

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
August 9, 2016
6:30 PM

A. CALL TO ORDER

B. ROLL CALL

John J. McGlennon, Vice Chairman, Roberts District
Ruth M. Larson, Berkeley District
Kevin D. Onizuk, Jamestown District
P. Sue Sadler, Stonehouse District
Michael J. Hipple, Chairman, Powhatan District

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

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Comfort Akpan, a student at Hornsby Middle School and a resident of the Powhatan District.

E. PUBLIC COMMENT - Until 7 p.m.

1. Mr. Ed Oyer, 139 Indian Circle, addressed the Board in regard to the proposed desalination plant on the Chickahominy River and the traffic backups on Route 60.
2. Mr. Joseph Swanenburg, 3026 The Pointe Drive, addressed the Board in regard to the new Lightfoot Marketplace and the impact on reaching the SunTrust Bank; as well as to why there is "no turn on red" coming out of Lightfoot Marketplace.
3. Mr. Darryl Hooker, 158 Wellington Circle, addressed the Board in regard to the proposed desalination plant on the Chickahominy River.

F. PRESENTATIONS

1. Letter of Greetings - Japanese Exchange Student, Nanako Mori

Nanako Moir, a 14-year-old exchange student, presented the Board with a letter of greetings from the Mayor of her hometown in Osaka, Japan.

At 6:43 p.m., Mr. Hipple recessed the Board in order to conduct the James City Service Authority (JCSA) Board of Directors Meeting.

At 6:51 p.m., Mr. Hipple reconvened the Board of Supervisors meeting.

ADOPTED

SEP 13 2016

Board of Supervisors
James City County, VA

G. CONSENT CALENDAR

1. Minutes Adoption - July 26, 2016 Regular Meeting

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

2. Chesapeake Bay Preservation Ordinance Violation

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

3. Grant Award - Chesapeake Bay Restoration Fund Grant - \$3,000

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

4. MOU and Appropriation - Clerk Secure Access Fees - \$50,000

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

5. Appointment of Assistant Fire Marshals, Authorization of Fire Prevention Powers and Authorization of Police Powers

A motion to Approve was made by Mr. Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Mr. Hipple asked Fire Chief Ashe to come forward and address this item.

Chief Ashe stated that the resolution tonight will appoint Nic Mitchell and Toni Colon as Assistant Fire Marshals. The Code of Virginia requires that the Board appoint them to provide their prevention and law enforcement powers.

Chief Ashe also took the opportunity to introduce the department's newest recruits.

Mr. Hipple and the Board welcomed the new recruits and the Assistant Fire Marshals.

H. PUBLIC HEARING(S)

1. Rezoning-0006-2016/SUP-0015-2016. Our Saviour's Lutheran Church Commercial Kitchen

A motion to Approve was made by Mr. Onizuk and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

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

Ms. Sadler stated that some citizens were concerned about the tax status of the church and the commercial kitchen if it is rezoned.

Mr. Richard Bradshaw, Commissioner of the Revenue, stated that the Code of Virginia references this use as income that is unrelated to the charitable work and is therefore taxed in accordance with the Code and the portion of the facility or property used for this use will be subject to tax as well.

Mr. Hipple asked Ms. Robin Bledsoe to come forward and to give an update on the Planning Commission's recommendation.

Ms. Bledsoe stated that the Planning Commission unanimously approved the application.

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

1. Reverend James Nickols, 7479 Richmond Road, addressed the Board as the applicant, stating that he understands the change in use and the effect it has on tax rules. He stated that having a commercial grade kitchen would enhance their outreach efforts of feeding disadvantaged in the community. Along the way, if they can help caterers get through the start-up period by letting them work out of the kitchen, then that seems like a good use as well.

As no one else wished to speak, Mr. Hipple closed the Public Hearing.

2. JCSA Easement Warhill Sports Complex

A motion to Approve was made by Ms. Larson and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Mr. John Carnifax, Director of Parks and Recreation, 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 no one wished to speak to the matter, Mr. Hipple closed the Public Hearing.

I. BOARD CONSIDERATION(S)

J. BOARD REQUESTS AND DIRECTIVES

Mr. McGlennon offered his condolences to the family on the passing of Mr. Craig Covey, who was the first Planning Director of the County. He asked that staff bring a Public Hearing before the Board at the next meeting to have the opportunity to address staggered terms or uniform terms for the Board. He also stated that the Board is recommending that

the County Administrator receive a 4% raise in accordance with similar performance increases being offered to staff.

Mr. McGlennon made a motion to increase the County Administrator's salary by 4%, effective August 16, 2016.

Ms. Larson made a motion to table the motion made by Mr. McGlennon so that the Board could discuss this item in Closed Session.

The motion passed unanimously.

Ms. Larson mentioned the signing of a lease agreement between the Economic Development Authority and Billsburg Brewery, who will be opening down at the Marina. She thanked WMBG radio station for having the Board on each week and appreciates the opportunity.

Mr. Onizuk stated that he had the opportunity to spend some time with one of the investors for Billsburg Brewery and is excited about them coming to the Marina. He congratulated Ms. Alice Cooke, of Cakealicious, for winning Cake Wars, a show on the Food Network.

Ms. Sadler thanked the Police and Fire Departments for the opportunity to ride along with them during National Night Out. She said that they visited several neighborhoods throughout the Stonehouse District and the citizens were very appreciative of the first responders.

Mr. Hipple expressed his appreciation for the County staff. He stated that he works in a lot of different communities and is so proud of the staff and their level of professionalism and dedication.

K. REPORTS OF THE COUNTY ADMINISTRATOR

1. County Administrator's Report

The James City County Police Department's Citizens Police Academy has been offering members of our local community the opportunity to get an inside look at the operation and function of Police procedures since 1994. The Citizens Police Academy is offered in the spring and fall each year. Most classes are held at the Law Enforcement Center located at 4600 Opportunity Way, from 7-9 p.m. on Wednesdays. There is one Saturday session. The Academy meets for 14 weeks and is free of charge to adults living or working in James City County. The Police Department is currently accepting applications for the fall session. This Academy will begin September 7 and be completed on December 14. All applicants must undergo a criminal background check before being admitted to the program. Please contact Stephanie Williams at 259-5173 for more information.

The Clean County Commission is making ten \$500 Good Neighbor Environment Grants available to neighborhood groups and homeowner associations. The purpose of the grant is to enhance the sense of community and environmental wellness of our neighborhoods through the development and accomplishment of sustainable landscape beautification projects. Examples of projects include entryway landscaping, trail improvements, energy saving techniques and community gardens. Good Neighbor Environment Matching Grant Applications are available online and must be submitted prior to 5 p.m. on September 1. For more information contact the Environmental Coordinator, Dawn Oleksy at 259-5375.

Mr. Hill clarified that there is no plan to build a desalination plant right now. This process is to get a groundwater permit, not build a plant at this time. This would be a 10- to 14-year window for a desalination plant. Staff hopes to have a groundwater permit in the next year and a ground to surface water permit within the next two years. Please note that we are looking at 2027 for a change and that is only if our population changes.

L. PUBLIC COMMENT - None

M. CLOSED SESSION

A motion to Enter a Close Session was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

At 7:30 p.m., the Board entered Closed Session.

At 7:41 p.m., the Board reentered Open Session.

1. Consideration of a Personnel Matter, the Performance of the County Administrator, Pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

A motion to Approve was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

Mr. McGlennon made a motion to approve a 4% increase in the County Administrator's salary effective August 16, 2016.

2. Consideration of a Personnel Matter, the Appointment of Individuals to County Boards and/or Commissions Pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia and Regarding the Williamsburg Area Arts Commission

The Board agreed to postpone this appointment until the first meeting in September.

3. Certification

A motion to Certify the Close Session was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

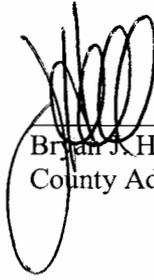
N. ADJOURNMENT

1. Adjourn until 6:30 p.m. on September 13, 2016, for the Regular Meeting

A motion to Adjourn was made by Mr. McGlennon and the motion result was Passed.

AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0
Ayes: McGlennon, Larson, Onizuk, Sadler, Hipple

At 7:43 p.m., Mr. Hipple adjourned the Board.



Bryan J. Hill
County Administrator