

**MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 12, 2015
6:30 PM**

A. CALL TO ORDER

B. ROLL CALL

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

Bryan J. Hill, County Administrator
Adam R. Kinsman, Interim County Attorney

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Olivia Garrett, a student at Toano Middle and a resident of the Stonehouse District.

E. PRESENTATIONS

1. Resolution of Appreciation

Mr. Hipple presented Mr. Carl Lum, Park President of Busch Gardens Williamsburg, with a Resolution of Appreciation recognizing its 40th Anniversary.

2. VDOT Quarterly Update

Mr. Rossie Carroll, Virginia Department of Transportation (VDOT) Williamsburg Residency Administrator, addressed the Board giving a summary of the Quarterly Update included in the Agenda Packet.

Mr. Kennedy questioned the synchronization of the lights on Route 60 in Lightfoot and requested signage for the intersection of the exit ramp off Route 199 onto Monticello Avenue. He mentioned the shoulder erosion at the entrance of Route 199 from Route 60 east. He also asked if rumble strips might be a viable option in front of Williamsburg Christian Academy and Stonehouse Elementary.

Mr. McGlennon commended the repair of streets in Rolling Woods and that the drainage work on Lake Powell Road seems to have made an impact.

Mr. Hipple stated that there is a large area of standing water as you make the turn onto Centerville Road from Route 60.

ADOPTED

JUL 14 2015

**Board of Supervisors
James City County, VA**

F. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Jay Everson, 103 Branscombe Boulevard, addressed the Board in regard to the decline of sales for AB InBev.

2. Ms. Betty Walker, 101 Locust Place, addressed the Board in regard to Common Core.

3. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in regard to the Jamestown Yacht Basin.

G. CONSENT CALENDAR

1. Minutes – February 24, 2015 Work Session and Regular Meeting, April 22, 2015, Budget Work Session

2. Historic Minutes Reconciliation – 1978-1983

3. Resolution of Appreciation to Busch Gardens Williamsburg

4. Appointment of Local Fire Marshal

5. Dedication of Streets within New Town Block 8

6. Establishment of a Petty Cash Fund

7. Contract Award – Administration of Group Medical/Dental Services

8. Branscome Inc. Caretaker Residence Utility Waiver

9. Authorization for Two Temporary Police Officer Over Hire Positions

A motion to Approve the Consent Calendar was made by Mr. McGlennon.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

H. PUBLIC HEARING(S)

1. AFD 06-86-2-2014. Cranston's Pond AFD Addition - 3125 Chickahominy Road

Mr. Scott Whyte, Planner III, addressed the Board giving an overview of the staff report included in the Agenda Packet.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

1. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in opposition to the case and raised several concerns.

As there were no other registered speakers, Mr. Hipple closed the Public Hearing.

Ms. Jones requested that staff address the concerns voiced by the speaker.

Mr. Whyte stated that in regards to whether or not the land can go into the Agricultural and Forestal District (AFD), staff and the AFD Advisory Committee both agreed that it meets the

requirements. As for the question of whether or not the land will receive the tax-use valuation, that is a question for the Commissioner of the Revenue.

Mr. Richard Bradshaw, Commissioner of the Revenue, stated that the property does not automatically qualify for a land use valuation simply by virtue of being in the AFD. The property must be used for agriculture or forestry. To receive a land use valuation the property must have a qualifying land use.

Mr. Hipple asked how that is determined.

Mr. Bradshaw stated that the land owner must file an application with his office certifying the use of the land, it must meet a qualifying land use, and it must be renewed annually.

Mr. McGlennon asked if this land owner would qualify for a land use valuation.

Mr. Bradshaw stated that from the aerial photo that he has seen, it appears that three of the five acres are a continuation of the timber production that is currently produced on the adjacent property. Those three acres could qualify for a land use valuation within the timber category, but the other two acres where the residence sits would not.

Mr. McGlennon clarified that the main impact of this application would be to draw those three acres of timber into the already existing timber land that is owned by the same property owner and the possibility of receiving a land use valuation for those three acres.

Mr. Kennedy made a motion to approve the AFD Ordinance.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

2. AFD 01-02-01-2015. Carter's Grove, Colonial Williamsburg Foundation Withdrawal

Ms. Roberta Sulouff, Planner I, addressed the Board giving an overview of the staff report included in the Agenda Packet.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

1. Mr. Mark Duncan, Representative of Colonial Williamsburg Foundation, addressed the Board regarding the AFD Withdrawal request. He stated that the Foundation believes that the best purpose for this property is to be sold for commercial development. It is not contiguous with the rest of the Carter's Grove AFD and the withdrawal will not negatively affect the remaining AFD. The Foundation respectively requests support of the withdrawal.

As there were no other registered speakers, Mr. Hipple closed the Public Hearing.

Mr. McGlennon stated that this is a request for an exception to the established Board policy. He believes that this exception is warranted in this case because the property has not benefited from being in the AFD for some time. The owner has been paying full property taxes on the property. The larger portion of the Carter's Grove AFD has been sold and is no longer owned by the Colonial Williamsburg Foundation. There is also no expectation that this parcel would ever be used for purposes consistent with the AFD. In this instance, he supports the request for an exception to the AFD Withdrawal Policy.

Mr. Hipple concurred with Mr. McGlennon's comments and stated his support for granting an exception.

Ms. Jones made a motion to approve the AFD Withdrawal Ordinance.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

3. Case No. Z-0009-2014. Stonehouse Traffic Proffer Amendment

Ms. Ellen Cook, Planner III, addressed the Board giving an overview of the staff report included in the Agenda Packet.

Mr. Kennedy asked about the original proffers from 2008 when the development was approved and if those proffered conditions were being met.

Ms. Cook stated that all previous proffered conditions have been met as far as staff is aware.

Mr. Kennedy questioned if the change to these proffers will satisfy the long-term needs.

Ms. Cook stated that she believes so.

As there were no other questions for staff, Mr. Hipple opened the Public Hearing.

1. Mr. Veron Geddy, Attorney for the Applicant, addressed the Board giving a summary of the changes covered under this amendment. He stated that all of the previous proffer commitments are not changing; this amendment covers a re-sequencing of the proffered traffic improvements.

As there were no other registered speakers, Mr. Hipple closed the Public Hearing.

Mr. Kennedy made a motion to approve the resolution.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

4. Case No. Z-0001-2015. Toano Trace Proffer Amendment

Mr. Christopher Johnson, Principal Planner, addressed the Board giving an overview of the staff report included in the Agenda Packet.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

As there were no registered speakers, Mr. Hipple closed the Public Hearing.

Mr. Kennedy made a motion to approve the resolution.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

5. Proposed FY 2016-2021 Secondary Six-Year Plan

Ms. Tamara Rosario, Principle Planner, addressed the Board giving an overview of the memorandum included in the Agenda Packet.

As there were no questions for staff, Mr. Hipple opened the Public Hearing.

As there were no registered speakers, Mr. Hipple closed the Public Hearing.

Mr. McGlennon made a motion to approve the resolution.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

I. BOARD CONSIDERATION(S)

J. BOARD REQUESTS AND DIRECTIVES

Ms. Jones stated that she attended the Public Hearing regarding the I-64 widening. She stated that it was well attended and very informative. She stated that she attended two events celebrating the National Day of Prayer.

Mr. McGlennon stated that he attended the I-64 widening Public Hearing as well. He also attended the Recognition and Award Ceremony for the Fire Department this afternoon. He stated that he attended the Commemoration of the Jamestown Landing, as well as the Project Lifesaver Car Show organized by the Police Department.

Mr. Onizuk stated that he attended the Project Lifesaver Car Show as well. He stated that he will be attending the Chamber's Executive Committee Meeting tomorrow.

Mr. Kennedy requested that a "blight" ordinance be looked into and developed. He also asked what can be done about residents who repeatedly have to be notified to cut their grass.

Mr. Hipple stated that he has given opening remarks to several conferences here in the area during the last month.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

Mr. Hill introduced Ms. Angie Gilliam, the new Human Resources Director, to the Board and citizens.

Ms. Gilliam came forward and addressed the Board highlighting her background and expressing her enthusiasm for this new role.

Mr. Hill stated that the new County Attorney will be in place on June 1, 2015.

Mr. Hill announced that the next Neighborhood Leaders Forum will be held on May 13 at the Recreation Center on Longhill Road.

L. PUBLIC COMMENT

As there were no registered speakers, Mr. Hipple closed the Public Comment.

M. CLOSED SESSION

1. Consultation with Legal Counsel and Staff Members Pertaining to Actual or Probable Litigation Pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia

Mr. McGlennon made a motion to enter into a Closed Session pursuant to the Code section listed on the Agenda.

At 7:59 p.m., the Board entered into Closed Session.

At 8:46 p.m., the Board re-entered Open Session.

2. Certification of Closed Session

Mr. McGlennon made a motion to certify the Closed Session.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

N. **ADJOURNMENT**

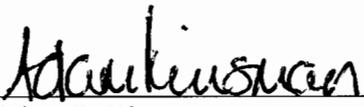
1. Adjourn until 4 p.m. on May 26, 2015, for the Work Session.

Mr. McGlennon made a motion to adjourn.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Jones, McGlennon, Onizuk, Kennedy, Hipple.

At 8:47 p.m., Mr. Hipple adjourned the Board.


Adam R. Kinsman
Deputy Clerk to the Board