

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF JAMES CITY, VIRGINIA, HELD ON THE 18TH DAY OF DECEMBER 2012, AT 4:30 P.M. IN THE COUNTY GOVERNMENT CENTER BOARD WORK SESSION ROOM, 101 MOUNTS BAY ROAD, JAMES CITY COUNTY, VIRGINIA.

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Chairman, Roberts District
Mary K. Jones, Vice Chairman, Berkeley District
James G. Kennedy, Stonehouse District
James O. Icenhour, Jr., Powhatan District

Robert C. Middaugh, County Administrator
Leo P. Rogers, County Attorney

Mr. McGlennon led the Board and citizens in a moment of silence in honor of the tragedy at Sandy Hook Elementary School in Newtown, Connecticut, followed by the Pledge of Allegiance.

C. PUBLIC COMMENT - POWHATAN SEAT APPLICANTS

1. Rev. Mark Morrow, 124 Ewell Place, addressed the Board in support of Mr. Michael Hipple. He stated the Mr. Hipple has served on the board of Crosswalk Community Church, which functions in many ways like the Board of Supervisors.

2. Mr. Keith White, 6309 Adams Hunt Drive, addressed the Board giving his opinion on each of the applicants. He requested that the Board seriously consider Mr. Steve Ward for the appointment.

3. Mr. Tom Hitchens, 350 Thompson Lane, addressed the Board in support of Mr. Steve Ward for the appointment.

As no one else wished to speak, Mr. McGlennon closed the Public Comment Session.

D. DISCUSSION OF VACANT POWHATAN SEAT

Ms. Jones thanked all of the applicants for taking the time to apply and for their willingness to serve the community and the Powhatan District.

Mr. Kennedy thanked all of the applicants for applying, and stated that he believes that the Board has a strong pool of applicants.

Mr. McGlennon thanked the applicants for submitting their credentials and for coming in for the interviews and the discussion with the Board.

Ms. Jones thanked the citizens for taking the time to email and communicate with the Board in regard to their thoughts about the current applicants.

Mr. Icenhour thanked the applicants for stepping forward and their willingness to serve.

Ms. Jones stated that she strongly supports two candidates, Mr. Michael Hipple and Mr. Richard Krapf. Ms. Jones nominated Mr. Michael Hipple.

Mr. Kennedy stated that he has a level of comfort with Mr. Hipple and Mr. Krapf, and he stated he was very impressed with Mr. Steve Ward.

Mr. McGlennon stated that he would be supportive of Mr. Bradshaw because he has no intention of running for the Powhatan Seat in the November election.

Mr. Icenhour stated that he does not feel it is appropriate to dwell on the strengths or weaknesses of the applicants during a live, televised broadcast. He stated that is why the Board goes into Closed Session when making appointments to Commissions and Committees. He also stated that he does not feel comfortable with giving the advantage of the incumbency to the candidates who plan to run for the seat in the November election. He stated that he could support Mr. Bradshaw.

Mr. Kennedy stated that he likes this appointment process because it is inclusive of the citizens that the appointee will represent. He stated that he is not as concerned about the applicants who are intending to run in the election. He said that he does not view it as the Board giving the applicant the incumbency, and he stated that he has lost an election as an incumbent. He stated that if the Board could not agree on Mr. Hipple or Mr. Krapf, then he would be comfortable nominating Mr. Ward as an alternative candidate.

Mr. McGlennon stated that there was a motion on the floor to fill the vacancy with Mr. Michael Hipple.

On a roll call vote: AYE: Ms. Jones, Mr. Kennedy (2). NAY: Mr. Icenhour, Mr. McGlennon (2).

Mr. McGlennon stated that he did not see much point in nominating Mr. Bradshaw since everyone has been pretty clear about their opinions and how they would vote.

Ms. Jones stated that in regards to Mr. Krapf, she does not have any concerns about him continuing to stay on the Planning Commission if he receives the appointment to the Board.

Mr. McGlennon stated that he disagrees with Mr. Krapf on some very critical, fundamental issues, and for that reason, Mr. Krapf would not be his choice for the appointment.

Mr. Kennedy stated that he does not know that the Board will be able to come to a decision since it appears that the members of the Board are looking at candidates that they can agree with politically and fundamentally.

Mr. Kennedy made a motion to fill the vacancy with Mr. Richard Krapf.

On a roll call vote: AYE: Ms. Jones, Mr. Kennedy (2). NAY: Mr. Icenhour, Mr. McGlennon (2).

Mr. Kennedy made a motion to fill the vacancy with Mr. Steven Ward.

On a roll call vote: AYE: Ms. Jones, Mr. Kennedy (2). NAY: Mr. Icenhour, Mr. McGlennon (2).

Mr. Kennedy asked if there was a candidate that anyone was going to agree too.

Mr. McGlennon stated that it seems obvious that there is not.

Mr. Kennedy stated that it is a shame that the Board cannot come to decision and that the decision is going to be taken out of the public eye and handed over to the judges.

Mr. Kennedy stated that he would put Mr. Glen Carlson forward, but he did not think it would go anywhere. He stated that he does not believe that Dr. Lincoln-Richardson is ready for this position based on the amount of time that she has been here. He stated that it is unfortunate that the Board is sending the message to the citizens that the Board is unwilling to compromise, that the Board cannot get along.

Mr. Middaugh asked the Board for guidance on moving forward. He asked if the Board wanted staff to go ahead and communicate with the judges, or would the Board rather wait and let the time run out.

Mr. Kennedy stated that he would like some clarification in regard to communicating with the judges. He asked if the Board is permitted to write the judges and declare their support of individual candidates.

Ms. Jones asked if citizens were permitted to write to the judges in support of individual candidates.

Mr. Kennedy stated that if citizens are permitted to write the judges, then he would like that process to be published and communicated to the citizens. Mr. Kennedy asked Mr. Rogers who the judges are in the 9th Judicial Circuit.

Mr. Rogers stated that the judges are Judge Tommy Hoover in New Kent, Judge Bruce Long in Gloucester, Judge Richard Atlee in York, and Judge Mike McGinty in Williamsburg-James City. Mr. Rogers stated that there is nothing prohibiting citizens from writing to the judges; however, he stated that he would prefer to let the judges decide how they would like to handle citizen comments.

Mr. Kennedy stated that he would like to keep the process open until the 28th of December in case a Supervisor decides to change their mind. In that time, Mr. Kennedy encouraged citizens to write to the Board.

Ms. Jones stated that she was disappointed that the Board could not come together and make a decision. She stated that the citizens had communicated their support for three of the candidates, and she appreciated their communications.

Mr. McGlennon stated that he was in agreement with keeping the process open until the time expired on December 28, 2012.

Ms. Jones stated that she wanted to send thoughts and condolences to the community of Newtown, Connecticut during this time of tragedy. She also wished all the citizens of James City County Happy Holidays.

Mr. Icenhour asked Mr. Middaugh in this time of tragedy in Connecticut there has been a police presence in our schools this week but he would ask that a police presence in our elementary schools be considered and continued.

Mr. Kennedy stated that he is disappointed in the Board's inability to make a decision, and that it sends a message to the citizens that the Board will not be able to get along. He stated that the Board should be able to be better than this.

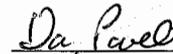
Mr. McGlennon stated that this process and this vote are not a vote that lends itself to compromise. He stated that this does not mean that the Board is unable to compromise going forward.

E. ADJOURNMENT - 4:00 p.m. on Wednesday, January 2, 2013 for the Organizational Meeting

At 5:30 p.m., Mr. Icenhour made a motion to adjourn.

On a roll call vote, the vote was: AYE: Mr. Icenhour, Mr. Kale, Mr. Kennedy, Ms. Jones (4). NAY:
(0)

At 5:31 p.m., Mr. McGlennon adjourned the Board.



Doug Powell
Deputy Clerk to the Board