

**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 11, 2020**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

**E. PRESENTATIONS**

1. Economic Impact of the Federal Sector on James City County
2. Williamsburg Tourism Council Update

**F. PUBLIC COMMENT**

**G. CONSENT CALENDAR**

1. Minutes Adoption
2. Appointment of Local Fire Marshal
3. Authorization to Enter into a Memoranda of Understanding with Public Entities for the Provision of Services in Times of Emergency
4. Establishment of a Full-Time Groundskeeper I/II Position
5. Grant Award - Colonial Community Corrections - Department of Criminal Justice Services Byrne/JAG - \$2,785
6. Grant Award - Commonwealth Attorney - V-Stop Grant Program Fund - \$59,779
7. Initiation of Review of Zoning Ordinance to include Special Provisions for Certain Retaining Walls
8. Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Fair Housing Certification
9. Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Housing Rehabilitation Program Design and Residential Anti-Displacement and Relocation Assistance Plan

**H. PUBLIC HEARING(S)**

**I. BOARD CONSIDERATION(S)**

1. Toano Main Street Application

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**L. CLOSED SESSION**

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or

Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia

2. Colonial Community Criminal Justice Board - Staff Appointment
3. Economic Development Authority Appointment
4. Eastern Virginia Regional Industrial Facility Authority Appointments

**M. ADJOURNMENT**

1. Adjourn until 4 p.m. on February 25, 2020 for the Work Session

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Rear Admiral Craig Quigley, USN, Retired, Executive Director of HRMFFA

SUBJECT: Economic Impact of the Federal Sector on James City County

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**ATTACHMENTS:**

	Description	Type
▣	Presentation	Presentation
▣	Exhibit	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 11:28 AM

# Economic Impact of the Federal Sector on James City County

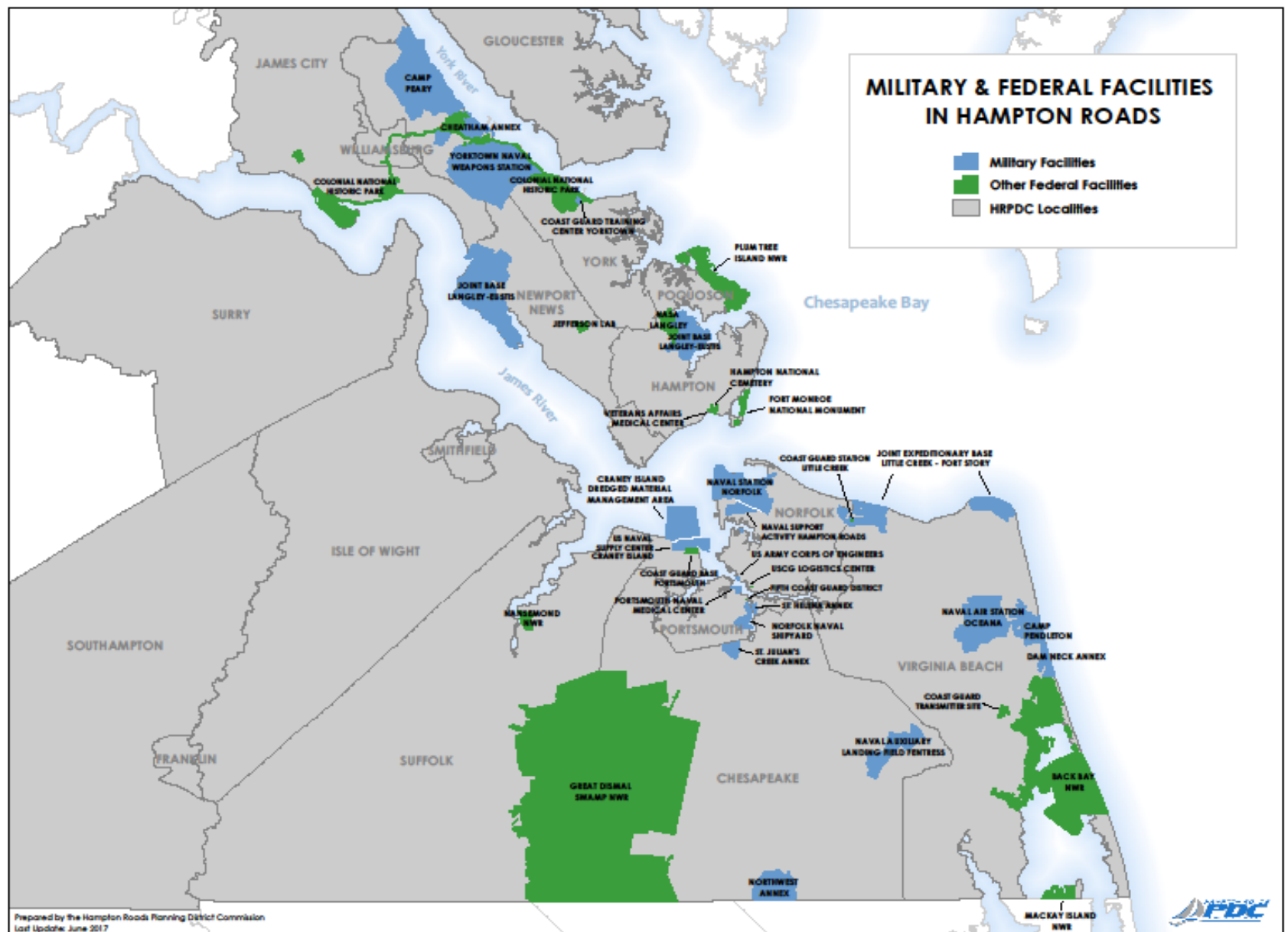


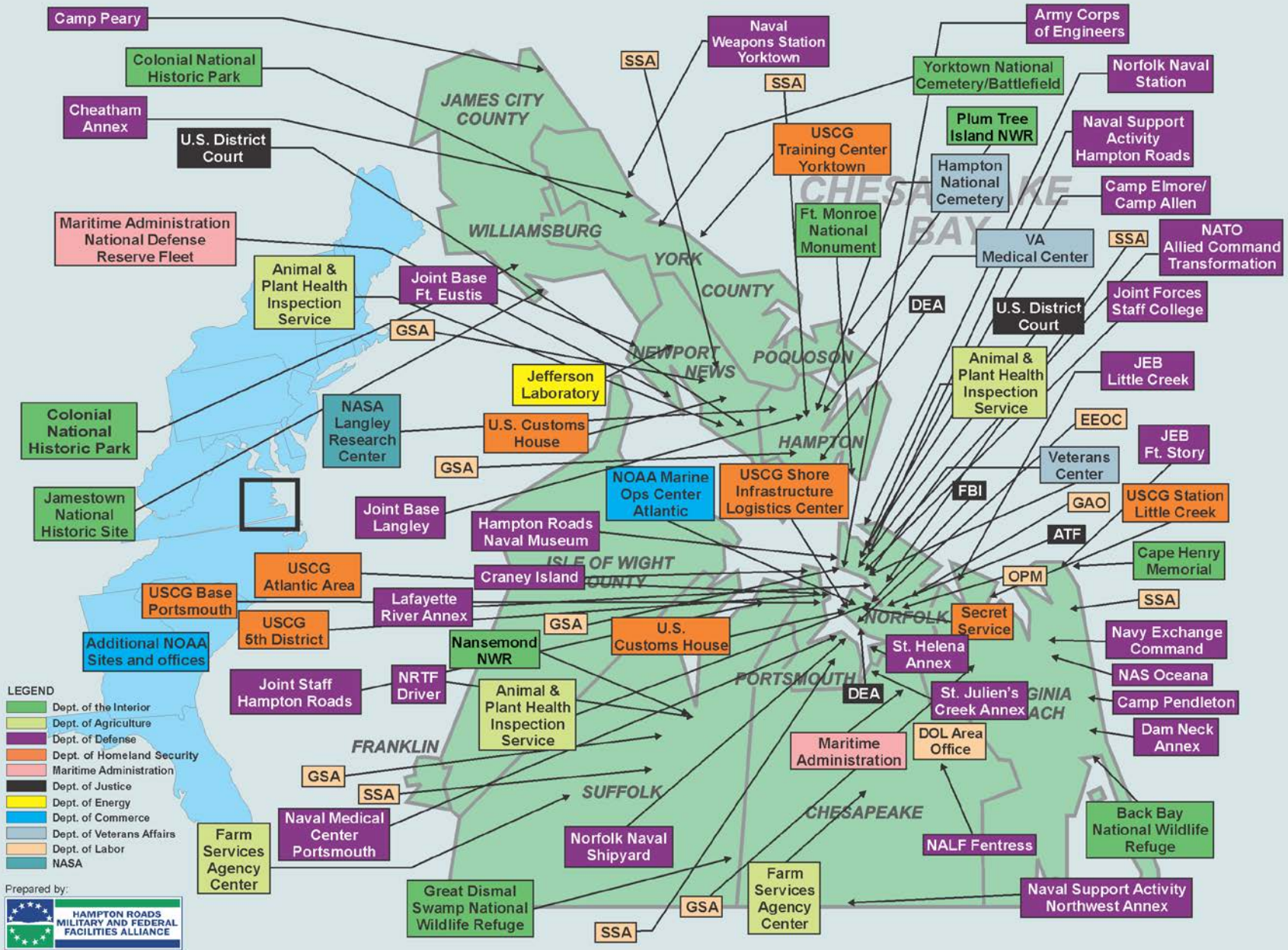
Craig Quigley  
Rear Admiral, U.S. Navy (Ret.)

## MILITARY & FEDERAL FACILITIES IN HAMPTON ROADS

 Military Facilities  
 Other Federal Facilities  
 HRPDC Localities

- ## MILITARY & FEDERAL FACILITIES IN HAMPTON ROADS
-  Military Facilities  
 Other Federal Facilities  
 HRPDC Localities





# BACKGROUND

- History of HRMFFA
- Federal Budget **REALLY** matters to us!
- Big questions
  - Increased Federal spending; how long?
  - Defense vs non-Defense spending. BRAC?
- James City County Federal impact

# Peninsula Installations

- Yorktown NWS – expanded mission
- Camp Peary – quiet but real
- Special Ops
- CG Training Center – hidden jewel!
- Huge National Park Service presence
- NASA Langley, JBLE, VA Medical Center, Jefferson Lab (EIC)

# Federal Impact on JCC

- 581 military live in JCC/W'burg; \$93,988/yr
- 230 Fed civilians in JCC/W'burg; \$113,908/yr
  - Avg non-military/Federal salary = \$42,660
- 16.3% of JCC pop (9,942) are vets; \$69,671/yr
- 6,677 military retirees in zip code prefix 231\*
  - Monthly retiree payments = \$19.9M
- 139K military/federal civilians in Hampton Roads
  - \$14.2B in compensation in 2017
- Federal sector ~\$44B of regional GDP (44%)
- JCC/Williamsburg GDP = \$4.1B in 2018
  - 44% = ~\$1.8B of JCC/Williamsburg GDP

## Our Ask

- HRMFFA formed in 2006 with agreement to fund at \$.50 per capita
- JCC has been funding at fixed rate (\$23,000, currently \$.31 per capita) for several years
- Only municipality of the 13 not meeting the 2006 agreement
- ASK: Increase support to \$37,918.50 for FY21, and tie future support to population. Approx +\$15,000.

**QUESTIONS?**

## **Hampton Roads Military and Federal Facilities Alliance**

<b><u>Jurisdiction</u></b>	<b><u>FY 2015</u></b>	<b><u>FY 2016</u></b>	<b><u>FY 2017</u></b>	<b><u>FY2018</u></b>	<b><u>FY2019</u></b>	<b><u>FY2020</u></b>	<b><u>Rate*</u></b>	<b><u>FY20 Pop.*</u></b>
Chesapeake	\$ 115,000.00	\$ 115,000.00	\$ 117,820.00	\$ 120,175.00	\$ 120,250.00	\$ 121,330.00	50.0 C	242,655
Franklin	4,291.00	4,327.50	4,280.00	4,268.00	4,298.00	4,237.00	50.0 C	8,474
Hampton	69,424.00	69,516.00	69,516.00	69,313.00	69,313.00	69,313.00	50.7 C	136,743
Isle of Wight County	18,090.00	18,231.00	18,086.00	18,219.00	18,537.00	18,667.00	50.0 C	37,333
<b>James City County</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>23,000.00</b>	<b>30.8 C</b>	<b>74,722</b>
Newport News	77,737.00	77,737.00	77,737.00	77,737.00	77,737.00	91,077.50	50.0 C	182,155
Norfolk	121,402.00	121,402.00	123,197.00	123,595.00	123,544.00	123,544.00	50.2 C	246,256
Poquoson	6,145.00	6,038.00	6,106.00	6,180.00	6,180.00	6,156.00	50.0 C	12,311
Portsmouth	49,257.00	49,257.00	48,401.00	48,401.00	48,090.00	47,720.00	50.0 C	95,440
Suffolk	43,235.00	43,916.00	44,793.00	45,213.00	45,861.00	46,267.00	50.0 C	92,533
Virginia Beach	215,175.00	224,814.00	225,836.00	226,700.00	226,814.00	227,224.00	50.0 C	454,448
Williamsburg	7,252.00	7,447.00	7,532.00	7,430.00	7,715.00	7,702.00	50.0 C	15,404
York County	<u>28,225.00</u>	<u>33,477.00</u>	<u>33,477.00</u>	<u>34,733.00</u>	<u>34,293.00</u>	<u>34,445.00</u>	50.0 C	68,890
	778,233.00	794,162.50	799,781.00	804,964.00	805,632.00	820,682.50	49.2 C	1,667,364

\* Using FY2020 funding and 2017 estimated census data from UVA Weldon Cooper Center.

**ITEM SUMMARY**

DATE: 2/11/2020

TO: Williamsburg Tourism Council Update

FROM: Victoria Cimino, Executive Director & CEO, Williamsburg Tourism Council

SUBJECT: Williamsburg Tourism Council Update

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 1:53 PM

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

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After completing the end of year audit of the public record, two sets of minutes from 2019 were found to be lacking an adoption date. They have been included for formal adoption.

**ATTACHMENTS:**

	Description	Type
☐	051419 BOS Regular Meeting	Minutes
☐	072319 BOS Work Session	Minutes
☐	010620 VACo Finance Forum	Minutes
☐	011320 School Legislation Day	Minutes
☐	011420 BOS Regular Meeting	Minutes
☐	012820 BOS Work Session	Minutes

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 2:06 PM

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**May 14, 2019**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

Michael J. Hipple, Vice Chairman, Powhatan District  
Ruth M. Larson, Berkeley District  
P. Sue Sadler, Stonehouse District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Graydon Hassan, a 5th-grade student at D.J. Montague Elementary School and a resident of the Jamestown District, led the Board and citizens in the Pledge of Allegiance

**E. PRESENTATIONS**

1. Social Services Department Retirement Recognition - Mr. Gregory L. Walker, Family Services Assistant

Ms. Rebecca Vinroot, Director of Social Services, referenced many commendable qualities Mr. Walker utilized during his 34 years of service with James City County. She stated Mr. Walker had done important work providing support and guidance to fathers who wanted to improve their parenting skills and stay connected to their children. She further stated he possessed personality characteristics of being engaging, versatile, supportive, flexible, and positive as well as having empathy for others, a sense of humor, sense of fashion, vocal abilities, and genuinely listened to others when they spoke. She mentioned Mr. Walker exemplified the County values of collaboration by never hesitating to assist with all tasks while promoting an amazing upbeat attitude. She noted Mr. Walker had great customer service skills as he portrayed respect, patience, and dignity with the County's most vulnerable residents.

Mr. Icenhour presented Mr. Walker with a Certificate of Service and Appreciation in recognition of 34 years of dedicated service with James City County.

Mr. Walker expressed his gratitude to God as well as Ms. Vinroot, fellow co-workers, friends, and family.

The Board members and audience gave Mr. Walker a standing ovation.

2. Safe Boating Week Proclamation

Mr. Icenhour presented a proclamation to three representatives from Williamsburg Flotilla 67 U.S. Coast Guard Auxiliary. He read the content to fellow Board members as well as the audience and shook each representative's hand.

3. Adult Abuse Prevention Month Proclamation

Mr. Icenhour read the proclamation and recognized May 2019 as Adult Abuse Prevention Month in James City County and called this observance to the attention of County citizens.

4. Foster Care Month Proclamation

Mr. Icenhour read the proclamation and recognized May 2019 as Foster Care Month in James City County. He called this observance to the attention of residents to recognize and show appreciation of foster care families for all that they do to ensure a safe place for foster children to thrive.

5. Williamsburg Area Arts Commission Annual Update

Ms. Susan Branch Smith, Chair, Williamsburg Area Arts Commission, introduced Commissioners in the audience of which four reside in the City of Williamsburg; four reside in James City County, and one who resides in York County. She explained each Commissioner established a relationship with assigned local art organizations and attended performances as well as events after which they reported back to the Commission. She gave a synopsis of the past year's events and remarked it had been a challenging year for the Commission. She discussed the protocol and procedures as well as correlating with the tourism fund. She expressed her thanks to the Board for its continued support of the Williamsburg Area Arts Commission as well as the Commissioners for their hard work and dedication.

Mr. McGlennon thanked Ms. Smith for the presentation and the work of the Commission. He applauded the development of web archives regarding the function of the Commission in past years, as well as considering new ways of participating in the funding of the arts. He inquired if the Commission received support from staff in any of the jurisdictions.

Ms. Smith replied yes, it had a liaison from the City of Williamsburg; however, there had been some crossover. She stated in the past year there had been approximately five months of work supported by the City of Williamsburg.

Mr. McGlennon inquired regarding where the Commission website was hosted.

Ms. Smith replied with the City of Williamsburg under the Boards and Commissions of the City Council.

The Board expressed its gratitude to the Commission for its work.

**F. PUBLIC COMMENT**

1. Mr. Jack Fowler, 109 Wilderness Lane, addressed the Board in regard to the progression of problems and curb appeal with area roads and the Virginia Department of Transportation (VDOT). Mr. Fowler commended Mr. Larry Richardson and his crew on their work regarding Croaker Road. He briefly discussed items he acknowledged at the Board of

Supervisors meeting last month.

2. Ms. Peg Boarman, Clean County Commission Chair, 17 Settlers Lane, addressed the Board in regard to Reducing, Reusing, and Recycling. She briefly discussed the 41st Annual Spring Cleanup held on April 13. She expressed her thanks to Mr. Hipple and his son Ben for coming out in the rain to encourage everyone who participated. She noted on May 4 the Commission joined with the Hampton Roads group "Team Up 2 Clean Up". She stated manufacture's needed to be encouraged to reduce their packaging and use more recyclable material. She further stated the Commission recently attended the Virginia Recycling Association Convention. She invited the Board to attend a picnic to celebrate James City County volunteers June 1 from 4-8 p.m. at Veterans Park in the Will Barnes Shelter. She noted for more information or to RSVP call 565-0032 or 259-5375.

3. Ms. Emma Zahren-Newman, Clean County Commission Co-Chair, 1203 London Company Way, addressed the Board in regard to the James City County Clean County Commission. She briefly discussed creative solutions to reducing trash in everyday life and reflected back on efforts the Commission was currently accomplishing. She noted the Commission was making sure it was reorganizing, re-evaluating, and doing things as efficiently as possible in an effort to match the County goals. She briefly discussed details of the upcoming picnic to be held on June 1 and the Committee's creative solutions toward recycling.

## **G. CONSENT CALENDAR**

### **1. Minutes Adoption**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **2. Resolution Designating May as Building Safety Month**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **3. Diascund Reservoir Park Cooperation Agreement**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **4. Chesapeake Bay Restoration Fund Grant**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **5. Contract Award - James City County Recreation Center Multi-Purpose Fields Irrigation**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **6. Contract Award - Public Safety Physicals**

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

7. Contract Award - Storm Drain System Repairs

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

8. Contract Awards - Annual HVAC Support Services

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

**H. PUBLIC HEARING(S)**

Mr. Icenhour recognized Mr. Danny Schmidt, Planning Commission Vice Chair, in the audience.

1. Case No. Z-19-0002. 8231 Richmond Road Rezoning

A motion to Postpone until the June 11, 2019, Board of Supervisors meeting was made by John McGlennon, the motion result was Passed.  
AYES: 4 NAYS:1 ABSTAIN: 0 ABSENT: 0  
Ayes: Hipple, Icenhour Jr, Larson, McGlennon  
Nays: Sadler

Mr. Tom Leininger, Planner, gave an overview of a staff report and resolution included in the Agenda Packet.

Mr. Icenhour asked his fellow Board members if they had any questions for staff.

Mr. Hipple inquired if this was a family-owned business.

Mr. Leininger replied yes.

Mr. Schmidt gave a brief synopsis of the April 3, 2019, Planning Commission meeting. He stated the Planning Commission supported the rezoning by a vote of 5-4 with none against.

Mr. Icenhour asked his fellow Board members if they had any questions for staff.

As the Board members had no questions, Mr. Icenhour opened the Public Hearing.

1. Mr. Forrest Harris, 105 Friars Court, Applicant, addressed the Board and stated this had been a family business for the past 27 years and looked forward to bringing good jobs to the County.

Mr. Hipple expressed his thanks to Mr. Harris for going through the process and welcomed him to James City County.

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

2. Case No. HW-19-0001. Busch Gardens Height Limitation Waiver 2019

Ms. Roberta Sulouff, Senior Planner, gave an overview of a staff report and resolution included in the Agenda Packet.

Mr. Icenhour asked his fellow Board members if they had any questions for staff.

Mr. McGlennon referenced the presentation and report Ms. Sulouff had prepared and noted there had not been much in terms of public comment at that time, but since then there had been some significant comments.

Ms. Sulouff replied yes, at the time she prepared the report there was no public feedback; however, recently correspondence had been received and forwarded to the Board.

Mr. Icenhour asked his fellow Board members if they had any questions for staff.

As the Board members had no questions, Mr. Icenhour opened the Public Hearing.

1. Mr. Kevin Lembke, President of Busch Gardens Williamsburg and Water Country USA, 4051 Longview Landing, addressed the Board in regard to Busch Gardens. He stated Busch Gardens is a critical business in James City County, which drives significant tax revenue as well as being a large employer. He further stated continued development is very important in an ever-increasing competitive business nature and new attractions are critical to that function. He further commented Busch Gardens continues to try to be a great community partner and remarked that for 29 years in a row Busch Gardens has been considered the world's most beautiful theme park. He noted his desire to continue a collaborative approach, which was critical regarding this decision. He further noted multiple options were considered in these decisions, as well as awareness of a long history with the neighboring community. He stated in order to continue its track of growth, tax revenue, and continued employment, the support of the Board was needed in moving forward.

2. Ms. Suzy Cheely, Senior Leader for Design and Engineering for Busch Gardens Williamsburg and Water Country USA, gave an overview of photos included in the Agenda Packet. She discussed three balloon tests that were completed in 2017 and noted these tests were held at various locations inside and outside the park. She briefly discussed results of a sound study completed by Navcon Engineering. She referenced Kingsmill Community Services Association (KCSA), a neighborhood community organization in the Kingsmill on the James subdivision. She noted a meeting with approximately 11 residents was held on May 6 in order to provide information regarding this height waiver request. She commented the park and marketing leaders had selected this world class attraction in an effort to bring visitors to Busch Gardens as well as local restaurants, hotels, and other businesses in James City County.

3. Mr. Andrew Lloyd-Williams, 120 Captaine Graves, spoke as a member of the Board of Directors of the KCSA and a representative of Kingsmill residents who reside in the Wareham's Pond Road area and whom as a group would be most affected by noise from the proposed new attraction. He addressed a few deficiencies in the application and stated at short notice Busch Gardens representatives provided an opportunity to give a presentation to Kingsmill residents regarding the proposed new attraction, thus only 11 residents showed up for the meeting. He further stated that request referred to the application for a height waiver; however, it did not mention the height requested and provided no details for the proposed attraction. He expressed gratitude to Mr. McGlennon for attending the meeting. He remarked the Busch Gardens representative showed various photographs from Attachment No. 3 of the Board's materials, but provided very little information regarding the nature of the structure beyond what could be determined from the photographs. He further remarked that presently the nature of the proposed attraction was still not defined; therefore, the worst must be assumed. He commented that on August 8, 2017, the Board of Supervisors approved a

similar application for Busch Gardens regarding a project named Madrid, which had a height waiver of 315 feet. He further commented the application did not include photographs from within Kingsmill; whereas, the tallest point of that structure would be visible and referenced comments in the staff report regarding the proposed attraction at that time and noted Madrid had not yet been built. He briefly discussed a footprint shown by new documents filed with the James City County Planning Department on February 5, 2019. He discussed Busch Gardens had still not publically released any information on what type of ride the 315-foot Madrid would be; however, the new documents showed it would be very big. Mr. Lloyd-Williams noted this was in addition to a new screaming swing ride that opened May 3, 2019, named Finnegan's Flyer. He referenced the current application as well as staff report and discussed Attachment No. 3 regarding sight lines. He further referenced the use of the term "Kingsmill Resort and Subdivision" and commented it revealed a lack of understanding about the Kingsmill community, which was much larger than the Kingsmill Resort. He stated his calculations indicated the tallest point of this proposed structure would only be 1,440 feet from the Wareham's Pond Recreation Center. He stated he prepared an enhanced location map from "your materials" along with the James City County aerial map from 2017 and emailed it to all of the Supervisors. He further stated the map he prepared was similar to the current location map, but included all of Kingsmill and had circular bands showing various distances from the location of the tallest point of the proposed structure. He explained from that map at least 20 homes could be seen which were located less than 2,000 feet from the approximate location of the tallest point of the proposed structure. He discussed issues of noise and referenced a comment by staff in the staff report, which they found to be unacceptably trite. He noted that in 2014 a limited noise study regarding the effect of noise from Busch Gardens on the Kingsmill community was conducted by Navcon Engineering and a copy of the report was provided to the James City County Planning Division and stamped as received on May 30, 2014. He further noted it would be essential for a proper study to be performed on the effect of this proposed new attraction on homes in the vicinity of Wareham's Pond Road as well as other locations within Kingsmill. He provided suggestions of various tests; whereas, local residents would be provided sufficient advanced notice in an effort to enable them to observe both visually and audibly. He briefly discussed that the need for Busch Gardens to innovate was recognized and quoted Section 15-20 of James City County Ordinances regarding the effects of public noise on health, welfare, peace, safety, and the quality of life. He discussed other theme park rides and commented Busch Gardens was doing very well in competing with the world's scariest rides. In conclusion, it was suggested Busch Gardens seek other ways to innovate without building taller and taller structures, and asked that the Board of Supervisors deny this request for a height waiver at least until the Madrid project was fully operational and a comprehensive study had been conducted of the possible worst effects of noise from this attraction on nearby Kingsmill residents.

The audience applauded.

4. Mr. John Hudson, 120 John Bratton, addressed the Board in regard to Busch Gardens Height Limitation Waiver 2019. He stated he was a Kingsmill resident and currently served as Vice President of the Kingsmill Homeowners Board of Directors. He further stated this evening he was the official spokesperson for the Kingsmill Board of Directors. He referenced a letter the Kingsmill Homeowners Board of Directors sent to Mr. McGlennon through its legal counsel that requested the Board of Supervisors table any final decision on granting the height restriction on the waiver and allow the Kingsmill residents time to better understand the proposal. He further stated Kingsmill was the community most impacted by this proposal. He remarked the amount of time that was provided to communicate this proposal across the large and complex Kingsmill community was not sufficient. He suggested more time was required for residents in order to obtain a fair and full airing of the proposal. He further remarked the Kingsmill Board of Directors wanted to allow time for Busch Gardens to provide it with sufficient information, whereas, the impact of the project on the Kingsmill community could be fully assessed. He requested the Board of Supervisors table any decision on this proposal and

pick it up again at a future meeting.

5. Ms. Margaret Fowler, 406 Rivers Edge, addressed the Board in regard to Busch Gardens and stated she was not present as a Kingsmill resident; however, she endorsed everything Mr. Williams previously stated regarding Case No. HW-19-0001, Busch Gardens Height Limitation Waiver 2019. She returned before the Board this evening to reflect back seven years ago when she raised her hand in opposition to the Surry-Skiffes Creek transmission line project across the James River which had “consumed her life since that time.” She briefly discussed recently in the news it was mentioned the United States Appeals Court in the District of Columbia ruled that in fact the United States Army Corps of Engineers and Dominion Energy did not do their job adequately in capturing all of the impacts from that project. She discussed pleas to try and stop the towers from being built and the fact that roller coasters could be seen above tree tops as could the Mach Tower. She referenced six criteria staff had prepared and remarked No. 3 stated, “such structure will not impair the enjoyment of historic attractions in areas of significant historic interest” and briefly discussed this comment noting that she could not disagree more. She noted the Mach Tower and other rides were viewable from the river proper, the end of Jamestown Island, and Black Point. She commented viewshed experts from the Argon National Laboratory were being retained to do an evaluation of the newly built towers. She further commented there was precedence for that project to be torn down. She stressed the County should remember that for some citizens there was a corporate memory of a long seven-year battle that got us to this point today. In closing, she stated everything the Board did impacted other projects at hand, most of all the Surry-Skiffes Creek project and asked the Board to deny this request.

The audience applauded.

6. Mr. Steven Ralph, 104 Winster Fax, addressed the Board in regard to Case No. HW-19-0001, Busch Gardens Height Limitation Waiver 2019. Mr. Ralph read a quote from the Federal Aviation Administration (FAA), Advisory Circular 70-7460-1L, “Federal Law requires that the FAA determine whether a structure that is proposed to be built or altered 200 feet above ground level, or higher, or near an airport, does not pose a hazard to the airspace.” He stated the information he received regarding this hearing had no mention about the FAA ever being contacted to find out if this did violate airspace. The next point he mentioned was light pollution and noted that anything above 200 feet was going to have lights due to it being a vertical obstruction. He noted he did not know what the structure would look like; however, anything over 200 feet could have red or white lights and potentially flash 24 hours a day. He commented in order to make an informed decision, information regarding what this structure would look like was necessary and then Kingsmill residents could see what they were going to be looking at 24 hours a day.

The audience applauded.

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

Mr. McGlennon stated he felt it was important for the Board to explain to anyone who may not be aware, that height waivers were different than some other land use decisions the Board had to make due to the fact that they come straight to the Board of Supervisors and do not go to the Planning Commission. He noted concerns were expressed and all Board members received a copy of the letter from the KCSA asking for an opportunity for more time to think about and get more information regarding this case. He remarked he would like to start by asking a few more questions of Ms. Cheely or others from the Busch Gardens team, in an effort to clarify a couple of points brought up this evening. He inquired about the location of the high point on the attraction listed on the map, and noted it sounded as if it was indicated it was not exactly as shown on the map the Board had in its packet.

Ms. Cheely responded it was per the location in the Board's packet and explained the location that Ms. Sulouff had presented showed it closer to Kingsmill.

Mr. McGlennon inquired if Ms. Cheely would repeat what the distances were to the Carter's Grove Country Road and the nearest residence.

Ms. Cheely replied approximately 1,000 feet from Carter's Grove Country Road and per other applications with the Mach Tower and the Verbolten, those were approximately the same distance.

Mr. McGlennon inquired about the distance between the nearest resident in Kingsmill.

Ms. Cheely responded 17,050 feet.

Mr. McGlennon inquired if Ms. Cheely could provide more information regarding a sound study previously referenced, which included sounds of human voices on an attraction of a similar nature.

Ms. Cheely replied yes and explained this was the same firm that provided the sound study used for Verbolten and Mach Tower, which took into account the mechanics, machinery, and ride vehicles, as well as human screams. She noted Navcon Engineering were experts in their field and cited the maximum sound that would be heard in Kingsmill would be approximately 54 decibels and Harrops Glen and Pierces Court were locations previously used in other studies. She stated the entire study could not be shared as this type of business depended on keeping the attraction a secret as long as possible; however, information was provided to Navcon Engineering.

Mr. McGlennon inquired if the results of the study could be shared.

Ms. Cheely replied she could read the last sheet of her report that stated, "the maximum predicted noise levels in the Kingsmill community range from 42-54 decibels" and remarked this could be compared to a home HVAC unit sitting outside which would be 85-90 decibels.

Mr. McGlennon inquired about the status of a height waiver approved a few years ago for the Madrid project.

Ms. Cheely replied the Madrid project never came to fruition and stated there was a request for a different project with 180 feet being its tallest height. She further stated because the 315-foot height waiver was approved there was no need to reapply. She commented the building permit and site plan approvals were currently in place for that project.

Mr. McGlennon noted an issue was raised regarding whether the FAA had been contacted in relation to this project.

Ms. Cheely responded they would be applying for approval from the FAA; however, certain things had to happen before other things could happen.

Mr. McGlennon inquired about the number of current attractions that would need to have an FAA mandated light on top of its structure.

Ms. Cheely replied Mach Tower had lights at the top and it was likely this one would as well.

Mr. McGlennon asked if she could describe the light.

Ms. Cheely responded the light on top of Mach Tower was blinking and the colors were white

during the day and red at night.

Mr. McGlennon stated otherwise the County regulations would not permit uplighting beyond 60 feet of a building.

Ms. Cheely replied correct, there were no plans regarding uplighting beyond 60 feet.

Mr. McGlennon asked for the indulgence of the Board, at the appropriate point, to ask that there be a deferral of the decision on this case until the June meeting. He stated a deferral would provide an opportunity for residents to have a chance to pursue questions they might have in an effort to better understand what was being proposed and allow the Board to fully understand the reaction of the residents and the impact of the proposal on the destination. He pointed out that since Mr. Icenhour closed the Public Hearing on this item, there would be an opportunity for citizens to comment during the Public Comment section if the Board agreed to defer consideration to the June meeting.

Mr. Hipple expressed his appreciation to Busch Gardens for the work it did for the community. He stated a few of the comments made this evening sounded like the residents of Kingsmill were not provided enough advance warning of a meeting and noted it was nothing that was required, but Busch Gardens does this in an effort to be a good neighbor. He asked if there were any differences in the procedure that was made in meeting with Kingsmill residents compared to past meetings.

Ms. Cheely replied the sound study was in the process of being finalized when the President of the KCSA was contacted to schedule the meeting. She stated there were other meetings already scheduled and the earliest available was May 6.

Mr. Hipple stated due to the KCSA scheduling issues, it could not be held as early as anticipated.

Ms. Cheely replied correct. She stated they spoke with the President of KCSA and wanted to make certain the sound study was complete by the meeting date in an effort to share the results with the Kingsmill residents. She further stated it was important to let the residents know Busch Gardens was looking at trying to keep effects, visual impacts, and sound impacts to a minimum to the neighborhood.

Mr. Hipple confirmed that out of 2,800 residents in Kingsmill only 11 attended the meeting.

Ms. Cheely responded she believed that was correct.

Mr. Hipple stated there were a few comments made this evening and he wanted to give Ms. Cheely a chance to respond. He briefly discussed the use of secrecy in this type of business regarding proposed rides and remarked some residents might not understand that concept. He noted this project had a finish date of 2020.

Ms. Cheely commented the earliest this project would be complete was 2021. She stated she did understand the confusion regarding the Madrid and emphasized there would not be two attractions over 300 feet, there would only be this one proposed attraction. She remarked it would be minimal, as it was tall and thin and more of a lattice type construction versus anything solid. She further remarked the color could be blue, silver, or whatever color choice the County decided it preferred. She emphasized Busch Gardens sincerely tried to be a good neighbor and understood its proximity to Kingsmill. She stated both Busch Gardens and Kingsmill were under construction back in the early 1970s and the park opened in 1975. She further stated it was not until the late 1980s that the Jefferson Hundred neighborhood and areas around Wareham's Pond Road began getting closer to the park. She noted Busch

Gardens had consistently expanded and increased its rides and attractions to keep guests coming into the area and would like to continue to work collaboratively with Kingsmill.

Ms. Larson expressed her thanks to Ms. Cheely for attending the meeting and recently speaking with her on the telephone. She inquired if there was usually a lot of feedback in the summer from Kingsmill residents regarding noise and lighting.

Ms. Cheely replied yes and stated comments received were usually in regard to the occasional train whistle as well as fireworks. She noted the fireworks lasted approximately five to 10 minutes and were not displayed every evening.

Ms. Sadler expressed her thanks to Ms. Cheely for meeting with the Board. She remarked she had read an email that stated sound tests were performed at 2:00 a.m. and inquired if she could confirm the time.

Ms. Cheely responded no, that was misinformation. She explained the sound study was performed with data and explained that process.

Ms. Sadler asked for clarity that Busch Gardens was not required to hold community meetings.

Ms. Cheely replied no; however, that was an effort to try and be a good neighbor with the Kingsmill community.

Ms. Sadler inquired if the original location was moved further out to mitigate sound.

Ms. Cheely replied correct, as well as mitigating visual impact. She discussed balloon studies performed and efforts made for the location to be further away from Kingsmill.

Ms. Sadler inquired if that aided in the sound mitigation.

Ms. Cheely replied yes.

Ms. Sadler referenced the business practice of limited knowledge and visualization regarding a proposed attraction.

Ms. Cheely responded that was correct, and stated everything could not be kept secret; however, the closer a project was to finishing up, the more information there was to share. She further stated at this stage of the process Busch Gardens tried to “keep the cards close to the vest” for competitive reasons, which was really required in this type of business.

Mr. Icenhour stated Ms. Cheely indicated the Madrid ride, which was originally approved for 315 feet, was not going to be built.

Ms. Cheely responded correct.

Mr. Icenhour commented since that attraction was not going to be built was it possible to share information regarding the width of that particular ride.

Ms. Cheely replied it would have been taller than the 2020 ride.

Mr. Icenhour inquired if there was a wider visual range intended for that attraction.

Ms. Cheely replied yes.

Mr. Icenhour referenced the height of 355 feet and stated the attraction had been moved over to a point of lower elevated land. He clarified the 355 feet was from the base of the attraction to the top; therefore, it was not just absolute above sea level it was above the ground level at that point.

Ms. Cheely responded correct.

Mr. Icenhour referenced the sound study and how it could be rather academic. He commented after many years around jet engines he knew that to be true. He inquired if an actual sound study reading had been performed, either in the park or in any of the surrounding communities, as opposed to engineering projections of what sound might be, but instead an actual physical sound study. He suggested such a study could be held on an evening when people were riding a roller coaster. He noted questions of interest would be: what does it sound like and what are the decibel levels over in the community and in the park. He stated he would be interested in knowing this information as it would possibly be more meaningful than an engineering study might project.

Ms. Cheely replied recently discussion had ensued regarding such a study to be used as a comparison.

Mr. Icenhour stated the results would be beneficial for everyone. He remarked his neighborhood was located five or six miles from CSX tracks and there were nights when he could hear a train passing and noted it was a matter of how sounds carry. He further stated if Busch Gardens could endeavor to do such a study it would be helpful to see the results.

Mr. Icenhour asked his fellow Board members if there were any other questions.

Ms. Sadler referenced a conversation earlier in the day with Mr. Paul Holt, Director of Community Development and Planning, and wanted to confirm Busch Gardens and Kingsmill opened in the early 1970s around the same timeframe.

Mr. Holt replied yes. He stated Ms. Cheely mentioned earlier in this discussion that some areas of the park were opened in advance of the sections that were closest to the park.

Ms. Sadler reiterated it progressed in stages.

Mr. Holt replied correct.

Ms. Sadler inquired if it was fair to say some of the areas in Kingsmill were later in the developmental phase of Kingsmill.

Mr. Holt replied correct.

Ms. Sadler inquired if to his knowledge Mr. Holt knew whether the County and Busch Gardens had followed the process to make sure this was following the correct protocol.

Mr. Holt responded correct.

Ms. Sadler asked Mr. Holt to confirm SeaWorld Parks and Entertainment, LLC, was the No. 1 Employer in James City County.

Mr. Holt replied he was able to pull the information from the County's CAFR for June 30, 2018, which showed Busch Gardens Williamsburg was the principal employer in the County, and SeaWorld Parks and Entertainment, LLC, was listed as the No. 2 principal property taxpayer in the County.

Mr. Hipple stated he was not much for deferrals and postponements, but there were times it was necessary and asked Mr. McGlennon if his motion would be deferred to the next work session.

Mr. McGlennon replied his concern would be that the work session was scheduled for the following week and therefore would not allow a lot of time for things such as a sound study to be completed. He stated he would be referencing the June 11, 2019 meeting.

General discussion ensued regarding this process.

Mr. Hipple reiterated the Kingsmill community had 2,800 residents and only 11 attended the May 6 meeting regarding the proposed new attraction and commented “now we are changing what we are doing, but I will work with the Board on whatever it needs to do.” He stated Busch was a great corporate citizen and gave kudos for all the work it had done for the community. He discussed vegetation at Busch Gardens and gave notability for the 29 years holding the Beautification Award. He mentioned the roads in front of Busch Gardens and noted it took care of them as well as kept that area clean and safe. Mr. Hipple noted Busch Gardens had always been a great corporate donor for anything the County asked. He remarked many people moved here after Busch Gardens was established and knew what they were moving into and noted it also needed to be looked at from that perspective. He commented he was glad to see a noise study would be done and was interested in seeing the results. He further stated he did not want to delay the process any longer than necessary.

Ms. Larson expressed her gratitude to everyone who attended this meeting to speak about their concerns and expressed her thanks to Busch Gardens for all it does for the James City County community. She stated she was excited Busch Gardens was always looking to invest more in new attractions and explained this helped tourism that in turn helped everyone. She addressed Mr. McGlennon and commented it was his district and she would support his motion to come back on June 11 and revisit this item. She briefly reflected on conversations she recently had with a few Kingsmill residents she knew regarding this issue.

Mr. McGlennon stated it was important to recognize Busch Gardens was one of the County’s most important corporate citizens with great attractions that bring many people to the area. He stressed it was critically important to that enterprise to continue refreshing its product which they were providing to the public. He stated the County had a premier community that made a wonderful neighborhood for many people and everyone would take their own perspective on this issue. He further stated before he suggested the idea of delaying the final determination, he asked Busch Gardens if this was a critical time in terms of its needs and the response was it would not interfere with its timeline for getting things done. He commented it was important for everyone to have an opportunity to get a sense of what was involved, and briefly discussed Kingsmill and Busch Gardens had each grown and the Board needed to make a well-informed decision regarding this matter.

Ms. Sadler discussed Busch Gardens was a tremendous driver for tourism in the locality and she would not support the deferral proposal as Busch Gardens was a good community asset that helped keep tax rates low. She further stated it was an individual’s choice to live where he/she chose to live. Ms. Sadler expressed her appreciation to Mr. McGlennon regarding his motion, but felt in the best interest of the County’s No. 1 business she would support Busch Gardens being able to move forward with this proposal.

Mr. Hipple asked Mr. McGlennon if the motion could be a postponement and not a deferral.

General discussion ensued regarding a motion of postponement until the Board of Supervisors June 11, 2019 meeting.

3. Proposed Fiscal Year 2020-2025 Secondary Six-Year Plan

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Tom Leninger, Planner, gave an overview of a memorandum and resolution included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

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

**I. BOARD CONSIDERATION(S)**

1. An Ordinance to Enact a User Fee for Curbside Recycling Collection Service

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Grace Boone, General Services Director, gave an overview of the memorandum and Ordinance included in the Agenda Packet.

Mr. Icenhour asked his fellow Board members if they had any questions.

As there were no questions, Mr. Icenhour looked to the Board for a motion.

Ms. Larson expressed her appreciation to Ms. Boone, staff, and other localities for the hard work regarding this Curbside Recycling Collection Service User Fee.

2. Fiscal Year 2020 Budget Adoption

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Sharon Day, Financial and Management Services Interim Director, gave an overview of the memorandum and Resolution of Appropriation included in the Agenda Packet.

Mr. Icenhour asked his fellow Board members if they had any questions.

Mr. McGlennon stated he did not have any questions, but instead expressed his gratitude to Ms. Day, Mr. Stevens, and the Executive Leadership Team for the excellent job of putting together the budget and briefly discussed challenges involved in the process.

Ms. Larson mirrored Mr. McGlennon's sentiments. She remarked that she had spoken with citizens regarding recycling as well as continued conversations about Senate Bill (SB) 942.

Ms. Larson commented SB 942 monies had helped tremendously this year and felt it was a good process. She expressed appreciation for the hard work of everyone involved.

Ms. Sadler stated she had been opposed to SB 942 in the past and was still opposed. She further stated it had been her hope to reduce the tax rate for citizens; however, after speaking

with some of her colleagues she noted there was not a consensus for a reduction. She briefly reiterated that discussions held during the recent work session regarded the Liaison Committee discussing issues of Future Think Accuracies, especially for areas like Colonial Heritage and other age-restricted communities as well as the potential for facilities for Bright Beginnings. She commented she was happy to increase and maintain the County emergency services and public safety. In conclusion, Ms. Sadler stated she was still opposed to SB 942; however, because we need a budget she would be supporting it this year.

3. Case No. C-18-0118. 4704 Lady Slipper Path, Fence

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Kinsman gave an overview of the staff report and resolution included in the Agenda Packet.

Mr. Icenhour asked his fellow Board members if they had any questions.

Mr. Hipple inquired who owned the land.

Mr. Kinsman replied individual citizens owned their property; however, the County had a scenic easement that encumbered the property landowners already own.

General discussion ensued regarding the topic of scenic easements.

4. Requesting the Commonwealth Prioritize the Next Segment of Interstate 64 Widening - Lightfoot to Bottoms Bridge

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Stevens gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. Hipple stated the Commissioner's thought process was to start from Bottoms Bridge and come back to James City County. Mr. Hipple's thought process was "to continue the path being done out of James City County and up through New Kent County." He noted there were approximately 8.3 miles left to finish in James City County to get out of the County and all the bridges were wide enough; therefore, it was just road and shoulder work. He remarked it would not be as expensive compared to previous projects the County had taken on with the Hampton Roads Transportation Accountability Committee (HRTAC). He further remarked he was trying to get the entire HRTAC, Transportation Planning and Organization, Planning District Commission behind this project and get jurisdictions to say "yes, we want to continue in the direction we started" even though presently it was going from Interstate 295 to Bottoms Bridge with a five-mile stretch. He commented a second stretch would hopefully start in an effort to get out of James City County and move up through New Kent County and noted if the monies were to dry up, he did not want a bottleneck situation just past Lightfoot.

Ms. Larson stated she did not know how all of this was going to work, as she was not on the Board when all of this was happening. Her understanding was New Kent County had an opportunity to contribute and chose not to and asked if that was correct.

Mr. Hipple replied that was correct.

Ms. Larson inquired if New Kent County had changed its mind.

Mr. Hipple responded New Kent County was presently looking at what it needed to do regarding this issue.

General discussion ensued in relation to this issue.

Mr. Hipple stated currently there were 200 single-mile lanes of transportation projects in Hampton Roads. He noted huge amounts of transportation projects had moved through the Hampton Roads area. He referenced the signing of the Hampton Roads Bridge Tunnel with the Governor, Commissioner, and Secretary of Transportation in attendance. He further noted that was \$3.6 billion and was the largest transportation project in the United States. He expressed his enthusiasm and pointed out “it was happening in Hampton Roads and James City County was a big part of helping get there.”

Ms. Larson thanked Mr. Hipple for the information and hoped other counties realized the importance of helping finance this important project.

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

Mr. Hipple stated the Spring Fish Fry was held May 11 at the Volunteer Fire Department and remarked the event was sold out even though it was raining. He inquired if Mr. Stevens would ask Mr. Rossie Carroll, VDOT Residency Administrator, if he would look into putting a light at Route 60 and Forge Road. He referenced a recent accident which occurred at that location and wished everyone well. He stated he and Mr. Icenhour attended an event at Ford’s Colony on May 9 and spoke about happenings in the County. He noted that May 1, he spoke to students at D.J. Montague Elementary School regarding healthy food and where it comes from. He noted the Board met with Mr. Doug Powell, General Manager, James City Service Authority (JCSA), and reviewed future water needs. He remarked April 13 was Trash Day and invited everyone interested to join the Clean County Commission. He briefly discussed the April 25 signing of \$3.6 billion for the Hampton Roads Bridge Tunnel project and commented by the end of 2025 there would be an eight-lane tunnel in Hampton Roads. He expressed kudos to the Governor, General Assembly and Senate members, communities, VDOT, Commissioner of VDOT, and Secretary of Transportation for everyone’s involvement in the tunnel project.

Ms. Larson reminded citizens that on Wednesdays between 5-5:30 p.m. WMBG radio station spotlighted Board members and expressed her appreciation for this opportunity. She stated she recently attended the Tourism Kickoff at Busch Gardens and received a bag with several brochures that listed activities available in the Greater Williamsburg Area. She mentioned to Mr. Stevens it would be good if the new Tourism Director for the Tourism Council could attend a Board of Supervisors meeting in the future. She remarked she attended a ribbon cutting ceremony for Celli’s Chocolate Chips, a new cookie and coffee shop that recently opened on Route 5 and commented the cookies were delicious. She reminded the Board of her desire to begin a subcommittee, which would regard advocacy work at the state level for school funding. She recently met with Mr. Andrew Trivette, Manager of the City of Williamsburg, Ms. Barbara Ramsey, City of Williamsburg Council Member, and Ms. Kyra Cook, Williamsburg-James City County School Board Member and noted Mr. Trivette would be reaching out to Mr. Stevens in the near future. She thanked Mr. Stevens for the employee retirement spotlights, as she appreciated the opportunity to hear contributions employees made toward the success of James City County. She referenced naming in the County as well as suggested creating a guideline of how to go about naming a building and briefly discussed this

issue.

Ms. Sadler stated she recently attended a Hampton Roads Military and Federal Facilities Alliance meeting with Ms. Robin Bledsoe, Chair of the Economic Development Authority (EDA), Mr. Chris Johnson, Economic Development Interim Director, and Mr. Stevens and would be updating the Board when there was more information available. She noted she attended the Project Discovery banquet honoring several local students and commented it was always one of her favorite yearly events to attend. Ms. Sadler referenced the accident at Route 60 and Forge Road that Mr. Hipple previously mentioned and noted she received a message from a citizen who had seen Chief Rinehimer out in the rain assisting with the accident. She thanked Chief Rinehimer for helping with that situation. She expressed her gratitude for the opportunity to speak on radio station WMBG, in addition to expressing her thanks to JCSA employees who recently handled a matter in her neighborhood. She noted she attended the Small Business Awards and gave a shout-out to all of the local businesses honored in conjunction with expressing her gratitude to everyone for their contributions to the community.

Mr. McGlennon stated he and Mr. Stevens had the opportunity to participate in a ribbon cutting at Busch Gardens for Finnegan's Flyer as well as rode on the attraction. He further stated he attended the Teacher of the Year Recognition for the Superintendents Advisory Council. He noted the practice of recognizing Teachers of the Year from various elementary, middle, and high schools, as well as a Teacher of the Year recognition for the school system as a whole. He acknowledged the Williamsburg-James City County schools recognized a Rookie of the Year in each of its schools. He noted he and Mr. Stevens attended a Virginia Association of Counties meeting. He informed his fellow Board members they would be receiving a survey link being conducted by the Virginia Coalition of High Growth Communities in regard to proffers and impact fees. He noted the results would be sent to the 40 fastest growing communities in the state and presented to the Housing Commission. He remarked the Housing Commission would be meeting this summer regarding legislation relating to proffers and impact fees. He further remarked the Coalition was having a workshop on the same topic which would be held on June 14 in the Spotsylvania Courthouse. He stated he recently made a trip to the Treasurer's Office and paid his taxes. He cited this experience provided him an opportunity to think about what citizens receive at the local level for their tax dollars. He recognized that the County had a first class school system, great public services, great security from public safety officers, wonderful parks and recreation facilities, a strong business community, and the professional staff that could deal with almost any issue or problem citizens brought to them.

Ms. Larson referenced the Ironman Triathlon event and stated it was incredible with over 2,000 participants. She expressed her gratitude to staff, volunteers, first responders, and anyone involved with the event. She discussed the possibility of future triathlons held in the community.

Mr. Icenhour commended the Police Department for the Shred-A-Thon held on May 4. He stated that on May 4 he attended the 10th Anniversary of the Parker View Senior Apartments, a retirement community located in Ironbound Village, and appreciated the opportunity to participate in the event. He further stated recently he and Mr. Hipple attended a Town Hall meeting in Ford's Colony and he would like to speak with staff regarding a list of items derived from the gathering. He explained the value of Town Hall meetings was for the community to have the opportunity to share concerns that perhaps the Board of Supervisors may not have been aware. He noted he had begun taking tours of the various County schools and on May 10, he took a tour of Blayton Elementary School. Mr. Icenhour mentioned the upcoming Board of Supervisors Retreat and survey and noted Mr. Stevens would provide information on those topics.

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

Mr. Stevens stated he would like to welcome the Pure Silk Championship Ladies Professional Golf Association (LPGA) event to be held in James City County on May 20-26. He further stated this event would host some of the LPGA top players and encouraged members of the community to enjoy the amazing talents to be held in James City County. He mentioned the Jamestown Jams, featuring Trademark, concert series was returning May 31, with the first of four concerts to be held at the Jamestown Beach Event Park. He noted this was free live music and the theme for May was Motown Night. He further noted gates would open at 5:30 p.m. and the concert would begin at 6 p.m. He referenced the upcoming Board of Supervisors Retreat to be held on May 31 and noted it would have discussion regarding Board interactions as well as exercises provided in an effort to get to know one another. Mr. Stevens stated he would provide a six-month summary of where he had been and what he had seen, in an effort to address areas where the Board wanted his attention, in terms of being in the community, with staff, or other parts of the region. He stated there would be a survey at a high level regarding economic development priorities sometime in the fall, in an effort to see where the Board and EDA members were together as well as apart and to make certain the Board, EDA, and staff were traveling in the right direction in terms of economic development. He noted if there were other topics in terms of forward thinking that required discussion after the Retreat, we would be happy to discuss those items at a future date.

## **L. CLOSED SESSION**

A motion to Certify the Board only spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

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

At approximately 7:43 p.m., the Board re-entered Open Session.

### **1. Certification of a Closed Session**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

### **2. Economic Development Authority Appointments**

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. McGlennon stated he moved that Mr. Jeffrey (Jeff) Scott be appointed to the Economic Development Authority for a term to expire on August 1, 2019, with a full four-year term to follow. He further stated he moved that Mr. Vincent (Vince) Campana, III, be appointed for a term to expire on July 31, 2020, with a full four-year term to follow.

## **M. ADJOURNMENT**

### **1. Adjourn until 4 p.m. on May 21, 2019, for the Work Session**

A motion to Adjourn was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 7:44 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**July 23, 2019**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**Board of Supervisors**

Michael J. Hipple, Vice Chairman, Powhatan District  
Ruth M. Larson, Berkeley District  
P. Sue Sadler, Stonehouse District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**Planning Commission**

Odessa Dowdy  
Julia Leverenz  
Frank Polster  
Danny Schmidt  
Tim O'Connor (Absent)  
Richard Krapf, Vice Chairman  
Jack Haldeman, Chairman

**C. BOARD DISCUSSIONS**

1. Proclamation Presentation

Mr. Jason Purse, Assistant County Administrator, introduced Mr. Kojo Yankah, a scholar from Ghana and author of *From Jamestown to Jamestown: Letters to an African Child*, Ms. Arafua Aning, representative from the Jamestown District in Ghana, and Mr. Luke Pecararo, Director of Jamestown-Yorktown Foundation Curatorial Services.

Mr. Icenhour presented and read a Proclamation that recognized and celebrated the Jamestown District in Accra, Ghana, and the Historic Jamestown Island in James City County, Virginia. He proclaimed June 18 as "From Jamestown to Jamestown Day" in the County of James City. He awarded Mr. Yankah the Proclamation, a large County logo, and a James City County flag, as well as giving Mr. Yankah and Ms. Aning each a souvenir book from Jamestown.

The Board gave a standing ovation.

Mr. Yankah expressed his gratitude to the Board and citizens and stated that in 1994 he

attended the 375th Anniversary of the Arrival of the First 20+ Africans in British North America, which was held in Jamestown, Virginia. He stated it was important for him to look at the link between Jamestown, Virginia, and Jamestown, Accra, Ghana. He further stated Jamestown had the fort that was also a slave trading post and used Jamestown as his reference point to represent all the coastal towns in southwest Africa where slaves were captured and taken to the New World. He commented he had compiled this information into a readable fashion story, *From Jamestown to Jamestown: Letters to an African Child*, to tell the history of “our people” since that time. He remarked “Here with all my travels in this part of the world, those who have African descent do not know where they come from, similarly those on the continents have no idea what happened to those that went out as captives to the New World.” He noted he tried to put all those pieces together in a very simple story, a painful story that had to be told so history was not distorted. He addressed Mr. Icenhour and stated he was happy to announce currently the book was out and it was his pleasure to present him with a copy of the book.

Mr. Icenhour expressed his appreciation to Mr. Yankah.

Mr. Yankah presented an additional copy of his book to Mr. Purse and thanked him for his collaboration.

Mr. Purse expressed his gratitude.

At approximately 4:08 p.m., the Board took photos and recessed in order to move into the adjoining Work Session room to continue the meeting.

The Board reconvened at approximately 4:28 p.m.

2. Briefing on the Update of the County’s 2015 Adopted Comprehensive Plan, Toward 2035: Leading the Way, and Development of Other Strategic Plan Item

A motion to Approve was made by James Icenhour Jr, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Icenhour welcomed the Planning Commissioners in attendance.

At approximately 4:29 p.m., Mr. Jack Haldeman, Chairman, Planning Commission, called the Planning Commission meeting to order.

Ms. Tammy Rosario, Principal Planner, provided an overview of the County’s 2015 Comprehensive Plan, *Toward 2035: Leading the Way*, methodology, scope, and timeline provided in the Agenda Packet. She stated staff had been making steady progress on the initiation of the Comprehensive Plan update. She further stated staff had worked to select a consultant to assist with the update in the development of several Strategic Plan operational initiatives. She commented Mr. Vlad Gavrilovic, Principal with EPR, P.C., would update the Board on this integrated effort and lead in discussion of some key questions. She further commented County staff worked with staff from the University of Virginia Center for Survey Research to conduct a citizen survey. She stated the Comprehensive Plan update would contain several key elements as noted in the memorandum included in the Agenda Packet.

Mr. Gavrilovic stated he was honored to be present in launching this landmark effort and to receive input and guidance from the Board and Commission. He gave an overview of the PowerPoint slideshow documented in the Agenda Packet, and pointed out he would speak in regard to the purpose, project process and roles, scenario planning, as well as next steps and

questions. He referenced a Consultant Team photo included in the Agenda Packet and gave a brief synopsis of the expert members of the team. He noted this was a more sophisticated approach to a Comprehensive Plan in terms of what goes into the process and what comes out. He explained computer models would be built for land use, transportation, infrastructure, and fiscal impacts, which would allow more information and data in an effort to analyze the County policy choices for the future. Mr. Gavrilovic remarked there would be models left behind that could assist staff in areas such as planning for proffers, the impact of development, infrastructure facilities, fire stations, and schools. He stressed this was especially important when going into the capital budget, Capital Improvements Program, and future updates to the Strategic Plan. He surmised this was a sophisticated scientific process, as well as one built on the cornerstone legacy of good planning by the County and highlighted the following reasons for this update:

- The State Mandate
- The County's Legacy of Prudent Planning
- Forces of Change
- Implementing the County's Strategic Plan

He reviewed the following 2035 Strategic Plan Initiatives:

- Land Use/Fiscal Evaluation of Proposed Large Land Use Changes
- Cumulative Fiscal, Infrastructure, Community Character, and Environmental Impacts of Expanding the Primary Service Area (PSA)
- Refine Fiscal Impact Model to Assess Development Impacts on Fiscal Health
- Update the Comprehensive Plan

Mr. Gavrilovic briefly addressed the following "Four Frameworks for this Plan Update":

- Refine the County's Vision for Growth and Protection of Quality of Life for the Next 25 Years
- Wisely Steward Public Resources in the Face of Future Uncertainty
- Create a Blueprint for Land Use and Infrastructure to Guide Private and Public Investment
- Set Realistic Priorities for Action

He discussed a summary schedule of five phases included in the Agenda Packet and noted it was a process that would take approximately two years. He further noted the current "laying the foundation" phase, which included two days of meetings with County staff and department heads, as well as laid a cornerstone for this collaborative process. Mr. Gavrilovic commented in the fall and winter these integrated models would commence being built and reach out to the community with a public forum through the County website. He discussed that over the spring and summer public input would allow for building of alternative scenarios and visions for the future. He concluded at that point information gathered would be brought back before the Board and Commission and community in an effort to see which was closest to the vision for the future. He commented that would provide the team the following winter to determine a clear direction of future land use vision policy framework that would be used to build the Comprehensive Plan and an implementation matrix. He discussed the roles and responsibilities in the process as noted in the PowerPoint document included in Agenda Packet. He briefly discussed new lens for looking at the Comprehensive Plan Scenario Planning, which was essentially a more scientific and objective crystal ball to answer key questions about what might be in store for the County in the future. He reviewed the slide titled "Why Scenario Planning" and explained scenario planning looked at alternative futures; whereas, traditional long-range planning looked at trends and projections. He stated he wanted to model the existing policy framework as well as hear what the community and policy makers said regarding the future vision and noted it should give a rich sampling of options and data. He

remarked that by organizing all the potential trends into a series of discrete land use scenarios and testing each one against the three models: land use, cumulative impacts, and fiscal impact, the Comprehensive Plan was built element by element. Mr. Gavrilovic stated the key issues in the project are the two uses of data and discussed a slide titled “Scenario Approaches” which included:

- Baseline - Our Current Path: Building Out Based on Our Current Land Use Policies
- Testing Alternatives: Informed by Public Forums and Input and Could Include Testing of Changes Inside the PSA and/or Rural Lands

He explained they are data driven which chooses policy direction based on the best performing results, and data guided which used data to guide policy decisions based on a range of considerations.

Mr. Gavrilovic reviewed the “Next Steps: Phase 1 - Laying the Foundation” slide which concentrated on the following:

- Engage the CPT and Planning Commission Working Group
- Develop Project Branding and Messaging
- Launch Project Website
- Analyze Existing Conditions

In conclusion, he noted two key questions that would help with this process:

- What questions should this process help you answer?
- How would you define success for this process?

Mr. Icenhour inquired if the Board had any questions.

Mr. Hipple stated he liked that the procedure was data driven and felt it provided an enhanced comfort level as well as a better process to be utilized in the future. He answered the question “What questions should this process help you answer?” with “Where the citizens would expect James City County to be” and “What are they looking for in James City County?” He commented the Board was a small group that knew how its members felt; however, citizen’s choices needed to be recognized. He briefly discussed putting the metrics into place to achieve success.

Mr. McGlennon referenced the development process and asked how it was changing from past development. He reflected to previous development in years past and noted there had been changes in terms of the nature of residential and business developments. He asked how much of that was being driven by the way land was viewed in the past and if this was consistent with what was happening in other places. He mentioned after looking at the results of the survey there was an overwhelming concern about the rate of growth in the County and briefly discussed that issue. He stated in regard to defining success in the process, he felt the following questions were critically important:

- How had the lives of County residents changed?
- How had the economic environment been affected?
- What had happened to the physical environment in which we live?

Mr. McGlennon referenced housing and noted there always seemed to be a demand for more housing but less growth. He questioned if the focus could be on ways in which good housing could be more adequately provided, regarding safety and being more solidly built. He further questioned were there opportunities to revitalize areas that could sustain more population with better circumstances. He commented these were the types of things he felt could be useful. He

expressed his concern on everything being conditioned on more growth. He stated he would like to see if there were ways that could be recognized; whereas, improvement could be accomplished while moderating the rate of growth.

Ms. Sadler stated she wanted to make certain there was enough communication throughout the community. She further stated many people she had spoken to did not know what a comprehensive plan was and felt a measure of success would be that people were well educated in the process. She commented this was a very diverse community and wanted to ensure everyone was able to take part in the process, making communication critical. She remarked these were key things she would look for in order for the process to be successful.

Ms. Larson commented she would follow along that same path. She briefly discussed concern toward areas of the survey regarding racial respondents. She expressed the need for a broad base of information and communication in order to make decisions moving forward for things like growth, business, and economic development. She stated the defining success would be something to live, plan, and build on the future.

Mr. Icenhour stated he would start with an underling assumption that had always been made in the past, which was “a road pays for itself.” He commented, “I think we find it does not, but how you quantify that and how you build your models to take that into consideration would be a very important part of the task before you.” He further commented “there were many houses on the block not yet built and a huge capital budget trying to provide schools; therefore, looking forward we want to be sure and make more realistic decisions about how to pay for what will be required for that growth.” He referenced the Comprehensive Plan survey and briefly discussed it was important to get that information and supplement it with public outreach. He noted the process of going from a division with a Comprehensive Plan through the Strategic Plan to the budget.

General discussion ensued on this matter.

Mr. Polster stated that when reviewing the survey responses to services and satisfaction, the question “How do you preserve the rural character of the County over the next 20 years?” stood out to him. He remarked when looking at the services and satisfaction it showed a gap analysis, so people wanted the rural character but were not satisfied with what the County was actually doing. He inquired about the tools and strategies used to preserve the rural character. He stated between the land use and scenario planning, there would be a better idea of those alternatives as they were presented to the community. He further stated that in Appendix E of the survey, there was a lot of sentiment about how to preserve rural character, and hoped there were tools and strategies inside of those comments that citizens were seeking. He noted the gap analysis needed to close and if it had not closed there were things left to do.

Mr. Krapf referenced the 25-year look ahead and stated he would like the questions addressed regarding the ability to develop a new revenue stream in the County. He commented the primary focus was on the tourism and hospitality industries. He noted the 2008 recession brought home the fact that those were the first industries affected by a down turning economy and the last to rebound. He briefly discussed the last Comprehensive Plan and noted he would like to see a discussion of “was there the ability to develop a new revenue stream and how long would that take and what were the trade-offs any time you develop a new revenue stream like that.”

Ms. Leverenz stated the area had a lot of shoreline and as part of the scenario planning, it would be helpful for the County to know what might be the worst case if all that the doomsayers said about climate change came true. She briefly discussed this possibility and commented the County should be prepared and have some tools in hand.

Mr. Schmidt expressed his concern that we were a bit more fatuitous than our neighbors to the east. He questioned any kind of modeling that could be done, or perhaps was already being done, as the future population inevitably moved west.

Mr. Haldeman referenced the population forecast from the last Comprehensive Plan and commented the forecasts should be updated in this Comprehensive Plan. He regarded the fiscal, environmental, and traffic impacts and stated he would like to see “What this County would look like in 2040 or 2045 if the population hits this milestone or that milestone.”

Mr. McGlennon stated many of those lots were in master plan communities and a question to ask was whether the original master plan was relevant today.

Ms. Larson mentioned tourism and remarked that even with the downturn of the economy, sports tourism did well in James City County and parents continued to travel and spend money. She noted a field house did not rate very high in the survey; however, it ended up paying off as a piece of revenue.

Mr. Hipple briefly discussed a scenario with a community the size of James City County and its evolution over a 30-year period, thus providing an idea of where the County could be in the future. He deliberated on future highways and transportation in areas of congestion and funding.

Mr. Schmidt inquired about neighboring counties involvement in the Comprehensive Plan. He referenced local home divisions that had been approved in nearby counties and the current congestion.

Mr. Hipple suggested a regional look at surrounding counties and how they were affected during the process.

General discussion ensued regarding traffic congestion issues in the area.

At approximately 5:12 p.m., the Board took a short recess.

At approximately 5:17 p.m., the Board reconvened.

Ms. Rosario introduced Dr. Thomas Guterbock, Ph.D., Director, Center for Survey Research at the University of Virginia, on the speaker phone.

Dr. Guterbock compiled the County’s citizen survey results and was prepared to answer any questions. Dr. Guterbock expressed his regrets for not being able to attend the meeting in person, due to a traffic accident involving a tractor trailer and another vehicle on Interstate 64 at the time he was traveling to James City County. He located a nearby business and was able to participate in the meeting by speaker phone. He expressed his thanks to Ms. Rosario and Mr. Alex Baruch, Senior Planner, for their guidance throughout the project. Dr. Guterbock gave an overview of the James City County Comprehensive Plan Survey 2019 Report of Results as included in the Agenda Packet. He stated this was not a satisfaction survey, but was a survey aimed at receiving input to the comprehensive planning process; therefore, it focused on citizen’s opinions on County services and included satisfaction questions. He noted there were more specific questions regarding land use and development which asked how residents felt about the County growing and what could be done to manage that growth. He commented there were also questions regarding communication and relay of information from the County. He briefly discussed the “Survey Methods” detailing how the survey was performed. He noted the slide that depicted the weighted data showing there were 1,060 completions; a response rate of 35.33%; and an overall margin of error of +/- 3.62%. He briefly discussed there were another 55 responses after the deadline cut-off and 207 with bad addresses. He summarized it

was a remarkable response rate, which spoke to the concern and involvement citizens had in the process. He moved forward and discussed the “Demographics” as well as the “Importance of Services,” “Satisfaction with Services,” and “Value with Services” and reviewed the details of its findings as shown in the Agenda Packet. Dr. Guterbock discussed the “Gap Analysis” portion of the presentation and stated “this was predicated on the idea that since you cannot be perfect at everything, you should focus your efforts on the things that people find most important.” He reviewed the following greatest satisfaction gaps listed on the slide.

- Affordable Housing (33%)
- Roads and Highways (24%)
- Attracting Jobs and Businesses (20%)
- Preserving Rural Character (16%)
- Protecting Environment (15%)

Dr. Guterbock commented there was another way of putting importance and satisfaction together and discussed the slide titled “Priority Matrix” listing from the most to least important items. He discussed a slide section titled “Land Use and Development,” and highlighted questions/response percentages regarding residential, office, retail, and industrial types of development in the County. He briefly discussed questions/response percentages regarding the opinions about development issues such as: “Developers Should Pay Fee to Offset Public Costs”, “Farmland More Important than Development”, “Residential Development Too Fast”, “Better to have Small-Scale Retail/Offices in Neighborhoods”, “Better to Have Homes on Smaller Lots to Preserve Land”, “Less Development Important, Even if Taxes are Higher”, and Better to Have Mixed Income Neighborhoods”. He further discussed topics highlighted in subsequent slides which included: “Importance of Proximity”, “Rate of Growth”, “Measures to Manage Growth”, “Satisfaction with Communication”, “Sources of Information”, and “Rating of Website”. In conclusion, Dr. Guterbock reviewed the slide titled “Summary of Findings”.

Mr. Hipple inquired about the slide titled “Safety,” included in the Agenda Packet, that showed the feelings of safety in daylight and evening hours as follows:

Daylight

77.2% Very Safe  
21.5% Somewhat Safe  
1.3% Somewhat Unsafe  
0.0% Very Unsafe ·

Evening

46.0% Very Safe  
44.2% Somewhat Safe  
9.2% Somewhat Unsafe  
0.5% Very Unsafe

Mr. Hipple inquired if this was something that could be attributed to the age of the community as it grows older.

Dr. Guterbock replied that was quite possible; however, there was a difference in the way this survey was conducted as compared to the one in 2014 and briefly discussed these differences and comparisons.

Mr. Schmidt inquired about any other dramatic changes between the two surveys.

Dr. Guterbock gave a brief overview of survey questions focusing on the variation in rate changes between the two surveys.

Mr. McGlennon congratulated Dr. Guterbock on the strong response rate. He inquired if the additional surveys that came in late would be seen or only the surveys weighted at the time of the deadline.

Dr. Guterbock replied there was a firm deadline to get this information in time for the planning process and briefly discussed this issue.

Mr. McGlennon inquired about the timeframe regarding the collection.

Dr. Guterbock replied approximately six or seven weeks.

Mr. McGlennon stated there was an extended and somewhat controversial case relating to affordable housing during that time period and asked if that might have affected the outcome on issues of mixed income development.

General discussion ensued regarding this topic.

Mr. McGlennon referenced the range of surveys done for localities across the Commonwealth or across the country, and inquired about the relative performance of James City County in terms of the rating of services.

Dr. Guterbock replied, overall very good.

Mr. Haldeman asked Dr. Guterbock when he made a statement such as “the rate of growth is too fast,” was he referring specifically to the rate of growth and not the absolute amount.

Dr. Guterbock replied yes, that was his interpretation and it was his opinion that “it was not about the size, but how you are growing too fast.”

Mr. Haldeman referenced “Figure III-1: Opinion on the Amount of Types of Development in James City County,” page 21 (page 18 of the presentation) of the survey.

General discussion ensued regarding this data.

Ms. Dowdy inquired about existing vacant retail stores in the County.

Ms. Larson inquired about the language “now or approved” and asked if most people truly understood what was already approved.

Dr. Guterbock replied it was his opinion that the vast majority of people were not aware of particular developments, with a minority of people following things very closely.

Mr. Polster stated “you mentioned the qualitative nature of Appendix E and in your report you indicate that you have not yet figured out how to display that quantitative information. Are you going to be able to give us some indication of the form of that quantitative data? I did a word frequency for the rural piece on the first question and went back and highlighted the word ‘rural’ to get a context of that frequency.” He found it interesting to see things like “preserve farming” that reinforced the gap analysis. He commented he was interested to see if something like that had been done for the growth piece, because those qualitative pieces told a little more about the context of what was being said.

General discussion regarding this topic ensued.

Mr. Icenhour expressed his gratitude to Dr. Guterbock on behalf of the Board.

### 3. Proposed Ordinance Revisions

Mr. Paul Holt, Director of Community Development and Planning, gave an overview of the memorandum included in the Agenda Packet. He stated before leaving the topic of comprehensive planning, the Board may wish to identify the current impacts of residential dwellings on public facilities and resources, and affirm its goals for workforce housing. He noted two draft resolutions were included in the Agenda Packet for consideration and gave an overview of each resolution.

Mr. McGlennon suggested a couple of editorials on the resolutions, such as taking into account the cost of land associated with various infrastructure to incorporate public transit along with the automobile, pedestrian, and bicycle traffic. He also suggested the Board take a closer look at these matters in terms of impacts and discussed this issue noting past examples.

General discussion ensued.

Mr. Hipple inquired if Item No. 7 listed on the resolution could be further explained.

Mr. Holt stated Item No. 7 was to implement the recommendations of the watershed studies the Board had seen and adopted.

Mr. McGlennon stated in regard to workforce housing, he was uncomfortable with using James City County's Area Median Income (AMI), due to it being an unusually wealthy community. He further stated the use of the County AMI would drive up the cost of what would be defined as "affordable housing." He commented "if we were talking about that being affordable housing, it did not mesh with what I think was being reflected in public comments about wanting to have more housing available to people who cannot currently afford housing in the County."

Mr. Polster reflected the same concern and referenced page 10 of the Workforce Housing Task Force report which read "... in 2018 the average home price in the County was \$316,500." He noted that according to the Federal Reserve Bank of St. Louis, the average for the United States as a whole was \$317,400 and thus, at the average, James City County did not have overly expensive housing. He stated according to the report an annual income of \$79,000 was required to purchase a median priced home and commented the County AMI was \$80,000. Mr. Polster further stated the median rent in 2016 was \$1,236 per month and the annual income required to comfortably carry such rent was \$49,400, both of which would be higher in 2019 due to inflation. With these findings, he concluded a household would need to earn 65% of AMI to afford the average rent in the County. He stated the problem lays not with the averages, but with the mismatched dispersion around the average. He noted the older housing opportunities policy went up to 120% of AMI and felt the filter should be much lower than 100% perhaps as low as 50%.

Mr. McGlennon stated that was the dilemma faced in the County and suggested perhaps allowing the market to play itself out.

Mr. Holt discussed he would go back and reverify the methodology as this was an area-wide median income and did not think it was an AMI specific to this jurisdiction. He stated previous documents referenced affordable and workforce housing which focused on household incomes between 30-120% of AMI. He further stated the Workforce Housing Task Force spent a lot of time trying to get its mission and value statements correct in what it was trying to achieve. Mr. Holt commented when all was said and done the Workforce Housing Task Force recommended looking at a range of 30-100% of AMI, but much of this work would continue

through the Comprehensive Plan. He noted questions could be part of the Comprehensive Plan update conversations regarding the range of AMI and commented the 100% figure was used as a reflection of work by the Workforce Housing Task Force.

Mr. McGlennon expressed his appreciation that the Workforce Housing Task Force recognized the 120% figure was unrealistic as a way of dealing with housing affordability.

Mr. Hipple commented it would be nice to know how it compared to the region.

Mr. Polster stated there was reference to “affordable” however, no definition of “affordable” was given.

Mr. Holt stated it would be part of the “fact sheet.”

Mr. Polster again referenced the Workforce Housing Task Force report and read “... the Board aspires for at least 20% of residential dwelling units in the County to be offered for sale or made available for rent as follows ...”. He stated “new residential dwelling units”, might be text that was intended and therefore would add the word “new” as a modifier.

Mr. Holt stated it was a general aspirational statement which might be revisited and at this point staff would recommend not adding in the additional language. He stated staff would come back before the Board as the Comprehensive Plan update continued, with things such as recommendations for improved financial models and improved calculations based on new methodology.

General discussion ensued.

Mr. McGlennon stated the Board was asking for something to verify the numbers and consider if it wanted to set the 100% figure previously mentioned.

Mr. Icenhour clarified that his fellow Board members were referencing the goals for the Workforce Housing Task Force resolution and would like staff to work on it and bring it back before the Board at its next meeting.

Mr. Hipple replied correct.

Mr. Icenhour asked if there was a consensus from the Board.

The Board members agreed.

Mr. Icenhour stated the original resolution titled “Impacts to Public Facilities and Resources Related to Residential Dwelling Units” along with its edited version by Mr. McGlennon, would be brought back before the Board at its next meeting in an effort for all the Board members to review.

#### 4. Proposed Zoning Ordinance Amendment to Section 24-16, Proffer of Conditions

Mr. Holt gave an overview of the memorandum and proposed Ordinance revisions included in the Agenda Packet. He stated staff would be following the same format being consistent with previous work sessions where Ordinance amendments had been discussed. He commented staff would provide a brief synopsis of the item and options available, followed by recommendations of the Policy Commission as applicable. He referenced Section 24-23 of the Zoning Ordinance and noted all final development plans should be consistent with Board adopted master plans, but may deviate from the master plan if the Planning Director concluded

that development plans did not contain significant changes. He further noted that at its May 22, 2018 work session, the Board asked the Commission to consider limiting the number of residential dwelling units that could be transferred by a master plan consistency determination under Section 24-23. He concluded since that time the Policy Committee had discussed that section and possible revisions.

Mr. Haldeman referenced the Ordinance revisions previously mentioned and noted they were written by the Policy Committee with help from Planning staff. He stated this was then referred to the Planning Commission without a recommendation and the Planning Commission voted unanimously 6-0 to recommend this Ordinance not be adopted by the Board of Supervisors. He noted “we did it without making any changes to the Policy Committee’s work.”

Mr. Icenhour cited this came back to issues he raised earlier, one regarding Stonehouse and the other concerning master plan issues in New Town and Ford’s Colony. He noted the Planning Commission had recommended to leave it alone.

Mr. Holt confirmed the consensus was not to advertise this item or bring it forward to the Board.

Mr. Icenhour replied correct.

Mr. Holt referenced Item II in the memorandum, titled “II. Ordinance Amendments to Address Protections for the Public Water Supply and Areas of Public Health and Water Quality Sensitivity” and gave an overview of the memorandum included in the Agenda Packet.

Ms. Leverenz stated a great deal of information was discussed at the last meeting of the Policy Committee. She noted the Chesapeake Bay Ordinance currently covered perennial streams and a 100-foot buffer around the reservoirs. She further noted this would duplicate the Chesapeake Bay Ordinance on perennial streams and intermittent streams and add a 100-foot buffer. She remarked that in order to prevent overlap and make this less confusing, the Policy Committee decided it would add intermittent streams as well as add the 100-foot buffer around the reservoir and let perennial streams remain adequately covered by the existing Ordinance.

Mr. Hipple clarified that would be 200 feet for the reservoir.

Ms. Leverenz replied yes and 100 feet for the intermittent streams, which were not covered by the Chesapeake Bay Ordinance.

Mr. Hipple expressed concern regarding gasoline and oil underground storage tanks somehow leaking into the waterways. He further expressed concern regarding restrictions on any type of lots or housing developments.

General discussion ensued regarding this matter, potential contamination, and surrounding locality protections.

Ms. Leverenz inquired if there were any comments, questions, or concerns regarding the inclusion of intermittent streams.

Mr. Hipple replied he had concern regarding as what was being added, a stream which was only active six months a year could limit what someone was able to do with their land.

Ms. Leverenz inquired if there were any advantages to limiting anything with regard to intermittent streams. She stated if intermittent streams were not covered at all we could not regulate anything. She noted the first question was if intermittent streams should be considered

being put in this Ordinance, without the question of to whom it applied.

Mr. Hipple briefly discussed intermittent streams seasonally impacted, with dry in the summer but contained water in the winter.

Mr. Holt replied intermittent streams were not covered by the Chesapeake Bay Ordinance.

General discussion ensued.

Ms. Larson clarified with Ms. Leverenz that her recommendation was 100 feet.

Ms. Leverenz replied 100 feet around the intermittent stream.

Mr. Holt commented this would not be duplicative of the Chesapeake Bay Ordinance.

Mr. Hipple stated if someone had a “tight lot” they were not going to put anything on it.

Mr. Icenhour stated it would depend on what it was restricting and referenced the memorandum.

Mr. Hipple referenced a handout provided by Ms. Leverenz. He briefly discussed the impact of an additional 100 feet in an area set for developing in James City County and the potential for contamination.

Ms. Sadler clarified if Mr. Hipple meant “restricts specific uses” as opposed to “putting in an entire buffer around the whole thing.”

Mr. Hipple replied yes.

Mr. Icenhour inquired “restrict specific uses where?”

Mr. Hipple replied within a certain area around a reservoir.

General discussion ensued regarding this issue.

Mr. Icenhour expressed concern of not getting “hung up” on buffers, but instead focusing on uses to regulate and keep from getting “that stuff” into the watershed.

Mr. Hipple stated if the buffer was not considered certain existing properties would never become anything due to the regulations.

Mr. Icenhour stated we want to prohibit or limit the discharge of things that would actively hurt the water supply anywhere within the watershed. He further stated he did not know if we needed to get wrapped up in buffers or footage; or to say “here are the uses for the watershed.”

General discussion ensued.

Mr. Holt stated staff could come back before the Board with a larger representative map of all the Skiffes Creek reservoirs and show the concepts with 200- and 100-foot buffers. He further stated the way the Ordinance was currently written, the intent would be to leave those buffers generally undisturbed. He briefly discussed a scenario if the provisions within all of the watershed for Skiffes Creek Reservoir in the draft Ordinance were the focus.

Mr. Icenhour stated he was looking for performance requirements and backup when dealing

with what could potentially come from normal uses like a service station, as opposed to others that had no place in the watershed.

Mr. Hipple noted that would take care of the 200-foot buffer, because what was going in next to a reservoir could be regulated.

Mr. Holt stated correct and noted it would be limited to those uses.

Mr. Hipple stated he would like the map extended down and extended to the other reservoirs so that the entire scenario could be seen.

Ms. Sadler inquired how this would affect existing farmers.

Mr. Holt replied adding specifically in the Ordinance was the best way to administer the Ordinance and to know exactly what the Board wanted.

Mr. Icenhour inquired if there were any agricultural-related feedlots or livestock impoundments in the buffer zones that had been reviewed.

Mr. Hipple remarked there needed to be caution because we were promoting agri-tourism.

Mr. Icenhour stated there was a difference between agri-tourism and feedlots, and the question was “Where would it be appropriate?”.

Mr. Hipple replied A-1, Zoning, which was around most upper end County reservoirs. He suggested incorporating a definition of “feedlot.”

Ms. Sadler inquired about the definition of an “impoundment”.

Mr. Holt replied everything upstream of a dam.

Ms. Sadler inquired about “livestock impoundment.”

Mr. Holt replied in that context it was everything on the inside of a fence.

Mr. Schmidt stated it might be a good idea to have some type of buffer between pesticides and herbicides.

Ms. Sadler remarked it was not the farms, it was the lawns.

Mr. McGlennon stated the impact of commercial agricultural activity within the 200-foot buffer could potentially contaminate the drinking supply.

Ms. Larson inquired if this subject had been discussed with the Economic Development Authority (EDA) because it was actively pursuing this area.

Ms. Leverenz inquired about intermittent streams.

Mr. Holt clarified the items staff would bring back before the Board.

Ms. Sadler inquired about farmland at the upper end of the County.

Mr. Holt stated if the Board wanted staff to bring back something other than enlarged watershed maps as well as reaching out to the EDA, to let him know.

Ms. Leverenz stated “residential, particularly subdivisions” should be added to the list of definitions clarified.

Mr. Holt stated from the staff’s perspective it may be helpful to see if there was a consensus on use before bringing in additional definitions. He further stated he would bring back, at the James City County level, the existing definitions.

General discussion ensued.

Mr. Holt reviewed Item III in the memorandum. He inquired if the Board wanted staff to review prospective Code provisions on restricting parking of heavy vehicles in residential neighborhoods.

Ms. Larson noted there had been a lot of feedback from residents who were not in favor of that type of equipment being on neighborhood roads.

Mr. Hipple inquired what the Code would look like if someone had worked late and brought the vehicle home noting this was an unusual circumstance.

Mr. Holt responded he did not know; however, discussion would need to take place with the Police Department.

Mr. Hipple stated the Fire Chief would need to be included in that particular discussion, point in case, a large vehicle was on the road and limited access to neighbors beyond the point where there may be an emergency.

Ms. Leverenz inquired if this covered “monster” recreational vehicles.

Mr. Holt replied most Codes expressed that in terms of gross vehicle weight or the number of axles.

Mr. Haldeman referenced inoperative vehicles and commented one of the items on the Use List for the A-1, General Agriculture was Automobile Graveyards.

Mr. McGlennon clarified these were operable big trucks.

Ms. Larson remarked that a constituent had reached out to her, concerned about the same type of situation going on in her neighborhood.

Mr. Holt reviewed Item IV in the memorandum. He stated ORD-19-0002 put back in practice the ability for the County to accept proffers as part of new residential developments or amendments where residential units were proposed. He noted this item had been reviewed by the Planning Commission who had added some specificity with applicable reference to the State Code. He remarked “before this comes before the Board for a vote, it is recommended that this return to the Planning Commission.”

The members of the Board of Supervisors and Planning Commission agreed.

#### **D. BOARD REQUESTS AND DIRECTIVES**

Mr. Icenhour asked his fellow Board members if they had any Board requests and directives.

Mr. Hipple replied no.

Ms. Larson replied recycling continued to be a concern. She stated she wanted to acknowledge hearing from citizens who had not gotten a cart; did not want a cart; carts not being picked up; as well as homeowner associations concerned about getting carts out of the way. She noted even with all the aggravation, she continued to give kudos to General Services. She expressed her appreciation for everything the County was doing, but felt frustrated by the whole process. She commented that information regarding recycling needed to continue to be forthcoming. Ms. Larson remarked she would not be present at the August 2019 meeting.

Mr. McGlennon inquired if anyone was keeping count of the number of homes whose recycling was being picked up on a weekly basis. He remarked that in the past week he noticed a significant decline in the number of recycling bins placed at residential curbs and noted this was before people were being billed for the service.

Mr. Stevens replied he would assume counts for the initial month were being kept, but would find out that information.

Mr. McGlennon mentioned he attended a memorial for Mr. Rob Till, Director of Grove Community Garden, and expressed thanks to Parks and Recreation staff for the work it did in making the facility available and providing support for the event.

Ms. Larson stated her concerns with recycling and its fiscal impact. She further stated she wanted to stay abreast with the number of people opting out. She noted if someone was opting out they were increasing their trash and therefore the private providers might raise their fees.

Mr. Stevens replied the Virginia Peninsulas Public Service Authority (VPPSA) has the contract with TFC Recycling to pick up carts and noted there was language in the contract that protected the County in terms of lowering the number. He stated TFC Recycling would like all 25,000 households to stay in the program and noted that presently the count was down to approximately 21,000 households. He estimated a loss of a few more thousand participants once billing begins, approximating the number of participants to be 15,000-20,000. He mentioned he felt the change in the name, with TFC Recycling on the side of the carts that were delivered, was a concession that VPPSA gave so that TFC Recycling could use the carts elsewhere. He commented "in terms of the garbage cost going up, it could be months before the collectors on that side see their tonnages change and know that is a real change in what they have seen before. I think it could have an impact on what people pay for garbage service, but it may be six months removed or a year removed and by that time you may or may not equate it to being because of the recycling change or lack of people recycling as much. I do not know how to answer that question exactly, but in concept I am with you. I think it is likely it could cost people more for garbage service, for a number of factors, but recyclables going into the trash is certainly one of those."

Ms. Larson stated she hoped the County would continue to educate about the importance of recycling.

Mr. Stevens replied absolutely.

Mr. Icenhour referenced an explanation he received in regard to recycling different types of plastics and asked if the information was on the County website.

Mr. Stevens replied he would make sure it was on the County website.

The Board expressed its thanks to the Planning Commission for its time at this meeting and the hard work it had done.

**E. CLOSED SESSION**

None

**F. ADJOURNMENT**

1. Adjourn until 5 p.m., on August 13, 2019, for the Regular Meeting

A motion to Adjourn was made by Ruth Larson, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Haldeman asked for a motion to Adjourn the Planning Commission Board.

A motion to Adjourn the Planning Commission was made by Julia Leverenz, the motion result was Passed.

AYES: 7 NAYS: 0 ABSTAIN: 0 ABSENT: 1

Ayes: Odessa Dowdy, Jack Haldeman, Richard Krapf, Julia Leverenz, Frank Polster, Danny Schmidt

At approximately 7:04 p.m., Mr. Haldeman adjourned the Planning Commission.

At approximately 7:05 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**Virginia Association of Counties Finance Forum Meeting**  
**Delta Hotel by Marriott Richmond**  
**555 East Canal Street, Richmond, VA 23219**  
**January 6, 2020**  
**9:30 AM**

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**A. CALL TO ORDER**

Mr. Icenhour called the Board of Supervisors to order at 9:30 a.m.

**B. ROLL CALL**

Ruth M. Larson, Berkeley District  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator

**C. VIRGINIA ASSOCIATION OF COUNTIES FINANCE FORUM**

1. Finance Forum

Mr. Icenhour and the other Board members attended the VACo Finance Forum from 10 a.m.-3:15 p.m.

**D. ADJOURNMENT**

1. Adjourn until 5 p.m. on January 14, 2020, for the Regular Board of Supervisors Meeting

A motion to Adjourn was made by John McGlennon, the motion result was Passed.  
AYES: 3 NAYS: 0 ABSTAIN: 0 ABSENT: 2  
Ayes: McGlennon, Icenhour, Jr., Larson  
Absent: Hipple, Sadler

At approximately 3:25 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**Participation in School Board Lobby Day at the General Assembly**  
**900 East Main Street, Richmond, VA 23219**  
**January 13, 2020**  
**9:00 AM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

**Board of Supervisors:**

James O. Icenhour, Jr., Chairman, Jamestown District  
John J. McGlennon, Roberts District

**Williamsburg-James City County (WJCC) School Board:**

Dr. James Beers  
Ms. Kyra Cook  
Mr. Greg Dowell  
Dr. Olwen Herron, Superintendent  
Ms. Julie Hummel  
Mr. Jim Kelly  
Ms. Lisa Ownby, Chair

**C. DISCUSSION**

The Board of Supervisors and the WJCC School Board members assembled at the James Blair Middle School Annex at 7:30 a.m. and drove in two separate vehicles to Richmond, Virginia.

Between 9 a.m. and 11 a.m., Board members met with the Honorable Senator Tommy Norment, Member of the Virginia Senate, the Honorable Senator Montgomery Mason, Member of the Virginia Senate, the Honorable Amanda Batten, Virginia House of Delegates, and the Honorable Michael Mullin, Virginia House of Delegates.

Discussion ensued regarding the impact of state budget decisions on our local school budget and the potential for new revenue for counselors and Pre-Kindergarten programs. We strongly stressed that putting \$140 million into the Virginia Retirement System Teachers Retirement Plan would reduce contribution rates by approximately 1%, which would save \$80 million a year for both the state and local government.

**D. ADJOURNMENT**

1. Adjourn

At approximately 11 a.m., Mr. McGlennon and Mr. Icenhour departed for Williamsburg, Virginia.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 14, 2020**  
**5:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

P. Sue Sadler, Stonehouse District  
John J. McGlennon, Roberts District  
Ruth M. Larson, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

1. Pledge Leader - Reed Forney, a 5th-grade student at Matoaka Elementary School and a resident of the Berkeley District, led the Board and citizens in the Pledge of Allegiance

**E. PRESENTATIONS**

1. Retiree Recognition - Fire Marshal Kenny Driscoll

Fire Chief Ryan Ashe and Mr. Icenhour recognized Fire Marshal Kenny Driscoll and gave a brief summary of his career during his 24-year tenure with James City County as well as thanked him for his service to the community.

The Board and members of the audience gave a standing ovation.

2. Proclamation of Recognition - Ms. Robin B. Bledsoe

Mr. Icenhour read a Proclamation of Recognition highlighting Ms. Bledsoe's Planning Commission, Policy Committee, and Economic Development Authority (EDA) achievements for the betterment of James City County and its citizens.

The Board and members of the audience gave a standing ovation.

Mr. Icenhour expressed his kudos to Ms. Bledsoe for the work, dedication, and ability to get things done that she provided to the community.

Mr. Hipple expressed his appreciation to Ms. Bledsoe for her engagement in various aspects of James City County as well as her willingness to help other leaders within the community.

Ms. Larson expressed her gratitude to Ms. Bledsoe and noted her outstanding communication skills as well as always making certain everyone was on the same page with information.

Mr. McGlennon expressed his appreciation to Ms. Bledsoe and noted her work with a nonprofit in the community, advocacy groups, citizens, and local government.

Ms. Sadler expressed her appreciation to Ms. Bledsoe and noted her being the liaison between the Board of Supervisors and the EDA as well as participating in various organizations.

Ms. Bledsoe expressed her thanks for the opportunity to serve James City County. She expressed her gratitude to Mr. Stevens, County staff, and Mr. Holt for the opportunity to work alongside of them as well as their invaluable guidance and mentorship. She encouraged citizens to serve on the County Boards and Commissions.

3. James City County Recognized by 2019 Digital Counties Survey

Mr. Patrick Page, Director of Information Resources Management, gave an overview of the memorandum and PowerPoint presentation included in the Agenda Packet. He expressed his gratitude for the continued support from the Chairman and members of the Board of Supervisors, as well as Mr. Stevens, Information Resources Management staff, and all the departments in the County for their efforts in making this recognition possible.

Mr. Icenhour stated this was a very well deserved honor and expressed his kudos to staff for the good work that led to this recognition.

The Board and audience applauded.

Ms. Larson referenced Item No. 1 and expressed her appreciation to Fire Marshal Driscoll for his long tenure with the County.

**F. PUBLIC COMMENT**

1. Ms. Peg Boarman, Clean County Commission Chair, 17 Settlers Lane, addressed the Board to “talk trash.” She spoke of the relevance of every individual to get involved in order to solve the trash problem and noted the Commission was one representative short for the districts. She mentioned Ms. Dawn Oleksy, Environmental Sustainability Coordinator, had use for a part-time assistant to help with her workload. She noted various efforts of support for the Commission as well as the Spring Cleanup to be held March 28 (with a rain date of April 4). She referenced an upcoming Litter Survey as well as the Parks and Recreation Fido Fest to be held March 21.

**G. CONSENT CALENDAR**

1. Minutes Adoption

The motion for approval of the minutes included the following meetings:

- November 12, 2019 Regular Meeting
- November 26, 2019 Work Session
- December 3, 2019 Joint Meeting
- December 10, 2019 Regular Meeting

2. Contract Award - Fuel Depot Services

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

3. Service Agreement for Household Chemical Collection Services

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

4. Olde Towne Medical and Dental Center Addition of Marketing and Communications Specialist

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

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

1. Fiscal Year 2021-2022 Pre-Budget Public Hearing

Mr. Icenhour acknowledged Planning Commission representative Mr. Tim O'Connor in the audience.

Ms. Sharon Day, Director of Financial and Management Services, gave an overview of the memorandum included in the Agenda Packet.

Mr. Icenhour opened the Public Hearing.

1. Ms. Leanne Harrow, 5 Deere Circle, addressed the Board in regard to land conservation and re-energizing the Purchase of Development Rights (PDR) Program. She stated she is the stewardship and outreach manager at the Historic Virginia Land Conservancy in James City County and expressed appreciation for funding the Conservancy received from the County. She referenced the County's Comprehensive Plan Vision Statement and briefly discussed issues such as growth, environment, and maintaining the enticing community character. She noted the Historic Virginia Land Conservancy respectfully asked that the Fiscal Year 2021-2022 budget reflect the citizens' expressed desire by including funding for this important effort to revive the PDR Program.

2. Mr. David Allen, 2001 Bush Neck Road, addressed the Board to speak in favor of bringing back the James City County PDR Program. He commented PDRs were interesting revenue neutral propositions where land needed to be preserved.

3. Mr. Jay Everson, 103 Branscome Boulevard, addressed the Board in regard to the elementary school. He noted classroom sizes, Bright Beginnings, and redistricting as well as funding for new buildings and additional teachers.

4. Ms. Pam McGregor, 3222 Deerfield Court, addressed the Board in regard to the Arc of Williamsburg, which has served adults in the community since 1976. She expressed her appreciation to Mr. John Carnifax, Director of Parks and Recreation, as well as his staff and discussed several programs at the Arc of Williamsburg. She noted the Arc of Williamsburg was submitting a grant this year since the majority of families served reside in James City County. She briefly discussed a new program to be launched in 2020 called Wheels for Work, which is

a partnership collaborating with many entities in the community.

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

2. Amendment to County Code Section 16-22 to Permit Certain Use of Metal Detectors

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Alister Perkinson, Parks Administrator, gave an overview of the memorandum and Ordinance included in the Agenda Packet. He noted research regarding other peninsula localities with man-made beachfronts was collected and it was determined that most, if not all, localities allowed metal detecting. He discussed if this Code was changed, an area (designated by the Director of Parks and Recreation) on the man-made sandy beach at Jamestown Beach Event Park would be established, where people could partake in this activity during an off-season timeframe (Labor Day to Memorial Day) and with certain guidelines in place.

Mr. McGlennon clarified this would be a permissive change.

Ms. Larson asked Mr. Carnifax, Director of Parks and Recreation, if Jamestown Beach was as large as Yorktown Beach or other peninsula area beaches. She agreed with the Labor Day to Memorial Day timeframe and asked if there was any foreseeable issue between people using the beach for recreation and others who might want to be metal detecting.

Mr. Carnifax stated some other localities required permits and charged fees to use metal detectors. He noted that by revising the Ordinance this could be tried at the beach this year outside of the peak season and allow staff to see if there are issues and then adjust through park rules and regulations if necessary.

Mr. Icenhour opened the Public Hearing.

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

3. Case No. AFD-19-0002. Croaker AFD Addition, 9896 Sycamore Landing Road

A motion to Approve was made by Sue Sadler, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Ms. Tori Haynes, Planner gave an overview of the staff report and Ordinance included in the Agenda Packet.

Mr. O'Connor stated this item was approved by the Planning Commission in a vote of 6-0 and noted he was not in attendance at the meeting.

Mr. Icenhour opened the Public Hearing.

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

4. Case No. Z-19-0014/MP-19-0016. The Promenade at John Tyler Proffer and Master Plan Amendment

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, Sadler

Nays: McGlennon

Mr. Jose Ribeiro, Senior Planner, gave an overview of the staff report and Ordinance included in the Agenda Packet.

Mr. McGlennon stated he previously met with Mr. Vernon Geddy, III, Geddy, Harris, Franck, & Hickman and Mr. Jerry Bowman, Franciscus at Promenade, LLC to discuss the proposal. He further stated he was focused on the idea that there was nothing on the application or in the proposal that would require that commercial construction take place.

Mr. Ribeiro replied that was correct.

Mr. O'Connor stated from the Planning Commission's perspective it was felt to be a consistent and appropriate use to add the ten plex instead of having mixed use buildings. He referenced the public comments section of the Planning Commission meeting and stated parking was a concern; however, the applicant agreed to try and maximize parking in an effort relieve some of the parking congestion. Mr. O'Connor further stated the Planning Commission approved this application 5-0 with one abstention.

Mr. Icenhour opened the Public Hearing.

1. Mr. Vernon Geddy, representing the applicant, introduced Mr. Bowman in the audience and gave an overview of a PowerPoint presentation included in the Agenda Packet. He stated he agreed with the staff report and Planning Commission recommendation.

Mr. Icenhour stated he also met with Mr. Geddy and Mr. Bowman and raised the issue of noise along Route 199 and asked if there was any ability at the site plan stage to make sure the berm and plantings helped with the noise issue. He also inquired about the potential for commercial sites to be developed, absent the mixed use part, and the ability to prep some of the sites to get them prepared.

Mr. Geddy replied that was something that could be considered.

Mr. Bowman referenced the berm with plantings and stated they would be more than willing to increase the size of the berm and additional soundproofing. He noted the ten plex discussed was actually further back than the building would be. He stated in regard to the other issue Mr. Icenhour mentioned, they were willing to work with Planning to accomplish that site plan review.

Ms. Larson stated she had spoken twice on the telephone with Mr. Geddy. She inquired why mixed use commercial was a tougher sell.

Mr. Bowman replied the designation of mixed use had the concept of having a commercial and a residential component as part of the building. He discussed viable markets in other localities and stated very few builders in this area have the interest or experience in developing in a multi-use type of building.

Mr. McGlennon remarked the local area has New Town and Midtown Row.

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

Mr. McGlennon briefly discussed reasons he had not supported this development throughout

the process.

Mr. Hipple stated it was filling the need for Workforce Development and Workforce Housing and felt the number of sales reflected that it was actually working. He commented it would be an added benefit to move this forward and acknowledged his support.

Ms. Sadler stated she noticed an increase in shopping at the Williamsburg Crossing Shopping Center and perhaps with more residential coming in that already approved area, more storefronts would be occupied and revitalize it even more. She proclaimed her support and felt this would provide an opportunity to bring people into an area with more affordable housing.

Ms. Larson expressed her gratitude this neighborhood was located in her district and appreciated the resurgence of the shopping center and the time and efforts of Mr. Geddy and the Planning Commission.

Mr. McGlennon added that he recognized the shopping center was revitalized and a contributing factor of its success was the new management of the shopping center.

Mr. Icenhour reviewed factors considered such as the fiscal impact. He commented fiscal impact was based on averages and it appeared the school impact was less than anticipated, which was always subject to change. He noted he was uncomfortable the original proposal did not have any phasing or timing that required commercial at a certain point and the commercial was what made the fiscal analysis better. He further noted there was no assurance that the commercial would come in the future.

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

### **1. Authorization of Multiple Part-Time Regular Positions**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Patrick Teague, Director of Human Resources, gave an overview of the memorandum and resolution included in the Agenda Packet.

Ms. Larson inquired if this was the most efficient way to do these jobs.

Mr. Teague referenced the analysis that was reviewed and stated out of 350 temporary positions, 103 were identified as working a regular schedule, meaning the positions were relied on for day-to-day operations. He referenced department totals and remarked 79 positions were within the Parks and Recreation Department. He explained as a new program or event occurred staff typically was a mixture of regular and temporary positions. He further explained as a park increased in visitation and more programs were offered the need for the temporary staff becomes a regular need.

### **2. Authorization for the Creation of Assistant Director of Community Development Position and Transfer of Funds from Capital Projects Fund to the General Fund**

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

Mr. Jason Purse, Assistant County Administrator, gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. Hipple referenced the \$111,132 figure which included a benefits package and noted it was a nice wage. He realized it was harder and harder to fill such a position and pay less than that amount.

General discussion ensued regarding the salary, comparable positions within the County as well as outside the County, job description, and long-term needs in Community Development and the Assistant Director of Community Development position as the County continues to grow.

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

Ms. Sadler delayed her comments.

Mr. McGlennon mentioned he attended a service for Ms. Edith Edwards, the spouse of Mr. Jack Edwards who previously served on the Board of Supervisors for 30+ years. He noted he, Ms. Larson, and Mr. Icenhour attended the Virginia Municipal League (VML)/Virginia Association of Counties (VACo) Forum in Richmond. He referenced School Board Lobby Day and briefly discussed that he and Mr. Icenhour had the opportunity to travel to Richmond with the School Board and met with the four local legislators to talk about the school system's wish list for the legislative session as well as to talk about savings that came out of the VML/VACo Forum.

Ms. Sadler stated all the Board members attended the Employee Service Awards and enjoyed participating in the event. She noted she attended the Jamestown Historic Republican Women's Luncheon and gave a shout-out to staff who recorded the new pre-meeting video.

Ms. Larson stated the VACo/VML conference was very informative. She noted she and Mr. Stevens had been participating in interviews for a new jail superintendent. She remarked she appreciated being included in holiday happenings with County staff. Ms. Larson expressed her condolences for the passing of Mr. Sterling Nichols and commented his legacy was his family as well as being the champion of cleaning up the James River.

Mr. Hipple referenced the Employee Service Awards and expressed his appreciation to the dedicated employees who care deeply for James City County and its citizens.

Ms. Larson stated the Employee Service Awards were outstanding.

Mr. McGlennon acknowledged Mr. Stevens for inviting employees who were not honorees to the Employee Service Awards event.

Mr. Icenhour attended the Hampton Roads Mayors and Chairs Caucus where discussion ensued regarding regional issues. He informed his fellow Board members he had a scheduling conflict with the committee assignments for the Hampton Roads Planning District Commission (HRPDC) and the Hampton Roads Military and Federal Facilities Alliance (HRMFFA). He asked the Board to amend the assignments to make Mr. Hipple the primary for HRPDC and HRMFFA with himself as the Alternate.

A motion to Amend the Board Assignments to make Michael Hipple the Primary to the Hampton Roads Planning District Commission and Hampton Roads Military and Federal Facilities Alliance with James Icenhour as the Alternate was made by Ruth Larson, the motion result was Passed.

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

Mr. Icenhour conferred with his fellow Board members regarding bringing back an Initiating Resolution before the Board at its February meeting to examine potentially changing the Ordinance regarding retaining walls. He explained this would be staff starting the process and the initiation Ordinance would allow the study as well as let staff bring information before the Board. He commented there were currently several in the County that were significant problems, two in New Town and one in Colonial Heritage.

The Board members replied yes.

Mr. Icenhour directed Mr. Stevens to request staff members to bring that back before the Board.

Mr. Hipple recommended reaching out to engineering firms in regard to the impacts and testing of retaining walls.

Ms. Larson expressed her condolences to the family of Ms. Grace Boone, Director of General Services, for the recent passing of her mother Ms. Mary Clark, who was a past long-standing (20+ years) Construction Inspector with the James City Service Authority.

Mr. Stevens noted Ms. Clark's grandson is a James City County Police Officer, totaling three generations who had served, or are currently serving, the citizens of James City County.

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

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

Mr. Stevens noted the following information:

James City County Police and Fire Departments will be hosting a Civilian Response to Active Shooter Events training session following Stop the Bleed training on Saturday, February 15 from 8:30 a.m.-12:30 p.m. This training is located at the Fire Training Center, 5077 John Tyler Highway and is free to anyone 14 years or older. For more information call the James City County Fire Marshal at 565-7607.

James City County dog licenses can be purchased through the Treasurer's Office (253-6705), with the renewal period running through January 31, 2020. Tags must be on the dogs by January 31, 2020. Additional information is available at <https://jamescitycountyva.gov/>

James City County Police Department Citizen Police Academy has been offering members of the community the opportunity to get an inside look at the operation and function of Police procedures since the mid-1990s. The Police Department is currently accepting applications for the 50th Citizen's Police Academy that will run March 4-June 3, 2020. The application can be accessed at <https://jamescitycountyva.gov/> or by calling Master Police Office Jamie Lilley at 603-6027.

## **L. CLOSED SESSION**

A motion to Certify the Board spoke about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.  
AYES: 5 NAYS: 0 ABSTAIN: 0 ABSENT: 0

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:41 p.m., the Board entered Closed Session.

At approximately 7:10 p.m., the Board re-entered Open Session

1. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community pursuant to Section 2.2-3711(A)(5) of the Code of Virginia.
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

A motion to Approve was made by Michael Hipple, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

3. Planning Commission Appointments

A motion to Appoint Individuals to Boards and Commissions was made by Sue Sadler, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended the appointment of Ms. Odessa Dowdy for the Stonehouse District seat to be effective February 1, 2020 and expire on January 31, 2024.

Mr. Icenhour noted the appointment of the Roberts District seat would be deferred.

4. Board of Equalization Appointments

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended the reappointments of Mr. Michael Grimes, Mr. Christopher Hedrick, Ms. Vicki Nase, and Mr. Robert Singley, Jr. to the Circuit Court Judge appointments to expire on December 31, 2022.

5. Virginia Peninsula Public Service Authority Board of Directors - Staff Appointments

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended the appointments of Ms. Grace Boone, Director of General Services as the Member Representative and the Mr. Jim Hill, Solid Waste Coordinator as the Alternate Designee for terms that are effective immediately and to expire on December 31, 2023.

6. Community Services Coalition Board of Directors - Staff Appointment

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

The Board recommended the appointment of Ms. Barbara Watson, Assistant Director of Social Services, to be reappointed to a new term to expire on January 1, 2023.

7. Disposition of publicly held real property where discussion in an open meeting would adversely affect the negotiating strategy of the public body; in particular, the unimproved right-of-way located along Overlook Drive pursuant to Section 2.2-3711(A)(3) of the Code of Virginia.
8. Consultation with legal counsel pertaining to actual litigation, where such consultation would adversely affect the negotiating or litigation posture of the public body; in particular, the case known as Fout v. Laurel Lake Waterfront Property Owners' Assoc., Case No. CL17-8698, pursuant to Section 2.2-3711(A)(7) of the Code of Virginia.

**M. ADJOURNMENT**

1. Adjourn until 9 a.m., on January 25, 2020, for the Board Retreat

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 7:13 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**January 28, 2020**  
**4:00 PM**

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**A. CALL TO ORDER**

**B. ROLL CALL**

P. Sue Sadler, Stonehouse District  
John J. McGlennon, Roberts District  
Ruth M. Larson, Berkeley District  
Michael J. Hipple, Vice Chairman, Powhatan District  
James O. Icenhour, Jr., Chairman, Jamestown District

Scott A. Stevens, County Administrator  
Adam R. Kinsman, County Attorney

**C. BOARD DISCUSSIONS**

**1. Pre-Budget Work Session Presentation**

Mr. Icenhour welcomed Ms. Sharon Day, Director of Financial and Management Services (FMS) and Ms. Cheryl Cochet, Assistant Director of FMS to the meeting.

Ms. Day noted there were two objectives for the meeting. She further noted providing a financial update on Fiscal Year (FY) 2019 as well as FY 20. Ms. Day also noted an update on the FY 21-22 budget process with a current overview of present and future direction over the next few months. She highlighted revenues and expenditures in a PowerPoint presentation. Ms. Day noted FY 19 was a good year as the revenue exceeded the budget while the expenditures came under budget. She highlighted the General Fund revenue and the breakdown of real property and personal property as revenue areas exceeding the budget. Ms. Day noted the County Treasurer's work with two companies to assist with professional billing tax collection. She further noted an increase in sales tax, which she added the Wayfair decision may have impacted internet sales. Ms. Day noted recordation taxes and building permits were revenues under budget. She continued her PowerPoint presentation noting personnel savings from turnover and vacancies, but stated health insurance claims were higher. She cited monitoring costs and claims to assist with budget needs.

Mr. McGlennon inquired if the \$24.53 million shown for personal property taxes for FY 20 reflected inclusion of the state share of the personal property.

Ms. Day responded no as that stayed local. She noted building related revenues as the next slide in the PowerPoint presentation. She continued with breakdowns on meals and lodging taxes, as well as consumer driven revenues. Ms. Day noted FY 18 had some lost collection time for business license revenue due to a mailing issue. She further noted that issue created a spike in the FY 19 amount. Ms. Day added that some of the revenue that would have been applied to FY 18 was applied to FY 19, but had since leveled off. Ms. Day noted in the General Fund Revenues slide that the "Other" category for FY 20 Budget was higher due to

costs for the recycling program. She continued with the overall summary for the FY 21-22 budget noting it was a two-year budget with the first year appropriated and the second year as a plan. She further noted the real estate biennial reassessment was expected to result in a 1-1.5% overall increase. Ms. Day added the Five-year Capital Improvements Plan (CIP) and state budget mandates as other areas. She updated the Board on personnel budget and CIP requests, as well as outside agency requests. Ms. Day noted a podcast on the budget process was released in January with a second podcast after the budget release from the County Administrator. Ms. Day highlighted FY 21-22 considerations in her PowerPoint presentation.

Mr. McGlennon asked how the County compared to other localities in the Virginia Retirement System (VRS) rates.

Ms. Day noted the County percentage was 75%.

Mr. McGlennon questioned 90% as the average. He noted he would check.

Ms. Day noted she had not heard that. She gave a timeline for the County's budget in the PowerPoint.

Mr. Hipple noted the podcast was very well done and hoped citizens had an opportunity to hear it. He questioned that 53% of the County budget funding was for schools.

Ms. Day confirmed yes.

Mr. Hipple noted that two-thirds of the budget covered schools and Police/Fire/EMS, while still maintaining the remaining percentage for County operations. He commented that was an amazing job and wanted to make sure citizens understood the efficiency.

Ms. Day confirmed yes.

Ms. Larson asked about the requests and priorities before presentation to the County Administrator.

Ms. Day noted FMS had reviewed personnel and CIP requests for questions, omissions, and other pertinent information. She further noted FMS then met with the Human Resources (HR) Department as HR saw more County-wide issues and needs. She added the Planning Commission prepared a priority list for the CIP. Ms. Day noted FMS was reviewing outside requests and the priority lists for those organizations.

Mr. Icenhour noted Mr. Stevens had prepared a list from the Board's Retreat meeting to share with each Supervisor for feedback to assist staff and Mr. Stevens with priorities.

Mr. Stevens noted the list had been categorized and requested the Supervisors provide feedback and ranking to assist in the budget discussion.

Ms. Larson asked about the facilities study and the County complex.

Mr. Stevens asked each member to rank the priorities and then a compilation of those rankings would be presented back to the Board for review.

Discussion ensued on priority rankings, the facilities study, and the County complex.

Ms. Sadler asked about the pre-kindergarten (pre-K) item.

Mr. Stevens noted one-time funding versus long-term funding in the pre-K program and its

future.

Mr. Icenhour added action from the General Assembly regarding pre-K fundings. He noted a letter had been sent to local legislators with a request for funding in the teachers' retirement fund. He further noted future discussion was likely depending on what transpired during the General Assembly.

Mr. Stevens asked for the priority list this week.

Mr. Icenhour noted the list was beneficial to both Mr. Stevens and staff.

The Board thanked Ms. Day and Ms. Cochet for the presentation.

#### **D. BOARD REQUESTS AND DIRECTIVES**

Mr. Icenhour inquired if anyone had any comments.

There were none.

#### **E. CLOSED SESSION**

A motion to Enter a Closed Session was made by Ruth Larson, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 5:40 p.m., the Board entered Closed Session.

At approximately 6:05 p.m., the Board re-entered Open Session.

A motion to Certify the Board spoke only about those items indicated that it would speak about in Closed Session was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

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

2. Planning Commission Appointment (Roberts District)

A motion to Appoint Individuals to Boards and Commissions was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

A motion to Appoint Robert Rose was made by John McGlennon. Mr. McGlennon noted Mr. Rose's term on the Planning Commission would expire on January 31, 2024.

3. Thomas Nelson Community College Board Appointment

4. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community pursuant to Section

2.2-3711(A)(5) of the Code of Virginia.

**F. ADJOURNMENT**

1. Adjourn until 8 a.m. on February 6, 2020, for Virginia Association of Counties Government Day at the Capitol

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

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon, Sadler

At approximately 6:06 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Ryan Ashe, Fire Chief

SUBJECT: Appointment of Local Fire Marshal

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	1/27/2020 - 10:37 AM
Publication Management	Burcham, Nan	Approved	1/27/2020 - 10:38 AM
Legal Review	Kinsman, Adam	Approved	1/27/2020 - 10:42 AM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:52 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:39 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:46 PM

## MEMORANDUM

DATE: February 11, 2020  
TO: The Board of Supervisors  
FROM: Ryan Ashe, Fire Chief  
SUBJECT: Appointment of Local Fire Marshal

---

Localities enforcing the Virginia Statewide Fire Prevention Code are required to have a fire official. The appointment of such shall be in a manner selected by the local governing body. The Code of James City County, Section 9-1, Adoption of Virginia Statewide Fire Prevention Code, adopts the Fire Prevention Code for the County and states that the Code shall be enforced by the fire official. The Code of James City County, Section 9-2, Definitions, defines the fire official as “the fire marshal of the county”.

The Fire Marshal is responsible for fire prevention, code enforcement, and fire investigations.

The attached resolution appoints Arthur K. Lamm as Fire Marshal for James City County. Mr. Lamm was appointed Assistant Fire Marshal by the Board of Supervisors on November 28, 2006.

Mr. Lamm has completed all necessary training and certification requirements to be appointed Fire Marshal in accordance with Section 27-30 et seq. of the Code of Virginia, 1950, as amended.

The appointment must be authorized by the Board of Supervisors.

Staff recommends adoption of the attached resolution that complies with all Commonwealth of Virginia requirements.

RA/md  
Appt-FireMar-mem

Attachment

## RESOLUTION

### APPOINTMENT OF LOCAL FIRE MARSHAL

- WHEREAS, Section 27-30 et seq. of the Code of Virginia, 1950, as amended, provides that James City County may appoint a Fire Marshal to carry out certain duties as delineated thereunder; and
- WHEREAS, Section 27-34.2 of the Code of Virginia, 1950, as amended, provides that James City County may authorize for the local Fire Marshal to have the authority to arrest, to procure and serve warrants of arrest, and to issue summons in the manner authorized by general law for violation of local fire prevention and fire safety and related Ordinances; and
- WHEREAS, Section 27-34.2:1 of the Code of Virginia, 1950, as amended, provides that James City County may authorize the local Fire Marshal to have the same law enforcement police powers as a Sheriff, Police Officer, or law enforcement officer; and
- WHEREAS, Section 27-34.3 of the Code of Virginia, 1950, as amended, provides that James City County may authorize the local Fire Marshal to exercise the powers authorized by the Fire Prevention Code; and
- WHEREAS, Mr. Arthur K. Lamm has met all the minimum training and certification requirements of the Virginia Department of Housing and Community Development, Virginia Department of Criminal Justice Services, and Virginia Department of Fire Programs; and
- WHEREAS, Mr. Lamm was previously appointed as Assistant Fire Marshal.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby appoints Arthur K. Lamm as James City County Fire Marshal and has all police powers and fire prevention powers provided in the Code of Virginia Section 27-30, et seq., and, without limitations, those contained in 27-34.2, 27-34.2:1, and 27-34.3.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Ryan Ashe, Fire Chief/Emergency Management Coordinator

SUBJECT: Authorization to Enter into a Memoranda of Understanding with Public Entities for the Provision of Services in Times of Emergency

---

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Fire	Ashe, Ryan	Approved	1/27/2020 - 4:29 PM
Publication Management	Burcham, Nan	Approved	1/27/2020 - 4:31 PM
Legal Review	Kinsman, Adam	Approved	1/27/2020 - 4:34 PM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:52 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:46 PM

## MEMORANDUM

DATE: February 11, 2020

TO: The Board of Supervisors

FROM: Ryan Ashe, Fire Chief/Emergency Management Coordinator

SUBJECT: Authorization to Enter into a Memoranda of Understanding with Public Entities for the Provision of Services in Times of Emergency

---

On December 10, 2019, the Board of Supervisors of James City County (the “County”) adopted the Emergency Operations Plan (the “Plan”).

The Plan outlines the tasks, roles, and responsibilities necessary to provide adequate preparation, response, and recovery during emergencies affecting James City County.

In part the Plan requires cooperation between the County and other public entities, e.g., the James City Service Authority.

Attached is a resolution granting the County Administrator authorization to enter into a Memoranda of Understanding with public entities for the purposes of ensuring that the citizens of James City County have adequate and convenient access to services in times of emergency.

RA/md  
MOU-PublicEmerg-mem

Attachment

## RESOLUTION

### AUTHORIZATION TO ENTER INTO A MEMORANDA OF UNDERSTANDING

#### WITH PUBLIC ENTITIES FOR THE PROVISION OF SERVICES IN TIMES OF EMERGENCY

WHEREAS, the James City County Board of Supervisors (the “Board of Supervisors”) recognizes the threats that natural and man-made hazards pose to our residents; and

WHEREAS, James City County has formally adopted an Emergency Operations Plan outlining the tasks, roles, and responsibilities necessary to provide adequate preparation, response, and recovery during emergencies affecting James City County; and

WHEREAS, the Board of Supervisors recognizes the need to coordinate with other political subdivisions of the Commonwealth in the event of an emergency; and

WHEREAS, Virginia law authorizes local governments to enter into reciprocal agreements for mutual aid including personnel, equipment, or other resources for public purposes.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia authorizes the County Administrator pursuant to the Emergency Operations Plan to enter into a Memoranda of Understanding with other political subdivisions of the Commonwealth for the provision of aid to other political subdivisions or receipt of aid from other political subdivisions subject to the availability of resources.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

MOU-PublicEmerg-res

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Grace A. Boone, Director of General Services

SUBJECT: Establishment of a Full-Time Groundskeeper I/II Position

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
General Services	Boone, Grace	Approved	1/24/2020 - 4:04 PM
Publication Management	Daniel, Martha	Approved	1/24/2020 - 4:07 PM
Legal Review	Kinsman, Adam	Approved	1/27/2020 - 8:29 AM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:52 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:46 PM

## MEMORANDUM

DATE: February 11, 2020

TO: The Board of Supervisors

FROM: Grace A. Boone, General Services Director

SUBJECT: Establishment of a Full-Time Regular Groundskeeper I/II Position

---

For several years, grounds maintenance at County school sites has taken place under an agreement with the school division that sets out responsibilities and procedures. All grounds maintenance activities are managed by the County's General Services Department. When the agreement was initiated, several school grounds employees remained employees of the school division, but were assigned to General Services for management purposes. They typically work on school sites but are fully integrated into the Grounds Division staff. Many expenses attributable to work on school sites are included in a separate budget and are billed to schools on a monthly basis.

As part of the agreement, any school positions that become vacant are to be replaced with County employees. This has taken place on several occasions over the years. Additionally, one school employee recently resigned. The attached resolution would authorize two actions. It would establish a new County position to allow filling the vacant position and transferring funds from Operating Contingency to 001-142-0110, Salaries, Full-Time Employees.

Staff recommends adoption of the attached resolution.

GAB/md  
FTGrndsKprPos-mem

Attachment

## RESOLUTION

### ESTABLISHMENT OF A FULL-TIME REGULAR GROUNDSKEEPER I/II POSITION

WHEREAS, the James City County Department of General Services desires to provide outstanding grounds maintenance services to all County and Williamsburg-James City County (WJCC) school facilities; and

WHEREAS, a WJCC grounds employee has resigned and there is a continuing need for that position to provide the needed services; and

WHEREAS, the approved interagency agreement between James City County and WJCC schools requires that school positions be replaced by County positions as they become vacant.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes one full-time regular groundskeeper I/II position, effective February 16, 2020. The Board also approves the transfer of \$47,222 from Operating Contingency to 001-142-0110.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

FTGrndsKprPos-res

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Colonial Community Corrections - Department of Criminal Justice Services Byrne/JAG - \$2,785

---

On October 15, 2019, Colonial Community Corrections was awarded a Byrne/JAG Grant through the Department of Criminal Justice Services in the amount of \$2,785, with a grant start date of January 1, 2020, and an end date of June 30, 2021.

This grant will be used to fund payment to a private vendor for use of an automated system notification to probationers and pretrial defendants alerting them to upcoming court hearings and other related meetings.

It is hereby requested the Board of Supervisors now appropriate the \$2,785 for use in the Colonial Community Corrections Fund.

Staff recommends acceptance of the funds and adoption of the attached resolution.

**ATTACHMENTS:**

	Description	Type
☐	Memo	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Police	Rinehimer, Bradley	Approved	1/30/2020 - 1:58 PM
Police	Rinehimer, Bradley	Approved	1/30/2020 - 1:58 PM
Publication Management	Daniel, Martha	Approved	1/30/2020 - 2:04 PM
Legal Review	Kinsman, Adam	Approved	1/31/2020 - 7:42 AM
Board Secretary	Cochet, Cheryl	Approved	2/4/2020 - 3:04 PM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 3:37 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:47 PM

## MEMORANDUM

DATE: January 30, 2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award - Colonial Community Corrections - Department of Criminal Justice Services  
Byrne/JAG - \$2,785

---

On October 15, 2019, Colonial Community Corrections was awarded a Byrne/JAG Grant through the Department of Criminal Justice Services in the amount of \$2,785, with a grant start date of January 1, 2020, and an end date of June 30, 2021.

This grant will be used to fund payment to a private vendor for use of an automated system notification to probationers and pretrial defendants alerting them to upcoming court hearings and other related meetings.

It is hereby requested the Board of Supervisors now appropriate the \$2,785 for use in the Colonial Community Corrections Fund.

Staff recommends acceptance of the funds and adoption of the attached resolution.

BJR/nb  
GA-CCC-ByrneJAG-mem

Attachment

## RESOLUTION

### GRANT AWARD - COLONIAL COMMUNITY CORRECTIONS -

#### DEPARTMENT OF CRIMINAL JUSTICE SERVICES BYRNE/JAG - \$2,785

WHEREAS, on October 15, 2019, Colonial Community Corrections was awarded a Byrne/JAG Grant by the Department of Criminal Justice Services in the amount of \$2,785 for an 18-month period beginning January 1, 2020; and

WHEREAS, this Byrne/JAG Grant will be used to send automated notification of court dates and other important information to probationers and pretrial defendants.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of James City County, Virginia, hereby authorizes the budget appropriation of \$2,785 to the Colonial Community Corrections Fund.

#### Revenue:

Federal - Byrne/JAG Grant	<u>\$2,785</u>
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#### Expenditure:

Byrne/JAG Grant	<u>\$2,785</u>
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\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

GA-CCC-ByrneJAG-res

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - V-Stop Grant Program Fund - \$59,779

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	RES	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 1:58 PM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:47 PM
Publication Management	Burcham, Nan	Approved	2/4/2020 - 3:51 PM
Legal Review	Kinsman, Adam	Approved	2/4/2020 - 4:30 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 4:31 PM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 4:48 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 4:50 PM

## MEMORANDUM

DATE: February 11, 2020

TO: The Board of Supervisors

FROM: Nathan R. Green, Commonwealth Attorney

SUBJECT: Grant Award - Commonwealth Attorney - V-Stop Grant Program Fund - \$59,779

---

The Commonwealth Attorney has been awarded a \$59,779 (\$28,372 federal; \$31,407 local match) 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, 2020.

Staff recommends adoption of the attached resolution.

NRG/nb  
GA-CAttyVSTOP20-mem

Attachment

## RESOLUTION

### GRANT AWARD - COMMONWEALTH ATTORNEY -

#### V-STOP GRANT PROGRAM FUND - \$59,779

WHEREAS, the Commonwealth Attorney for the City of Williamsburg and James City County has been awarded a \$59,779 grant (\$28,372 federal; \$31,407 local match), which is awarded annually from the V-STOP Grant Fund through the State Department of Criminal Justice Services (DCJS); and

WHEREAS, funds will be used for personnel costs to advocate for victims of crimes involving domestic violence, sexual abuse, and stalking beginning January 1, 2020 through December 31, 2020; and

WHEREAS, this grant requires a local match of \$31,407, 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, 2020, for the purposes described above:

Revenues:

Federal - CY20 V-STOP - DCJS	\$28,372
Local Match	<u>31,407</u>
Total	<u>\$59,779</u>

Expenditure:

CY20 V-STOP	<u>\$59,779</u>
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\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Initiation of Review of Zoning Ordinance to include Special Provisions for Certain Retaining Walls

---

**ATTACHMENTS:**

	Description	Type
☐	memo	Cover Memo
☐	reso	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Attorney	Kinsman, Adam	Approved	1/15/2020 - 1:37 PM
Publication Management	Daniel, Martha	Approved	1/15/2020 - 1:40 PM
Legal Review	Kinsman, Adam	Approved	1/15/2020 - 1:42 PM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:53 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:47 PM

## MEMORANDUM

DATE: February 11, 2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance to Include Special Provisions for Retaining Walls

---

At the January 14, 2020 Board of Supervisors meeting, Chairman Icenhour requested that staff prepare an Initiating Resolution to direct staff to study potential amendments to the James City County Code to provide for enhanced engineering, review, and approval procedures for certain retaining walls. An Initiating Resolution is attached.

Should the Board desire to initiate such studies, I recommend adoption of the attached resolution.

ARK/md  
EnhancReg-RetWalls-mem

Attachment

## RESOLUTION

### INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE TO

### INCLUDE SPECIAL PROVISIONS FOR RETAINING WALLS

- WHEREAS, the Virginia Code § 15.2-2286 and County Code § 24-13 permit the Board of Supervisors of James City County, Virginia (the “Board”) to, by motion, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and
- WHEREAS, amendments to the Zoning Ordinance are necessary in order to add special provisions to regulate retaining walls that are to be constructed in a location and/or height that may cause future health, safety, and welfare concerns; and
- WHEREAS, the Board desires to include a provision in the Zoning Ordinance that requires special engineering, review, and approval procedures for such retaining walls; and
- WHEREAS, the Board is of the opinion that the public necessity, convenience, general welfare, or good zoning practice warrant the consideration of amendments to the Zoning Ordinance.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby, by motion, initiate staff review of the Zoning Ordinance of the James City County Code, including the addition of a new section to provide for enhanced engineering requirements and review and approval procedures for proposed retaining walls of such a height that may cause future concerns for the health, safety, and welfare of the citizens of the County. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Ordinance and shall forward its recommendation to the Board of Supervisors in accordance with the law.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services and Paul Holt, Director of Community Development

SUBJECT: Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Fair Housing Certification

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Eligible Fair Housing Actions	Backup Material

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	1/22/2020 - 3:01 PM
Publication Management	Burcham, Nan	Approved	1/22/2020 - 3:03 PM
Legal Review	Kinsman, Adam	Approved	1/23/2020 - 1:21 PM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:53 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:47 PM

## MEMORANDUM

DATE: February 11, 2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services  
Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Fair Housing Certification

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On September 10, 2019, the Board of Supervisors approved a Budget Appropriation that will allow James City County to participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, Sell (ARS) Program.

The goal of the ARS Program is to transform previously undervalued homes in James City County (the "County") into community assets and create new homeownership opportunities for low- and moderate-income (income-eligible), first-time homebuyers, thus stabilizing a street, neighborhood, community, and family.

The Department of Housing and Community Development (DHCD) requires recipients of ARS funds to adhere to the Housing and Community Development Act of 1974, as amended (the "Act") to take one action during each program year that affirmatively furthers fair housing. Attached is a list of actions that DHCD deems acceptable in affirmatively further fair housing. The County may also request DHCD approve actions not listed. Actions taken for one program, such as the Scattered Site Housing Rehabilitation Program may also be counted as an action for the ARS Program.

In the past the Housing Unit has fulfilled the obligation to affirmatively further fair housing with contests for children in after-school programs to submit drawings or models of their dream home by recruiting and training landlords of low- and moderate-income households, distributing fair housing information at public events, and posting fair housing information on the JCC TV channel.

In the first year of the Scattered Site and the ARS Programs, the Housing Unit plans include fair housing information at the annual Landlord Fest held in April 2020. The Housing Unit will select an activity for 2021 in the fall of 2020.

Staff recommends approval of the attached resolution to certify the County will take one action each program year to further fair housing.

RV/PDH/nb  
FairHousCAadopt-mem

Attachments:

1. Resolution
2. Eligible Fair Housing Actions

## RESOLUTION

### VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S

#### ACQUIRE, RENOVATE, SELL PROGRAM -

#### ADOPTION OF REQUIRED FAIR HOUSING CERTIFICATION

WHEREAS, James City County has been awarded the opportunity to participate in the Virginia Department of Housing and Community Development Acquire, Renovate, Sell Program to acquire, renovate, and resell vacant housing to households with incomes within the Virginia Housing Development Authority's income limits for James City County; and

WHEREAS, the Virginia Department of Housing and Community Development requires recipients of the Acquire, Renovate, Sell Program, which is funded by the Virginia Department of Housing and Community Development and the Virginia Housing Development Authority, to take action to affirmatively further fair housing pursuant to Title VIII of the Civil Rights Act of 1968.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby agrees to take at least one action to affirmatively further fair housing each grant year during the life of its Acquire, Renovate, Sell Program. The Board of Supervisors directs the County Administrator to take those actions necessary to affirmatively further fair housing as required by the Act.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

FairHousCAadopt-res

# Fair Housing Certification

Compliance with Title VIII of the Civil Rights Act of 1968

(Virginia Department of Housing and Community Development ARS-Fair Housing Certification dated 01/2019)

## Examples of acceptable Fair Housing Activities include:

- Adopt a resolution endorsing the concept of fair housing, including the specific rights included in the law, and advertise its wording in a display advertisement in a local newspaper;
- Attendance by a member of the Provider's governing body or Chief Administrative Official and a second appropriate representative (realtor, banker, etc.) at a fair housing workshop approved by DHCD;
- Provide all program beneficiaries with a copy of DHCD's fair housing brochures;
- Distribute copies of the fair housing brochures at local public events;
- Enlist the participation of local realtors, lenders and homebuilders in an agreement, and promotion of affirmative marketing, open housing and review of underwriting /credit criteria, etc. Publish such agreements in a local paper;
- Conduct public educational programs for local housing consumers, providers, and/or financial institutions, regarding fair housing issues;
- Develop a public information program using local newspapers, radio stations, bulletin board, churches, utility bill mailings, or local government TV channels to ensure that all segments of the community are aware of fair housing requirements, especially realtors, landlords, financial institutions, and the minority community;
- Sponsor a fair housing poster contest at local schools in conjunction with an informational session;
- Develop a fair housing assistance program to make housing opportunities available in non-minority areas, monitor compliance and submit discrimination complaints to the State or Federal government;
- Conduct a formal Assessment of Impediments (AI) study of local zoning, real estate and/or financing practices which affect housing choices of minorities and other protected classes; and
- Survey the special housing problems of minorities and women, determining any effects of discrimination and developing a plan to assist them in overcoming these effects.

**\* The fair housing activity selected by the Provider must be a different one each program year. Furthermore, all fair housing activities must be properly documented so their completion can be verified during the compliance review.**

**\* If the Provider has more than one active DHCD project, only one fair housing activity is required but all project files must be documented.**

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services and Paul Holt, Director of Community Development

SUBJECT: Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Housing Rehabilitation Program Design and Residential Anti-Displacement and Relocation Assistance Plan

---

**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution
☐	Housing Rehabilitation Program Design	Exhibit
☐	Anti-Displacement and Relocation Assistance Plan	Exhibit

**REVIEWERS:**

Department	Reviewer	Action	Date
Development Management	Holt, Paul	Approved	1/22/2020 - 3:01 PM
Publication Management	Burcham, Nan	Approved	1/22/2020 - 3:03 PM
Legal Review	Kinsman, Adam	Approved	1/23/2020 - 1:21 PM
Board Secretary	Fellows, Teresa	Approved	2/3/2020 - 7:53 AM
Board Secretary	Purse, Jason	Approved	2/4/2020 - 2:40 PM
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:47 PM

## MEMORANDUM

DATE: February 11, 2019

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services  
Paul D. Holt, III, Director of Community Development and Planning

SUBJECT: Virginia Department of Housing and Community Development's Acquire, Renovate, Sell Program - Adoption of Required Housing Rehabilitation Program Design and Residential Anti-Displacement and Relocation Plan

---

On September 10, 2019, the Board of Supervisors approved a Budget Appropriation that will allow James City County to participate in the Virginia Department of Housing and Community Development's Acquire, Renovate, Sell (ARS) Program.

The goal of the ARS Program is to transform previously undervalued homes in James City County (the "County") into community assets and create new homeownership opportunities for low- and moderate-income (income-eligible), first-time homebuyers, thus stabilizing a street, neighborhood, community, and family.

The ARS Program Design and the ARS Anti-Displacement and Relocation Plan govern housing renovation and relocation assistance for the ARS.

The ARS Program Design describes the program's oversight and staffing, applicant and property eligibility requirements, housing renovation standards, relocation assistance, terms of financial assistance, contracting procedures, and dispute resolution procedures.

The Housing and Community Development Act of 1974 requires the County to adopt a Residential Anti-Displacement and Relocation Plan (the "Anti-displacement Plan") and to commit to minimize project-related displacement for projects utilizing Community Development Block Grant funds. The Anti-displacement Plan must specify actions the County will take to avoid displacement of households and to assure one-for-one replacement of dwellings occupied by low- and moderate-income households when demolition of an occupied home is unavoidable.

The ARS Program will only acquire vacant properties; therefore, displacement and relocation are not anticipated. However, as required by the Virginia Department of Housing and Community Development, the Anti-displacement Plan enumerates the assistance that will be available, if displacement does occur.

Staff recommends approval of the attached resolution to adopt the Acquire, Renovate, Sell Program Design and the Residential Anti-Displacement and Relocation Plan.

RV/PDH/md  
ARSProgDes-Reloc-mem

Attachments:

1. Resolution
2. Housing Rehabilitation Program Design
3. Anti-Displacement and Relocation Assistance Plan

**RESOLUTION**

**VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT'S**

**ACQUIRE, RENOVATE, SELL PROGRAM - ADOPTION OF REQUIRED HOUSING**

**REHABILITATION PROGRAM DESIGN AND RESIDENTIAL ANTI-DISPLACEMENT**

**AND RELOCATION ASSISTANCE PLAN**

WHEREAS, James City County has been awarded the opportunity to participate in the Virginia Department of Housing and Community Development Acquire, Renovate, Sell Program (ARS) to acquire, renovate, and resell vacant housing to households with incomes within the Virginia Housing Development Authority's income limits for James City County; and

WHEREAS, the Virginia Department of Housing and Community Development requires that a locality participating in the ARS Program have program policies and procedures adopted by its governing body.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the attached James City County Acquire, Renovate, Sell Program Design and the Residential Anti-Displacement and Relocation Assistance Plan as the policies that shall govern the acquisition, renovation, sale, replacement housing, and relocation assistance for the James City County Acquire, Renovate, Sell Program.

\_\_\_\_\_  
James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

\_\_\_\_\_  
Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

# **JAMES CITY COUNTY-ACQUIRE, RENOVATE, SELL PROGRAM**

## **HOUSING REHABILITATION PROGRAM DESIGN**

### **PROGRAM PURPOSE AND OBJECTIVES**

The goal of the Acquire, Renovate, Sell (ARS) Program is to transform previously undervalued homes in James City County (the “County”) into community assets and create new homeownership opportunities for low-and moderate-income (income-eligible), first-time homebuyers, thus stabilizing a street, neighborhood, community and family.

**Income Eligibility.** A household is income eligible if the household income does not exceed income limit established by the Virginia Housing Development Authority (VHDA) for James City County (the “VHDA income limit”).

**First-time Homebuyer.** Homebuyers who have not owned and occupied a primary residence during the preceding three years.

**Undervalued Home.** A home that is assessed below market value. This may include but is not limited to homes that are foreclosed, abandoned, vacant, distressed, investor-owned and economically-challenged, estate/divorce/tax sales, or have suffered years of deferred maintenance.

### **OVERSIGHT AND STAFFING**

#### **Grant Administrator**

The Neighborhood Development Administrator will serve as the Grant Administrator. The Grant Administrator will:

- Oversee the acquisition, renovation and loan closing processes.
- Review and approve all pay requests and change orders.

#### **Housing Renovation Program Manager**

The Housing Manager will serve as the Renovation Program Manager (the “Renovation Manager”) and shall supervise the Housing Renovation Specialist. The Renovation Manager will:

- Oversee the work of the Housing Renovation Specialist.
- Attend Virginia Department of Housing and Community Development Housing Quality (DHCD HQS) initial and final inspections.
- Review and approve all contractors’ pay requests and change orders.

- Receive and investigate all complaints and make recommendations to resolve them.
- Oversee the Housing Counselor and Housing Assistant in their conduct of the homebuyers' application and loan process.

### **Housing Renovation Specialist**

The County Housing Rehabilitation Specialist will serve as the Housing Renovation Specialist (the "Renovation Specialist"). The Renovation Specialist will:

- During the acquisition phase, conduct an inspection, prepare an initial work write-up, and cost estimate.
- Complete a scope of work.
- Complete DHCD HQS inspections, initial and final.
- Prepare the Invitation for Bid for the renovation project.
  - Invite three or more pre-qualified contractors, taken consecutively from the Rehab Board's pre-approved contractors list, to attend a pre-bid meeting.
  - Provide and review bids with contractors.
  - Conduct a pre-bid walk-through of the home with the contractors.
  - Review the bids and determine the lowest-responsive bidder.
- Monitor the construction process.
  - Conduct weekly progress and quality assurance inspections during construction.
  - Conduct percentage of contract payment inspections, and submit to the Renovation Manager for approval.
  - Document progress and problems with photographs and notes in an inspection log.
  - Review change orders and submit to the Renovation Manager for approval.
  - Conduct final inspections.
  - Attend the pre-purchase inspection with the homebuyer and their Home Inspector.
  - On houses built prior to 1978, oversee the lead based paint risk assessment process, including the contractors' use of lead safe work practices, and clearance testing

## **Housing Counselor**

The Housing Specialist will serve as the Housing Counselor. The Housing Counselor will:

- Be a HUD-certified Housing Counselor on staff with the County;
- Facilitate pre-purchase homebuyer education classes that cover: personal finance, credit, lender, real estate agent, home inspection, loan closing, and home maintenance;
- Complete the intake process for prospective homebuyers;
- Explain the loan products and documents to the client;
- Keep the client informed during the application and renovation process;
- Complete post-purchase counseling at 1, 6 and 12 months after closing.

## **Grant and Financial Manager**

The Neighborhood Development Assistant Administrator will serve as the Grant and Financial Manager (the “Grant Manager”). The Grant Manager will ensure that all grant expenditures are adequately budgeted, tracked and reported to DHCD. The County Senior Accountant shall assist the Financial Manager in reviewing all financial reports prior to submission to DHCD.

The Grant Manager will prepare the files for consideration of the Rehab Board.

The Grant Manager will prepare and file all reports required by DHCD.

## **PROPERTY ELIGIBILITY**

The County may use ARS funds to purchase and renovate any unoccupied undervalued property located in County.

- The definition of an undervalued home is stated in Program Purpose and Objectives above.
- County staff may identify properties for potential acquisition by exploring MLS listings, Realtor searches, FSBO, foreclosed, abandoned, and vacant properties.
- The County may purchase a property to construct a new house only if 1) the property has a structure that was once inhabitable but is no longer structurally sound or 2) if the property formerly had an occupied dwelling that no longer exists.
- Multi-family homes are ineligible property types.

## **APPLICANT ELIGIBILITY**

### **Allowable Income and Asset Limits for the Applicant**

The County may only sell ARS homes to:

- Income-eligible, first-time homebuyers, as defined in Program Purpose and Objectives above. However, if the County cannot find an income-eligible first-time homebuyer within 60 days of beginning to market the home, the County may sell the home to an income-eligible homebuyer who is not a first-time homebuyer
- The Housing Counselor will verify all income and asset information by third-party documentation.
- The gross income of the household from the previous year shall be considered for qualification purposes.
- The applicant may receive Down Payment Assistance through ARS if obtaining a VHDA first mortgage.
- Applicants may not have a conflict of interest as defined in this Program Design.
- Ten percent of the households' liquid assets or actual interest earned must also be counted as income and added to the gross income of a household.

### **LMI Ratio**

A minimum of 10% of homebuyers must have incomes at or below 50% the HUD Area Median income limits.

## **RENOVATION STANDARDS**

- All properties financed through ARS must meet DHCD HQS after renovations are completed.
- Improvements will relate to DHCD HQS and be in keeping with the character of the existing neighborhood.
- Green building techniques are encouraged for items needing renovation/repair.
- All properties must be inspected for termite and other structural infestation by a licensed exterminator (if infestation is discovered, treatment must be provided).
- All chimneys must be inspected thoroughly for structural damage, including loose masonry units, open mortar joints, and flue blockage. All damaged chimneys must be repaired. Chimneys with substantial blockage must be cleaned.
- All debris, abandoned vehicles, and derelict outbuildings must be removed from property.

- Houses built prior to 1978 will be presumed to contain lead-based paint (LBP). All repairs will be designed to eliminate these hazards using interim controls for any defective paint surface, and any breached friction, impact, or chewable surface showing excessive dust and/or deterioration e.g., window sill, window trough, flooring or stair treads. All renovation involving the elimination of LBP hazards shall receive a passing Clearance Examination documented by a licensed Risk Assessor.

## **CONTRACTING PROCEDURES**

James City County will abide by the Virginia Public Procurement Act and the Procurement and Contracting Process Guide.

Qualifying and selecting contractors and project management will take place as follows:

### **Contractor Pre-Qualification**

- The County Purchasing Office will advertise the opportunity for contractors to pre-qualify for participation in bid opportunities.
- Housing may obtain a list of local Class A and B contractors from the Virginia Department of Professional and Occupational Regulation or other sources and inform them of the opportunity to become a pre-qualified contractor.
- Contractors will complete and submit the pre-qualification form to the County Purchasing Office.
- Purchasing will call references and other sources (e.g. building inspectors) to verify contractor's previous performance.

### **Contractor Selection**

- At least three contractors, taken consecutively from the list of pre-qualified contractors, will be invited to submit a bid and given the bid package with instructions
- The County reserves the right to limit a contractor to no more than two contracts at any given time.

### **Project Management**

- The contractor and County will enter into a written agreement requiring the contractor to complete the work within a fixed number of days after the approved start date.
- The Renovation Specialist will issue a Notice to Proceed to the contractor.
- The contractor may request an initial payment after at least 30 percent of the contracted work is complete. Only line items that are 100% complete may be included in an invoice.

- The contractor may submit additional invoices as work is completed (suggested intervals are 50, 95, and 100 percent complete).
- The Housing Renovation Specialist will review all invoices, verify the amount with the original itemized bid, inspect the work to confirm the line items are 100% complete, and prepare the payment request. The Contractor, Housing Manger and Grant Administrator will all sign the payment request prior to submitting it to Accounts Payable.
- All change orders will be prepared and submitted by the Renovation Specialist and will contain a detailed description of the work to be completed along with an itemized cost list. The Renovation Specialist, Housing Manger and Grant Administrator will sign all change orders. The Grant Manger will submit change orders to the assigned DHCD representative for final approval. The contractor will be paid for completed change order items in the next request for payment.
- Final payments will be processed in the same manner, but must include Code Compliance inspection approval tickets; equipment documentation; register of contractors, sub-contractors and suppliers; materialmans' affidavits; lien waivers; and the Certificate of Occupancy.
- Retainage will be held until the Renovation Specialist and Grant Administrator approve the home and a Certificate of Occupancy is issued.

## **TYPES OF FINANCIAL ASSISTANCE**

The following types of financial assistance may be available for home purchase:

- Down Payment Assistance Grants (DPA) are available from VHDA if the prospective homebuyer obtains a first mortgage through VHDA. The amount of down payment assistance varies by loan type as follows:
  - FHA-insured loans receive a 2.5% DPA grant;
  - Fannie Mae loans receive a 2% DPA grant,
  - USDA and VA loans receive a 2.5% DPA grant.
- Additional funding sources may be available for DPA and closing cost assistance.

## **CONFLICT OF INTEREST**

DHCD observes a very strict conflict of interest position. No work can be done on property (acquired or resold) of any person, or his/her immediate family, who has or had decision-making power in the ARS program from the time the application was planned, developed and submitted to DHCD to the grant's execution and implementation without DHCD's prior written approval regardless of any prior approval of a Program Design. This includes any elected and appointed officials and employees of the County, in accordance with Virginia conflict of interest requirements.

## **COMPLAINT AND APPEALS PROCEDURES**

James City County strives to provide you with reliable advice and services in its Acquire, Renovate, Sell, Program. If you believe you have a problem with any aspect of this program please follow the complaint procedures described below.

### **INFORMAL RESOLUTION**

1. Submit a written complaint to the Housing Unit Manager (“Housing Manager”). If you need help putting your complaint in writing, the Housing Manager will make assistance available. The same is true for any appeals. However, contractor complaints, disputes, or appeals may involve use of local building code review committees, as outlined in the Invitation to Bid
2. The Housing Manager must investigate the complaint and respond to it, in writing, in a timely manner. The response must include an explanation of the reason(s) for the decision reached, information on how to appeal the decision and how many days you have from the date of the response to appeal the decision.

### **FORMAL RESOLUTION**

1. Address appeals of the Housing Manager’s decision, in writing, to the James City County Rehabilitation Oversight Board (“Rehab Board”) at Neighborhood Development, 101-A Mounts Bay Road, Williamsburg, VA 23185.
2. The Rehab Board will consider all written appeals and will respond, in writing, within 30 days of receipt the appeal at Neighborhood Development. The response must include an explanation of the reason(s) for the decision reached, information on the next step in the appeals process, and how many days the complainant has to appeal the Rehab Board’s decision.
3. Final appeals may be addressed, in writing, to Virginia Department of Housing and Community Development, 600 East Main Street, Suite 300, Richmond, VA 23219 (“DHCD”). The appeal should include a copy of all correspondence that has taken place to this point. The appeal should identify the problem and the desired solution. DHCD will review the complaint and respond, in writing, in a timely manner. All involved parties will be copied.

## **REVISING THE PROGRAM DESIGN**

Notwithstanding the provisions of the Program Design, all Federal, State, and Local laws, ordinances, and regulations shall strictly apply to this project. Any portion of this Program Design found to be inconsistent or incompatible with applicable laws, ordinances, or regulations shall be deemed to be severed from the Program Design without effect to the remaining provisions.

This Program Design is an official contract document; DHCD and the County Administrator must sign all revisions or amendments.

The Board of Supervisors specifically authorizes the County administrator to approve and sign any amendments to this Program Design without further official action of the Board.

Date adopted by the Board of Supervisors: February 11, 2020

I, Teresa J. Fellows, as Deputy Clerk to the James City County Board of Supervisors and Custodian of the Seal, do hereby certify that this is a true copy of the foregoing *James City County-Acquire, Renovate, Sell Program Housing Renovation Program Design* that was approved by Resolution of the Board of Supervisors and duly adopted on February 11, 2020.

---

Teresa J. Fellows

Date

**JAMES CITY COUNTY-ACQUIRE, RENOVATE, SELL PROGRAM**  
**RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

The County of James City, Virginia (the “County”) will replace all occupiable dwelling units demolished as a direct result of activities assisted with Acquire, Renovate, Sell (ARS) funds. All replacement dwelling units will be provided at prices and for households with incomes that meet the Virginia Housing Development Authority (VHDA) income and sales limits for the County.

The ARS activities will not cause any involuntary displacement from occupiable structures. The ARS activities include acquisition, renovation, and resale of residential dwellings to households with incomes meeting the Virginia Housing Development Authority income limits for James City County (the “County”). The County will work with the grant management staff and the Virginia Department of Housing and Community Development (DHCD) to insure that any changes in project activities do not cause any involuntary displacement from occupiable structures.

An occupiable structure is defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet the building code for \$45,500 or less.

If a low- or moderate-income household is displaced by ARS activities, the County will provide, with leverage funds, permanent relocation assistance to each displaced household. Such assistance shall be provided under Section 104 (d) of the *Housing and Community Development Act of 1974*, as amended, or the *Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, as amended. DHCD written approval will be required in advance for any properties that will necessitate relocation assistance.

Date adopted by the Board of Supervisors: February 11, 2020

I, Teresa J. Fellows, as Deputy Clerk to the James City County Board of Supervisors and Custodian of the Seal, do hereby certify that this is a true copy of the foregoing *James City County-Acquire, Renovate, Sell Program Residential Anti-Displacement And Relocation Assistance Plan* that was approved by Resolution of the Board of Supervisors and duly adopted on February 11, 2020.

---

Teresa J. Fellows

Date

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: P. Sue Sadler, Stonehouse District Supervisor

SUBJECT: Toano Main Street Application

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**ATTACHMENTS:**

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 4:43 PM

## MEMORANDUM

DATE: February 11, 2020  
TO: The Board of Supervisors  
FROM: P. Sue Sadler, Stonehouse District Supervisor  
SUBJECT: Toano Main Street Application

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The Virginia Main Street Program has been established in the Virginia Department of Housing and Community Development (DHCD) to assist localities, downtown organizations, and neighborhood commercial districts in developing public/private efforts to revitalize their downtown commercial areas.

Grants of up to \$7,000 are available for organizational development projects such as facilitating visioning and developing mission statements; by-laws; brand development; and others. Grants are also available for small design or downtown enhancement projects.

The Toano Historical Society seeks to partner with DHCD to apply for these grants, as well as benefit from the trainings. The application requires support from the locality, but there are no other liabilities for the County, financial or otherwise. The resolution includes language that further clarifies that support of this application does not indicate support of any future land use changes or plans that may be required.

PSS/nb  
ToanoMainSt-mem

Attachment:

1. Resolution

## **RESOLUTION**

### **A RESOLUTION IN SUPPORT OF THE**

### **TOANO HISTORICAL SOCIETY'S APPLICATION TO THE**

### **VIRGINIA MAIN STREET PROGRAM**

WHEREAS, the Virginia Main Street Program has been established in the Virginia Department of Housing and Community Development (DHCD) to assist localities, downtown organizations, and neighborhood commercial districts in developing public/private efforts to revitalize their downtown commercial areas, and localities that may not be eligible for designation as a Main Street Community or do not wish to meet the Main Street requirements may participate as a DHCD Commercial District Affiliate; and

WHEREAS, Commercial District Affiliate communities and members will have access to all Virginia Main Street training and limited on-site assistance, as resources permit; and

WHEREAS, while the Main Street Program is considered one of many economic and community development tools used by a Historic Village downtown, revitalization requires an on-going commitment, continuous attention, and a full public-private partnership; and

WHEREAS, the Historic Village of Toano, Virginia, (located in James City County), desires to participate in the Program as a DHCD Commercial District Affiliate, as part of its efforts to undertake various downtown revitalization projects and improvements that will benefit the Historic Village of Toano; and

WHEREAS, the Toano Historical Society has committed to undertaking the following activities which are required by the program:

- 1) Employ the Main Street Approach in its efforts to revitalize the Toano downtown area.
- 2) Keep community contact information current with the Virginia Main Street Program.
- 3) Attend at least one (1) Virginia Main Street training per year.
- 4) Maintain membership in the National Main Street Center Network.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby supports the Toano Historical Society submitting an application to the Virginia Main Street Program for the Historic Village of Toano to become a DHCD Commercial District Affiliate (the "Application").

BE IT FUTHER RESOLVED that the Board of Supervisors of James City County, Virginia, authorizes the County Administrator to co-sign the application for Commercial District Affiliate status, as may be desired by the Toano Historical Society.

BE IT FURTHER RESOLVED that approval of this resolution by the Board of Supervisors of James City County, Virginia, shall serve solely to indicate the Board's support of the Application and does not obligate the County to expend any funds in support of the Application, nor does it indicate the Board's consent to or approval of any current or future legislative case involving the Historic Village of Toano.

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James O. Icenhour, Jr.  
Chairman, Board of Supervisors

ATTEST:

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Teresa J. Fellows  
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of February, 2020.

ToanoMainSt-res

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

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

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:05 PM

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Colonial Community Criminal Justice Board - Staff Appointment

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 4:42 PM

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Christopher Johnson, Director of Economic Development

SUBJECT: Economic Development Authority Appointment

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 4:43 PM

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Eastern Virginia Regional Industrial Facility Authority Appointments

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**ATTACHMENTS:**

Description	Type
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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 5:07 PM

**ITEM SUMMARY**

DATE: 2/11/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 4 p.m. on February 25, 2020 for the Work Session

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**REVIEWERS:**

Department	Reviewer	Action	Date
Board Secretary	Fellows, Teresa	Approved	2/4/2020 - 3:31 PM