHER THAN SHOWN THERE MAY BE ADDITIONAL EASEMENTS, COVENANTS, AND / OR RESTRICTIONS WHICH MAY AFFECT THESE PROPERTIES.

3. THE PURPOSE OF THIS PLAT IS FOR THE DEDICATION OF JCSA EASEMENTS.

4. EASEMENTS DENOTED AS "JCSA UTILITY EASEMENTS" ARE FOR THE EXCLUSIVE USE OF THE JAMES CITY SERVICE AUTHORITY AND THE PROPERTY OWNER. OTHER UTILITY SERVICE PROVIDERS DESIRING TO USE THESE EASEMENTS WITH THE EXCEPTION OF PERPENDICULAR UTILITY CROSSINGS MUST OBTAIN AUTHORIZATION FOR ACCESS AND USE FROM JCSA AND THE PROPERTY OWNER. ADDITIONALLY, JCSA SHALL NOT BE HELD RESPONSIBLE FOR ANY DAMAGE TO IMPROVEMENTS WITHIN THIS EASEMENT, FROM ANY CAUSE.

5. ANY EXISTING UNUSED WELLS SHALL BE ABANDONED IN ACCORDANCE WITH STATE PRIVATE WELL REGULATIONS AND JAMES CITY COUNTY CODE.

CERTIFICATE OF APPROVAL

THIS EASEMENT DEDICATION IS APPROVED BY THE UNDERSIGNED AND MAY BE ADMITTED TO RECORD.

DATE

AGENT FOR JAMES CITY SERVICE AUTHORITY

MONTECELLO AVE.  
STATE RTE 1480

N65°00'51"E 100.00'

R=196.81  
L=4.85  
(EASEMENT TIE)

20' UTILITY EASEMENT HEREBY DEDICATED TO JCSA  
AREA= 10,904 S.F.±  
OR 0.250 AC.±

EX. BLDG

PARKING

20' UTILITY EASEMENT HEREBY DEDICATED TO JCSA  
AREA= 10,904 S.F.±  
OR 0.250 AC.±

R=196.81, L=223.42  
Δ=65°02'33"  
(TOTAL CURVE)

N10°50'01"W  
274.57  
(CENTERLINE OF EASEMENT IS CENTERLINE OF PIPE)  
(TYPICAL)

BEND

N55°50'01"W  
127.57

N43°54'06"W  
143.12

R=2016.73, L=426.80  
Δ=12°07'32"  
(TOTAL CURVE)

R=2016.73  
L=247.22  
(EASEMENT TIE)

N49°56'36"E 246.08'

NEWS ROAD  
STATE RTE 613

IRONBOUND ROAD  
STATE RTE 615

JAMES CITY COUNTY  
MID-COUNTY PARK  
D.B. 213, PG. 228

N/F  
K.A. & F., LLC  
TAX PARCEL (38-3)(1-9D)

N/F  
MARK S & YOLANDA R KUTNEY  
TAX PARCEL (38-3)(1-17A)

N/F  
MEADOWS II HOMEOWNERS ASSOCIATION  
TAX PARCEL (38-3)(1-1A)

NOTE:  
THE LOCATION OF THE UTILITY EASEMENT IS BASED UPON RECORD DRAWINGS AS PREPARED BY LANDTECH RESOURCES, INC TITLED "JCSA WATERLINE ASBUILT FOR MID COUNTY PARK" DATED 10/08/2013.

GRAPHIC SCALE

50' 0' 50' 100'

SCALE: 1" = 50'

TAX PARCEL ID: 3830100010  
STREET ADDRESS: #3793 IRONBOUND ROAD

STATE OF VIRGINIA  
CITY OF WILLIAMSBURG & COUNTY OF JAMES CITY CIRCUIT COURT.  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_,  
THE PLAT SHOWN HEREON WAS PRESENTED AND ADMITTED TO THE RECORD AS THE LAW DIRECTS. @ \_\_\_\_\_ AM/PM  
INSTRUMENT # \_\_\_\_\_

TESTE: \_\_\_\_\_  
BETSY B. WOOLRIDGE, CLERK

2	3-26-14	Revised per JCSA comments	JFS
1	3-19-14	Revised note for centerline of easement per James City County comment	JFS
Rev.	Date	Description	Revised by

AES

CONSULTING ENGINEERS

5248 Olde Towne Road, Suite 1  
Williamsburg, Virginia 23188  
Phone: (757) 253-0040  
Fax: (757) 220-8994  
www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula

PLAT SHOWING  
JCSA UTILITY EASEMENT DEDICATED BY  
JAMES CITY COUNTY TO  
THE JAMES CITY SERVICE AUTHORITY

BERKELEY DISTRICT      JAMES CITY COUNTY      VIRGINIA

Project Contacts:	TCS/JFS
Project Number:	10119-E-19
Scale:	Date:
1"=50'	2/24/2014
Sheet Number	
1 OF 1	



## MEMORANDUM COVER

**Subject:** Contingency Transfer – Legal Services – \$72,000

**Action Requested:** Shall the Board approve the transfer of \$72,000 from Contingency to Legal Services?

**Summary:** The Virginia Supreme Court recently affirmed the Circuit Court's decision against the County regarding the retroactive application of section 15.2-2303.1:1 of the Code of Virginia. In its opinion, the Virginia Supreme Court affirmed the Circuit Court's award of attorney's fees against the County in the amount of \$64,979.72, plus interest, and \$915.30 in appellate costs.

Staff recommends approval of the attached resolution.

**Fiscal Impact:** N/A

**FMS Approval, if Applicable:** Yes ☐ No ☐

**Acting Assistant County Administrator**

Adam R. Kinsman



**Acting County Administrator**

M. Douglas Powell



**Attachments:**

1. Memorandum
2. Resolution

**Agenda Item No.:** H-4

**Date:** April 22, 2014

**M E M O R A N D U M**

DATE: April 28, 2014

TO: The Board of Supervisors

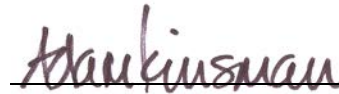
FROM: Adam R. Kinsman, Deputy County Attorney

SUBJECT: Contingency Transfer – Legal Services – \$72,000

---

On January 10, 2014, the Virginia Supreme Court issued an opinion affirming the Circuit Court decision against the County in its declaratory judgment action regarding the application of section 15.2-2303.1:1 of the Code of Virginia. The Virginia Supreme Court also affirmed the Circuit Court's award of attorney's fees to the developers in the amount of \$64,979.72, plus interest. The Virginia Supreme Court also ordered the County to pay the developers' appellate attorney fees and \$915.30 in court costs. We are still negotiating the appellate attorney fees.

I recommend the transfer of \$72,000 from Contingency to the County Attorney's Office Legal Services account to pay the attorney fees awarded by the Circuit Court, plus interest, and the \$915.30 in costs awarded by the Virginia Supreme Court.

  
Adam R. Kinsman

ARK/nb  
CTranLegSrv-mem

Attachment

## RESOLUTION

### CONTINGENCY TRANSFER – LEGAL SERVICES – \$72,000

WHEREAS, on January 10, 2014, the Virginia Supreme Court issued its opinion in *Board of Supervisors, et al., v. Windmill Meadows, LLC, et al.*, 287 Va. 170 (2014), which affirmed the Circuit Court decision against the County regarding the retroactive application of section 15.2-2303.1:1 of the Code of Virginia and which also affirmed the Circuit Court's award of \$64,979.72 in attorney's fees, plus interest, against the County; and

WHEREAS, the Virginia Supreme Court also awarded \$915.30 in costs and appellate attorney's fees against the County; and

WHEREAS the amount of appellate attorney's fees is currently in negotiation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the transfer of \$72,000 from Contingency to Legal Services to pay for the attorney's fees, plus interest, awarded by the Circuit Court and for the \$915.30 in costs awarded by the Virginia Supreme Court.

---

Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

---

M. Douglas Powell  
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 22nd day of April, 2014.

CTranLegSrv-res

## MEMORANDUM COVER

**Subject:** Public Hearing on FY 2015-2016 County Budget**Action Requested:** No action requested.**Summary:** The purpose of the Public Hearing is to invite public comment on any aspect of the proposed FY 2015-2016 Budget.

Any public comments received could become part of the agenda for the upcoming budget work sessions at the direction of the Board of Supervisors. The budget work sessions are scheduled for Monday, April 28, Wednesday, April 30, and Monday, May 5, 2014. Staff expects to ask the Board to adopt the budget, as amended during the work sessions, at its meeting on May 13, 2014.

No action is requested of the Board at this meeting.

**Fiscal Impact:** N/A**FMS Approval, if Applicable:** Yes ☐ No ☐**Acting Assistant County Administrator**

Adam R. Kinsman

**Acting County Administrator**

M. Douglas Powell

**Attachment:**

1. Memorandum

**Agenda Item No.:** I-1**Date:** April 22, 2014

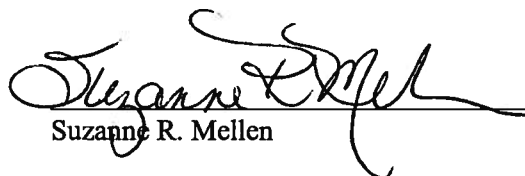
**MEMORANDUM**

DATE: April 22, 2014  
TO: The Board of Supervisors  
FROM: Suzanne R. Mellen, Assistant Director, Financial and Management Services  
SUBJECT: FY 2015-2016 County Budget

---

The purpose of the Public Hearing is to invite public comment on any aspect of the proposed FY 2015-2016 Budget, with the expectation that those public comments would become part of the agenda for the upcoming budget work sessions.

No action is expected of the Board at this meeting, but any questions would be helpful as we prepare for the budget work sessions. The budget work sessions are scheduled for Monday, April 28 at 4 p.m., Wednesday, April 30 at 4 p.m., and Monday, May 5 at 4 p.m. Staff expects to ask the Board to adopt the budget, as amended during the Budget Work Sessions, at its meeting on May 13, 2014.



Suzanne R. Mellen

SRM/tlc  
Fy15-16budget\_mem