

**AG E N D A**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**March 22, 2016**  
**6:30 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Olivia Prokup, a 2nd grade student at Norge Elementary and resident of the Powhatan District

**E. PUBLIC COMMENT - Until 7 p.m.**

**F. PRESENTATIONS**

**G. CONSENT CALENDAR**

1. Minutes Adoption - February 23, 2016 Work Session
2. Proclamation - Local Government Education Week, April 3-9, 2016
3. Memoranda of Understanding with the Electoral Board and General Registrar

**H. PUBLIC HEARING(S)**

**I. BOARD CONSIDERATION(S)**

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

1. County Administrator's Report

**L. PUBLIC COMMENT**

**M. CLOSED SESSION**

1. 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 in regard to the Board of Zoning Appeals
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 in regard to the Parks and Recreation Advisory Committee

**N. ADJOURNMENT**

1. Adjourn until 6:30 pm on April 12, 2016 for the Regular Meeting

**ITEM SUMMARY**

DATE: 3/22/2016

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Pledge Leader - Olivia Prokup, a 2nd grade student at Norge Elementary and resident of the Powhatan District

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/22/2016 - 1:07 PM

**ITEM SUMMARY**

DATE: 3/22/2016  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Administrative Coordinator  
SUBJECT: Minutes Adoption - February 23, 2016 Work Session

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**ATTACHMENTS:**

	Description	Type
▣	022316 BOS Work Mins	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 3:37 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 23, 2016**  
**4:00 PM**

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**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

**C. BOARD DISCUSSIONS**

1. 2016 Housing Conditions Study

Interim Director of Community Services, Rebecca Vinroot, addressed the Board and introduced Ms. Mel Jones from the Virginia Housing Research Center at Virginia Tech and Mr. Robert Krupicka from Czb Planning Consultants. She stated that she hopes the Board finds this a timely discussion as it ties in to the strategic planning process that the Board is currently undergoing.

Ms. Jones briefed the Board on the housing study methodology and the components of the study. She reviewed the data included in the PowerPoint presentation that was provided as part of the Agenda Packet.

Mr. Krupicka explained the data findings and helped to make sense of all the numbers. He stated that the majority of households are upper middle class with high income stability, which puts pressure on the housing market. Two-thirds of the jobs being added in the County are minimum wage jobs. There is a growing pressure on the low end of the housing market. Basically, if a household is making less than \$35,000 a year, then they are having a hard time making it in James City County. They have limited housing options, limited choice on where they want to live and a hard time dealing with commutes. The bottom line is that there is not enough affordable housing for the low-end workers that the economy in the County is demanding.

From the study, there are two general policy discussions that the Board should consider. First is catching up, determining how many affordable homes need to be created so that those who work in the County can afford a home in the County. Second is keeping up, determining how many units have to be created in real time as the economy and market matures.

Mr. Krupicka argued that having targeted pockets of affordable housing will serve the needs of the community as well as help preserve the rural areas by taking the development pressure off them.

General discussion ensued about the issues surrounding affordable housing that the County has seen over the years. Land-banking; land designation, planning and use; first time homebuyer programs; and other policies were discussed and how they can help mitigate some of the issues discussed.

Mr. Onizuk asked what the Board wants to do from here, should the Board give some guidance to the Housing Department.

Mr. Hipple stated that he believes this will pair into the strategic planning process. This gives information that can be used as part of that process.

Ms. Larson questioned if identifying places or pockets for development should be done sooner. The strategic plan process will take a year to complete.

Mr. McGlennon stated that he would like to see the results of what has been accomplished with the current policies in place. He stated that he is not very satisfied with the affordable and workforce development policy that is currently on the books and perhaps that should be reevaluated. He stated that he is most concerned with the low-end service worker that the community depends on so much.

Ms. Larson stated that she is in favor of cluster developments and that it tends to give an overall nice feel to the neighborhood.

Mr. Onizuk stated that he believes staff should develop some ideas to address the issue and bring those to the Board.

Staff reiterated that the Comprehensive Plan addresses some of these items and the Strategic Plan will help guide how much amplification is given to those issues addressed in the Comprehensive Plan. Those two plans really will drive those policy discussions and decisions.

Mr. McGlennon stated that if he is going to prioritize issues, there are 100 homes that are in seriously poor condition as identified in the study. He would like to know what can be done to help those residents.

Staff discussed the emergency home repair program and the successes and limitations of the programs that are offered by Housing and Community Development.

As there were no other questions, Mr. Hipple thanked staff and the consultants for their presentation.

#### **D. CLOSED SESSION**

1. Consideration of personnel matters pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia: appointments to County Boards/Commissions, the appointment of the County Attorney; and discussion pertaining to the performance of the County Administrator

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 5:16 p.m., the Board entered Closed Session.

At 6:08 p.m., the Board re-entered Open Session.

2. Closed Session Certifications

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

3. Appointments to Board and Commissions

A motion to Appoint Individuals to Boards and Commissions 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. Daniel Schmidt was appointed to the Roberts District seat on the Planning Commission for a term beginning immediately and expiring on January 31, 2020.

Mr. Larry Waltrip was reappointed to the Chesapeake Bay and Wetlands Board for a new term effective February 28, 2016 and will expire on February 28, 2021.

Mr. Thomas Belden and Mr. Randall Davis were reappointed to the Purchase of Development Rights Committee for new terms beginning immediately and expiring on February 12, 2019.

4. Appointment of County Attorney

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

The Board voiced its support for Mr. Kinsman in his new role as County Attorney.

**E. ADJOURNMENT**

1. Adjourn until Regular Meeting

A motion to Adjourn was made by Ms. Sadler and the motion result was Passed.

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

Mr. Hipple adjourned the Board until the Regular Meeting at 6:30 p.m.

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Bryan J. Hill  
County Administrator

**ITEM SUMMARY**

DATE: 3/22/2016  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Administrative Coordinator  
SUBJECT: Proclamation - Local Government Education Week, April 3-9, 2016

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In 2012, the General Assembly adopted House Joint Resolution #93 proclaiming the first week of April as Local Government Education week in honor of the formation of the Council-Manager form of government in the City of Staunton, VA in 1908.

The Virginia Local Government Management Association's (VLGMA) Civic Engagement Committee has been developing tools to engage students, our future leaders, to educate on all local government services provided at the local level, and to increase student's awareness of career opportunities in local government. This will help strengthen interest in local government management/public service. As part of this effort, VLGMA has requested that each locality's governing body to adopt a proclamation honoring this week.

**ATTACHMENTS:**

	Description	Type
□	Proclamation	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/14/2016 - 4:29 PM



**PROCLAMATION  
APRIL 3-9, 2016 AS  
LOCAL GOVERNMENT EDUCATION WEEK**

**WHEREAS**, since the colonial period, the Commonwealth of Virginia has closely held the institutions of local government; and

**WHEREAS**, local governments throughout the Commonwealth provide valuable services to the citizens of the communities they serve; and

**WHEREAS**, citizen services such as law enforcement, public health and safety, recreational opportunities, and educating local children are most often delivered at the local level; and

**WHEREAS**, in recognition of the work performed by local governments, on February 29, 2012 the Virginia General Assembly designated the first week in April as Local Government Education Week in Virginia; and

**WHEREAS**, the James City County Board of Supervisors has recognized the value of having strong political leadership of elected officials as the governing body, with the managerial experience of an appointed local government administrator; and

**WHEREAS**, professional local government management offers government of the people, by the people, and for the people, and it sets the stage for citizen involvement by encouraging open communication between citizens and their government:

**NOW, THEREFORE, BE IT RESOLVED**, on this 22nd day of March, 2016, that the James City County Board of Supervisors hereby proclaims the week of April 3-9, 2016, as “Local Government Education Week” in James City County. Furthermore, the Board will partner with local schools and civic groups to promote civic education in an effort to educate citizens about their local government, strengthen our sense of community, and engage the next generation of local government participants.

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Michael J. Hipple, Chairman

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Bryan J. Hill, Clerk

**ADOPTED** this 22nd day of March, 2016.



**ITEM SUMMARY**

DATE: 3/22/2016

TO: Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Memoranda of Understanding with the Electoral Board and General Registrar

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An updated MOU is necessary to memorialize the relationship between the County and the General Registrar's office in relation to personnel policies. A similar agreement was recently approved by the Board in June, 2015. Approval of this updated agreement is necessary due to the recent appointment of General Registrar Dianna Moorman.

**ATTACHMENTS:**

	Description	Type
□	mem	Cover Memo
□	resolution	Resolution
□	agreement - registrar	Cover Memo
□	agreement - electoral board	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	3/3/2016 - 2:57 PM
Publication Management	Burcham, Nan	Approved	3/3/2016 - 4:35 PM
Legal Review	Kinsman, Adam	Approved	3/14/2016 - 10:56 AM
Board Secretary	Fellows, Teresa	Approved	3/14/2016 - 1:24 PM
Board Secretary	Hill, Bryan	Approved	3/15/2016 - 11:33 AM
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 11:35 AM

**MEMORANDUM**

DATE: March 22, 2016  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: Memoranda of Understanding with Electoral Board and General Registrar

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Constitutional Officers in James City County, Virginia have a history of, by agreement with the County, providing their employees access to the County's personnel policies when consistent with the Code of Virginia.

The attached agreements memorialize the relationship between the County and the General Registrar's office in relation to personnel policies. A similar agreement was recently approved by the Board in June, 2015. Approval of this updated agreement is necessary due to the recent appointment of General Registrar Dianna Moorman. The agreement will be effective April 1, 2016 and will run through the end of Ms. Moorman's term as General Registrar and any subsequent reappointments.

ARK/nb  
MOU-ElectBrdGeneralR-mem

Attachment

**RESOLUTION**

**MEMORANDA OF UNDERSTANDING**

**WITH ELECTORAL BOARD AND GENERAL REGISTRAR**

WHEREAS, the Electoral Board and Board of Supervisors of James City County, Virginia, desire a Memorandum of Understanding to set forth the parameters of the relationship between the County and the General Registrar (the "Registrar"); and

WHEREAS, the Registrar and Board of Supervisors of James City County, Virginia, believe it to be in the best interests of the Registrar's employees that they be on the County's pay plan and subject to certain of the County's personnel policies.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute the certain Memorandum of Understanding dated April 1, 2016, by and between the Electoral Board and the County of James City, Virginia.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize the County Administrator to execute the certain Agreement dated April 1, 2016, by and between the General Registrar and the County of James City, Virginia.

\_\_\_\_\_  
Michael J. Hipple  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Bryan J. Hill  
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	___	___	___
LARSON	___	___	___
ONIZUK	___	___	___
SADLER	___	___	___
HIPPLE	___	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 22nd day of March, 2016.

MOU-ElectBrdGeneralR-res

## Agreement

WHEREAS, The County of James City, Virginia (the "County") entered into a Memorandum of Understanding with the James City County Electoral Board granting the James City County General Registrar (the "Registrar") the option of entering into an agreement with the County to have employees of the Registrar follow the County personnel policies and procedures; and,

WHEREAS, the County and Registrar are desirous of entering into an agreement setting forth their understanding as it pertains to compensation plans and personnel policies.

NOW, THEREFORE, this agreement is made and entered into this first day of April, 2016, by and between the County and the Registrar.

### WITNESSETH

That for and in consideration of the mutual covenants set forth herein, the parties agree as follows:

1. This agreement shall pertain to employees of the Registrar in full or part-time other, temporary, or on-call positions.
2. All employees named in paragraph 1 shall be included under the County's compensation plan and personnel policies unless otherwise stated in this agreement.
3. The compensation plan shall include salary and all other considerations relevant thereto and any and all benefits set forth thereunder.
4. The personnel policies shall include, but are not limited to, all rules, regulations, policies, and safeguards involved with or pertaining to employee recruitment and selection.
5. Employees of the Registrar in full or part-time other positions shall not be subject to Chapter 7, Standards of Conduct, or Chapter 8, Grievance Procedure, of the James City County Personnel Policies and Procedures Manual.
6. The Registrar shall:
  - a. have the sole responsibility of disciplining employees of the General Registrar's Office;
  - b. enter into an agreement with employees in full or part-time other positions setting out the duties of their positions and the General Registrar's Office internal Standards of Conduct and Grievance Procedures.
7. The above notwithstanding, some County policies will be overridden by the Code of Virginia. Therefore, employees of the Registrar in full or part-time other, temporary, or on-call positions:
  - a. shall be appointed by the Registrar for a term that ends with the term of the Registrar;
  - b. shall be subject to reappointment;
  - c. shall be a qualified voter of the Commonwealth of Virginia, but are not required to be qualified voter of the County;
  - d. shall not be a spouse of an Electoral Board member or the Registrar; and, shall not be any person or the spouse of any person who is the parent, grandparent, sibling, child, or grandchild of an Electoral Board member or the Registrar;
  - e. shall not hold any other elected or appointed office; and,
  - f. may be an Officer of Election.
8. The term of this agreement shall commence from the first day of April, 2016, and shall terminate at the end of the Registrar's term, including any subsequent reappointments.
9. This agreement may only be modified by a writing signed by the County and the Registrar.

COUNTY ADMINISTRATOR

GENERAL REGISTRAR

by: \_\_\_\_\_  
Bryan J. Hill

by: \_\_\_\_\_  
Dianna S. Moorman



**MEMORANDUM OF UNDERSTANDING**

WHEREAS, the County of James City, Virginia (the “County”) and the James City County Electoral Board (the “Electoral Board”) are desirous of setting forth their understanding as it pertains to compensation plans and personnel policies as they affect the James City County General Registrar (the “General Registrar”).

NOW, THEREFORE, this MEMORANDUM OF UNDERSTANDING is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016, by and between the County and the Electoral Board.

WITNESSETH

That for and in consideration of the mutual covenants set forth herein, the parties agree as follows:

1. This agreement shall be effective April 1, 2016.
2. The County and the Electoral Board agree that by virtue of the execution of this agreement the General Registrar:
  - shall not be bound by County personnel policies and procedures, including leave policies;
  - shall be covered by the applicable benefits outlined in the Benefits Chapter of the County’s Personnel Policies and Procedures Manual, with the exception of holiday and leave sections;
  - shall receive travel reimbursement at the rate set forth in the Code of Virginia; and
  - shall be held accountable for the execution of duties of the office by the Electoral Board, which may set standards and guidelines for the General Registrar.
3. The County will not pay the General Registrar for any accumulated leave upon termination of employment.
4. The Electoral Board is responsible for appointing the General Registrar and for setting the number and term of assistant registrar positions.
5. The General Registrar is responsible for the hiring, disciplining, and firing of her staff.
6. The General Registrar will be given the option of entering into a written agreement with the County to have her employees follow County personnel policies and procedures, except where they conflict with the Code of Virginia.
7. The term of this agreement shall commence from the first day of April, 2016, and shall terminate at the end of the Registrar’s term, including any subsequent reappointments.

COUNTY ADMINISTRATOR

SECRETARY, ELECTORAL BOARD

by: \_\_\_\_\_  
Bryan J. Hill

by: \_\_\_\_\_  
Jack D. Edwards

CHAIR, ELECTORAL BOARD

VICE CHAIR, ELECTORAL BOARD

by: \_\_\_\_\_  
John Thomas Gee

by: \_\_\_\_\_  
Kay Cheves

**ITEM SUMMARY**

DATE: 3/22/2016  
TO: The Board of Supervisors  
FROM: Bryan J. Hill, County Administrator  
SUBJECT: County Administrator's Report

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**ATTACHMENTS:**

	Description	Type
▣	CA Report	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 3:38 PM

## MEMORANDUM

DATE: March 22, 2016  
TO: The Board of Supervisors  
FROM: Bryan J. Hill, County Administrator  
SUBJECT: County Administrator's Report

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The following is a summary of activities that took place March 2, 2016 through March 16, 2016:

### March 2, 2016 (Wednesday)

- Attended Communications training
- Attended Hampton Roads Planning District Commission Chief Administrative Officers luncheon and meeting

### March 3, 2016 (Thursday)

- Attended meeting with Mitchell Reiss, CWF President and Chief Executive Officer and Cindy Williamson
- Attended budget meeting
- Met with Sue Mellen, FMS Director

### March 4, 2016 (Friday)

- Met with Brad Rinehimer, Police Chief
- Met Sannaa Atwood, James River Elementary School student

### March 7, 2016 (Monday)

- Met with Paul Holt, Planning Director and Leanne Pollock, Planner III
- Attended Technical Advisory Group meeting
- Attended Williamsburg Health Foundation Board of Trustees meeting: speaking engagement
- Attended Strategic Planning Advisory Group meeting

### March 8, 2016 (Tuesday)

- Attended agenda meeting
- Met with John Carnifax, Parks and Recreation Director
- Attended Board of Supervisors meeting

### March 9, 2016 (Wednesday)

- Board of Supervisors video recap
- Met with Congressman Wittman and Supervisor Michael Hipple
- Met with Economic Development prospects
- Attended Neighborhood Forum

County Administrator's Report

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March 10, 2016 (Thursday)

- Attended Virginia Peninsula Regional Jail GED graduation ceremony
- Attended budget meeting
- Met with Jason Purse, Zoning Administrator
- Conference call with Chris Henderson
- Attended State of the Airline Industry event

March 11, 2016 (Friday)

- Attended 2016 Tourism Forum at Yorktown
- Met with John Horne, General Services Director
- Met with Sue Mellen, FMS Director
- Met with Doug Powell, JCSA General Manager, Sue Mellen, FMS Director and Supervisors Kevin Onizuk and Michael Hipple

March 14-16, 2016 (Monday- Wednesday)

- Attended New York Rating Agency trip with Doug Powell, JCSA General Manager, Sue Mellen, FMS Director and Supervisors Kevin Onizuk and Michael Hipple

BJH/ab

CAReport032216-mem



**ITEM SUMMARY**

DATE: 3/22/2016

TO: The Board of Supervisors

FROM: Jason E. Purse, Zoning Administrator & Interim Development Manager

SUBJECT: 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 in regard to the Board of Zoning Appeals.

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**ATTACHMENTS:**

Description Type

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	3/3/2016 - 4:49 PM
Development Management	Purse, Jason	Approved	3/4/2016 - 8:24 AM
Publication Management	Burcham, Nan	Approved	3/4/2016 - 8:33 AM
Legal Review	Kinsman, Adam	Approved	3/14/2016 - 10:20 AM
Board Secretary	Fellows, Teresa	Approved	3/14/2016 - 10:47 AM
Board Secretary	Hill, Bryan	Approved	3/15/2016 - 11:33 AM
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 11:34 AM

**ITEM SUMMARY**

DATE: 3/22/2016

TO: The Board of Supervisors

FROM: John Carnifax, Director of Parks and Recreation

SUBJECT: 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 in regard to the Parks and Recreation Advisory Committee

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**ATTACHMENTS:**

Description Type

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/14/2016 - 9:15 PM
Board Secretary	Hill, Bryan	Approved	3/15/2016 - 11:33 AM
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 11:34 AM
Publication Management	Boles, Amy	Approved	3/15/2016 - 11:41 AM
Legal Review	Kinsman, Adam	Approved	3/15/2016 - 11:45 AM
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 11:46 AM
Board Secretary	Hill, Bryan	Approved	3/15/2016 - 11:46 AM
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 11:47 AM

**ITEM SUMMARY**

DATE: 3/22/2016  
TO: The Board of Supervisors  
FROM: Teresa J. Fellows, Administrative Coordinator  
SUBJECT: Adjourn until 6:30 pm on April 12, 2016 for the Regular Meeting

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	3/15/2016 - 3:41 PM