

**A G E N D A**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**February 14, 2017**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - John Geraghty, a 2nd grade student and resident of the Stonehouse District

**E. PUBLIC COMMENT**

**F. PRESENTATIONS**

1. Eagle Scout Recognition

**G. CONSENT CALENDAR**

1. Minutes Adoption - January 3, 2017 Organizational Meeting and January 10, 2017 Regular Meeting
2. Grant Award - Office of Emergency Medical Services (OEMS) Rescue Squad Assistance Fund (RSAF) VP-C01/12-16 Special Grant - \$26,670
3. Grant Award - Policing in the 21st Century - Recruiting and Hiring Initiative - \$15,857
4. Grant Award - Policing in the 21st Century - Technology Initiative - \$12,444
5. Grant Award - Commonwealth Attorney - V-STOP Grant Program Fund - \$57,585
6. Appointment of Courtney Uhlig as a James City County Animal Control Officer
7. Contract Award - James City County Library Best Management Practice Retrofit Project - \$206,000
8. Contract Award - Brook Haven Stream Restoration - \$458,251
9. Contract Award - Winston Terrace Stream Restoration - \$268,672

**H. PUBLIC HEARING(S)**

1. Pre-Budget Public Hearing - FY 2018 Budget
2. AFD-10-86-1-2016, Christenson's Corner AFD Addition, 7751 Newman Rd.
3. AFD-07-86-1-2016, Mill Creek AFD Addition, 101 and 121 Ivy Hill Rd.
4. AFD-01-94-1-2016, Wright's Island AFD Addition, 6550 and 6520 Menzels Rd.
5. SUP-0027-2016, Top Notch Tree Service
6. Lease Amendment - 101 Mounts Bay Rd. Cell Tower

**I. BOARD CONSIDERATION(S)**

1. Colonial Community Corrections (CCC) Elimination of Two Part-Time Positions and Creation of One Permanent Full-Time Position
2. Authorization of a Full-Time Deputy Sheriff Position
3. VDOT Project No. UPC 100921. Longhill Road Widening - Phase 1, Resolution of Support

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

1. County Administrator's Report

**L. CLOSED SESSION**

1. Appointment to the Chesapeake Bay Board and Wetlands Board
2. Community Services Coalition Board of Directors-Staff Appointment

**M. ADJOURNMENT**

1. Adjourn until 4 pm on February 28, 2017 for the Work Session

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Pledge Leader - John Geraghty, a 2nd grade student and resident of the Stonehouse District

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/2/2017 - 12:51 PM

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Eagle Scout Recognition

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11 Eagle Scouts will be in attendance for recognition

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:04 AM



**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Minutes Adoption - January 3, 2017 Organizational Meeting and January 10, 2017 Regular Meeting

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**ATTACHMENTS:**

	Description	Type
▣	010317 BOS Minutes	Minutes
▣	011017 BOS Minutes	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Economic Development Authority	Fellows, Teresa	Approved	2/2/2017 - 12:53 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**ORGANIZATIONAL MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 3, 2017**  
**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  
Adam R. Kinsman, County Attorney

**C. ORGANIZATIONAL MEETING**

1. Nominations for Chairman and Vice Chairman with Elections to Follow

Ms. Sadler made a motion to appoint Mr. Onizuk as Chairman of the Board for 2017. The motion passed by a unanimous voice vote.

Mr. Onizuk made a motion to appoint Ms. Larson as Vice Chairman of the Board for 2017. The motion passed by a unanimous voice vote.

2. Establishment of Meeting Dates, Places and Times

Mr. Hill reviewed some of the standing work session topics for the upcoming year. The Board has a very heavy work session agenda for the year.

Mr. Onizuk stated that as part of this discussion, some ideas had been floated around about changing the format and schedule of the Board's meetings. One suggestion was to have one business meeting and then one work session meeting.

General discussion ensued regarding the positive and negative outcomes of making the suggested change to the Board's meeting schedule.

The question was raised about the start time of the one business meeting. For the business meeting, it has been suggested that the meeting time begin earlier. It seems that everyone is fine with the work session meeting beginning at 4 p.m.

Discussion ensued regarding the potential start time of the business meeting and possible changes to the agenda format. Concern was raised about starting the business meeting at 4 p.m., as citizens would have a hard time coming out to participate. Several ideas were floated about how to arrange the business meeting agenda to allow

public comment and still balance the time for citizens that are paying attorneys to be present for public hearings. The hierarchy of public comment speakers was discussed as well, including giving priority to citizens that wish to address the Board regarding a particular item on the Consent Calendar. Those citizens need to be given priority before those that wish to address the Board about general matters.

The final consensus was to have one business meeting on the second Tuesday of the month beginning at 5 p.m. The fourth Tuesday of the month would be strictly a work session that would begin at 4 p.m. It was agreed that the business meeting agenda format would stay as it has been for the last year with the exception of removing the time constraint on the first public comment section and eliminating the second public comment section. This would allow the first public comment section to continue until everyone that wishes to speak has had the opportunity to do so. The Board also stated that if there was a Consent Calendar item that needed to be addressed at the second meeting of the month, then they would advertise that and add it to the agenda accordingly. The Board agreed to try this format for the time-being, but reserves the right to re-evaluate the format later in the year if necessary.

### 3. Organizational Meeting of the Board of Supervisors

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

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

Mr. Kinsman stated that the resolution included in the Agenda Packet would be amended to reflect the changes as discussed.

It was noted that the new meeting times and format would begin with the January 24 work session and the February 14 business meeting. The January 10 meeting has already been advertised per the guidelines outlined in the State Code and must proceed as advertised at 6:30 p.m.

### 4. Commission/Committee Appointments

A motion to Continue was made by John McGlennon and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

It was suggested that the Board continue serving on the Commissions and Committees that have been serving on for the past year. It was noted that by not rotating positions around, Board members do not get the opportunity to be exposed to other regional groups and issues. It was agreed that perhaps a two-year rotation is more appropriate, as it allows a Board member to really learn the committee and the issues facing those committees. It was also suggested that other members attend or join the others at their assigned committees.

The general consensus of the Board was to continue with its current assignments from 2016.

5. Seating Assignments

Mr. Hill stated that the Chairman always sits to the right of the County Administrator on the dais. The rest of the Board members drew numbers to determine the remaining seating assignments on the dais. The results of the draw were as follows: 1) Mr. Onizuk, 2) Mr. McGlennon, 3) Ms. Sadler, 4) Mr. Hipple and 5) Ms. Larson.

6. Tentative Work Session Agenda

Mr. Hill briefly reviewed the tentative work session agenda included in the Agenda Packet.

**D. BOARD CONSIDERATION(S)**

Mr. McGlennon clarified that there is not a Budget Retreat on the adopted calendar.

Mr. Hill stated that the January 24 work session would include a pre-budget overview. If a Budget Retreat is necessary after that, the Board may amend its calendar and add one.

**E. CLOSED SESSION**

**F. BOARD REQUESTS AND DIRECTIVES**

Mr. McGlennon thanked Mr. Hipple for his continuous leadership over the past two years.

Mr. Hipple stated that everything that was accomplished over the last two years was due to the Board working together as a cohesive unit. He thanked the Board for its continuous support.

**G. ADJOURNMENT**

1. Adjourn until 6:30 p.m. on January 10, 2017

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

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk At 5:15 p.m., Mr. Onizuk adjourned the Board.

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Bryan J. Hill, Clerk to the Board

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 10, 2017**  
**6:30 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

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

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

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Brandon Starks, an 11th-grade student at Warhill High School and a resident of the Stonehouse District

**E. PUBLIC COMMENT**

1. Ms. Barbara Henry, 141 Devon Road, addressed the Board in regard to adding an online checkbook register for transparency.
2. Mr. Joseph Swanenburg, 3026 The Point Drive, addressed the Board in regard to the newly adopted Board meeting format.
3. Mr. Richard Bradshaw, Commissioner of the Revenue, addressed the Board in regard to new state regulations for Business/Professional/Occupational Licenses taxes. He also mentioned that individual income tax refunds from the state will take longer as the state has instituted new protocols to help protect citizens from identity theft.

**F. PRESENTATIONS**

**G. CONSENT CALENDAR**

A motion to Approve was made by Sue Sadler and the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

1. Minutes Adoption - December 13, 2016, Regular Meeting

## **H. PUBLIC HEARING(S)**

### **2. ZO-0014-2016. 2016 Sign Ordinance Update**

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

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

Mr. John Rogerson, Senior Zoning Officer, addressed the Board giving an overview of the staff report and ordinance included in the Agenda Packet. He presented a PowerPoint presentation to outline the major changes to the Sign Ordinance.

Ms. Sadler asked if these regulations had anything to do with billboards.

Mr. Rogerson stated no.

Mr. Basic, Planning Commission Representative, addressed the Board giving an overview of the Commission's recommendation.

General discussion ensued in regard to some of the specific provisions. Specifically, the content of signs can no longer be regulated. The size and shape can be regulated, but not the actual content. If you have to read the sign to know what it means, then its content cannot be regulated by the County.

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

As no one was registered to speak to the case, Mr. Onizuk closed the Public Hearing.

The Board asked that staff keep monitoring this item.

## **I. BOARD CONSIDERATION(S)**

## **J. BOARD REQUESTS AND DIRECTIVES**

Ms. Larson asked about the tree clearing that has been occurring on Monticello Avenue.

Mr. Onizuk stated that he spoke to the Virginia Department of Transportation (VDOT) and that area is a utility easement for Hampton Roads Sanitation District (HRSD) and they are clearing their easement.

Ms. Larson recognized Mr. Chris Basic, Berkeley District Planning Commission Representative, for his 7 years of service to the County and the citizens.

Mr. Hipple thanked staff and VDOT for their efforts during the snow storm.

Ms. Sadler stated that she has received concerns from citizens in regard to a caution light malfunctioning in front of Stonehouse Elementary. She stated that she had been in touch with the School Board and it is their responsibility to fix and was assured that it would be taken care of.

The Board recognized the new Chairman and Vice Chairman and thanked them for their willingness to serve in this new capacity.

Mr. McGlennon thanked the Fire and EMS crews here in the County for their care and compassion for the citizens.

Mr. Onizuk thanked County staff and VDOT for their efforts in clearing the snow. He thanked Mr. Basic for his service to the County and the citizens.

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

### **1. County Administrator's Report**

#### **Citizen Police Academy**

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, which is held at the firing range. 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 spring session. This Academy will begin February 1 and be completed on May 10. Please use the link below to access the application. All applicants must undergo a criminal background check before being admitted to the program. Please contact Master Police Officer Alan McDowell or Master Police Officer Monique Marchand with any questions about the program.

#### **Neighborhood Forum Social**

Spaces are still available for James City County residents to register for the Neighborhood Forum Social on January 11, 6:30 p.m., at the James City County Recreation Center, 5301 Longhill Road. This event is a welcome invitation for new participants who want to become more active and engaged citizens as well as a “thank you” to regular attendees of the Neighborhood Forum. The January 11 event is an opportunity to network with other citizens and talk with County staff one-on-one, including the County Administrator, Police and Fire Chiefs. Guests and first-time participants are strongly encouraged to attend. Light hors d’oeuvres will be served. This event is free, but please register to attend by visiting the County website.

Mr. Hill thanked VDOT and the General Services staff for their efforts in clearing the roads from the snow storm.

## **L. CLOSED SESSION**

A motion to Authorize was made by Ruth Larson and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

Mr. Hill asked for a motion to amend the agenda to add the consideration of an appointment to the Planning Commission.

A motion to Enter a Closed Session was made by John McGlennon and the motion result was Passed.

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

At 7:29 p.m., the Board entered into Closed Session.

At 7:42 p.m., the Board re-entered Open 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 - Board of Equalization

A motion to Appoint Individuals to Boards and Commissions was made by Michael Hipple and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

The Board recommended the appointment of Mr. Michael Grimes, Mr. Christopher Hedrick, Ms. Vicki Nase and Mr. Michael Simerlein to the Board of Equalization.

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 - Planning Commission

A motion to Appoint Individuals to Boards and Commissions was made by Ruth Larson and the motion result was Passed.

AYES: 4 NAYS: 1 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Larson, Onizuk

Nays: Sadler

Ms. Larson made a motion to appoint Mr. John Haledman, Jr., as the Berkeley District Representative on the Planning Commission.

A motion to Appoint Individuals to Boards and Commissions was made by Michael Hipple and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

Mr. Hipple made a motion to re-appoint Mr. Timothy O'Connor as the At-Large Representative of the Planning Commission.

3. Consultation with legal counsel pertaining to actual or probable litigation, regarding the County of James City, Virginia v. Wolf, Civil Case No. CL 15001089-00 in the Williamsburg-James City County Circuit Court, pursuant to Section 2.2-3711 (A)(7) of the Code of Virginia
4. Certification of Closed Session

A motion to Certify the Closed Session was made by John McGlennon and the motion result was Passed.

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

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk



## **M. ADJOURNMENT**

1. Adjourn until 4 p.m. on January 24, 2017, for the Work Session

A motion to Adjourn was made by John McGlennon and the motion result was Passed. AYES: 5  
NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, McGlennon, Larson, Sadler, Onizuk

At 7:44 p.m., Mr. Onizuk adjourned the Board.

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Bryan J. Hill, Clerk to the Board

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Ryan Ashe, Chief, Fire Department

SUBJECT: Grant Award - Office of Emergency Medical Services (OEMS) Rescue Squad Assistance Fund (RSAF) VP-C01/12-16 Special Grant - \$26,670

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**ATTACHMENTS:**

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	1/5/2017 - 12:05 PM
Publication Management	Babbitt, Katterina	Approved	1/5/2017 - 1:38 PM
Legal Review	Kinsman, Adam	Approved	1/6/2017 - 2:17 PM
Board Secretary	Mellen, Sue	Approved	2/2/2017 - 3:42 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:13 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:29 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Ryan Ashe, Fire Chief

SUBJECT: Grant Award - Office of Emergency Medical Services (OEMS) Rescue Squad Assistance Fund (RSAF) VP-C01/12-16 Special Grant - \$26,670

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The James City County Fire Department has been awarded funding as part of the Rescue Squad Assistance Fund (RSAF) from the Commonwealth of Virginia Department of Health, Office of Emergency Medical Services in the amount of \$26,670.

The funds are to be used toward the replacement of two of the Fire Department's Zoll Auto Pulse systems. The Fire Department uses these systems to perform automatic cardio-pulmonary resuscitation (CPR) to victims of cardiac arrest in the field. Currently, the Department maintains eight Auto Pulse units, with one placed on each operational ambulance and each reserve ambulance. The newly awarded units will replace the two oldest units that are currently in service.

This grant requires a 50% local match of \$13,335. Local grant match funds are available.

Staff recommends adoption of the attached resolution to appropriate funds.

RA/kb  
OEMS-RSAF-AutoPulse-mem

Attachment

## RESOLUTION

### GRANT AWARD - OFFICE OF EMERGENCY MEDICAL SERVICES (OEMS)

### RESCUE SQUAD ASSISTANCE FUND (RSAF) VP-C01/12-16

### SPECIAL GRANT - \$26,670

WHEREAS, the James City County Fire Department has been awarded grant funding in the amount of \$26,670 as part of the Rescue Squad Assistance Fund from the Commonwealth of Virginia Department of Health, Office of Emergency Medical Services (OEMS); and

WHEREAS, the funds are to be used for the support the purchase of two new automated CPR devices; and

WHEREAS, the grant requires a 50% local match.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following budget appropriation to the Special Projects/Grants fund:

Revenue:

OEMS-RSAF FY17 Auto Pulses	<u>\$26,670</u>
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Expenditure:

OEMS-RSAF FY17 Auto Pulses	<u>\$26,670</u>
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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

MCGLENNON  
SADLER  
HIPPLE  
LARSON  
ONIZUK

VOTES

AYE      NAY      ABSTAIN

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

OEMS-RSAF-AutoPulse-res

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Policing in the 21st Century - Recruiting and Hiring Initiative - \$15,857

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The James City County Police Department has been awarded a grant for Policing in the 21st Century - Recruiting and Hiring Initiative from the Virginia Department of Criminal Justice Services for \$15,857. \$12,757 is awarded from the Commonwealth of Virginia and \$3,100 will be provided through an in-kind match.

Funds will be used to purchase supplies to enhance our presentation at job fairs and for overtime and travel costs for attendance to job fairs out of our area. The cost for the supplies, overtime and travel is \$12,757 and the grant requires an in-kind match of \$3,100 which will be incurred through normal travel to job fairs and salary costs of officers attending local job fairs.

Staff recommends adoption of the attached resolution to appropriate funds.

**ATTACHMENTS:**

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:44 AM
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:44 AM
Publication Management	Burcham, Nan	Approved	1/25/2017 - 11:55 AM
Legal Review	Kinsman, Adam	Approved	1/26/2017 - 1:58 PM
Board Secretary	Mellen, Sue	Approved	2/2/2017 - 3:44 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:14 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:30 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Policing in the 21st Century - Recruiting and Hiring Initiative - \$15,857

---

The James City County Police Department has been awarded a grant for Policing in the 21st Century - Recruiting and Hiring Initiative from the Virginia Department of Criminal Justice Services for \$15,857. \$12,757 is awarded from the Commonwealth of Virginia and \$3,100 will be provided through an in-kind match.

Funds will be used to purchase supplies to enhance our presentation at job fairs and for overtime and travel costs for attendance to job fairs out of our area. The cost for the supplies, overtime and travel is \$12,757 and the grant requires an in-kind match of \$3,100 which will be incurred through normal travel to job fairs and salary costs of officers attending local job fairs.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/nb  
GA-RecHiringInit-mem

Attachment

## RESOLUTION

### GRANT AWARD - POLICING IN THE 21ST CENTURY -

#### RECRUITING AND HIRING INITIATIVE - \$15,857

WHEREAS, the James City County Police Department has been awarded a grant for Policing in the 21st Century - Recruiting and Hiring Initiative from the Virginia Department of Criminal Justice (DJCS) Services for \$15,857; and

WHEREAS, \$12,757 is awarded from the Commonwealth of Virginia and \$3,100 will be provided through an in-kind match; and

WHEREAS, the funds will be used to purchase supplies to enhance the Department's presentation at job fairs and for overtime and travel costs for attendance to job fairs out of the area.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants Fund:

Revenue:

DCJS - Recruitment	<u>\$12,757</u>
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Expenditure:

DCJS - Recruitment	<u>\$12,757</u>
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\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

GA-RecHiringInit-res

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Policing in the 21st Century - Technology Initiative - \$12,444

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The James City County Police Department has been awarded a grant for Policing in the 21st Century - Technology Initiative from the Virginia Department of Criminal Justice Services for \$12,444. \$11,200 is awarded from the Commonwealth of Virginia and \$1,244 will be provided through an in-kind match.

Funds will be used to purchase the Police-to-Citizens Access (P2C) module for our existing Records Management System. P2C provides numerous features such as daily bulletins, bicycle registration, mapping, online reporting and online access to reports, thereby providing convenience to citizens and increasing the efficiency of both sworn and civilian staff. The cost of the module is \$11,200 and the in-kind match will be incurred through our existing Records Management System management costs.

Staff recommends adoption of the attached resolution to appropriate funds.

**ATTACHMENTS:**

	Description	Type
▣	Memo	Cover Memo
▣	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:45 AM
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:45 AM
Publication Management	Burcham, Nan	Approved	1/25/2017 - 11:57 AM
Legal Review	Kinsman, Adam	Approved	1/26/2017 - 1:57 PM
Board Secretary	Mellen, Sue	Approved	2/2/2017 - 3:45 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:14 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:30 AM



## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Policing in the 21st Century - Technology Initiative - \$12,444

---

The James City County Police Department has been awarded a grant for Policing in the 21st Century - Technology Initiative from the Virginia Department of Criminal Justice Services for \$12,444. \$11,200 is awarded from the Commonwealth of Virginia and \$1,244 will be provided through an in-kind match.

Funds will be used to purchase the Police-to-Citizens Access (P2C) module for our existing Records Management System. P2C provides numerous features such as daily bulletins, bicycle registration, mapping, online reporting and online access to reports, thereby providing convenience to citizens and increasing the efficiency of both sworn and civilian staff. The cost of the module is \$11,200 and the in-kind match will be incurred through our existing Records Management System management costs.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/nb  
GA-TechInit-mem

Attachment

## RESOLUTION

### GRANT AWARD - POLICING IN THE 21ST CENTURY -

#### TECHNOLOGY INITIATIVE - \$12,444

WHEREAS, the James City County Police Department has been awarded a grant for Policing in the 21st Century - Technology Initiative from the Virginia Department of Criminal Justice Services (DCJS) for \$12,444; and

WHEREAS, \$11,200 is awarded from the Commonwealth of Virginia and \$1,244 will be provided through an in-kind match; and

WHEREAS, the funds are to be used to purchase the Police-to-Citizens Access (P2C) module for our existing Records Management System to provide convenience to citizens and increasing the efficiency of both sworn and civilian staff.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the acceptance of this grant and the following appropriation amendment to the Special Projects/Grants Fund:

#### Revenue:

DCJS - Technology Initiative	<u>\$11,200</u>
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#### Expenditure:

DCJS - Technology Initiative	<u>\$11,200</u>
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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

---

Bryan J. Hill  
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MC GLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

GA-TechInit-res

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - V-STOP Grant Program Fund - \$57,585

---

**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Financial Management	Mellen, Sue	Approved	2/2/2017 - 3:48 PM
Publication Management	Burcham, Nan	Approved	2/7/2017 - 11:35 AM
Legal Review	Kinsman, Adam	Approved	2/7/2017 - 11:55 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:56 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 2:38 PM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 2:42 PM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - V-STOP Grant Program Fund - \$57,585

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The Commonwealth Attorney has been awarded a \$57,585 (Federal share \$28,372; County match \$29,213) grant from the V-STOP Grant Program Fund through the State Department of Criminal Justice Services. The grant will fund the personnel costs for the continuation of a position to advocate for victims of crimes involving domestic violence, sexual abuse and stalking. The Commonwealth Attorney has been successful in obtaining this grant for more than 10 years and plans to apply for this grant in the future.

The attached resolution appropriates these funds to the Special Projects/Grant Fund through December 31, 2017.

Staff recommends adoption of the attached resolution.

NRG/nb  
GA-VSTOP-mem

Attachment

## RESOLUTION

### GRANT AWARD - COMMONWEALTH ATTORNEY -

#### V-STOP GRANT PROGRAM FUND - \$57,585

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a \$57,585 grant (Federal share \$28,372; County match \$29,213), which is awarded annually from the V-STOP Grant Fund through the State Department of Criminal Justice Services; and

WHEREAS, this grant would fund the personnel costs to advocate for victims of crimes involving domestic violence, sexual abuse and stalking beginning January 1, 2017 through December 31, 2017; and

WHEREAS, this grant requires a local cash or in-kind match of \$29,213, which is available in the Commonwealth Attorney's general fund account.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the additional appropriation to the Special Projects/Grants Fund through December 31, 2017, for the purposes described above:

Revenues:

CY 17 V-STOP Department of Criminal Justice Services Federal Revenue (DCJS)	\$28,372
CY 17 V-STOP James City County Matching Funds	<u>29,213</u>
Total	<u>\$57,585</u>

Expenditure:

CY 17 V-STOP Grant Program	<u>\$57,585</u>
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\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MC GLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Michael T. Gwinn, Extern, County Attorney's Office

SUBJECT: Appointment of Courtney Uhlig as a James City County Animal Control Officer

---

**ATTACHMENTS:**

	Description	Type
▣	Memo	Cover Memo
▣	Reso	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	1/6/2017 - 4:06 PM
Publication Management	Babbitt, Katterina	Approved	1/6/2017 - 4:14 PM
Legal Review	Kinsman, Adam	Approved	1/13/2017 - 4:56 PM
Board Secretary	Fellows, Teresa	Approved	1/17/2017 - 8:06 AM
Board Secretary	Purse, Jason	Approved	1/30/2017 - 9:18 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 4:26 PM

## MEMORANDUM

DATE: February 14, 2017  
TO: The Board of Supervisors  
FROM: Michael T. Gwinn, Extern, County Attorney's Office  
SUBJECT: Appointment of Courtney Uhlig as a James City County Animal Control Officer

---

The James City County Board of Supervisors has the authority to appoint new Animal Control Officers under Virginia Code Section 3.2-6555, et seq., and James City County Code Section 3-2.

MTG/kb  
UhligAnimCntrl-mem

Attachment

**RESOLUTION**

**APPOINTMENT OF COURTNEY UHLIG AS A JAMES CITY COUNTY**

**ANIMAL CONTROL OFFICER**

WHEREAS, the Board of Supervisors of James City County is authorized to appoint Animal Control Officers; and

WHEREAS, the Animal Control Officers are vested with the authority to enforce the animal laws in the County pursuant to Virginia Code Section 3.2-6555, et seq., and James City County Code Section 3-2.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that Courtney Uhlig is hereby appointed as an Animal Control Officer for James City County, Virginia.

\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

UhligAnimCntrl-res



**ITEM SUMMARY**

DATE: 2/14/2017

TO: Board of Supervisors

FROM: Darryl E. Cook, Stormwater Engineer

SUBJECT: Contract Award - James City County Library Best Management Practice Retrofit Project - \$206,000

---

**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution
▣	Exhibit	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Stormwater	Geissler, Fran	Approved	1/30/2017 - 10:23 AM
General Services	Boone, Grace	Approved	1/30/2017 - 12:54 PM
Publication Management	Burcham, Nan	Approved	1/30/2017 - 1:01 PM
Legal Review	Kinsman, Adam	Approved	2/6/2017 - 2:55 PM
Board Secretary	Fellows, Teresa	Approved	2/6/2017 - 3:02 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:13 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:29 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Darryl Cook, Stormwater Engineer

SUBJECT: Contract Award - James City County Library Best Management Practice Retrofit Project - \$206,000

---

This project will upgrade and modernize the stormwater management infrastructure at the James City County Library and will help the Virginia Department of Transportation (VDOT) meet the stormwater management requirements for the future Croaker Road widening project. During development of plans for the widening of Croaker Road, VDOT representatives approached the County regarding opportunities on the library site to help meet the project's stormwater management requirements.

When the library was built in 1995, an infiltration facility was constructed in the wooded area on the southwestern portion of the library site. With some minor modifications and upgrades to bring this facility up to current standards, the Best Management Practice (BMP) has the capacity to meet the stormwater requirements for a portion of the widening project. In addition, this project will provide an additional stormwater management facility at the northeastern end of the library site. This new bioretention facility will provide additional treatment for the future widening project and also portions of the library site that currently do not have stormwater treatment.

The project was designed by VDOT, but construction of the improvements will be overseen by the County. While funding for the widening project has been delayed, construction of the stormwater improvements will proceed at this time as the improvements will benefit the County. Nutrient reductions achieved by the project will be credited toward James City County's Municipal Separate Storm Sewer System permit obligations as presented in the County's Chesapeake Bay Total Maximum Daily Load Action Plan.

A two-step Invitation for Bids was publicly advertised. Step one required the submittal of a Technical Bid Form primarily to demonstrate that the bidder has completed at least two bioretention facilities of similar size and type. The second step was to open the Bid Form if the technical bid requirements were met.

Six technical Bid Forms were received and five were determined to be qualified after evaluation. The following five firms submitted bids and were considered for contract award:

<u>Firm</u>	<u>Amount</u>
Finish Line Construction	\$373,137.54
Environmental Quality Resources	\$254,900.00
Henry S. Branscome, LLC	\$248,542.03
JSG	\$243,965.25
David A. Nice Builders, Inc.	\$206,000.00

David A. Nice Builders, Inc. has done satisfactory work for James City County in the past and was determined to be the lowest qualified, responsive and responsible bidder. The bid amount of \$206,000 is consistent with the project estimate and previously authorized Capital Improvements Program funds are available to fund this project.

Contract Award - James City County Library Best Management Practice Retrofit Project - \$206,000

February 14, 2017

Page 2

Staff recommends approval of the attached resolution authorizing the contract award to David A. Nice Builders, Inc. for completion of the James City County Library BMP Retrofit project.

DC/nb

CA-LibraryBMP-mem

Attachment

**RESOLUTION**

**CONTRACT AWARD - JAMES CITY COUNTY LIBRARY**

**BEST MANAGEMENT PRACTICE RETROFIT PROJECT - \$206,000**

WHEREAS, this project supports the County's Chesapeake Bay Total Maximum Daily Load Action Plan; and

WHEREAS, this project supports the Virginia Department of Transportation's Croaker Road widening project; and

WHEREAS, five bids were considered for award and David A. Nice Builders, Inc. was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Program budget funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$206,000 with David A. Nice Builders, Inc. for the James City County Library Best Management Practice Retrofit.

\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

CA-LibraryBMP-res



# JAMES CITY COUNTY LIBRARY BMP RETROFIT PROJECT



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. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.



1 inch = 500 feet  
0 125 250 500 Feet





**ITEM SUMMARY**

DATE: 1/26/2017

TO: Board of Supervisors

FROM: Darryl E. Cook, Stormwater Engineer

SUBJECT: Contract Award - Brook Haven Stream Restoration - \$458,251

---

**ATTACHMENTS:**

	Description	Type
▣	Cover Memo	Cover Memo
▣	Resolution	Resolution
▣	Exhibit	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Stormwater	Geissler, Fran	Approved	1/30/2017 - 10:23 AM
General Services	Boone, Grace	Approved	1/30/2017 - 1:23 PM
Publication Management	Burcham, Nan	Approved	1/30/2017 - 1:27 PM
Legal Review	Kinsman, Adam	Approved	2/6/2017 - 3:43 PM
Board Secretary	Fellows, Teresa	Approved	2/6/2017 - 4:11 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Darryl Cook, Stormwater Engineer

SUBJECT: Contract Award - Brook Haven Stream Restoration - \$458,251

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This project involves the construction of a stream restoration project to stabilize 975 feet of an existing degraded stream in the Brook Haven subdivision, which is located just south of the New Town area. The stream is located on the rear portion of eight residential lots in the subdivision. Access to the project will be through one of the residential lots. The stream restoration includes restoring the stream to its existing flood plain, eliminating erosion and incision of the stream banks and providing grade control using natural stream design techniques. The project also will reduce flooding on the rear portion of some the lots involved.

The project will improve local water quality and reduce the nutrient load in the James River and the Chesapeake Bay. The project is located in the Lower James River watershed on an unnamed tributary of Mill Creek. The nutrient reductions achieved will be credited toward James City County's Municipal Separate Storm Sewer System permit obligations as presented in the County's Chesapeake Bay Total Maximum Daily Load Action Plan. Also, the project will address two issues identified in the Mill Creek Watershed Management plan by protecting an existing sewer crossing and providing plantings in the Resource Protection Area stream buffer. A wetlands Nationwide 27 Permit was required for the project and the permit was acquired October 28, 2016.

A two-step Invitation for Bids was publicly advertised. Step one required the submittal of a Technical Bid Form primarily to demonstrate that the bidder had completed at least two stream restoration projects of a similar size and type. The second step was to open the Bid Form if the technical bid requirements were met.

Six technical Bid Forms were received and five were determined to be qualified after evaluation. The following five firms submitted qualified bids and were considered for contract award:

<u>Firm</u>	<u>Amount</u>
Ecotone	\$849,796
Henry S. Branscome, LLC	\$665,458
Angler Environmental	\$519,759
Environmental Quality Resources	\$479,503
Finish Line Environmental	\$458,251

Finish Line Environmental was determined to be the lowest qualified, responsive and responsible bidder. The bid amount of \$458,251 is consistent with the project estimate and previously authorized Capital Improvement Program funds and Stormwater Local Assistance Funds are available to fund this project.

Staff recommends approval of the attached resolution authorizing the contract award to Finish Line Environmental for completion of the Brook Haven Stream Restoration project.

DC/nb  
BHavenStRes-mem

Attachment

**RESOLUTION**

**CONTRACT AWARD - BROOK HAVEN STREAM RESTORATION - \$458,251**

WHEREAS, this project supports the County's Chesapeake Bay Total Maximum Daily Load Action Plan; and

WHEREAS, five bids were considered for award and Finish Line Environmental was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Program budget funds and Stormwater Local Assistance Funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$458,251 with Finish Line Environmental for the Brook Haven Stream Restoration project.

\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

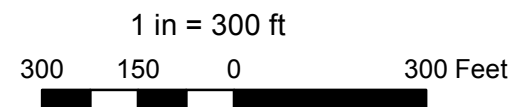
CA-BHavenStRes-res



# BROOK HAVEN SUBDIVISION STREAM RESTORATION



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. If discrepancies are found, please contact the Real Estate Assessment Division of James City County, Mapping/GIS Section.





**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Barry Moses, Capital Projects Coordinator

SUBJECT: Contract Award - Winston Terrace Stream Restoration - \$268,672

---

**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution
▣	Exhibit	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Capital Projects	Moses, Barry	Approved	1/30/2017 - 9:50 AM
General Services	Boone, Grace	Approved	1/30/2017 - 1:26 PM
Publication Management	Burcham, Nan	Approved	1/30/2017 - 1:30 PM
Legal Review	Kinsman, Adam	Approved	2/6/2017 - 3:43 PM
Board Secretary	Fellows, Teresa	Approved	2/6/2017 - 4:11 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:16 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:29 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Barry E. Moses, Capital Projects Coordinator

SUBJECT: Contract Award - Winston Terrace Stream Restoration - \$268,672

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The Work under this Project consists of the Winston Terrace Stream Restoration Project located near the intersection of Route 199 and Jamestown Road. The project flows northeast to southwest between the Colony Square Shopping Center and the Winston Terrace Subdivision. The project terminates just above the cross culvert under the Williamsburg Office Park access drive. Access to the project was granted by the owners of the Colony Square Shopping Center parking lot and will allow equipment and materials to be transported to the full extent of the project. The Winston Terrace Stream Restoration will restore approximately 544 linear feet of headwater stream located in the Mill Creek Watershed and is identified as a priority restoration in the Mill Creek Watershed Management Plan. The goal of the design is to create a channel with a stable pattern, profile and dimension and stabilize actively eroding banks. Natural channel design principles were utilized to develop the limits for the design. Streambank stabilization structures will be employed in the stream restoration. Invasive plants will be removed and replaced with native trees, shrubs and herbaceous vegetation.

This project will reduce the discharge of phosphorus from the site by slowing runoff, reducing erosion and reconnecting the stream with vegetated banks. By ownership of the property and restoring the stream with natural stream restoration techniques, the County can take full credit for the installation under the County's Chesapeake Bay Total Maximum Daily Load Action Plan. The drainage area includes a portion of land along Route 199 but, the largest portion are parcels developed pre-stormwater requirements in the Winston Terrace subdivision and the Colony Square Shopping Center. No Virginia Department of Transportation right-of-way, flood plain or Resource Protection Areas are affected by this project. The work in the stream, as jurisdictional waters of the United States, requires a Corps of Engineers Nationwide 27 permit which has been acquired.

A two-step Invitation for Bids was publicly advertised. Step one required the submittal of a Technical Bid Form primarily to demonstrate the bidder has completed a minimum of two projects of similar size and type. The second step was to open the Bid Form if the technical bid requirements were met.

The following two firms submitted qualified bids were considered for contract award.

<u>Firm</u>	<u>Amount</u>
Finish Line Construction, Inc.	\$268,672
Henry S. Branscome, LLC	\$391,005

Finish Line Construction, Inc., provided references that attest to the company's ability to perform the work and the company has been determined to be the lowest responsive and responsible bidder. Previously authorized Capital Improvements Program budget funds and Stormwater Local Assistance Funds are available to fund this project.

Staff recommends adoption of the attached resolution authorizing the contract award to Finish Line Construction, Inc.

BEM/nb  
CA-WinstonTerrace-mem

Attachment

**RESOLUTION**

**CONTRACT AWARD - WINSTON TERRACE STREAM RESTORATION - \$268,672**

WHEREAS, this project supports the County's Chesapeake Bay Total Maximum Daily Load action plan; and

WHEREAS, two bids were considered for award and Finish Line Construction, Inc. was the lowest qualified, responsive and responsible bidder; and

WHEREAS, previously authorized Capital Improvements Program budget funds and Stormwater Local Assistance Funds are available to fund this project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the Contract Award in the amount of \$268,672 with Finish Line Construction, Inc. for the Winston Terrace Stream Restoration project.

\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

CA-WinstonTerrace-res





WINSTON DRIVE

KATHRYN COURT

PROJECT AREA

COLONY SQUARE  
SHOPPING CENTER

PROPOSED CHANNEL  
RESTORATION



**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director of Financial and Management Services

SUBJECT: Pre-Budget Public Hearing - FY 2018 Budget

---

**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo

**REVIEWERS:**

Department	Reviewer	Action	Date
Financial Management	Mellen, Sue	Approved	2/2/2017 - 3:43 PM
Publication Management	Burcham, Nan	Approved	2/7/2017 - 11:34 AM
Legal Review	Kinsman, Adam	Approved	2/7/2017 - 11:55 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:56 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 2:38 PM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 2:42 PM

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

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Suzanne R. Mellen, Director of Financial and Management Services

SUBJECT: Pre-Budget Public Hearing - FY 2018 Budget

---

The purpose of this public hearing is to invite comments and suggestions from citizens for the upcoming County Budget. The comments and suggestions made at this pre-budget Public Hearing will help guide staff in preparing a budget proposal for the Board's review in April. No Board action is requested at this time.

SRM/nb  
PH-2018Bud-mem

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Alex Baruch, Planner

SUBJECT: AFD-10-86-1-2016, Christenson's Corner AFD Addition, 7751 Newman Rd.

---

**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Ordinance	Ordinance
▣	Location Map	Exhibit
▣	Unapproved Minutes of the January 13, 2017 AFD Advisory Committee Meeting	Minutes
▣	Christenson's Corner 2014 AFD Renewal Staff Report and Ordinance	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	1/27/2017 - 4:38 PM
Development Management	Holt, Paul	Approved	1/27/2017 - 4:39 PM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 4:40 PM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:53 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:16 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM



**AFD-10-86-1-2016. Christenson's Corner AFD Addition, 7751 Newman Road**

**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

**SUMMARY FACTS**

Applicant: Kenneth Chandler

Land Owner: Kenneth Chandler

Proposal: Addition of ±49.53 acres of land to the Christenson's Corner Agricultural and Forestal District (AFD)

Location: 7751 Newman Road

Tax Map/Parcel No.: 1540100008

Project Acreage: ±49.53 acres

Current Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area: Outside

Staff Contact: Alex Baruch, Planner

**PUBLIC HEARING DATES**

AFD Advisory Committee: January 13, 2017, 4:00 p.m.  
Planning Commission: February 1, 2017, 7:00 p.m.  
Board of Supervisors: February 14, 2017, 5:00 p.m.

**FACTORS FAVORABLE**

1. With the proposed ordinance, the proposal is compatible with surrounding development.
2. The proposal is consistent with the recommendations of the James City County Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."

**FACTORS UNFAVORABLE**

1. No factors unfavorable.

**STAFF RECOMMENDATION**

Staff finds that the proposed addition meets the minimum size and proximity requirements for inclusion in the Christenson's Corner AFD. Staff recommends that the Board of Supervisors approve the proposed addition to the Christenson's Corner AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

**AFD ADVISORY COMMITTEE**

At its January 13, 2017 meeting, the AFD Advisory Committee recommended approval of this addition by a vote of 7-0, (absent: Mr. Ford, Ms. Saddler and Mr. W. Harcum).

**PLANNING COMMISSION**

The Planning Commission voted 7-0 to recommend approval of this application.

**CHANGES SINCE PLANNING COMMISSION**

None.

**PROJECT DESCRIPTION**

- Mr. Kenneth Chandler has applied to enroll ± 49.53 acres of land located at 7751 Newman Road into the Christenson's Corner AFD.
- The proposed addition includes all but 1.5 acres of the subject parcel (labeled on Attachment No. 1).

---

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

- The parcel is heavily wooded and does not include any structures.

**DISTRICT HISTORY**

- The District was originally approved in December 1986, for a period of four years.
- The District was last renewed in 2014. The District consists of approximately 1,129.79 acres located south of Richmond Road between Newman Road and Riverview Plantation.
- If this addition is approved, the District would consist of approximately 1,179.32 acres.

**SURROUNDING ZONING AND DEVELOPMENT**

- All surrounding properties are zoned A-1, General Agricultural and designated Rural Lands on the Comprehensive Plan.
- The District consists primarily of forested land. The principal land use on adjacent properties is undeveloped, forested land with single-family residences.

**COMPREHENSIVE PLAN AND ZONING**

The Comprehensive Plan designates this parcel as Rural Lands. Appropriate primary uses in Rural Lands include traditional agricultural and forestal activities. Land Use Action 6.1.1 of the 2035 Comprehensive Plan states the County shall “support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*.”

**PUBLIC IMPACTS**

- Anticipated impact on public facilities and services: None.
- Anticipated impact on environmental, cultural and historic resources: None.
- Anticipated Land Use impact on nearby and surrounding properties: None.

**STAFF RECOMMENDATION**

Staff finds that the proposed addition meets the minimum size and proximity requirements for inclusion in the Christenson's Corner AFD. If the addition is approved, the properties would be subject to the attached conditions (Attachment No. 2), consistent with other properties in the District. Staff recommends that the Board of Supervisors approve the proposed addition to the Christenson's Corner AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

AB/nb

AFD01-16Christenson'sCorner

Attachments:

1. Ordinance
2. Location Map
3. AFD Advisory Committee Unapproved Minutes
4. Christenson's Corner 2014 AFD Renewal Staff Report and Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**AFD-10-86-1-2016. CHRISTENSON'S CORNER AGRICULTURAL AND**

**FORESTAL DISTRICT ADDITION - 7751 NEWMAN ROAD**

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add ±49.53 acres of land owned by Mr. Kenneth Chandler located at 7751 Newman Road and identified as James City County Real Estate Tax Map/Parcel No. 1540100008 to Agricultural and Forestal District (AFD)-10-86-1-2016, which is generally known as the "Christenson's Corner Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its January 13, 2017, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its February 1, 2017, meeting, after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, hereby adds ±49.53 acres located at 7751 Newman Road and identified as James City County Real Estate Tax Map Parcel No. 1540100008 to Agricultural and Forestal District - 10-86, which is generally known as the "Christenson's Corner Agricultural and Forestal District" with the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.
3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

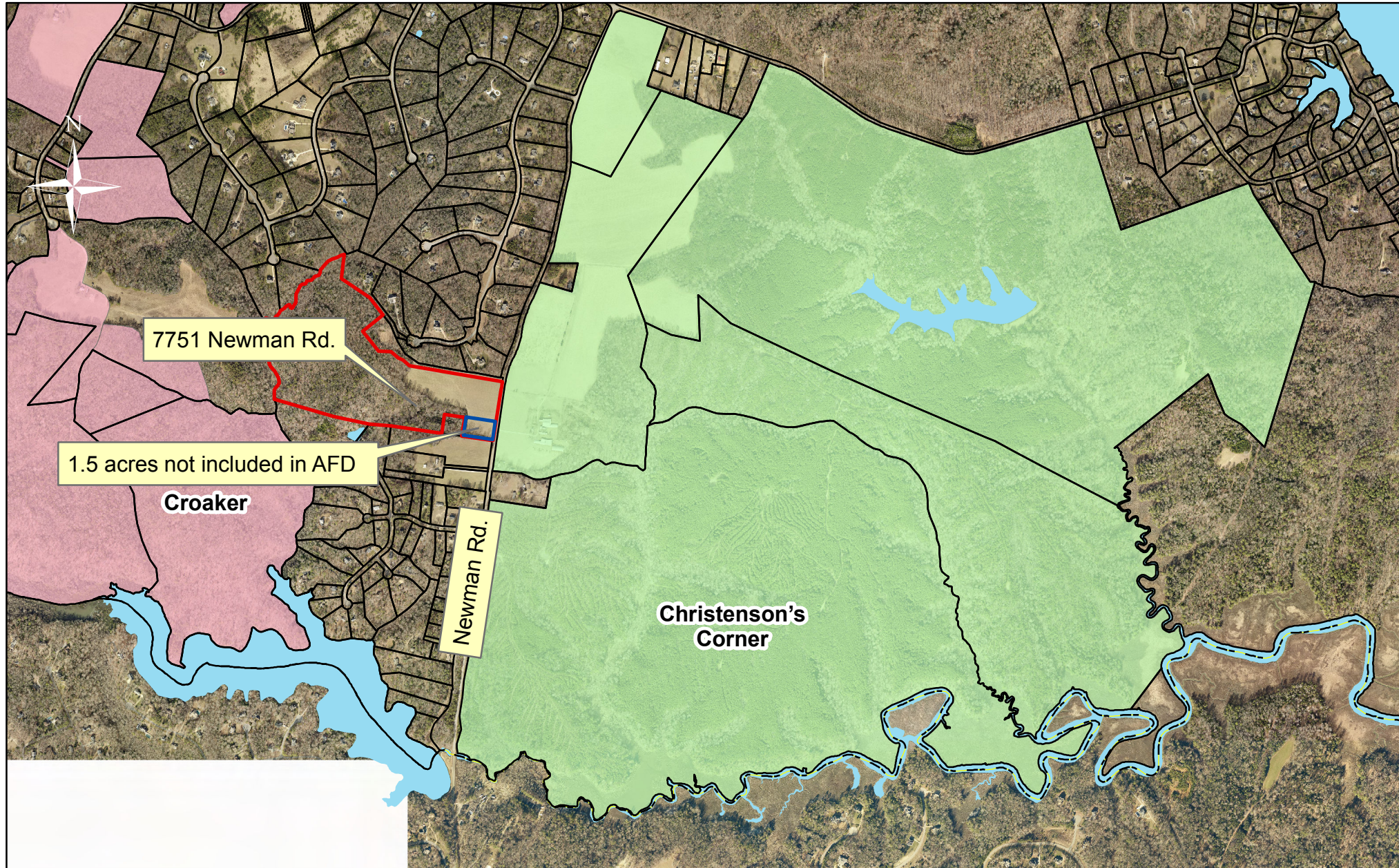
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

AFD01-16Christenson Cnr-res



# JCC-AFD-10-86-1-2016, 7751 Newman Road Christenson's Corner Addition



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1,100 550 0 1,100 2,200 3,300 Feet



## Unapproved Minutes of the January 13, 2017 AFD Advisory Committee Meeting

### **Case No. AFD-10-86-1-2016, 7751 Newman Rd, Christenson Corner AFD Addition**

Mr. Baruch presented the staff report stating that Mr. Kenneth Chandler applied to add a 49.53 acre parcel located at 7751 Newman Rd. to the Christenson Corner AFD. Mr. Baruch stated that staff recommended that the AFD Advisory Committee recommend approval of the proposed addition to the Planning Commission.

A discussion about the proper acreage of the parcel took place. Mr. Baruch explained that the boundary line adjustment between 7751 and 7765 Newman Rd. and recorded in June 2016 brought the parcel to 51.03 acres. Mr. Baruch explained that there have also been legal proceedings taking place about 1.5 acres of land at the front of 7751 Newman Rd. shown on the location map as the blue box labeled not to be included in the AFD. Mr. Baruch stated that this 1.5 acre property was willed to another member of the family and is not included in the addition.

Mr. Richard Bradshaw stated that the parcel is cultivated and meets the size requirements to receive land use valuation.

Mr. Hitchens asked if a portion of a parcel can be added to an AFD.

Mr. Bradshaw stated that a part of parcel is allowed to be added into an AFD.

Mr. Abbot made a motion to recommend approval of the addition to the Planning Commission. Ms. Garret seconded the motion.

On a voice vote the committee voted 7-0 to recommend approval of the addition.

ADOPTED

SEP 09 2014

ORDINANCE NO. 171A-8

Board of Supervisors  
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT 10-86

CHRISTENSON'S CORNER 2014 RENEWAL

WHEREAS, James City County has completed a review of the Christenson's Corner Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, 1950, as amended (the "Virginia Code") property owners have been notified, public notices have been filed, public hearings have been advertised, and public hearings have been held on the continuation of the Christenson's Agricultural and Forestal District; and

WHEREAS, the Agricultural and Forestal District Advisory Committee at its meeting on July 7, 2014, voted 8-0 to recommend renewal of the district; and

WHEREAS, the Planning Commission following its public hearing on August 6, 2014, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 to recommend renewal of the district with the conditions listed below.

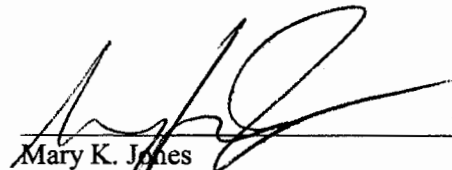
NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of James City County, Virginia, that

1. The Christenson's Corner Agricultural and Forestal District is hereby continued to October 31, 2018, in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq.
2. That the district shall include the following parcels, provided, however, that all land within 25 feet of road rights-of-way is excluded from the district:

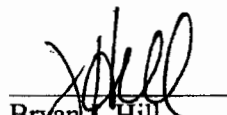
<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
C.M. Chandler	1540100011.....	151.25
C.M. Chandler	1630100001 .....	8.01
Stieffen Co, LLC and , B. P. Stieffen	1640100003 .....	402.89
Hampton 41, LLC and Abbitt Land Co.	2520100007.....	410.79
Hampton 41, LLC and Abbitt Land Co.	1630100011.....	<u>156.85</u>
	Total: .....	<u>1,129.79</u>

3. That pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, the Board of Supervisors requires that no parcel in the Christenson's Corner Agricultural and Forestal District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
- b. No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Properties from AFDs, adopted September 28, 2010, as amended.
- c. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

  
Mary K. Jones  
Chairman, Board of Supervisors

ATTEST:

  
Bryan F. Hill  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.

AFD10-86-1-14Christensons-res



**Case No. AFD-10-86-1-2014. Christenson's Corner Agricultural and Forestal District Renewal Staff Report for the September 9, 2014, Board of Supervisors Public Hearing**

*This staff report is prepared by the James City County Planning Division to provide information to the AFD Advisory Committee, Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**PUBLIC HEARINGS**

AFD Advisory Committee:  
Planning Commission:  
Board of Supervisors:

**Building F Board Room; County Government Complex**

July 7, 2014, 4:00 p.m. (Human Services Building)  
August 6, 2014, 7:00 p.m.  
September 9, 2014, 7:00 p.m.

**SUMMARY FACTS**

<u>Owners:</u>	<u>Parcel No.</u>	<u>Acres</u>
C.M. Chandler	1540100011.....	151.25
C.M. Chandler	1630100001.....	8.01
Stieffen Co, LLC and B. P. Stieffen	1640100003.....	402.89
Hampton 41, LLC and Abbitt Land Co.	2520100007.....	410.79
Hampton 41, LLC and Abbitt Land Co.	1630100011.....	156.85
TOTAL ACRES		<u>1,129.79</u>

Zoning: A-1, General Agricultural  
Comprehensive Plan: Rural Lands and Conservation Area  
Primary Service Area: Outside

**STAFF RECOMMENDATION**

Staff finds this Agricultural and Forestal District (AFD) consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends the Board of Supervisors renew the Christenson's Corner AFD for a period of four years, subject to the conditions listed in the attached resolution.

Staff Contact: Luke Vinciguerra Phone: 253-6783

**PLANNING COMMISSION RECOMMENDATION**

At its August 6, 2014, meeting, the Planning Commission recommended the continuation of the District by a vote of 6-0 (Richardson absent).

**AFD ADVISORY COMMITTEE RECOMMENDATION**

At its July 7, 2014, meeting, the AFD Advisory Committee voted 8-0 to recommend the continuation of the District to the Planning Commission and Board of Supervisors.

**Proposed Changes Made Since the Planning Commission Meeting**

None.

## **SUMMARY**

As required by State Code, the County must review all established AFDs prior to their expiration. During this review, districts must be continued, modified, or terminated. This report will review AFD-10-86, Christenson's Corner, which is scheduled to expire October 31, 2014.

Staff is attempting to synchronize the expiration dates of all districts. As part of the 2014 renewal process, staff is recommending a term of four years, making the proposed expiration date October 31, 2018.

## **DISTRICT HISTORY**

The District was approved on December 1, 1986, for a term of four years, and the Board of Supervisors approved four-year renewals in 1990, 1994, 1998, 2002, and 2010 with no additions or withdrawals of property. In December 2011 the Board approved the addition of two parcels on Newman Road totaling 567 acres.

The District includes all the land on the above properties with the exception of all land within 25 feet of arterial road rights-of-way. That property has been excluded from the District to allow for possible road improvements.

The Christenson's Corner AFD consists of approximately 1,129.79 acres located south of Riverview Road between Newman Road and Riverview Plantation.

## **ANALYSIS**

The majority of the District contains woodland. The remainder of the property in the District is open farmland and swamp or wetlands. All of the land within this District is zoned A-1, General Agricultural, and a major portion of the surrounding property is zoned A-1 and is forested. Most of the District is designated Rural Lands by the Comprehensive Plan. A very small portion of the District is designated Conservation Area by the Comprehensive Plan.

The entire District is located outside of the Primary Service Area (PSA) and the area remains relatively rural in nature.

## **REQUEST NOT TO CONTINUE IN THE AFD**

No property owner has requested to not continue their participation in the AFD.

## **ADDITIONS**

No property owner has requested land be added to the District during this renewal period.

## **CHANGE IN CONDITIONS**

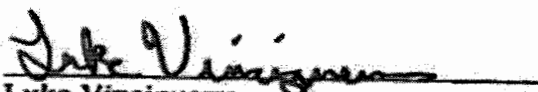
Staff is recommending a revision to Condition No. 2 to correct language that references the Board of Supervisor's policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts to refer to the most recent policy adopted in 2010. The proposed change is as follows:

~~"No land outside the Primary Service Area (PSA) and within the Agricultural and Forestal District may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the Primary Service Area, adopted September 24, 1996, as amended. Land inside the PSA, and within the Agricultural and Forestal District, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Within the Primary Service Area, adopted September 24, 1996, as amended."~~

*No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.*

#### **STAFF RECOMMENDATION**

Staff finds this AFD consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. At its August 6, 2014, meeting, the Planning Commission voted to recommend the continuation of the District by a vote of 6-0 (Richardson absent). At its July 7, 2014, meeting, the AFD Advisory Committee voted 8-0 recommending the continuation of the District to the Planning Commission and Board of Supervisors. Staff recommends the Board of Supervisors renew the Christenson's Corner AFD for a period of four years, subject to the conditions listed in the attached resolution.

  
Luke Vinciguerra

CONCUR:

  
Allen L. Murphy, Jr.

LV/nb  
AFD10-86-1-14Christensons

#### **Attachments:**

1. Ordinance
2. Location Map
3. Existing ordinance and conditions, dated September 28, 2010
4. Ordinance for the addition of property, dated December 13, 2011
5. Approved minutes of the July 7, 2014, AFD Advisory Committee meeting (under separate cover)
6. Unapproved minutes of the August 6, 2014, Planning Commission meeting (under separate cover)

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Alex Baruch, Planner

SUBJECT: AFD-07-86-1-2016, Mill Creek AFD Addition, 101 and 121 Ivy Hill Rd.

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Ordinance	Ordinance
▣	Location Map	Exhibit
▣	Unapproved Minutes of the January 13, 2017 AFD Advisory Committee Meeting	Minutes
▣	Mill Creek 2014 AFD Addition Staff Report and Ordinance	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	1/27/2017 - 4:46 PM
Development Management	Holt, Paul	Approved	1/27/2017 - 4:47 PM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 4:48 PM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:52 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:16 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM

**AFD-07-86-1-2016. Mill Creek AFD Addition, 101 and 121 Ivy Hill Road**

**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

**SUMMARY FACTS**

Applicants: Ellen Lightman and Barbara Silverman

Land Owners: Ivy Hill, LLC and Barbara Silverman

Proposal: Addition of ±101.36 acres of land to the Mill Creek AFD

Locations: 101 and 121 Ivy Hill Road

Tax Map/Parcel Nos.: 1110100013 and 1110100024

Project Acreage: ±101.36 acres

Current Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area: Outside

Staff Contact: Alex Baruch, Planner

**PUBLIC HEARING DATES**

AFD Advisory Committee: January 13, 2017, 4:00 p.m.  
Planning Commission: February 1, 2017, 7:00 p.m.  
Board of Supervisors: February 14, 2017, 5:00 p.m.

**FACTORS FAVORABLE**

1. With the proposed ordinance, the proposal is compatible with surrounding development.

2. The proposal is consistent with the recommendations of the James City County Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."

**FACTORS UNFAVORABLE**

1. No factors unfavorable.

**STAFF RECOMMENDATION**

Staff finds that the proposed addition meets the minimum size and proximity requirements for inclusion in the Mill Creek AFD. Staff recommends that the Board of Supervisors approve the proposed addition to the Mill Creek AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

**AFD ADVISORY COMMITTEE**

At its January 13, 2017 meeting, the AFD Advisory Committee recommended approval of this addition by a vote of 7-0, (absent: Mr. Ford, Ms. Saddler and Mr. W. Harcum).

**PLANNING COMMISSION**

The Planning Commission voted 7-0 to recommend approval of this application.

**CHANGES SINCE PLANNING COMMISSION**

None.

**PROJECT DESCRIPTION**

- Ms. Ellen Lightman of Ivy Hill, LLC and Ms. Barbara Silverman have applied to enroll ± 101.36 acres of land located at 101 and 121 Ivy Hill Road into the Mill Creek AFD.

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*



**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

- The proposed addition includes the entirety of both subject parcels.
- The parcels are heavily wooded and do not have any structures on them.

**DISTRICT HISTORY**

- The District was originally approved in December 1986, for a period of four years.
- The District was last renewed in 2014. After an addition of ±95.51 acres that was considered concurrently with the renewal, the District now consists of approximately 3,112.95 acres located from Richmond Road in the north, to Uncle's Creek in the south. The bulk of the land lies between Forge Road and the CSX railroad tracks.
- If this addition is approved, the District would consist of approximately 3,214.31 acres.

**SURROUNDING ZONING AND DEVELOPMENT**

- All surrounding properties are zoned A-1, General Agricultural and designated Rural Lands on the Comprehensive Plan.
- The District consists primarily of forested land. The principal land use on adjacent properties is undeveloped, forested land with single-family residences.

**COMPREHENSIVE PLAN AND ZONING**

The Comprehensive Plan designates these parcels as Rural Lands. Appropriate primary uses in Rural Lands include traditional

agricultural and forestal activities. Land Use Action 6.1.1 of the 2035 Comprehensive Plan states the County shall "support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*."

**PUBLIC IMPACTS**

- Anticipated impact on public facilities and services: None.
- Anticipated impact on environmental, cultural and historic resources: None.
- Anticipated Land Use impact on nearby and surrounding properties: None.

**STAFF RECOMMENDATION**

Staff finds that the proposed addition meets the minimum size and proximity requirements for inclusion in the Mill Creek AFD. If the addition is approved, the properties would be subject to the attached conditions (Attachment No. 2), consistent with other properties in the District. Staff recommends that the Board of Supervisors approve the proposed addition to the Mill Creek AFD, subject to the conditions listed in the attached ordinance, consistent with other properties in the district.

AB/nb

AFD01-16MillCreek

Attachments:

1. Ordinance
2. Location Map
3. AFD Advisory Committee Unapproved Minutes
4. Mill Creek 2014 AFD Addition Staff Report and Ordinance

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**ORDINANCE NO. \_\_\_\_\_**

**AFD-07-86-1-2016. MILL CREEK AGRICULTURAL AND**

**FORESTAL DISTRICT ADDITION - 101 AND 121 IVY HILL ROAD**

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add ±101.36 acres of land owned by Ellen Lightman and Barbara Silverman located at 101 and 121 Ivy Hill Road and identified as James City County Real Estate Tax Map/Parcel Nos. 1110100013 and 1110100024, respectively, to Agricultural and Forestal District (AFD)-07-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its January 13, 2017 meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its February 1, 2017, meeting, after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of James City County, Virginia, hereby adds ±101.36 acres located at 101 and 121 Ivy Hill Road and identified as James City County Real Estate Tax Map Parcel Nos. 1110100013 and 1110100024, respectively, to Agricultural and Forestal District -07-86, which is generally known as the "Mill Creek Agricultural and Forestal District" with the following conditions:

- 1 The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
- 2 No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.
- 3 No Special Use Permit (SUP) shall be issued except for agricultural, forestal or other activities and uses consistent with Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

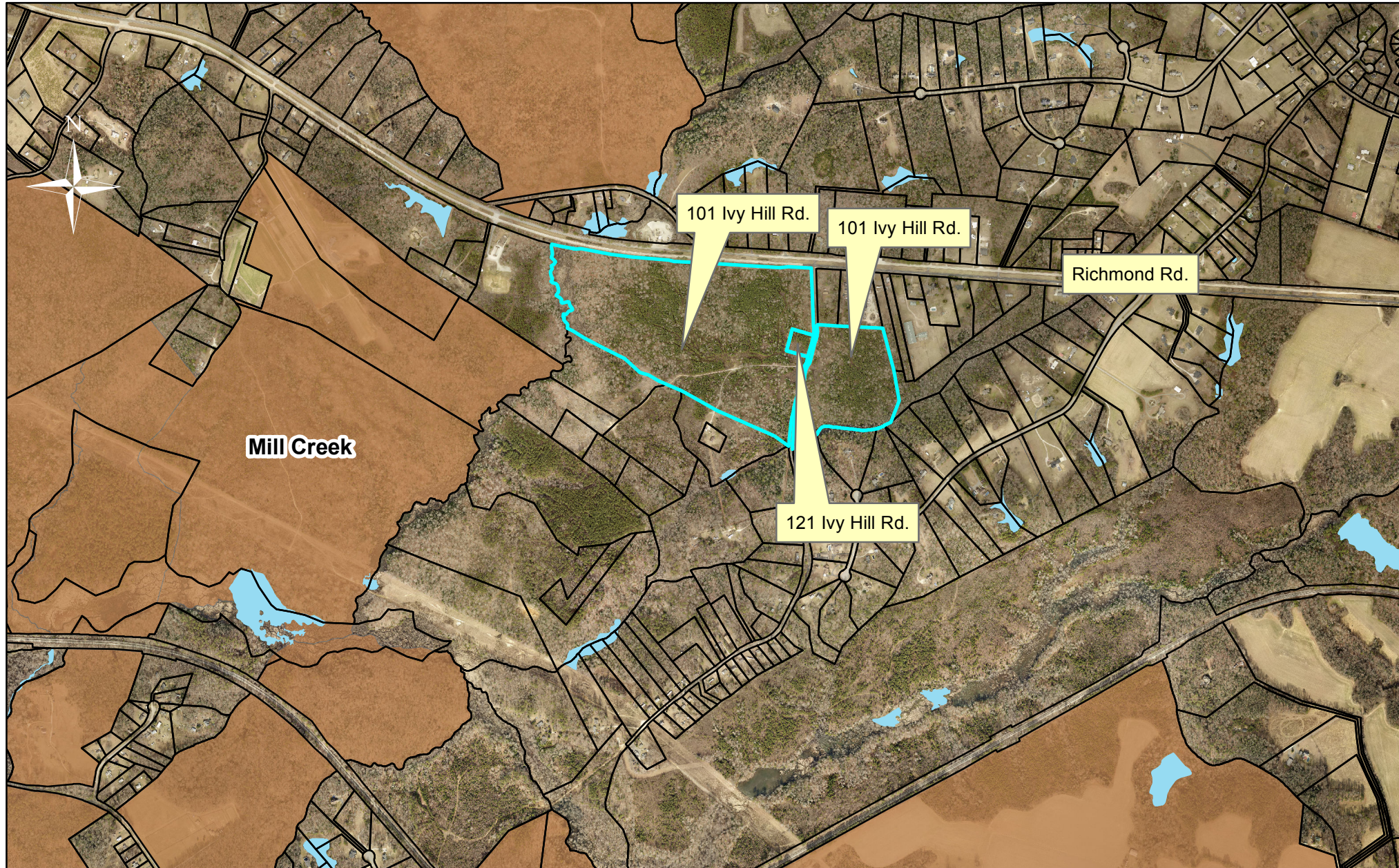
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

AFD01-2016MillCreek-res



# JCC-AFD-07-86-1-2016, 101 and 121 Ivy Hill Rd, Mill Creek Addition



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1,100 550 0 1,100 2,200 3,300 Feet



## Unapproved Minutes of the January 13, 2017 AFD Advisory Committee Meeting

### **Case No. AFD-07-86-1-2016, 101 and 121 Ivy Hill Rd, Mill Creek AFD Addition**

Mr. Alex Baruch presented the staff report stating that Mrs. Ellen Lightman and Mrs. Barbara Silverman have applied to add 101.36 acres located at 101 and 121 Ivy Hill Rd. to the Mill Creek AFD. Mr. Baruch stated that staff recommended that the AFD Advisory Committee recommend approval of the proposed addition to the Planning Commission.

Mr. Abbot made a motion to recommend approval of the addition. Mr. Hitchens seconded the motion.

On a voice vote the committee voted 7-0 to recommend approval of the addition.

# ADOPTED

SEP 09 2014

ORDINANCE NO. 169A-16

Board of Supervisors  
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-07-86-2-2014.

8557 DIASCUND ROAD, MILL CREEK ADDITION

WHEREAS, a request has been filed (the "Application") with the Board of Supervisors of James City County, Virginia (the "Board of Supervisors") to add  $\pm 95.51$  acres of land owned by Richard F. Abbitt Investments, LC located at 8557 Diascund Road and identified as James City County Real Estate Tax Map No. 0920100040 to AFD 7-86, which is generally known as the "Mill Creek Agricultural and Forestal District" (the "AFD"); and

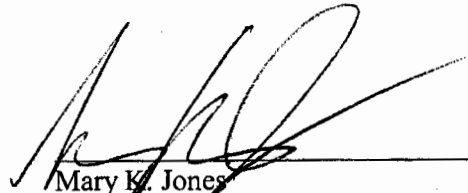
WHEREAS, at its July 14, 2014, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its August 6, 2014, meeting, pursuant to Section 15.2-4314 of the Code of Virginia, 1950, as amended (the "Virginia Code"), after which the Commission voted 6-0 to recommend approval of the Application; and

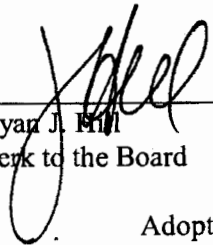
WHEREAS, pursuant to Section 15.2-4214 of the Virginia Code a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds  $\pm 95.51$  acres owned by Richard F. Abbitt Investments, LC, as referenced herein to the 3,017.44 acres of the Mill Creek AFD with the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communications Facilities (WCF), provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawal of Properties from AFDs, adopted September 28, 2010, as amended.
3. No special use permit shall be issued except for agricultural, forestal, or other activities an uses consistent with Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

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

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of September, 2014.

AFD07-86-2-14MC-Add-res

**Agricultural and Forestal District-07-86-2-2014. 8557 Diascund Road, Mill Creek Addition  
Staff Report for the September 9, 2014, Board of Supervisors Public Hearing**

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**PUBLIC HEARINGS**

AFD Advisory Committee:  
Planning Commission:  
Board of Supervisors:

**Building F Board Room; County Government Complex**

July 14, 2014, 4:00 p.m. (Human Services Building)  
August 6, 2014, 7:00 p.m.  
September 9, 2014, 7:00 p.m.

**SUMMARY FACTS**

Applicant: Charles Wornom

Land Owner: Richard F. Abbitt Investments, LC

Proposal: Addition of ±95.51 acres of land to the Mill Creek Agricultural and Forestal District (AFD)

Location: 8557 Diascund Road

Tax Map/Parcel No.: 0920100040

Parcel Size: ±95.51 acres

Existing Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands / Conservation Area

Primary Service Area: Outside

Staff Contact: Luke Vinciguerra Phone: 253-6783

**STAFF RECOMMENDATION**

Staff finds the proposed addition meets the minimum size and proximity requirements for inclusion in the Mill Creek AFD. Staff recommends the Board of Supervisors approve the application, subject to the conditions listed in the attached resolution.

**PLANNING COMMISSION RECOMENDATION**

At its August 6, 2014, meeting, the Planning Commission voted to recommend approval of the application by a vote of 6-0 (Richardson absent).

**AFD ADVISORY COMMITTEE RECOMMENDATION**

At its July 14, 2014, meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the proposed addition to the Planning Commission and Board of Supervisors.

**Proposed Changes Made Since the Planning Commission Meeting**

None.



### **PROJECT DESCRIPTION**

Mr. Charles Wornom has applied to enroll  $\pm 95.51$  acres of land into the Mill Creek AFD. The property is entirely wooded and is undeveloped. The property is eligible for inclusion in the AFD as it is within a mile of other properties in the district; however, it is yet to be determined whether the property would be eligible for land use valuation.

The Mill Creek AFD consists of approximately 3,017.44 acres located from Richmond Road in the north to Uncle's Creek in the south. The majority of the land lies between Forge Road and the CSX railroad tracks.

### **SURROUNDING LAND USES AND DEVELOPMENT**

Surrounding properties are zoned A-1, General Agricultural. The property has frontage on Diascund Road adjacent to approximately 20 other small, wooded residential lots which are part of the King's Corner subdivision. To the north and west, the property borders undeveloped land. The south side of the property is adjacent to the CSX railroad. Staff finds the forestal use on this property to be compatible with the surrounding land uses and development in the area.

### **COMPREHENSIVE PLAN**

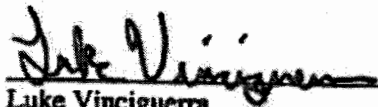
The Comprehensive Plan designates this parcel as Rural Lands and Conservation Area. Land Use Action 6.1.1 of the 2009 Comprehensive Plan states the County shall "support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the *Code of Virginia*."

### **ANALYSIS**


Staff finds the proposed addition meets the minimum area and proximity requirements for inclusion in an AFD. The existing Mill Creek AFD contains 3,017.44 acres. If the  $\pm 95.51$  acre addition is approved, the District will have approximately 3,112.95 acres and would be subject to conditions consistent with other properties in the district.

### **STAFF RECOMMENDATION**

Staff finds the proposed addition meets the minimum size and proximity requirements for inclusion in the Mill Creek AFD. At its July 14, 2014 meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the proposed addition to the Planning Commission and Board of Supervisors. At its August 6, 2014 meeting, the Planning Commission voted to recommend approval of the application by a vote of 6-0 (Richardson absent). Staff recommends the Board of Supervisors approve the application, subject to the conditions listed in the attached resolution.

  
Luke Vinciguerra

CONCUR:

  
Allen J. Murphy, Jr.

LV/gb  
AFD7-86-2-14MC-Add

### **ATTACHMENTS:**

1. Ordinance
2. Location Map
3. Unapproved minutes of the July 14, 2014, AFD Advisory Committee meeting
4. Unapproved minutes of the August 6, 2014, Planning Commission meeting (under separate cover)

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Lauren White, Planner

SUBJECT: AFD-01-94-1-2016, Wright's Island AFD Addition, 6550 and 6520 Menzels Rd.

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Ordinance	Ordinance
▣	Location Map	Exhibit
▣	Unapproved Minutes of the January 13, 2017 AFD Advisory Committee	Minutes
▣	Wright's Island 2010 Renewal Staff Report for the July 27, 2010 Board of Supervisors Public Hearing	Exhibit
▣	Wright's Island 2010 AFD Renewal Ordinance	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	1/27/2017 - 3:40 PM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 3:47 PM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:53 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM

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**AFD-01-94-1-2016. Wright's Island AFD Addition, 6550 and 6520 Menzels Road**

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**Staff Report for the February 14, 2017, Board of Supervisors Meeting****SUMMARY FACTS**

Applicants: Dominic and Carlotta Cundari

Land Owners: Old Shipyard Landing, LLC.

Proposal: Addition of ±116.9 acres of land to the Wright's Island AFD

Locations: 6550 Menzels Road and 6520 Menzels Road

Tax Map/Parcel Nos.: 2030100002 and 2030100005

Project Acreage: ±116.9 acres

Current Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area: Outside

Staff Contact: Lauren White, Planner

**PUBLIC HEARING DATES**

AFD Advisory Committee: January 13, 2017  
Planning Commission: February 1, 2017, 7:00 p.m.  
Board of Supervisors: February 14, 2017, 5:00 p.m.

**FACTORS FAVORABLE**

1. With the proposed ordinance, the proposal is compatible with surrounding development.
2. The proposal is consistent with the recommendations of the James City County Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."

**FACTORS UNFAVORABLE**

1. No factors unfavorable.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors approve of this application subject to the attached conditions, consistent with other properties in the District.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted 7-0 to recommend approval of this application.

**Proposed Changes Made Since the Planning Commission Meeting**

None

**AFD ADVISORY COMMITTEE RECOMMENDATION**

The AFD Advisory Committee recommended approval of this addition application at its January 13, 2017 meeting, by a vote of 7-0 (absent: Harcum, Sadler, Ford).

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

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**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

**PROJECT DESCRIPTION**

- Mr. Dominic Cundari and Mrs. Carlotta Cundari have applied on behalf of Old Shipyard Landing, LLC to enroll the entirety of the properties located at 6550 and 6520 Menzels Road into the Wright's Island AFD, totaling ±116.9 acres.
- 6550 Menzels Road is heavily wooded and contains one house occupied by the applicants. 6520 Menzels Road is primarily an open field and contains no structures.

**PLANNING AND ZONING HISTORY**

- The Wright's Island AFD was originally created in October 1986.
- The most recent renewal year was 2010 and the District has a term of eight years and two months.
- If the ±116.9 acre addition is approved, the District will include approximately 1,496.55 acres.
- The parcels were previously located in the District but were withdrawn by different owners during the 2002 renewal process.

**SURROUNDING ZONING AND DEVELOPMENT**

- All surrounding properties are zoned A-1, General Agricultural and designated Rural Lands.
- The District consists primarily of forested land. The principal land use on adjacent properties is undeveloped, forested land.

**COMPREHENSIVE PLAN AND ZONING**

The Comprehensive Plan designates these parcels as Rural Lands. Appropriate primary uses in Rural Lands include traditional agricultural and forestal activities. Land Use Action 6.1.1 of the 2015 Comprehensive Plan states the County shall "support both the use value assessment and Agricultural and Forestal (AFD) programs to the maximum degree allowed by the Code of Virginia."

**PUBLIC IMPACTS**

The proposed addition meets the minimum area and proximity required for inclusion in an AFD.

- Anticipated impact on public facilities and services: None.
- Anticipated impact on environmental, cultural and historic resources: None.
- Anticipated Land Use impact on nearby and surrounding properties: None.

**STAFF RECOMMENDATION**

Staff finds the proposed addition meets the minimum size and proximity requirements for inclusion in the Wright's Island AFD. If the addition is approved, the properties would be subject to the attached conditions (Attachment 2), consistent with other properties in the District. Staff recommends that the Board of Supervisors approve the proposed addition to the Wright's Island AFD, subject to the conditions listed in the attached ordinance.

**Staff Report for the February 14, 2017, Board of Supervisors Meeting**

LW/kb

AFD-01-94-1-16WrightsIsland

Attachments:

1. Ordinance
2. Location Map
3. Unapproved Minutes of the January 13, 2017 AFD Advisory Committee
4. Wright's Island 2010 Renewal Staff Report for the July 27, 2010, Board of Supervisors Public Hearing
5. Wright's Island 2010 AFD Renewal Ordinance

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**ORDINANCE NO. \_\_\_\_\_**

AFD-01-94-12016. WRIGHT'S ISLAND AGRICULTURAL AND

FORESTAL DISTRICT ADDITION - 6550 AND 6520 MENZELS ROAD

WHEREAS, a request has been filed with the Board of Supervisors of James City County, Virginia, (the "Board of Supervisors") to add  $\pm 116.9$  acres of land owned by Old Shipyard Landing, LLC located at 6550 and 6520 Menzels Road and identified as James City County Real Estate Tax Map Parcels Nos. 2030100002 and 2030100005, respectively, to Agricultural and Forestal District (AFD) 01-94, which is generally known as the "Wright's Island Agricultural and Forestal District" (the "Application"); and

WHEREAS, at its January 13, 2017 meeting, the AFD Advisory Committee voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Planning Commission (the "Commission") at its February 1, 2017 meeting, after which the Commission voted 7-0 to recommend approval of the Application; and

WHEREAS, a public hearing was advertised and held by the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adds  $\pm 116.9$  acres located at 6550 and 6520 Menzels Road and identified as James City County Real Estate Tax Map Parcels Nos. 2030100002 and 2030100005, respectively, to AFD 01-94, which is generally known as the "Wright's Island Agricultural and Forestal District" with the following conditions:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land outside the PSA and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs outside the PSA, adopted September 24, 1996, as amended. Land inside the PSA and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs within the PSA, adopted September 24, 1996, as amended.

3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal or other activities and uses consistent with State Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCF and AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

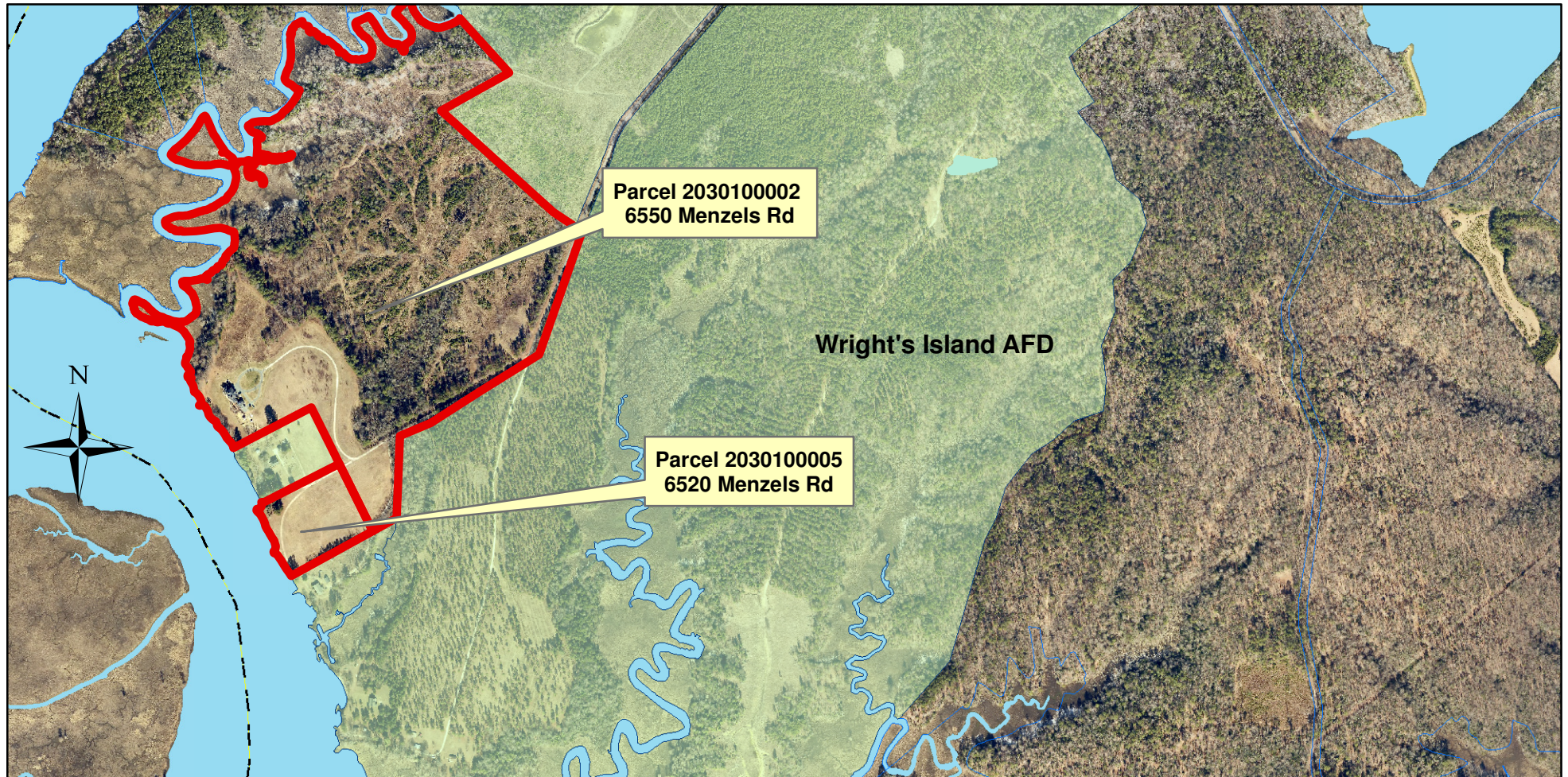
	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	_____	_____	_____
SADLER	_____	_____	_____
HIPPLE	_____	_____	_____
LARSON	_____	_____	_____
ONIZUK	_____	_____	_____



Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

AFD01-1-16WrightsIsld-res

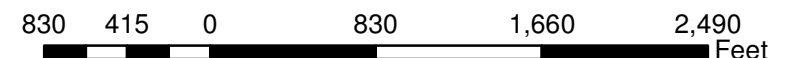


# JCC-AFD-01-94-1-2016, Wright's Island AFD Addition



-  Proposed Addition
-  Wright's Island AFD

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## Unapproved Minutes of the January 13, 2017 AFD Advisory Committee Meeting

### Case No. AFD-01-94-1-2016, Wright's Island AFD Addition

Ms. Lauren White presented the staff report stating that Mr. and Mrs. Dominic Cundari had applied on behalf of Old Shipyard Landing, LCC to add a 110.5 acre parcel located at 6550 Menzels Road and a 6.4 acre parcel located at 6520 Menzels Road to the Wright's Island AFD. Ms. White stated that staff recommended that the AFD Advisory Committee recommend approval of the proposed addition to the Planning Commission.

Mr. Hitchens asked Mr. Bradshaw if the portion of the property containing the house will be deducted from the land use valuation.

Mr. Bradshaw indicated the portion of the property containing the house and the driveway will be included in the AFD as non-qualifying land for land-use valuation.

Mr. Hitchens asked if the Committee should be estimating acreage for the house and subtracting it out of the proposed addition to Wright's Island AFD.

Mr. Bradshaw responded to Mr. Hitchens by stating that the estimation and subtraction would not be necessary. He went on to explain that just because this portion of the parcel would not receive land-use valuation does not mean it cannot be in the AFD.

Mr. Hitchens clarified his previous statement to ask if the house could be included in the AFD.

Mr. Bradshaw stated that the house can still be in the AFD and that the AFD can encompass the entire property.

Ms. Smith asked for clarification on if the property could be included if it was not an active land-use piece.

Mr. Bradshaw stated that just because there is a house on the property, it does not mean that the entire property cannot be in the AFD. He stated that the land use valuation process was outside of the purview of this meeting. This meeting is just for the enrollment of parcels into the AFD. Mr. Bradshaw explained that he will determine the land-use valuation calculation.

Mr. Taylor asked about personal property taxes on the house site.

Mr. Bradshaw stated that there will be a value placed upon the house site.

Ms. Smith called for a vote.

Ms. Garrett made a motion to recommend approval of the proposed addition to Wright's Island AFD. Mr. Abbott seconded the motion.

On a vote of 7-0, the Committee recommended approval of the application.



**AGRICULTURAL AND FORESTAL DISTRICT-1-94, Wright's Island 2010 Renewal Staff Report for the July 27, 2010, Board of Supervisors Public Hearing.**

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**PUBLIC HEARINGS**

Planning Commission:  
Board of Supervisors:

**Halliburton Board Room: County Government Center**

July 7, 2010, 7:00 p.m.  
July 27, 2010, 7:00 p.m.

**SUMMARY FACTS**

**Owners**

Wright's Island Game Assoc  
Old Shipyard Landing, LLC  
Old Shipyard Landing, LLC  
Manuel and Isabell Queijo Revocable Living Trust  
Brian M. Menzel, et al

<b><u>Parcel No.</u></b>	<b><u>Acres</u></b>
2030100001 .....	1,320.48
2030100003 .....	4.90
2030100004 .....	4.90
2020100027 .....	49.37
2020100028 .....	74.75

Zoning: A-1, General Agriculture

Comprehensive Plan: Rural Lands and Conservation Area

Primary Service Area: Outside

**STAFF RECOMMENDATION**

This Agricultural and Forestal District (AFD) is consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends renewing the Wright's Island AFD for a period of eight years and two months, subject to the enclosed conditions.

On June 28, 2010, the AFD Advisory Committee recommended renewal of this district by a vote of 6-0.

Staff Contact: Kathryn Sipes, Senior Planner Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

At its meeting on July 7, 2010, by a vote of 6-0, the Planning Commission recommended renewal of the Wright's Island AFD.

**Proposed Changes Made Since Planning Commission Meeting**

No changes have been made since the Planning Commission meeting.

**SUMMARY**

As required by State Code, the County must review all established AFDs prior to their expiration. During this review, districts must be continued, modified, or terminated. This report will review AFD-1-94, Wright's Island, which is scheduled to expire August 13, 2010.

Staff is endeavoring to synchronize the expiration dates of all districts. During the renewal process in 2006, when 13 of the 14 districts were renewed, terms of the 13 districts were adjusted to expire in



October of the appropriate year. Wright's Island is currently the only district with an eight-year term and the only district that was not renewed in 2006. As part of the 2010 renewal process staff is recommending a term of eight years and two months, making the expiration date October 2018.

#### **DISTRICT HISTORY**

The Wright's Island AFD was adopted by the Board of Supervisors in October 1986. The district originally consisted of five parcels comprising approximately 1,495 acres and was established for a term of eight years. The originally adopted district (AFD-1-86) expired in September 1994 and a new district (AFD-1-94) was subsequently created in October 1994. The new district was established for a term of eight years. In November 1999, the Board of Supervisors approved the addition of 49,373 acres to the district. In August 2002, the District was renewed for another eight-year term. As part of the 2002 renewal a 90-acre parcel was withdrawn from the district.

The Wright's Island AFD consists of approximately 1,454.40 acres located along Little Creek Dam Road and Menzels Road between Little Creek Reservoir, Yarmouth Creek, and the Chickahominy River (see attached location map). Part of the district is adjacent to the Little Creek Reservoir. Specifically, the AFD is currently comprised of the following:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Wright's Island Game Association	(20-3)(1-1).....	1,320.48
Old Shipyard Landing, LLC	(20-3)(1-3).....	4.90
Old Shipyard Landing, LLC	(20-3)(1-4).....	4.90
Menzel, Brian M. Et. Als	(20-2)(1-28).....	74.75
Mannel J. and Isabell Queijo Revocable Living Trust	(20-2)(1-27).....	49.37

#### **ANALYSIS**

The bulk of the district consists of woodlands, with the remaining land being tidal wetlands. All of the land is zoned A-1, General Agricultural, and is located entirely outside the Primary Service Area (PSA). The land in the district is designated as either Rural Lands or Conservation Area on the Comprehensive Plan Land Use Map.

#### **WITHDRAWALS**

One parcel, (20-2)(1-28), is being withdrawn at the property owners' request. The parcel is approximately 75 acres in size. After the withdrawal the district will total approximately 1379.65 acres.

#### **CHANGE IN CONDITIONS**

Staff is recommending a revision to Condition No. 2 to correct language that references the Board of Supervisor's policy pertaining to Withdrawal of Lands from Agricultural and Forestal Districts Outside the PSA, adopted September 24, 1996, as well as adding a reference to the Board of Supervisor's policy pertaining to Withdrawal of Lands from AFDs inside the PSA, adopted September 24, 1996. Staff is also recommending language that references future amendments to those Board policies. The proposed condition is as follows, with proposed corrections and additions underlined:

"No land outside the PSA and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs outside the PSA, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs Within the PSA, adopted September 24, 1996, as amended."

### STAFF RECOMMENDATION

This AFD is consistent with the surrounding zoning and consistent with the goals of the Comprehensive Plan. Staff recommends renewing the Wright's Island AFD for a period of eight years and two months, subject to the following conditions. On June 28, 2010, the AFD Advisory Committee recommended renewal of this district by a vote of 6-0.

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land outside the PSA and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs outside the PSA, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs within the PSA, adopted September 24, 1996, as amended.
3. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCFs on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

\_\_\_\_\_  
Kathryn Sipes

CONCUR:

\_\_\_\_\_  
Allen J. Murphy

KS/nb  
AFD1-94WrightIs.doc

### ATTACHMENTS:

1. Proposed Ordinance
2. Unapproved Minutes of the July 7, 2010, Planning Commission Meeting
3. Location Map
4. Withdrawal Request
5. Unapproved Minutes of the June 28, 2010, ADF Advisory Committee Meeting
6. Existing Ordinance and Conditions, Dated August 13, 2002

JUL 27 2010

ORDINANCE NO. 163A-4BOARD OF SUPERVISORS  
JAMES CITY COUNTY  
VIRGINIAAGRICULTURAL AND FORESTAL DISTRICT -1-94WRIGHT'S ISLAND 2010 RENEWAL

WHEREAS, James City County has completed a review of the Wright's Island Agricultural and Forestal District; and

WHEREAS, in accordance with Section 15.2-4311 of the Code of Virginia, property owners have been notified, public meetings have been held, public hearings have been advertised, and public hearings have been held on the continuation of the Wright's Island Agricultural and Forestal District; and

WHEREAS, Brian M. Menzel et. al. has requested the withdrawal of 74.75 acres, identified as James City County Real Estate Tax Map No. (20-2) (1-28); and

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee, at its meeting on June 28, 2010, voted 6-0 to approve the application; and

WHEREAS, the Planning Commission, following its public hearing on July 7, 2010, concurred with the recommendation of staff and the AFD Advisory Committee and voted 6-0 to renew this district with the conditions listed below.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that:

1. The Wright's Island AFD is hereby continued from its current date of expiration (August 13, 2010) for a period of eight years, two months and 18 days to October 31, 2018, in accordance with the provisions of the Virginia AFD Act, Virginia Code Section 15.2-4300 et. seq.
2. The District shall include the following parcels:

<u>Owner</u>	<u>Parcel No.</u>	<u>Acres</u>
Wright's Island Game Association	(20-3) (1-1)	1,320.48
Old Shipyard Landing, LLC	(20-3) (1-3)	4.90
Old Shipyard Landing, LLC	(20-3) (1-4)	4.90
Manuel and Isabell Queijo Revocable Living Trust	(20-2) (1-27)	<u>49.37</u>
Total		<u>1,379.65</u>

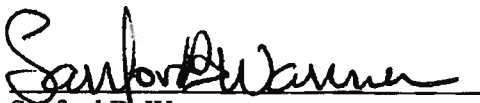
Provided, however, that all land within 25 feet of the road right-of-way of Menzels Road (Route 659) and Little Creek Dam Road (Route 631) be excluded from the District to allow for possible road improvements.


3. Pursuant to the Virginia Code, Section 15.2-4312 and 15.2-4313, as amended, the Board of Supervisors requires that no parcel in the Wright's Island AFD be developed

to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:

- a. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family, as defined in the James City County Subdivision Ordinance. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of Wireless Communication Facilities (WCF), provided: a) The subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
- b. No land outside the Primary Service Area (PSA) and within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the district. Land outside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs outside the PSA, adopted September 24, 1996, as amended. Land inside the PSA, and within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' policy pertaining to Withdrawal of Lands from AFDs within the PSA, adopted September 24, 1996, as amended.
- c. No Special Use Permit (SUP) shall be issued except for agricultural, forestal, or other activities and uses consistent with the State Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue SUPs for WCF on AFD properties which are in accordance with the County's policies and ordinances regulating such facilities.

ATTEST:

  
Sanford B. Wanner  
Clerk to the Board

  
James G. Kennedy  
Chairman, Board of Supervisors

SUPERVISOR	VOTE
MCCLENNON	AYE
GOONSON	AYE
ICENHOUR	AYE
JONES	AYE
KENNEDY	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of July, 2010.

AFD1-94Wrghtls\_res

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: W. Scott Whyte, Senior Landscape Planner II

SUBJECT: SUP-0027-2016, Top Notch Tree Service

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**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Staff Report
▣	Resolution	Resolution
▣	Location Map	Exhibit
▣	Previously approved Resolution for SUP-0016-2014	Exhibit
▣	Master Plan	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	1/27/2017 - 3:46 PM
Development Management	Holt, Paul	Approved	1/27/2017 - 3:47 PM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 3:48 PM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:54 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:30 AM

**SPECIAL USE PERMIT-0027-2016. Top Notch Tree Service****Staff Report for the February 14, 2017, Board of Supervisors Public Hearing**

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**SUMMARY FACTS**

Applicant: Thomas Napier

Land Owner: Thomas Napier

Proposal: SUP-0016-2014 for a contractor's office and equipment storage was approved by the Board of Supervisors on February 10, 2015. One of the adopted Special Use Permit (SUP) conditions required the applicant to gain site plan approval within two years. The two-year time limit is about to expire and the applicant has not been able to meet the deadline. Therefore a new application has been submitted.

Location: 4680 Fenton Mill Road

Tax Map/Parcel No.: 1430300012

Project Acreage: +/- 3.07 acres

Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area: Outside

Staff Contact: W. Scott Whyte  
Senior Landscape Planner II

**PUBLIC HEARING DATES**

Planning Commission: February 1, 2017, 7:00 p.m.  
Board of Supervisors: February 14, 2017, 5:00 p.m.

**FACTORS FAVORABLE**

1. The proposal is compatible with surrounding zoning and development.
2. The proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, "Toward 2035: Leading the Way."
3. The proposal has previously been approved, and will only give an extension for site plan approval by renewing the SUP.

**FACTORS UNFAVORABLE**

With the attached SUP conditions for the application, staff finds that there are no unfavorable factors.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors recommend approval of this SUP application, subject to the attached conditions.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission voted 7-0 to recommend approval of this application.

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

**Proposed Changes Made Since the Planning Commission Meeting**

None.

**PROJECT DESCRIPTION**

Top Notch Tree Service originally received approval of this SUP on February 10, 2015. Condition No. 8 required the applicant to receive final site plan approval before February 10, 2017. The applicant has discovered that he will not be able to make the deadline and has therefore applied for another SUP.

Mr. Thomas Napier has applied for an SUP to allow a contractor's office with equipment storage and outdoor storage associated with his tree care business on a parcel located at 4680 Fenton Mill Road. The applicant has owned and operated his business since 1989 and has operated from the present site since 2009. In order to bring the current operation into compliance, an SUP is required, as a contractor's office and the storage of heavy equipment are specially permitted uses in the A-1 Zoning District.

In addition to the existing 3,200-square-foot single-family dwelling on the site, other existing structures on the property include a 2,400-square-foot pole barn, a 1,200-square-foot detached garage and a 120-square-foot shed. The applicant has indicated that the pole barn will be used to store equipment associated with the business including a bucket truck, a crane truck, a GMC 7500, a wood chipper, a GMC 250 pickup and trailer. The following equipment would be stored outside behind the pole barn: a chipper truck, a wood chipper, a bobcat, a medium-sized tractor, a pick-up truck, a dump truck, a service truck and a bush hog. The 120-square-foot shed would contain power saws, ropes, pole saws, blowers, weed eaters and various hand tools. Mature trees surround the property and

provide a natural buffer from adjacent properties. Outdoor storage is permitted in accordance with the requirements of Section 24-98 (c), landscape area(s) along right(s)-of-way of the Zoning Ordinance, which requires screening, all-weather surface, well drained areas and storage of items that do not create noise, odor, dust or other objectionable effects. Currently, the business employs five full-time employees besides Mr. Napier. According to the applicant, operating hours are generally between 7:30 a.m. and 7 p.m., Monday through Saturday, with employees picking up vehicles and equipment in the morning and dropping them off in the evening. During times when the tree crew is not in the field, they cut, split and stockpile firewood for sale. All firewood is delivered off-site and no customers come to the site to purchase firewood.

**PLANNING AND ZONING HISTORY**

- The Board of Supervisors adopted Case No. SUP-0016-2014 for Top Notch Tree Service on February 10, 2015. This approval was intended to bring the existing facility into compliance with the Zoning Ordinance. Because final site plan approval was not obtained by the applicant, SUP-0016-2014 will expire on February 10, 2017. The Planning Commission will hold a public hearing on February 1, 2017. Results for Planning Commission vote will be provided once made available.

**SURROUNDING ZONING AND DEVELOPMENT**

- The property is located on 4680 Fenton Mill Road.
- All surrounding properties are zoned A-1, General Agricultural, with adjoining M-1, Limited Business/Industrial to the rear of the property.

- Surrounding properties contain single-family residential dwellings to the north and a contractor's warehouse to the south.

**COMPREHENSIVE PLAN**

- The site is designated Rural Lands on the adopted in 2015, "Toward 2035: Leading the Way" Comprehensive Plan and Land Use Map.
- Principal suggested uses include agricultural and forestal activities, together with certain recreational public or semi-public and institutional uses that require a spacious site and are compatible with the natural and rural surroundings. Retail and other commercial uses serving Rural Lands are encouraged to be located at planned commercial locations on major thoroughfares inside the Primary Service Area (PSA). However, a few of the smaller direct agricultural or forestal-support uses, home-based occupations or certain uses which require very low intensity settings relative to the site in which it will be located may be considered on the basis of a case-by-case review, provided such uses are compatible with the natural and rural character of the area, in accordance with the Rural Lands Development Standards.
- Staff finds that the proposed commercial use located on a minor thoroughfare within the PSA meets the requirement of "certain uses, which require very low intensity settings relative to the site in which it will be located." Undisturbed vegetation located along the majority of the perimeter of the three-acre property provides a natural buffer from all surrounding properties.
- With the proposed SUP conditions staff finds that it is unlikely that the proposed operation, particularly with the parking of vehicles and storage of firewood and landscape materials located

behind the residence, would visually impact either the right-of-way or adjacent properties. The distance of the parking area from the right-of-way is approximately 250 feet and well screened from adjacent properties. With the proposed SUP conditions, staff finds that the rural residential characteristic of the neighborhood will not be affected by this proposal.

**PUBLIC IMPACTS**

1. Anticipated Impact on Public Facilities and Services:

- *Environmental/Cultural/Historic:* Engineering & Resource Protection (ERP) has reviewed this application and met with the applicant to review the proposal on-site and at a Development Roundtable Meeting on December 22, 2014. The site had previous unregulated activities, both outside and inside the Resource Protection Area (RPA) buffer. The County acknowledges the current owner's attempts to address portions of those activities. The owner has agreed to continue to restore the RPA with the assistance of the ERP Division along with an engineering and environmental firm that has been retained by the applicant. The restoration may include such actions as removal of materials from portions of the site, revegetation of the RPA area and additional stormwater improvements appropriate to the current site use. Once the final site layout and impervious coverage are known, additional site adjustments and improvements may also be required by the ERP. Proposed SUP Condition No. 9 addresses outstanding issues regarding the removal of material from within the RPA and any restoration activities that may be necessary as a result of this work.
- *Schools/Fire/Utility:* The site is located outside the PSA and is currently served by private well and septic systems. The

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*



## **SPECIAL USE PERMIT-0027-2016. Top Notch Tree Service**

### **Staff Report for the February 14, 2017, Board of Supervisors Public Hearing**

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Health Department has indicated no concern with the proposal provided that the use of residential restrooms by employees is limited. The applicant has stated that employees are on the site only twice a day, in the morning and evening, and very seldom use the restrooms in the residence.

- *Streets:* The proposal is expected to generate low daily traffic and therefore has minimal impact to the local road system. Based on the applicant's response to staff's questions, all five employees currently use private vehicles. It is expected that no more than five trucks leave the site early in the morning and return late in the afternoon on a daily basis. Customers do not drive to the site. All trucks will be parked at the rear of the property away from the right-of-way and screened by natural vegetation from adjacent properties. The general location of the parking area for these vehicles is shown on the attached Master Plan.

#### **PROPOSED CONDITIONS**

- The full text of the proposed conditions are attached. Condition No. 4a has been amended to give the applicant a more definable and adequate space to park vehicles and equipment. Condition No. 8 has been amended to allow the applicant more time to gain approval of the required site plan. Condition No. 9 was amended to require removal of materials that violate ordinance conditions, rather than siting materials that are located outside of the RPA.

#### **STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors recommend approval of this SUP application, subject to the respective attached conditions.

WSW/nb  
SUP27-16TopNotchTree

#### Attachments:

1. SUP-0027-2016 Resolution
2. Location Map
3. SUP-0016-2014 Approved Resolution
4. Master Plan, prepared by Dean Raines Surveying, dated October 31, 2006

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*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

## **RESOLUTION**

### **CASE NO. SUP-0027-2016. TOP NOTCH TREE SERVICE**

WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and

WHEREAS, Mr. Thomas Napier has applied for an SUP to allow a contractor's warehouse, sheds, office, storage and repair of heavy equipment located at 4680 Fenton Mill Road; and

WHEREAS, the proposed Development is depicted on the plan prepared by Dean Raynes, Land Surveyor, dated October 31, 2006, and entitled "Master Plan for Top Notch Tree Service;" and

WHEREAS, the proposed development is located in its entirety on property zoned A-1, General Agricultural, further identified as James City County Real Estate Tax Map Parcel No. 1430300012; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0027-2016; and

WHEREAS, the Planning Commission, following its public hearing on February 1, 2017, voted 7-0 to recommend approval of Case No. SUP-0027-2016.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-0027-2016, as described herein, subject to the following conditions:

1. Master Plan: SUP shall be valid for a contractor's office and the storage of vehicles, equipment and materials associated with the use (the "Proposal") on property located at 4680 Fenton Mill Road and further identified as James City County Real Estate Tax Map No. 1430300012 (the "Property"). The location of the storage and parking of vehicles, equipment and associated materials shall be generally as shown on the master plan titled "Master Plan for Top Notch Tree Service" dated October 31, 2006 (the "Master Plan"), with such minor changes as the Director of Planning determines does not change the basic concept or character of the development.
2. Limitations: No work associated with the Proposal, except for administrative/office work, maintenance of equipment and vehicles, storage and loading of materials on trucks and trailers shall be conducted at the Property. No retail sales including the sale of wood or wood-related products shall occur at the Property. No manufacturing including the manufacture of wood or wood-related products except firewood shall occur at the Property. No mulching or stump grinding shall occur at the Property.
3. Vehicle Storage: Storage of vehicles, equipment and landscape materials shall be as follows:

- a) All vehicles and equipment associated with the Proposal, including but not limited to trucks and trailers, shall be contained behind the residence and shall not be located in any required perimeter buffers or Resource Protection Areas (RPA).
  - b) Tree care and landscape materials associated with the Proposal, including but not limited to, sod and firewood shall be stored within the 3,000-square-foot area as shown on the Master Plan. These materials shall not be located within any required building setback and shall not have a vertical height of more than eight feet from the ground.
  - c) Equipment associated with the Proposal, including but not limited to, power saws, ropes, pole saws, blowers, weed eaters and various hand tools shall be stored within the existing 120-square-foot shed as shown on the Master Plan.
- 4. Perimeter Buffer: The existing vegetation surrounding the Property and surrounding the storage of vehicle/equipment areas as shown on the Master Plan shall remain undisturbed.
  - 5. Signage: No outdoor signage shall be allowed on the Property.
  - 6. Lighting: All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Director of Planning or his designee, which indicates no glare outside the Property lines. No light poles shall exceed 16 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
  - 7. Site Plan: A site plan shall be required for this Proposal. Final approval of the site plan shall be obtained within 12 months of issuance of this SUP, or the SUP shall become void.
  - 8. Material Removal and RPA Restoration: Prior to final site plan approval by the Engineering & Resource Protection Director, a Chesapeake Bay Restoration Agreement shall be executed with the County, which shall include a mitigation plan to remove all materials that have been placed within the RPA and stabilization of these areas. Materials outside the RPA that are in violation of the zoning ordinance also need to be removed. The James City County Engineering & Resource Protection Director, or his designee, shall verify, in writing, that all violating materials have been properly removed or stabilized on-site within six months from approval of the site plan. "Materials" shall mean any wood chips, stumps, junk vehicles, mechanical parts, unused sheds or other materials brought in from off-site that were placed on-site or in the RPA.
  - 9. Severance Clause: This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

SUP27-16TreeSrv-res



# JCC-SUP-0027-2016

## Top Notch Tree Service





## **RESOLUTION**


### **CASE NO. SUP-0016-2014. TOP NOTCH TREE SERVICE**

- WHEREAS, the Board of Supervisors of James City County has adopted by ordinance specific land uses that shall be subjected to a Special Use Permit ("SUP") process; and
- WHEREAS, Mr. Thomas Napier has applied for an SUP to allow a contractor's warehouse, sheds and office and storage and repair of heavy equipment located at 4680 Fenton Mill Road; and
- WHEREAS, the proposed Development is depicted on the plan prepared by Dean Raynes, Land Surveyor, dated October 31, 2006, and entitled "Master Plan for Top Notch Tree Service"; and
- WHEREAS, the proposed development is located in its entirety on property zoned A-1, General Agricultural, further identified as James City County Real Estate Tax Map Parcel No. 1430300012; and
- WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-0016-2014; and
- WHEREAS, the Planning Commission, following its public hearing on January 7, 2015, voted 7-0 to recommend approval of Case No. SUP-0016-2014.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby approve Case No. SUP-0016-2014, as described herein, subject to the following conditions:

1. **Master Plan:** SUP shall be valid for a contractor's office and the storage of vehicles, equipment and materials associated with the use (the "Proposal") on property located at 4680 Fenton Mill Road and further identified as James City County Real Estate Tax Map No. 1430300012 (the "Property"). The location of the storage and parking of vehicles, equipment, and associated materials shall be generally as shown on the master plan titled "Master Plan for Top Notch Tree Service" dated October 31, 2006 (the "Master Plan"), with such minor changes as the Director of Planning determines does not change the basic concept or character of the development.
2. **Limitations:** No work associated with the Proposal, except for administrative/office work, maintenance of equipment and vehicles, storage, and loading of materials on trucks and trailers shall be conducted at the Property. No retail sales including the sale of wood or wood-related products shall occur at the Property. No manufacturing including the manufacture of wood or wood-related products except firewood shall occur at the Property. No mulching or stump grinding shall occur at the Property.
3. **Hours of Operation:** Transportation of equipment to and from the property shall be limited to 7:00 a.m.-7:30 p.m., Monday through Saturday, except for occasional after-hours and Sunday transportation related to storm cleanup work.

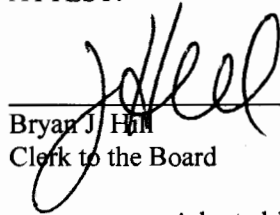
4. **Vehicle Storage:** Storage of vehicles, equipment, and landscape materials shall be as follows:
  - a) Vehicles and equipment, including but not limited to, trucks and trailers, shall be contained within the 6,000 square foot area as shown on the Master Plan.
  - b) Tree care and landscape materials associated with the Proposal, including but not limited to, sod and firewood shall be stored within the 3,000 square foot area as shown on the Master Plan. These materials shall not be located within any required building setback and shall not have a vertical height of more than eight feet from the ground.
  - c) Equipment associated with the Proposal, including but not limited to, power saws, ropes, pole saws, blowers, weed eaters, and various hand tools shall be stored within the existing 120-square-foot shed as shown on the Master Plan.
5. **Perimeter Buffer:** The existing vegetation surrounding the Property and surrounding the storage of vehicle/equipment areas as shown on the Master Plan shall remain undisturbed.
6. **Signage:** No outdoor signage shall be allowed on the Property.
7. **Lighting:** All new exterior light fixtures, including building lighting, on the Property shall have recessed fixtures with no lens, bulb, or globe extending below the casing. In addition, a lighting plan shall be submitted to and approved by the Director of Planning or his designee, which indicates no glare outside the Property lines. All light poles shall not exceed 16 feet in height unless otherwise approved by the Director of Planning prior to final site plan approval. "Glare" shall be defined as more than 0.1 foot-candle at the boundary of the Property or any direct view of the lighting source from the adjoining properties.
8. **Site Plan:** A site plan shall be required for this Proposal. Final approval of the site plan shall be obtained within 24 months of issuance of this SUP, or the SUP shall become void.
9. **Material Removal and Resource Protection Area Restoration:** The applicant shall submit a mitigation plan and execute a Chesapeake Bay Restoration Agreement with the County to remove all materials that have been placed within the Resource Protection Area (RPA) and stabilization of these areas, prior to final site plan approval by the Engineering and Resource Protection Director. Some materials outside the RPA also need to be removed. "Materials" shall mean any wood chips, stumps, junk vehicles, mechanical parts, unused sheds, or other materials brought in from off-site that were placed on-site or in the RPA. The James City County Engineering and Resource Protection Director, or his designee, shall verify, in writing, that all materials have been properly removed or stabilized on-site within six months from approval of the site plan.
10. **Severance Clause:** This SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.





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>
JONES	<u>X</u>	—	—
MC GLENNON	<u>X</u>	—	—
ONIZUK	<u>X</u>	—	—
KENNEDY	<u>X</u>	—	—
HIPPLE	<u>X</u>	—	—

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of February, 2015.

SUP-16-14TreeSrv-res

SUP-0016-2014

# SURVEYOR'S CERTIFICATION:

THIS IS TO CERTIFY THAT ON 10/31/06 I MADE AN ACCURATE FIELD SURVEY OF THE PREMISES SHOWN HEREON THAT ALL IMPROVEMENTS KNOWN OR VISIBLE ARE SHOWN HEREON, THAT THERE ARE NO ENCROACHMENTS BY IMPROVEMENTS EITHER FROM ADJOINING PREMISES, OR FROM SUBJECT PREMISES UPON ADJOINING PREMISES, OTHER THAN SHOWN HEREON. ACCORDING TO THE CURRENT RESPECTIVE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP THIS PROPERTY IS LOCATED WITHIN ZONE X

POWER IS ☒ UNDERGROUND, ☐ OVERHEAD, TELEPHONE IS ☒ UNDERGROUND, ☐ OVERHEAD. NEW ☐ % COMPLETE        OLD ☒ BY Dean E. Raynes

## NOTES:

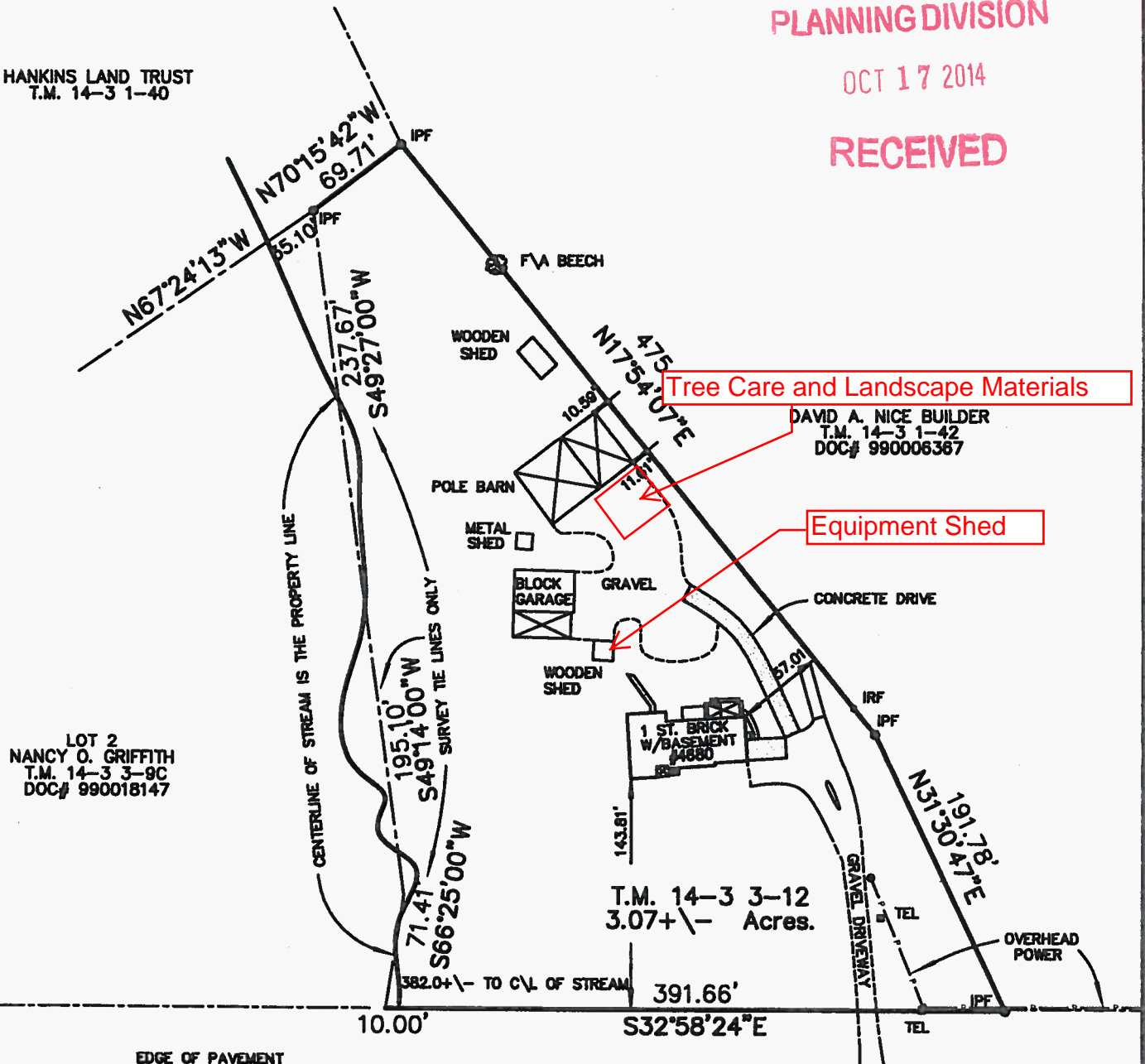
1. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.
2. REFERENCES: PB.51, PG.13

HANKINS LAND TRUST  
T.M. 14-3 1-40

PLANNING DIVISION

OCT 17 2014

RECEIVED



FENTON MILL ROAD ROUTE 602

**ITEM SUMMARY**

DATE: 2/14/2017

TO: Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Lease Amendment - 101 Mounts Bay Rd. Cell Tower

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**ATTACHMENTS:**

	Description	Type
▣	Memo	Cover Memo
▣	res	Resolution
▣	Lease Amendment	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	1/26/2017 - 1:58 PM
Publication Management	Burcham, Nan	Approved	1/26/2017 - 2:04 PM
Legal Review	Kinsman, Adam	Approved	1/27/2017 - 10:02 AM
Board Secretary	Fellows, Teresa	Approved	1/27/2017 - 10:39 AM
Board Secretary	Purse, Jason	Approved	1/30/2017 - 9:20 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 4:30 PM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Amendment to Lease Agreement with American Tower, L.P.

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James City County (the “County”) leases a parcel of land to American Tower, L.P (the “Tenant”) for the operation of a cell phone tower. The current lease will expire on February 28, 2021. Attached is a proposed amendment that will extend the lease under modified terms. Important aspects of the amendment are outlined below:

Rent: If adopted, the Tenant will pay the County a one-time payment of \$40,000; a monthly rent of \$3,000, which increases 3% per year; and 50% of any subsequent collocation. Current rent is \$1,557 per month. Under the amended lease, the County will realize an additional \$88,893 in rent over the remaining life of the original lease.

Lease Term: This amendment will provide the Tenant with the option to extend the lease for up to four 5-year renewal terms. The ultimate end date for the amended lease would be February 28, 2041, representing \$1,121,404.63 of new potential rent to James City County.

Right of First Refusal: If the County chooses to sell the property to another telecommunications company, labelled a “Third Party Competitor,” then the Tenant will have the right to purchase the property at the price offered to the Third Party Competitor.

JP/nb  
ATowerLeaseAmnd-mem

Attachment

## RESOLUTION

### AMENDMENT TO LEASE AGREEMENT WITH AMERICAN TOWER, L.P.

WHEREAS, James City County currently leases a portion of 101 Mounts Bay Road to American Tower, L.P. for the operation of a cell tower, which lease is set to expire February 28, 2021; and

WHEREAS, American Tower, L.P. has proposed an amendment that provides additional renewal terms until February 28, 2041, increases rent and modifies other lease terms; and

WHEREAS, a public hearing was advertised and a hearing conducted on the lease amendment; and

WHEREAS, the Board of Supervisors of James City County finds amendment of the lease to be in the public interest.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the County Administrator is authorized to execute those documents necessary to amend the lease agreement with American Tower, L.P. for the cell tower site located at 101 Mounts Bay Road.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

ATowerLeaseAmnd-res

## THE FIRST AMENDMENT TO LEASE AGREEMENT

This First Amendment to Lease Agreement (this "**Amendment**") is made effective as of the latter signature date hereof (the "**Effective Date**") by and between **County of James City, Virginia** a political subdivision of the Commonwealth of Virginia, ("**Landlord**") and **American Tower, L.P.**, a Delaware limited liability partnership ("**Tenant**") (Landlord and Tenant being collectively referred to herein as the "**Parties**").

### RECITALS

**WHEREAS**, Landlord owns the real property described on **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"); and

**WHEREAS**, Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Lease Agreement dated June 5, 2001 (as the same may have been amended from time to time, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities, all as more particularly described in the Lease (such portion of the Parent Parcel so leased along with such portion of the Parent Parcel so affected, collectively, the "**Leased Premises**"), which Leased Premises are also described on **Exhibit A**; and

**WHEREAS**, Landlord and Tenant desire to amend the terms of the Lease to extend the term thereof and to otherwise modify the Lease as expressly provided herein.

**NOW THEREFORE**, in consideration of the foregoing recitals and the mutual covenants set forth herein and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. **One-Time Payment.** Tenant shall pay to Landlord a one-time payment in the amount of **Forty Thousand and No/100 Dollars (\$40,000.00)**, payable within thirty (30) days of the Effective Date and subject to the following conditions precedent: (a) Tenant's receipt of this Amendment executed by Landlord; (b) Tenant's confirmation that Landlord's statements as further set forth in this Amendment are true, accurate, and complete, including verification of Landlord's ownership; (c) Tenant's receipt of any documents and other items reasonably requested by Tenant in order to effectuate the transaction and payment contemplated herein; and (d) receipt by Tenant of an original Memorandum (as defined herein) executed by Landlord.
2. **Lease Term Extended.** Notwithstanding anything to the contrary contained in the Lease or this Amendment, the Parties agree the Lease originally commenced on March 1, 2001 and, without giving effect to the terms of this Amendment but assuming the exercise by Tenant of all remaining renewal options contained in the Lease (each an "**Existing Renewal Term**" and, collectively, the "**Existing Renewal Terms**"), the Lease is otherwise scheduled to expire on February 28, 2021. In addition to any Existing Renewal Term(s), the Lease is hereby amended to provide Tenant with the option to extend the Lease for each of Four (4) additional five (5) year renewal terms (each a "**New Renewal Term**" and, collectively, the "**New Renewal Terms**"). Notwithstanding anything to the contrary contained in the Lease, (a) all Existing Renewal Terms and New Renewal Terms shall automatically renew unless Tenant notifies Landlord that Tenant elects not to renew the Lease at least ninety (90) days prior to the commencement of the next Renewal Term (as defined below) and (b) Landlord shall be able to terminate this Lease only in the event of a material default by Tenant, which default is not cured within sixty (60) days of Tenant's receipt of written notice thereof, provided, however, in the event that Tenant has diligently commenced to cure a material default within sixty (60) days of Tenant's actual receipt of notice thereof and reasonably requires additional time beyond the sixty (60) day cure period described herein to effect such cure, Tenant shall have such additional time as is necessary (beyond the sixty [60] day cure period) to effect the cure. References in this Amendment to "**Renewal Term**" shall refer, collectively, to the Existing Renewal Term(s) and the New Renewal Term(s). The Landlord hereby agrees to execute and

return to Tenant an original Memorandum of Lease in the form and of the substance attached hereto as **Exhibit B** and by this reference made a part hereof (the "**Memorandum**") executed by Landlord, together with any applicable forms needed to record the Memorandum, which forms shall be supplied by Tenant to Landlord.

3. **Rent and Escalation.** Commencing with the first rental payment due following the Effective Date, the rent payable from Tenant to Landlord under the Lease is hereby increased to **Three Thousand and No/100 Dollars (\$3,000.00)** per month (the "**Rent**"). Commencing on March 1, 2017 and on each successive annual anniversary thereof, Rent due under the Lease shall increase by an amount equal to **Three percent (3%)** of the then-current Rent. Notwithstanding anything to the contrary contained in the Lease, all Rent and any other payments expressly required to be paid by Tenant to Landlord under the Lease and this Amendment shall be paid to **James City County**.
4. **Continuance of Lease.** Section 9 of the Lease shall be amended as follows: Each use of the term "Extended Term" shall be replaced by the term, "New Renewal Term."
5. **Revenue Share.**
  - a. Subject to the other applicable terms, provisions, and conditions of this Section, Tenant shall pay Landlord Fifty percent (50%) of any rents actually received by Tenant under and pursuant to the terms and provisions of any new sublease, license or other collocation agreement for the use of any portion of the Leased Premises entered into by and between Tenant, Tenant's affiliates, subsidiaries and/or successors in interest, and a third party (any such third party, the "**Additional Collocator**") subsequent to the Effective Date (any such amounts, the "**Collocation Fee**"). Notwithstanding the foregoing, Landlord shall not be entitled to receive any portion of any sums paid by a licensee or sublessee to (i) reimburse Tenant for any improvements to the Leased Premises or any structural enhancements to the tower located on the Leased Premises (such tower, the "**Tower**"), which have been made by Tenant for the benefit of any licensee, sublessee, or other third party or (ii) reimburse Tenant, in whole or in part, for costs, expenses, fees, or other charges incurred or associated with the development, operation, repair, or maintenance of the Leased Premises or the Tower. The Collocation Fee shall not be subject to the escalations to Rent as delineated in this Amendment and/or the Lease. To the extent the amount of rents actually received by Tenant from an Additional Collocator escalate or otherwise increase pursuant to those agreements, the Collocation Fee shall be based on such increased amount.
  - b. The initial payment of the Collocation Fee shall be due within thirty (30) days of actual receipt by Tenant of the first collocation payment paid by an Additional Collocator. In the event a sublease or license with an Additional Collocator expires or terminates, Tenant's obligation to pay the Collocation Fee for such sublease or license shall automatically terminate upon the date of such expiration or termination. Notwithstanding anything contained herein to the contrary, Tenant shall have no obligation to pay to Landlord and Landlord hereby agrees not to demand or request that Tenant pay to Landlord any Collocation Fee in connection with the sublease to or transfer of Tenant's obligations and/or rights under the Lease, as modified by this Amendment, to any subsidiary, parent or affiliate of Tenant.
  - c. Landlord hereby acknowledges and agrees that Tenant has the sole and absolute right to enter into, renew, extend, terminate, amend, restate, or otherwise modify (including, without limitation, reducing rent or allowing the early termination of) any future or existing subleases, licenses or collocation agreements for occupancy on the Tower, all on such terms as Tenant deems advisable, in



Tenant's sole and absolute discretion, notwithstanding that the same may affect the amounts payable to the Landlord pursuant to this Section.

- d. Notwithstanding anything to the contrary contained herein, Landlord hereby acknowledges and agrees that Tenant shall have no obligation to pay and shall not pay to Landlord any Collocation Fee in connection with: (i) any subleases, licenses, or other collocation agreements between Tenant, or Tenant's predecessors- in-interest, as applicable, and any third parties, or such third parties' predecessors or successors- in-interest, as applicable, entered into prior to the Effective Date (any such agreements, the "**Existing Agreements**"); or (ii) any amendments, modifications, extensions, renewals, and/or restatements to and/or of the Existing Agreements entered into prior to the Effective Date or which may be entered into on or after the Effective Date.
6. **Landlord and Tenant Acknowledgments**. Except as modified herein, the Lease and all provisions contained therein remain in full force and effect and are hereby ratified and affirmed. The parties hereby agree that no defaults exist under the Lease. Tenant and Tenant's sublessees and customers shall have vehicular (specifically including truck) and pedestrian access to the Leased Premises from a public right of way on a 24 hours per day, 7 days per week basis, together with utilities services to the Leased Premises from a public right of way. Upon request by Tenant and at Tenant's sole cost and expense but without additional consideration owned to Landlord, Landlord hereby agrees to promptly execute and return to Tenant building permits, zoning applications and other forms and documents, including a memorandum of lease, as required for the use of the Leased Premises by Tenant and/or Tenant's customers, licensees, and sublessees. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment.
7. **Limited Right of First Refusal**. Notwithstanding anything to the contrary contained herein, this paragraph shall not apply to any fee simple sale of the Parent Parcel from Landlord to any prospective purchaser that is not a Third Party Competitor (as herein defined). If Landlord receives an offer or desires to offer to: (i) sell or convey any interest (including, but not limited to, leaseholds or easements) in any real property of which the Leased Premises is a part to any person or entity directly engaged in the business of owning, acquiring, operating, managing, investing in or leasing wireless telecommunications infrastructure (any such person or entity, a "**Third Party Competitor**") or (ii) assign all or any portion of Landlord's interest in the Lease to a Third Party Competitor (any such offer, the "**Offer**"), Tenant shall have the right, exercisable in Tenant's sole and absolute discretion, of first refusal to purchase the real property or other interest being offered by Landlord in connection with the Offer on the same terms and conditions. If Tenant elects, in its sole and absolute discretion, to exercise its right of first refusal as provided herein, Tenant must provide Landlord with notice of its election not later than thirty (30) days after Landlord gives Tenant written notice of the Offer. If Tenant elects not to exercise Tenant's right of first refusal with respect to an Offer as provided herein, Landlord may complete the transaction contemplated in the Offer with the Third Party Competitor on the stated terms and price but with the express condition that such sale is made subject to the terms of the Lease, as modified by this Amendment. Landlord hereby acknowledges and agrees that any sale or conveyance by Landlord in violation of this Section is and shall be deemed to be null and void and of no force and effect. The terms, provisions, and conditions of this Section shall survive the execution and delivery of this Amendment.
8. **Landlord Statements**. Landlord hereby represents and warrants to Tenant that: (i) to the extent applicable, Landlord is duly organized, validly existing, and in good standing in the jurisdiction in which Landlord was organized, formed, or incorporated, as applicable, and is otherwise in good standing and authorized to transact business in each other jurisdiction in which such qualifications are required; (ii) Landlord has the full power and authority to enter into and perform its obligations under this Amendment, and, to the extent applicable, the person(s) executing this Amendment on behalf of

Landlord, have the authority to enter into and deliver this Amendment on behalf of Landlord; and (iii) Landlord is the sole owner of the Leased Premises and all other portions of the Parent Parcel; The representations and warranties of Landlord made in this Section shall survive the execution and delivery of this Amendment.

9. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein: to Landlord at: c/o Treasurer, 101C Mounts Bay Road, Williamsburg, VA 23185; to Tenant at: Attn: Land Management 10 Presidential Way, Woburn, MA 01801, with copy to: Attn Legal Dept., 116 Huntington Avenue, Boston, MA 02116. Any of the Parties, by thirty (30) days prior written notice to the others in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
10. **Counterparts.** This Amendment may be executed in several counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument, even though all Parties are not signatories to the original or the same counterpart. Furthermore, the Parties may execute and deliver this Amendment by electronic means such as .pdf or similar format. Each of the Parties agrees that the delivery of the Amendment by electronic means will have the same force and effect as delivery of original signatures and that each of the Parties may use such electronic signatures as evidence of the execution and delivery of the Amendment by all Parties to the same extent as an original signature.
11. **Governing Law.** Notwithstanding anything to the contrary contained in the Lease and in this Amendment, the Lease and this Amendment shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth of Virginia, without regard to the conflicts of laws provisions of such State or Commonwealth. Any dispute related to the Lease or this Amendment shall be brought in the circuit court of James City County or the general district court of James City County.
12. **Waiver.** Notwithstanding anything to the contrary contained herein, in no event shall Landlord or Tenant be liable to the other for, and Landlord and Tenant hereby waive, to the fullest extent permitted under applicable law, the right to recover incidental, consequential (including, without limitation, lost profits, loss of use or loss of business opportunity), punitive, exemplary and similar damages.
13. **Tenant's Securitization Rights; Estoppel.** Landlord hereby consents to the granting by Tenant of one or more leasehold mortgages, collateral assignments, liens, and/or other security interests (collectively, a "***Security Interest***") in Tenant's interest in this Lease, as amended, and all of Tenant's property and fixtures attached to and lying within the Leased Premises and further consents to the exercise by Tenant's mortgagee ("***Tenant's Mortgagee***") of its rights to exercise its remedies, including without limitation foreclosure, with respect to any such Security Interest. Landlord shall recognize the holder of any such Security Interest of which Landlord is given prior written notice (any such holder, a "***Holder***") as "Tenant" hereunder in the event a Holder succeeds to the interest of Tenant hereunder by the exercise of such remedies. Landlord further agrees to execute a written estoppel certificate within thirty (30) days of written request of the same by Tenant or Holder.
14. **Materialmen's Liens.** Tenant shall keep the real property of the Leased Premises free from any liens arising out of any work performed, materials furnished, or obligations incurred by or on behalf of Tenant. Should any claim of lien or other lien be filed against the Leased Premises by reason of any act or

omission of Tenant or any of Tenant's agents, employees, contractors, or representatives, then Tenant shall cause the same to be canceled and discharged of record by bond or otherwise within ten (10) business days after the filing thereof. Should Tenant fail to discharge such lien within such ten (10) business day period, then Landlord may discharge the same, in which event Tenant shall reimburse Landlord, within ten (10) business days, the amount of the lien or the amount of the bond, if greater, plus all reasonable administrative costs incurred by Landlord in connection therewith. The remedies provided herein shall be in addition to the other remedies available to Landlord under the Lease or otherwise. Tenant shall have no power to do any act or make any contract that may create or be the foundation of any lien, mortgage, or other encumbrance upon the reversionary or other estate of Landlord, or any interest of Landlord in the Leased Premises. NO CONSTRUCTION LIENS OR OTHER LIENS FOR ANY LABOR, SERVICES, OR MATERIALS FURNISHED TO THE LEASED PREMISES SHALL ATTACH TO OR AFFECT THE INTEREST OF LANDLORD IN AND TO THE LEASED PREMISES.

*[SIGNATURES COMMENCE ON FOLLOWING PAGE]*

**LANDLORD:**

**County of James City,**

a political subdivision of the Commonwealth of  
Virginia,

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**TENANT:**

**American Tower, L.P.**

a Delaware limited liability partnership

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



## **EXHIBIT A**

*This Exhibit A may be replaced at Tenant's option as described below*

### **PARENT PARCEL**

*Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon*

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

ALL of that certain lot, piece or parcel of land lying, being and situate in Roberts District, James City County, Virginia containing sixty (60.0) acres, more or less, as shown and designated on that certain blueprint entitled "PLAT OF PROPERTY TO BE CONVEYED TO JAMES CITY COUNTY FROM BUSCH PROPERTIES, INCORPORATED, JAMES CITY COUNTY, VIRGINIA, LANGLEY, McDONALD & OVERMAN, CONSULTING ENGINEERS, VA. BEACH, VA. OCTOBER 24, 1975", a copy of which Plat is attached hereto and made a part hereof.

Being a part of the same real estate conveyed to Grantor by Deed from Anheuser-Busch, Inc., a Missouri corporation, dated September 15, 1975, recorded October 10, 1975 in the aforesaid Clerk's Office in Deed Book 163, page 443.

### **LEASED PREMISES**

*Tenant shall have the right to replace this description with a description obtained from the Lease or from a description obtained from an as-built survey conducted by Tenant.*

The Leased Premises consists of that portion of the Parent Parcel as defined in the Lease which shall include access and utilities easements The Square footage of the Leased Premises shall be the greater of: (i) 2,500 square feet; (ii) Tenant's existing improvements on the Parent Parcel; or (iii) the legal description or depiction below (if any).

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 89° 38' 10" W, 10.00' TO THE SOUTHWEST CORNER,

THENCE, N 00° 21' 50" E, 40.00' TO THE NORTHWEST CORNER,

THENCE, S 89° 38' 10" E, 62.50' TO THE NORTHEAST CORNER,

THENCE, S 00° 21' 50" W, 40.00' TO THE SOUTHEAST CORNER,

THENCE, N 89° 38' 10" W, 52.50' TO THE POINT OF BEGINNING AND CONTAINING 2,500 SQUARE FEET IN THE LEASE AREA.

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 89° 38' 10" W, 10.00' TO THE SOUTHWEST CORNER,

THENCE, N 00° 21' 50" E, 40.00' TO THE NORTHWEST CORNER,

THENCE, S 89° 38' 10" E, 62.50' TO THE NORTHEAST CORNER,

THENCE, S 00° 21' 50" W, 40.00' TO THE SOUTHEAST CORNER,

THENCE, N 89° 38' 10" W, 52.50' TO THE POINT OF BEGINNING AND CONTAINING 2,500 SQUARE FEET IN THE LEASE AREA.

## ACCESS AND UTILITIES

The access and utility easements include all easements of record as well that portion of the Parent Parcel currently utilized by Tenant for ingress, egress and utility purposes from the Leased Premises to and from a public right of way including but not limited to:

COMMENCING AT A POINT IN THE APPROXIMATE CENTERLINE OF MOUNTS BAY ROAD AT THE INTERSECTION OF THE CENTERLINE OF THE NEW 20' WIDE ACCESS/UTILITY EASEMENT, SAID POINT BEING AT STATE PLANE COORDINATES AS SHOWN ON THIS DRAWING,

THENCE, ALONG THE CENTERLINE OF THE NEW 20' UTILITY/ACCESS EASEMENT, N 66° 37' 28" W, 40.92' TO A POINT,

THENCE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 79.21', AN ARC DISTANCE OF 42.78' TO A POINT,

THENCE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 72.10', AN ARC DISTANCE OF 13.69' TO A POINT,

THENCE, S 56° 31' 30" W, 21.30' TO A POINT,

THENCE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 42.75', AN ARC DISTANCE OF 32.12' TO A POINT,

THENCE, N 80° 25' 40" W, 42.67' TO A POINT,

THENCE, S 87° 17' 02" W, 78.47' TO A POINT,

THENCE, S 80° 03' 36" W, 31.71' TO A POINT,

THENCE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00', AN ARC DISTANCE OF 43.77' TO A POINT,

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 89° 38' 10" W, 10.00' TO THE SOUTHWEST CORNER,

THENCE, N 00° 21' 50" E, 40.00' TO THE NORTHWEST CORNER,

THENCE, S 89° 38' 10" E, 62.50' TO THE NORTHEAST CORNER,

THENCE, S 00° 21' 50" W, 40.00' TO THE SOUTHEAST CORNER,

THENCE, N 89° 38' 10" W, 52.50' TO THE POINT OF BEGINNING AND CONTAINING 2,500 SQUARE FEET IN THE LEASE AREA.

## **EXHIBIT B**

# **FORM OF MEMORANDUM OF LEASE**

**Prepared by and Return to:**

American Tower  
10 Presidential Way  
Woburn, MA 01801  
Attn: Land Management/Sarah Kmiecik, Esq.  
ATC Site No: 28219  
ATC Site Name: Mounts Bay, VA  
Assessor's Parcel No(s): 50-1-01-0-0009-LA and 50-1-01-0-0009

**Prior Recorded Lease Reference:**

Document No: 020005540  
Commonwealth of Virginia  
County of James City

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**MEMORANDUM OF LEASE**

This Memorandum of Lease (the "**Memorandum**") is entered into on the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_ by and between **County of James City**, a political subdivision of the Commonwealth of Virginia, ("**Landlord**") and **American Tower, L.P.**, a Delaware limited liability partnership ("**Tenant**").

**NOTICE** is hereby given of the Lease (as defined and described below) for the purpose of recording and giving notice of the existence of said Lease. To the extent that notice of such Lease has previously been recorded, then this Memorandum shall constitute an amendment of any such prior recorded notice(s).

1. **Parent Parcel and Lease.** Landlord is the owner of certain real property being described in **Exhibit A** attached hereto and by this reference made a part hereof (the "**Parent Parcel**"). Landlord (or its predecessor-in-interest) and Tenant (or its predecessor-in-interest) entered into that certain Lease Agreement dated June 5, 2001 (as the same may have been amended from time to time, collectively, the "**Lease**"), pursuant to which the Tenant leases a portion of the Parent Parcel and is the beneficiary of certain easements for access and public utilities, all as more particularly described in the Lease (such portion of the Parent Parcel so leased along with such portion of the Parent Parcel so affected, collectively, the "**Leased Premises**"), which Leased Premises is also described on **Exhibit A**.
2. **Expiration Date.** Subject to the terms, provisions, and conditions of the Lease, and assuming the exercise by Tenant of all renewal options contained in the Lease, the final expiration date of the Lease would be February 28, 2051. Notwithstanding the foregoing, in no event shall Tenant be required to exercise any option to renew the term of the Lease.
3. **Leased Premises Description.** Tenant shall have the right, exercisable by Tenant at any time during the original or renewal terms of the Lease, to cause an as-built survey of the Leased Premises to be prepared and, thereafter, to replace, in whole or in part, the description(s) of the Leased Premises set forth on **Exhibit A** with a legal description or legal descriptions based upon such as-built survey. Upon Tenant's request, Landlord shall execute and deliver any documents reasonably necessary to effectuate such replacement, including, without limitation, amendments to this Memorandum and to the Lease.

4. **Right of First Refusal.** There is a right of first refusal in the Lease.
5. **Effect/Miscellaneous.** This Memorandum is not a complete summary of the terms, provisions and conditions contained in the Lease. In the event of a conflict between this Memorandum and the Lease, the Lease shall control. Landlord hereby grants the right to Tenant to complete and execute on behalf of Landlord any government or transfer tax forms necessary for the recording of this Memorandum. This right shall terminate upon recording of this Memorandum.
6. **Notices.** All notices must be in writing and shall be valid upon receipt when delivered by hand, by nationally recognized courier service, or by First Class United States Mail, certified, return receipt requested to the addresses set forth herein: to Landlord at: c/o Treasurer, 101-D Mounts Bay Road, Williamsburg, VA 23185; to Tenant at: Attn: Land Management 10 Presidential Way, Woburn, MA 01801, with copy to: Attn Legal Dept., 116 Huntington Avenue, Boston, MA 02116. Any of the parties hereto, by thirty (30) days prior written notice to the other in the manner provided herein, may designate one or more different notice addresses from those set forth above. Refusal to accept delivery of any notice or the inability to deliver any notice because of a changed address for which no notice was given as required herein, shall be deemed to be receipt of any such notice.
7. **Counterparts.** This Memorandum may be executed in multiple counterparts, each of which when so executed and delivered, shall be deemed an original and all of which, when taken together, shall constitute one and the same instrument.
8. **Governing Law.** This Memorandum shall be governed by and construed in all respects in accordance with the laws of the State or Commonwealth in which the Leased Premises is situated, without regard to the conflicts of laws provisions of such State or Commonwealth.

[SIGNATURES COMMENCE ON FOLLOWING PAGE]



**IN WITNESS WHEREOF**, Landlord and Tenant have each executed this Memorandum as of the day and year set forth below.

**LANDLORD**

**County of James City,**  
a political subdivision of the Commonwealth of  
Virginia,

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

State/Commonwealth of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, \_\_\_\_\_  
the undersigned Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed  
to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity  
upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

[SEAL]

*[SIGNATURES CONTINUE ON FOLLOWING PAGE]*

**TENANT**

**American Tower, L.P.**

a Delaware limited liability partnership

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**WITNESS AND ACKNOWLEDGEMENT**

Commonwealth of Massachusetts

County of Middlesex

On this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, \_\_\_\_\_  
the undersigned Notary Public, personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed  
to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or the entity  
upon which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_

[SEAL]

## **EXHIBIT A**

*This Exhibit A may be replaced at Tenant's option as described below*

### **PARENT PARCEL**

*Tenant shall have the right to replace this description with a description obtained from Landlord's deed (or deeds) that include the land area encompassed by the Lease and Tenant's improvements thereon*

The Parent Parcel consists of the entire legal taxable lot owned by Landlord as described in a deed (or deeds) to Landlord of which the Leased Premises is a part thereof with such Parent Parcel being described below.

ALL of that certain lot, piece or parcel of land lying, being and situate in Roberts District, James City County, Virginia containing sixty (60.0) acres, more or less, as shown and designated on that certain blueprint entitled "PLAT OF PROPERTY TO BE CONVEYED TO JAMES CITY COUNTY FROM BUSCH PROPERTIES, INCORPORATED, JAMES CITY COUNTY, VIRGINIA, LANGLEY, McDONALD & OVERMAN, CONSULTING ENGINEERS, VA. BEACH, VA. OCTOBER 24, 1975", a copy of which Plat is attached hereto and made a part hereof.

Being a part of the same real estate conveyed to Grantor by Deed from Anheuser-Busch, Inc., a Missouri corporation, dated September 15, 1975, recorded October 10, 1975 in the aforesaid Clerk's Office in Deed Book 163, page 443.

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THENCE, N 00° 21' 50" E, 40.00' TO THE NORTHWEST CORNER,

THENCE, S 89° 38' 10" E, 62.50' TO THE NORTHEAST CORNER,

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COMMENCING AT A POINT IN THE APPROXIMATE CENTERLINE OF MOUNTS BAY ROAD AT THE INTERSECTION OF THE CENTERLINE OF THE NEW 20' WIDE ACCESS/UTILITY EASEMENT, SAID POINT BEING AT STATE PLANE COORDINATES AS SHOWN ON THIS DRAWING,

THENCE, ALONG THE CENTERLINE OF THE NEW 20' UTILITY/ACCESS EASEMENT, N 66° 37' 28" W, 40.92' TO A POINT,

THENCE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 79.21', AN ARC DISTANCE OF 42.78' TO A POINT,

THENCE, ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 72.10', AN ARC DISTANCE OF 13.69' TO A POINT,

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THENCE, N 80° 25' 40" W, 42.67' TO A POINT,

THENCE, S 87° 17' 02" W, 78.47' TO A POINT,

THENCE, S 80° 03' 36" W, 31.71' TO A POINT,

THENCE, ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 25.00', AN ARC DISTANCE OF 43.77' TO A POINT,

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 00° 21' 50" E, 26.92' TO THE POINT OF BEGINNING OF THE NEW 40' X 62.5' LEASE AREA;

THENCE, N 89° 38' 10" W, 10.00' TO THE SOUTHWEST CORNER,

THENCE, N 00° 21' 50" E, 40.00' TO THE NORTHWEST CORNER,

THENCE, S 89° 38' 10" E, 62.50' TO THE NORTHEAST CORNER,

THENCE, S 00° 21' 50" W, 40.00' TO THE SOUTHEAST CORNER,

THENCE, N 89° 38' 10" W, 52.50' TO THE POINT OF BEGINNING AND CONTAINING 2,500 SQUARE FEET IN THE LEASE AREA.

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Colonial Community Corrections (CCC) Elimination of Two Part-Time Positions and Creation of One Permanent Full-Time Position

---

Colonial Community Corrections (CCC) provides probation supervision to offenders living in six neighboring jurisdictions – to include offenders referred by the Williamsburg-James City County courts. CCC probation officers have caseloads averaging 138.5 per officer, well exceeding the state recommendation of sixty (60) offenders per probation officer. Until recently, we were able to manage our caseloads with the existing allocated staff to include a part-time Probation Officer Assistant and a part-time Probation Officer. However, CCC has had a very difficult time hiring and retaining competent staff for these part-time jobs. We advertised for more than six (6) months and were unsuccessful in recruiting qualified candidates. Moreover, new Department of Criminal Justice Service standards require we increase our supervision contacts with offenders and that we supervise in accordance with evidence-based practices (requiring more time with each probationer). These additional requirements will place increased strain on our probation staff.

Staff requests the Board approve the elimination of the part-time Probation Officer Assistant and part-time Probation Officer positions, and that the Board create a permanent full-time Probation Officer position.

**ATTACHMENTS:**

	Description	Type
□	mem	Cover Memo
□	res	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:45 AM
Police	Rinehimer, Bradley	Approved	1/25/2017 - 11:45 AM
Publication Management	Burcham, Nan	Approved	1/25/2017 - 11:54 AM
Legal Review	Kinsman, Adam	Approved	1/26/2017 - 1:59 PM
Board Secretary	Fellows, Teresa	Approved	1/26/2017 - 2:00 PM
Board Secretary	Purse, Jason	Approved	1/30/2017 - 9:17 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 4:29 PM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Colonial Community Corrections Elimination of Two Part-Time Positions and Creation of One Permanent Full-Time Position

---

Colonial Community Corrections (CCC) provides probation supervision to offenders living in six neighboring jurisdictions – to include offenders referred by the Williamsburg-James City County courts. CCC probation officers have caseloads averaging 138.5 per officer, well exceeding the state recommendation of sixty (60) offenders per probation officer. Until recently, we were able to manage our caseloads with the existing allocated staff to include a part-time Probation Officer Assistant and a part-time Probation Officer. However, CCC has had a very difficult time hiring and retaining competent staff for these part-time jobs. We advertised for more than six (6) months and were unsuccessful in recruiting qualified candidates. Moreover, new Department of Criminal Justice Service standards require we increase our supervision contacts with offenders and that we supervise in accordance with evidence-based practices (requiring more time with each probationer). These additional requirements will place increased strain on our probation staff.

Staff requests the Board approve the elimination of the part-time Probation Officer Assistant and part-time Probation Officer positions, and that the Board create a permanent full-time Probation Officer position.

HAD/kb  
CCCpositions-mem

Attachment



## RESOLUTION

### COLONIAL COMMUNITY CORRECTIONS ELIMINATION OF TWO PART-TIME

### POSITIONS AND CREATION OF ONE PERMANENT FULL-TIME POSITION

WHEREAS, Colonial Community Corrections (CCC) requests two part-time positions be eliminated: Probation Officer Assistant and Probation Officer; and

WHEREAS, CCC has the need for one full-time Probation Officer; and

WHEREAS, existing funding will be used to staff the new full-time position.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes elimination of the part-time Probation Officer Assistant and the part-time Probation Officer positions and approves the establishment of a Full-Time Probation Officer effective January 24, 2017.

#### Revenue:

Commonwealth of Virginia	<u>\$35,917</u>
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#### Expenditure:

Personnel	<u>\$35,917</u>
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\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:		VOTES		
		<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
	MCLENNON	_____	_____	_____
	SADLER	_____	_____	_____
	HIPPLE	_____	_____	_____
	LARSON	_____	_____	_____
ONIZUK	_____	_____	_____	

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

CCCpositions-res

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Sheriff Robert J. Deeds, Williamsburg-James City County Sheriff's Office

SUBJECT: Authorization of a Full-Time Deputy Sheriff Position

---

**ATTACHMENTS:**

	Description	Type
▣	Memorandum	Cover Memo
▣	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Teague, Patrick	Approved	1/13/2017 - 3:40 PM
Board Secretary	Purse, Jason	Approved	1/30/2017 - 9:20 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 4:29 PM
Publication Management	Burcham, Nan	Approved	1/30/2017 - 4:31 PM
Legal Review	Kinsman, Adam	Approved	2/6/2017 - 2:59 PM
Board Secretary	Fellows, Teresa	Approved	2/6/2017 - 3:02 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:13 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Sheriff Robert J. Deeds, Williamsburg-James City County Sheriff's Office

SUBJECT: Authorization of a Full-Time Deputy Sheriff Position

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By this memorandum, on behalf of the Williamsburg-James City County Sheriff's Office, I request that the James City County Board of Supervisors approve the establishment of a full-time deputy sheriff position. This position will fill a vacancy created by the loss of a full-time Compensation Board (CB)-funded deputy sheriff position. Funding is available for FY 17 in the CB budget from available vacancy savings and turnover funds.

Subsequent County funding will be partially offset by an ongoing increase in CB funding to the Base Temporary line. The deputy sheriff will serve the critical function of providing courthouse and courtroom security for our judges, courthouse staff, visitors and inmates while at the courthouse for court appearances. This court services position will conduct security screening for those entering the courthouse main lobby and for inmates arriving from the jail. The position will also serve as courtroom bailiff or extra security as needed when inmates are present in court. Other duties will include moving inmates between courtroom holding cells and the main lock-up area in the basement; transporting inmates occasionally; transporting people under Temporary Detention Orders (TDO) or transferring TDO's between mental health facilities; providing bank deposit service for our three court clerks; fingerprinting for Central Criminal Records Exchange purposes; staffing the courthouse central control room, including processing those who are remanded to custody and any other duties as needed.

It is requested that the James City County Board of Supervisors approve the establishment of a full-time deputy sheriff position for the Williamsburg-James City County Sheriff's Office effective March 1, 2017.

RJD/nb  
FullTmeDSheriff-mem

Attachment

## RESOLUTION

### AUTHORIZATION OF A FULL-TIME DEPUTY SHERIFF POSITION

WHEREAS, the James City Board of Supervisors has the authority to establish County full-time positions; and

WHEREAS, the Sheriff of the Williamsburg-James City County Sheriff's Office (WJCCSO) desires to establish a full-time Deputy Sheriff position at the Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the establishment of a full-time (2080 hours/year) Deputy Sheriff for the WJCCSO, effective March 1, 2017, to serve the critical function of providing courthouse and courtroom security, court bailiff services, transportation for inmates and people held under Temporary Detention Orders, processing for people remanded to custody, fingerprinting individuals for Central Criminal Records Exchange purposes and other duties as needed.

\_\_\_\_\_  
Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

FullTmeDSheriff-res

**AGENDA ITEM NO. I.3.****ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: VDOT Project No. UPC 100921. Longhill Road Widening - Phase 1, Resolution of Support

---

**ATTACHMENTS:**

	Description	Type
▣	Staff Report	Cover Memo
▣	Resolution	Resolution
▣	VDOT PowerPoint presentation from the January 24 work session	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	1/27/2017 - 4:03 PM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 4:22 PM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:54 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:30 AM

## MEMORANDUM

DATE: February 14, 2017

TO: The Board of Supervisors

FROM: Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Virginia Department of Transportation Project No. UPC 100921. Longhill Road Widening – Phase 1

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On Tuesday, December 6, 2016, the Virginia Department of Transportation (VDOT) held a Design Public Hearing at Lafayette High School for the above referenced project. VDOT presented the preliminary design to relieve congestion on Longhill Road by widening it from two- to four-lanes separated by a raised median and enhancing bicycle, pedestrian and bus accommodations. The current average daily traffic is 17,069 vehicles per day and this is anticipated to increase to 21,500 vehicles per day by the design year of 2040. The design plans presented by VDOT in December are consistent with both the Board adopted Longhill Road Corridor Study and the County's submission for funding through VDOT's SmartScale prioritization tool.

The following information was available for citizens to review:

- The draft of the Categorical Exclusion.
- Public Hearing Plans.
- The proposed typical section shown at the public hearing would provide a raised median with an 11-foot inside lane and a 13-foot outside lane in each direction. The wide outside lane serves as an on-road bicycle accommodation. A ten-foot multi-use path is provided on the north side of the roadway. There is a ten-foot landscaping area on the south side of the roadway and the eight-foot space between the curb and the multi-use path serves as a landscaping space on the north side of the roadway. A six-foot space on the outside of the multi-use path is provided for fixtures to light the path.
- The construction of the project will not displace any families, businesses or nonprofit organizations.
- The preliminary engineering cost is estimated at \$1,577,000. The right-of-way and utilities cost is estimated at \$3,437,000. The construction cost is estimated at \$14,786,000.
- The tentative schedule for advertisement for construction is spring 2018, utilizing Smart Scale funding and other state funds.

Sixty-two citizens attended the hearing. There were 24 written and five oral comments received for the record (two of those people also provided written comments). Six people mailed in comments and 16 email comments were received. The Windsor Forest Homeowners Association also submitted a petition with 122 signatures or names of property owners requesting VDOT reconsider the proposed bio-retention basin at the entrance to their development. Twenty-seven commenters specifically supported the project and eight commenters specifically opposed the project.

Staff from VDOT attended the January 24 Board of Supervisors work session to review the plans with the Board. They also provided an overview of the project and the public input that was received and discussed project timelines.



Due to the size and scale of this project, VDOT has requested the Board of Supervisors adopt a Resolution of Support for this project and this project design.

### **Recommendation**

As discussed during the January 24 work session, VDOT continues to work on specific design elements of this project in an attempt to address citizen and neighborhood concerns (e.g., landscape treatment of the stormwater bio-retention basin near Windsor Forest). As noted above, staff finds the plans are consistent with both the Board adopted Longhill Road Corridor Study and the County's submission for funding through VDOT's SmartScale prioritization tool; therefore, staff recommends the Board adopt the attached Resolution of Support.

### **Next Steps**

The project continues to proceed on an expedited timeline. Advertisement for Construction is expected on April 10, 2018, and Construction is projected to be complete by the end of calendar year 2020.

An additional important aspect of this project - both as included in the adopted Longhill Road Corridor Study and in the County's Commonwealth Transportation Board approved SmartScale application - is the undergrounding of existing utilities in the corridor. Staff was recently informed by VDOT however, that SmartScale funds cannot be used to underground utilities. While the VDOT funding would cover relocating existing overhead lines as part of the project, the relocated utilities would remain above ground. Such relocation of existing overhead utilities to underground is called a "betterment" and VDOT requires the additional incremental cost be paid for by other funds. Should the County wish to underground utilities as part of this project, VDOT requires the adoption of an ordinance designating the Longhill Road project limits as an underground utility district and the adoption of a resolution committing to fund the actual cost difference between relocating the utilities overhead vs. underground. Staff will be researching this matter further and will prepare information for the Board to consider at its March meeting.

PDH/nb  
Longhill-Ph1-mem

### Attachments:

1. Resolution
2. VDOT PowerPoint presentation from the January 24 work session

## **RESOLUTION**

### **VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT NO. UPC 100921.**

#### **LONGHILL ROAD WIDENING - PHASE 1**

- WHEREAS, on October 14, 2014, the Board of Supervisors adopted the Longhill Road Corridor Study Report (the Study); and
- WHEREAS, the adopted Study consisted of a thorough technical analysis of existing roadway conditions, environmental and historic features and existing pedestrian, bicycle and transit facilities and operations to give a broad assessment of the conditions along the corridor; and
- WHEREAS, the adopted Study analyzed land uses and market conditions to forecast future traffic volumes on the corridor and determined areas where levels of service may decline and become deficient; and
- WHEREAS, throughout development of the Study, extensive public input was sought and received; and
- WHEREAS, based on the extensive public input and thorough technical analysis, the Study proposed typical sections for the corridor, an access management plan, intersection design plans and project phasing plans; and
- WHEREAS, the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation (VDOT) in developing a Secondary Six-Year Plan (SSYP) for improvement and construction of the secondary roadway system; and
- WHEREAS, on May 10, 2016, the Board of Supervisors adopted its proposed FY 17-22 SSYP which identified improvements to Longhill Road as the County's number one priority; and
- WHEREAS, in June of 2016, the Commonwealth Transportation Board approved HB2 (now called SmartScale) funding to fully fund the design and construction of Phase I of the project (from Route 199 to Olde Towne Road); and
- WHEREAS, on December 6, 2016, VDOT held a Design Public Hearing that specifically related to UPC 100921, Longhill Road Widening - Phase I improvements; and
- WHEREAS, the preliminary plans presented by VDOT at the Design Public Hearing were substantially consistent with the adopted Longhill Road Corridor Study Report.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby endorses and approves the proposed VDOT Project No. UPC 100921 Longhill Road - Phase I widening and improvements, as presented at the Design Public Hearing in concept, and requests VDOT continue to resolve outstanding design issues to address citizen concerns in a timely manner.

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Kevin D. Onizuk  
Chairman, Board of Supervisors

ATTEST:

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Bryan J. Hill  
Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 14th day of February, 2017.

Longhill-Ph1-res



# ***Longhill Road Widening***

## ***Route 612***

State Project Number: 0612-047-631

UPC 100921

James City County

# PROJECT DETAILS

- **Fully Funded Smart Scale Project**
  - Design is based on the County's corridor study (phase 1 recommendations) and the County's Smart Scale application
  - \$19.9 Million
- **Project Website**
  - Available to the public
  - Includes displays of the design
  - Includes a traffic simulation

[http://www.virginiadot.org/projects/hamptonroads/longhill\\_road.asp](http://www.virginiadot.org/projects/hamptonroads/longhill_road.asp)

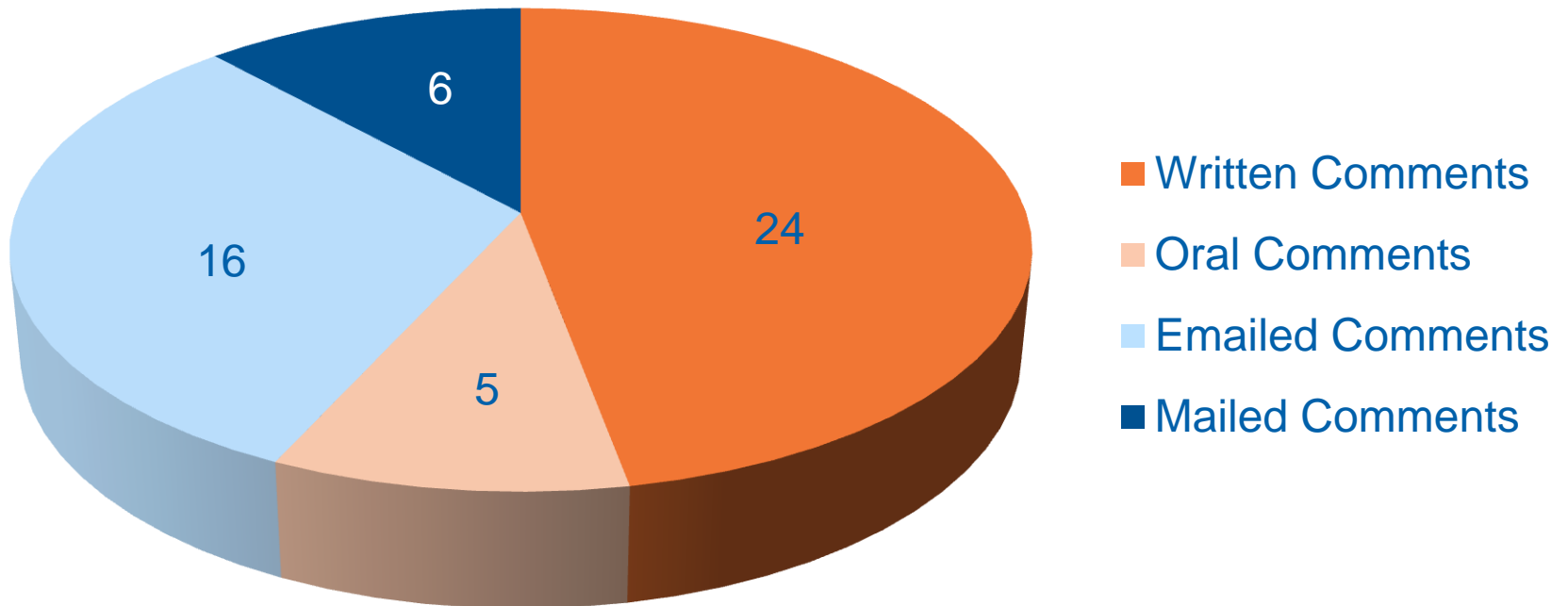
# PUBLIC HEARING

The Public Hearing for this project was held December 6, 2016, from 4:00-7:00pm at Lafayette High School in Williamsburg, VA.

Sixty-two (62) citizens attended the meeting.



# COMMENTS



51 comments received

# SUMMARY OF COMMENTS

- A roundabout is just a bad idea – 2
- The proposed roundabout would add to congestion – 6
- A roundabout would cause confusion to drivers and/or cause accidents – 6
- The project should be longer and/or also address traffic problems at Lafayette High School – 6
- Need to provide for U-turns at the Williamsburg West Drive intersection– 3
- Concerns about the bio-retention basin proposed at Devon Road – 10
  - ❖ The Windsor Forest Association also submitted a petition with one hundred twenty two (122) signatures or names of property owners requesting VDOT reconsider the proposed bio-retention basin at the entrance to their development.
- Specifically support project – 27
- Specifically oppose project – 8

# RESPONSE TO COMMENTS

## 1. Roundabout

- Traffic simulation shows no congestion
- Should not cause confusion – 95% of drivers will travel straight through
- There are more than 170 roundabouts in Virginia
- Substantially reduces the types of crashes that result in injury or loss of life

## 2. Length of the Project

- Implements the first phase of improvements proposed in the County's study of the entire Longhill Road corridor
- Improvement phases two and three would be addressed as separate projects

## 3. U-Turn Capability at Williamsburg West Drive intersection

- The intersection has been modified to provide for U-Turns

## 4. Windsor Forest Association – Bio-retention Basin

- Met with representatives of Windsor Forest Association
- Landscape architect can make basin aesthetically pleasing
- Will provide draft landscaping plan to the Association

# PROJECT SCHEDULE

- Right of Way Approval – May 1, 2017
- Advertisement for Construction – April 10, 2018
- Complete Construction – December 30, 2020

**ITEM SUMMARY**

DATE: 2/14/2017

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	2/7/2017 - 4:07 PM

## MEMORANDUM

DATE: February 14, 2017

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 January 4, 2017 through February 7, 2017:

### January 4, 2017 (Wednesday)

- Speaking engagement at the Kiwanis Club of Colonial Capital
- Met with Fran Geisler, Stormwater Director
- Met with Kitty Hall, Purchasing Director
- Attended Hampton Roads Planning District Commission (HRPDC) Chief Administrative Officers meeting
- Conference Call with Clarion, Strategic Planning Consultant

### January 5, 2017 (Thursday)

- Speaking engagement at the James City County/Williamsburg Master Gardeners
- WMBG Radio sports show

### January 6, 2017 (Friday)

- Attended 2017 Legislative Forum
- Attended Robert Wood Johnson Foundation (RWJF) meeting
- Met with Brad Rinehimer, Police Chief
- Met with Rebecca Vinroot, Social Services Director
- Met with Grace Boone, General Services Director
- Met with Sue Mellen, FMS Director, Sharon Day, FMS Assistant Director and Patrick Teague, HR Director
- Met with Bill Porter, Interim WATA Director, Sue Mellen, FMS Director, Doug Powell, JCSA Manager and Kitty Hall, Purchasing Director

### January 10, 2017 (Tuesday)

- Met with John Carnifax, Parks & Recreation Director
- Attended Williamsburg Harvest Celebration meeting
- Met with Karen Riordan, President & CEO of the Greater Williamsburg Chamber & Tourism Alliance and Kevin Onizuk, Board of Supervisors Chair
- Met with Sue Mellen, FMS Director
- Attended James City County Board of Supervisors meeting



January 11, 2017 (Wednesday)

- Attended Virginia Peninsula Regional Jail (VPRJ) GED Graduation ceremony
- Met with John Kuplinski, VPRJ Superintendent
- Met with Grace Boone, General Services Director
- Met with Renee Dallman, Senior Communications Specialist
- Attended Neighborhood Forum

January 12, 2017 (Thursday)

- Met with Paul Holt, Community Development Director
- Speaking Engagement: LEAD Historic Triangle Local Government Class; budget exercise
- WMBG Radio sports show

January 13, 2017 (Friday)

- Met with Ryan Ashe, Fire Chief and Tristan Aiken, Budget Management Specialist
- Met with prospect for Economic Development Director position

January 17, 2017 (Tuesday)

- Met with Jason Purse, Assistant County Administrator
- Met with Renee Dallman, Senior Communications Specialist
- Met with potential Economic Development Director prospect

January 18, 2017 (Wednesday)

- Attended VPRJ meeting
- Attended Parks & Recreation recognition event
- Met with Brad Rinehimer, Police Chief and Jeff Hicklin, Police Lieutenant
- Conference call with Clarion, strategic planning consultants
- Met with Sue Mellen, FMS Director
- Met with Library Director prospect

January 19, 2017 (Thursday)

- Attended Hampton Roads Transportation Planning Organization and HRPDC meetings
- Met with Ryan Ashe, Fire Chief and Tristan Aiken, Budget Management Specialist

January 20, 2017 (Friday)

- Attended James City County Service Awards
- Met with Rebecca Vinroot, Social Services Director
- Met with Sue Mellen, FMS Director, Brad Rinehimer, Police Chief, Ryan Ashe, Fire Chief, Paul Holt, Community Development Director
- Met with Edward Pultz, Pultz Builders and Adam Kinsman, County Attorney

## County Administrator's Report

February 14, 2017

Page 3

- Met with Doug Powell, JCSA Manager
- Met with Ted Henifin, Hampton Roads Sanitation District General Manager and Doug Powell, JCSA Manager

### January 23, 2017 (Monday)

- Met with Ryan Ashe, Fire Chief
- Met with Jack Haldeman, Planning Commission member
- Attended Peninsula Mayors & Chairs luncheon and meeting
- Met with Paul Holt, Community Development Director
- Met with Sue Mellen, FMS Director
- Met with Scott Thomas, Engineering & Resource Protection Director

### January 24, 2017 (Tuesday)

- Attended Agenda meeting
- Met with Edward Pultz on-site
- Met with Scott Thomas, Engineering & Resource Protection Director
- Met with Patrick Teague, HR Director
- Attended James City County Board of Supervisors meeting

### January 25, 2017 (Wednesday)

- Met with John Bull, Commissioner at Virginia Marine Resources Commission, Karina Hull, CDM Smith, Bryan Preston, McGuireWoods Consulting LLC, Doug Powell, JCSA Manager and Matthew Link, Permit Writer at Department of Environmental Quality
- Attended Greater Williamsburg Partnership Board meeting

### January 26, 2017 (Thursday)

- Met with Kyle Klyman
- Met with Randy Wheeler, Poquoson City Manager
- Attended Executive Leadership Team meeting

### January 27, 2017 (Friday)

- Met with Grace Boone, General Services Director
- Met with David Rose
- Met with Jason Purse, Assistant County Administrator and Paul Holt, Community Development Director
- Met with Library Director prospect

### January 30, 2017 (Monday)

- Met with Jason Purse, Assistant County Administrator and Don Patten
- Met with Jody Puckett, Communications Director and Latara Branch, Public Outreach Coordinator
- Met with Patrick Teague, HR Director

January 31, 2017 (Tuesday)

- Met with Jess Kersey

February 1, 2017 (Wednesday)

- Attended HRPDC Chief Administrative Officers retreat
- Met with Grace Boone, General Services Director
- Met with Ruth Larson, Supervisor

February 3, 2017 (Friday)

- Attended RWJF meeting
- Met with Police and FMS: budget meeting
- Met with Doug Powell, JCSA Manager and Max Hlavin, Assistant County Attorney
- Met with Whitney Katchmark, HRPDC Principal Water Resources Engineer

February 6, 2017 (Monday)

- Attended Clarion Training session
- Met with Patrick Teague, HR Director
- Met with Library Director prospect

February 7, 2017 (Tuesday)

- Attended groundbreaking ceremony for Billsburg Brewery with Thomas Tingle, Economic Development Authority Chair, Brandon Nice, David Nice Builders, David Baum, Billsburg, Rick Shippey, Billsburg, Kristin Baum, Billsburg
- Met with Rebecca Vinroot, Social Services Director

BJH/nb  
CAReport021417-mem

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Scott J. Thomas, Director of Engineering and Resource Protection

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 - Chesapeake Bay Board and Wetlands Board

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Engineering & Resource Protection	Thomas, Scott	Approved	1/27/2017 - 9:57 AM
Development Management	Holt, Paul	Approved	1/27/2017 - 10:25 AM
Publication Management	Burcham, Nan	Approved	1/27/2017 - 10:26 AM
Legal Review	Kinsman, Adam	Approved	1/29/2017 - 8:53 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 8:30 AM
Board Secretary	Purse, Jason	Approved	1/30/2017 - 9:22 AM
Board Secretary	Fellows, Teresa	Approved	1/30/2017 - 4:27 PM

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Community Services Coalition Board of Directors-Staff Appointment

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**ATTACHMENTS:**

Description	Type
-------------	------

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	1/25/2017 - 1:52 PM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 11:15 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:28 AM
Publication Management	Burcham, Nan	Approved	2/7/2017 - 11:35 AM
Legal Review	Kinsman, Adam	Approved	2/7/2017 - 11:54 AM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 11:56 AM
Board Secretary	Purse, Jason	Approved	2/7/2017 - 2:38 PM
Board Secretary	Fellows, Teresa	Approved	2/7/2017 - 2:42 PM

**ITEM SUMMARY**

DATE: 2/14/2017

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Administrative Coordinator

SUBJECT: Adjourn until 4 pm on February 28, 2017 for the Work Session

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/2/2017 - 12:54 PM