

**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**  
**November 10, 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. Colonial Soil and Water Conservation District Report
2. Greater Williamsburg Small Business Relief Fund - Update

**F. PUBLIC COMMENT**

**G. CONSENT CALENDAR**

1. Minutes Adoption
2. Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,665
3. Grant Award – Patrick Leahy Bulletproof Vest Partnership - \$39,200
4. Grant Award - USC Schwarzenegger Institute's Democracy Fund Initiative - \$20,000
5. Olde Towne Medical and Dental Center Addition of a Development and Communications Assistant Position
6. Olde Towne Medical and Dental Center Addition of a Full-Time Dental Director
7. Olde Towne Medical and Dental Center Addition of a Part-Time Medical Director

**H. PUBLIC HEARING(S)**

1. Ordinance to Amend County Code Section 15-26
2. SUP-20-0016. Norge Solar Farm SUP Amendment
3. SUP-20-0015. 3179 Chickahominy Road Family Subdivision

**I. BOARD CONSIDERATION(S)**

1. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Contractors' Offices and Storage in Planned Unit Development Districts
2. Fiscal Year 2021 Budget Restoration Appropriation - \$1,796,000
3. Establishment of One Full-Time Regular Position
4. Authorization of Two Percent General Wage Increase
5. 2021 Legislative Agenda

**J. BOARD REQUESTS AND DIRECTIVES**

**K. REPORTS OF THE COUNTY ADMINISTRATOR**

**L. CLOSED SESSION**

**M. ADJOURNMENT**

1. Adjourn until 4 p.m. on November 24, 2020 for the Work Session

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Douglas Hall, District Representative

SUBJECT: Colonial Soil and Water Conservation District Report

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**ATTACHMENTS:**

|   | Description  | Type         |
|---|--------------|--------------|
|  | Presentation | Presentation |

**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                 |
|-----------------|-----------------|----------|----------------------|
| Board Secretary | Fellows, Teresa | Approved | 10/30/2020 - 3:55 PM |

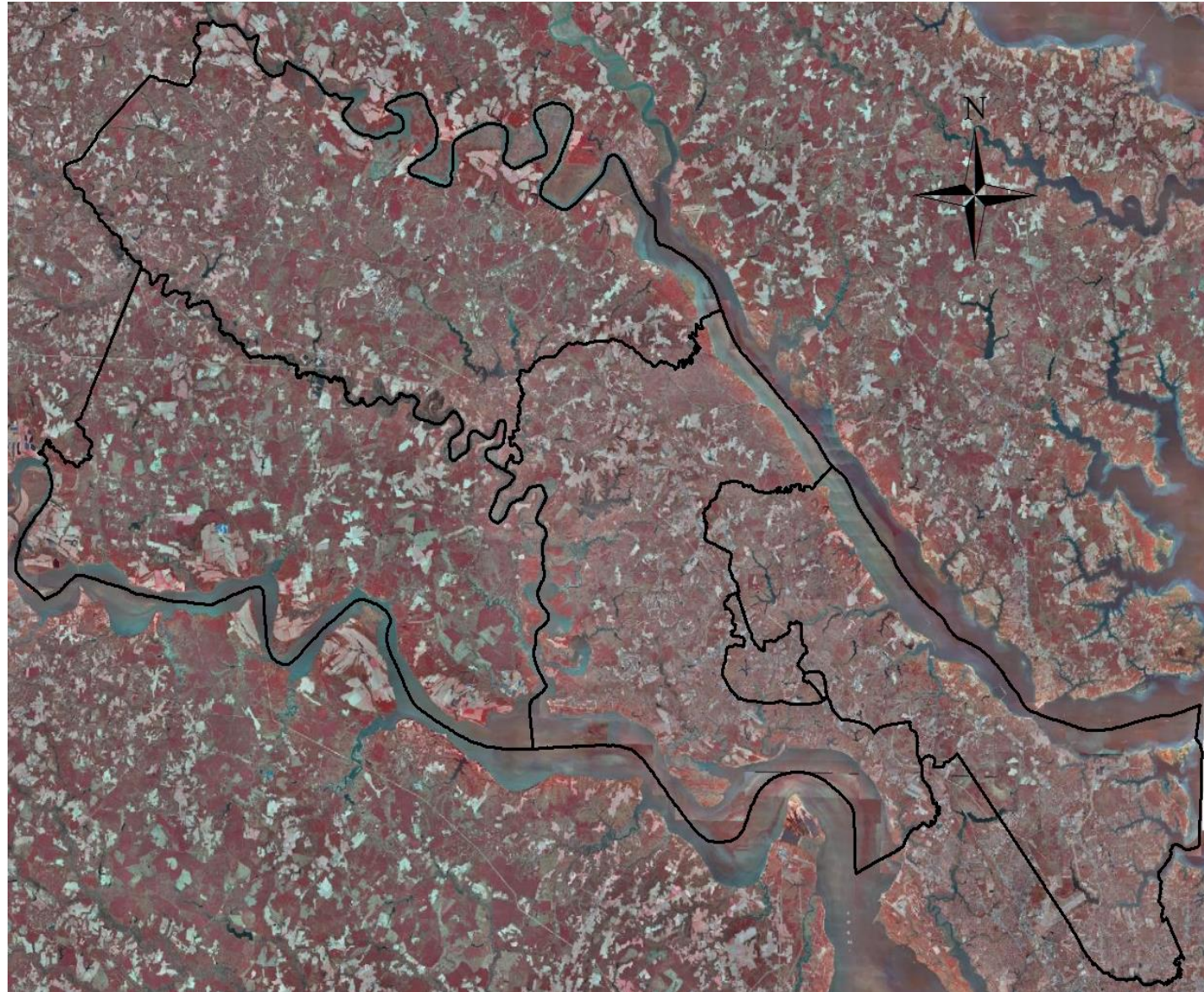


**Colonial Soil & Water Conservation District  
Report to the  
James City County Board of Supervisors  
November 10, 2020**



# Colonial District Overview

- *Political Subdivision of the Commonwealth of VA*
- *One of 47 Districts in VA*
- *Serves James City, Charles City, New Kent, York Counties and the City of Williamsburg with two elected Directors from each locality*
- *Receives ~60% of annual funding from VA Dept. C.&R.*
- *Most funding is obligated and tied to specific efforts*





# Agricultural Programs

## ***Virginia Agricultural Cost Share Program (VACS)***

- *Technical and Financial Assistance for Agricultural Conservation Practices*
- *\$107,044 Spent on JCC Cropland Over the last 5 years*
- *Nutrient Management Plans, cover crops, and continuous no-till are most common practices in JCC*

## ***Chesapeake Bay Preservation Act (CBPA)***

- *CSWCD conducts 20 CBPA assessments on agricultural lands each year in accordance with a cooperative agreement with JCC in support of a county ordinance*



# Education Programs

## *Virginia's Dominion Envirothon*

- *Environmental/Conservation Themed Competition for High School Students*
- *Colonial SWCD sponsored Jamestown HS team at Regional, State, and National Level*
- *2019 National Champions*



## *Partnership with School Health Initiative Program*

- *Two District staff members have helped with after school garden clubs at Matoaka, Stonehouse, and Laurel Lane Elementary Schools*



# Williamsburg Community Growers Partnership

- *Community garden and teaching farm in between Warhill High School and WISC complex*
- *CSWCD and JCC have been important supporters since the inception in 2014*
- *CSWCD has received \$100,000 in grants to support WCG's education and conservation missions*
- *Land use agreement with JCC and Dominion Energy allows for the innovative use of an otherwise neglected green space*
- *In 2020, over 3,000 pounds of produce have been donated to local community members in need*

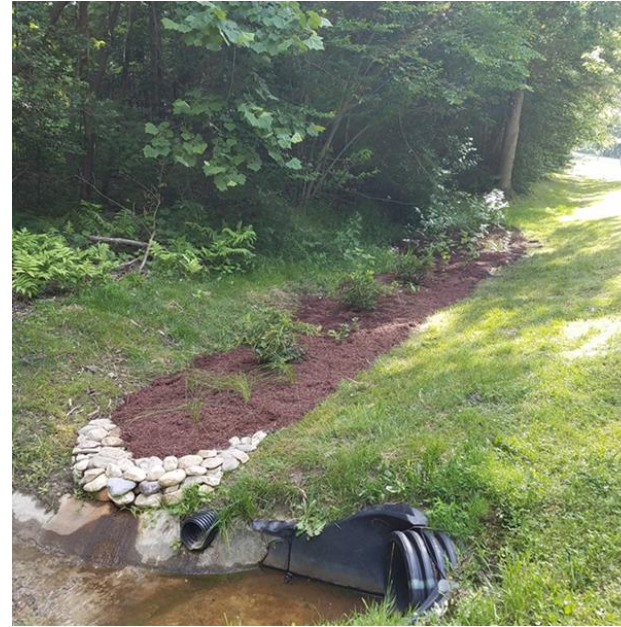




# Urban Programs

## *Virginia Conservation Assistance Program (VCAP)*

- *District Provides Technical Advice & Financial Assistance to Install/Implement Conservation Practices*
- *In the last four years, VCAP has Provided \$65,625 to JCC Homeowners, HOAs, and ,Schools (Matched by \$41,818 From Them)*
- *10 Year Obligation - Applicant to Maintain & District to Inspect*



# Turf Love

- *Since Feb 2019, the District has completed 158 certified nutrient management plans for privately owned properties, as well as 24 certified nutrient management plans for County owned properties.*
- *With support from the JCC/Williamsburg Master Gardeners, Turf Love teaches homeowners how to maintain their lawns in an environmentally-responsible manner.*
- *Master Gardener volunteers are Judy McCormack, Dave Kleppinger, Wendy Hamrick, and Doug Callery*
- *Super Turf Saturday, a public educational event, provided over 100 attendees with sustainable lawn care advice from regional turf experts.*



# Shoreline Evaluation Program

- *CSWCD recognizes an increasing need for technical assistance for shorefront property owners to better manage their property to prevent water quality degradation*
- *In partnership with Williamsburg/James City County Master Gardeners, CSWCD is developing a Shoreline Evaluation Program in which participants will receive a shoreline assessment from District Staff or Master Gardener volunteers*
- *Assessment will include identification of current or potential shoreline issues, opportunities for improved management, and a final report with recommendations for further assistance if needed or desired*

| Service Provided by CSWCD   | Funding Provided by James City County |
|---|---------------------------------------|
| Technical assistance relating to the agricultural provisions of the James City County Chesapeake Bay Preservation Act (CBPA) Ordinance. | \$12,500                              |
| 20 Agricultural Lands Assessments, as required by the Chesapeake Bay Preservation Act.  | \$8,800                               |
| Administer Turf Love Program in James City County, delivering 90 nutrient management plans and conducting 4 educational events.         | \$40,000                              |
| Total   | \$61,300                              |

CSWCD would like to thank our partners in James City County for supporting the District’s work. The District values its partnership with the county immensely and will continue to strengthen it through new conservation initiatives and opportunities.



# FY 2022 Budget Request

| Service Provided by Colonial SWCD   | Budget Request |
|---|----------------|
| Technical assistance for the agricultural provisions of the James City County Chesapeake Bay Preservation Act (CBPA) Ordinance.                   | \$12,500       |
| Conduct 20 Agricultural Lands Assessments, as required by the Chesapeake Bay Preservation Act.  | \$8,800        |
| Administer Turf Love Program in James City County, delivering 150 certified nutrient management plans (NMPs) and conducting 5 educational events. | \$62,250       |
| Supplemental support for the administration of the Virginia Conservation Assistance Program (VCAP).   | \$3,500        |
| Supplemental support for the administration of the newly formed Shoreline Evaluation Program (SEP).   | \$4,250        |
| Total   | \$91,300       |

# Future Conservation Opportunities

## ***Virginia Conservation Assistance Program (VCAP)***

- *Supplemental Funds From JCC Needed to Sustain & Expand District Effort*
- *Opportunity for Leveraging JCC Environmental Program Funds*

## ***Equine and Small Farm Operations***

- *District provided feedback to comprehensive plan updates about current stocking rate for equine operations*
- *Opportunity to provide technical and/or financial support for equine conservation needs and for small farm operations that do not qualify for Virginia Agricultural Cost Share program assistance*

## ***Turf Love***

- *Opportunities to expand program offerings and outreach efforts*

# Colonial Contact Information

## *Directors Elected to Represent James City County*

Robert Lund, Jr.

(757) 645-3510

[Robert.Lund@colonialswcd.net](mailto:Robert.Lund@colonialswcd.net)

Douglas Hall

(951) 514-5626

[Douglas.Hall@colonialswcd.net](mailto:Douglas.Hall@colonialswcd.net)

## *District Manager*

Jim Wallace

(757) 645-4895

[Jim.Wallace@colonialswcd.net](mailto:Jim.Wallace@colonialswcd.net)

## *Urban Conservationist*

Robyn Goad

(757) 645-4895

[robyn.goad@colonialswcd.net](mailto:robyn.goad@colonialswcd.net)

**Website**     <https://www.colonialswcd.net/>

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: P. Sue Sadler, Stonehouse District Supervisor

SUBJECT: Greater Williamsburg Small Business Relief Fund - Update

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**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/2/2020 - 5:12 PM |

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Minutes Adoption

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**ATTACHMENTS:**

|   | Description            | Type    |
|---|------------------------|---------|
| ☐ | 092220 Work Session    | Minutes |
| ☐ | 101320 Regular Meeting | Minutes |
| ☐ | 102620 Joint Meeting   | Minutes |

**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/3/2020 - 1:25 PM |

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**WORK SESSION**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**September 22, 2020**  
**4:00 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. BOARD DISCUSSIONS**

1. Colonial Behavioral Health's Fiscal Year 2019-2020 Performance Contract Amendment and Extension Agreement

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. Rebecca Vinroot, Director of Social Services, introduced Mr. David Coe, Executive Director of Colonial Behavioral Health, and gave an overview of the memorandum and resolution included in the Agenda Packet. She stated the Performance Contract comes around every year and the contract will move forward regardless of Board approval. She noted this is simply an opportunity for the Board to provide any discussion or questions it may have regarding the services provided by Colonial Behavior Health.

Mr. McGlennon stated he might have misunderstood the intention of the item being brought forward today and inquired if it was to approve this in moving ahead with the contract as opposed to any informational materials about what has happened so far.

Ms. Vinroot replied correct and explained the next agenda item would go into a related but separate item.

2. Presentation on Options for Collaboration between Colonial Behavioral Health and Olde Towne Medical and Dental Center

Ms. Vinroot gave an overview of the memorandum included in the Agenda Packet. She recognized in the audience: Mr. Aaron Thompson, Executive Director of Olde Towne Medical and Dental Center; Mr. Coe; and Ms. Carol Sale, Williamsburg Health Foundation. Ms. Vinroot acknowledged the instrumental support throughout the process by representatives

from York County and the City of Williamsburg. She introduced Ms. Gail Mayeaux and Mr. Josh Rubin, Principals for Health Management Associates, who gave an overview, via Zoom, of the PowerPoint slideshow included in the Agenda Packet.

Ms. Mayeaux gave a short biography of her career and led the presentation summarizing the business of Health Management Associates in regard to Olde Towne Medical and Dental Center and Colonial Behavioral Health. She reviewed the syllabus which included: Implication of Health Care Environment; Our Process and Findings; Imperatives; Clinical Imperative; Financial Imperative; Workforce Imperative; Public Policy Imperative; Options for Consideration; and Creating a “Glide Path” for a Future Model. Ms. Mayeaux discussed the Implications of Current Health Care Environment section, which included: Current models of single-specialty care are not sustainable long-term; Data sophistication is essential; and Medicaid providers need to get efficient at capturing all available revenue.

Mr. Rubin continued the presentation and gave a brief biography of his career as well as a summarization of the process and findings. He briefly discussed the Robust Data and Information Gathering section to include: Review of programmatic and financial data for both organizations; Key informant and essential stakeholder interviews; and Environmental scan. He referenced the findings and stated there was a remarkable degree of quality and effort given with very thin budgets. He stated that both organizations had a lot of recommendations about the quality of care to provide, and significant structural financial challenges, but the key finding was that neither Olde Towne Medical and Dental Center nor Colonial Behavioral Health were integrated into a comprehensive, coordinated, integrated system of care. He further stated each of them is able to meet a specific need of the people they serve, but is unable to meet the totality of the needs of the people they are serving. He discussed staffing and funding for both organizations and commented they are in good financial shape considering the very thin funding. He discussed the Imperatives section of the presentation and highlighted: Clinical; Financial; Human Resources; and Public Policy.

Ms. Mayeaux steered the focus to the Financial Imperative portion of the presentation and reviewed the Revenues by Prospective Models and Profitability by Prospective Models charts. She discussed the Human Resources perspective and noted a key point is to be able to retain and attract talents and have enough resources to build-out staffing to plan for long-term sustainability and transition to population-based health. She reviewed: Benefits structure which supports retention efforts of existing staff; Resources to effectively recruit new staff, including competitive salaries and benefits, along with engaging work environment; An ability to address workforce shortages and provider burnout; and Providers prefer to work in integrated settings.

Moving along, Mr. Rubin discussed the Public Policy Imperative section of the presentation. He reviewed the Alternative Payment Model Penetration chart noting Virginia is moving toward value-oriented payments and gave a summary of the Options for Consideration segment of the slideshow.

In conclusion, Ms. Mayeaux surmised the Creating a “Glide Path” to a Future Model piece of the slideshow and acknowledged creating sustainability and the opportunity for growth and expansion to meet the needs of the community. She noted that both organizations serve a large number of uninsured and uninsurable people, stressing it really becomes imperative to be able to maximize your revenue in other areas in order to maintain the mission. She noted fellow colleague Ms. Mary Kate Brousseau, Senior Consultant and a Virginia resident, who was instrumental on this project.

Mr. McGlennon stated he still struggled with the emphasis on profitability for one agency that was created for the purpose of addressing the needs of those who are uninsured or underinsured. He further stated that even with the movement to Medicaid expansion, there will

be those left behind who would not have the ability to access those programs. He noted what happens to that imperative moving forward especially as we are talking about consolidation or partnership with an agency that is governed through state directives and public policy determinations. He remarked he would like to have a much clearer sense of what happens to the essential values that each of these organizations has. He emphasized the value of treating the whole person, and was uncomfortable with the questions that remain about how something like this might work in a way that continues to serve the missions that are the homegrown determinations by our three local communities in the Historic Triangle of people who have medical needs not being served.

Ms. Mayeaux replied profitability was looked at and the one thing that should be known was that when the financial model was built, you became more and more sustainable financially, it would never force you to get into a position where you could not provide as much care for free as you presently provide. She discussed the way the model is currently funded, explaining that of every dollar spent on care, 80% comes from other sources and 20% comes from patient service revenue.

Mr. Rubin commented these are not organizations that have shareholders who are going to take any of the profits out. He noted money left over at the end of the year gets reinvested in the infrastructure that is going to enable these organizations to provide a higher quality of care to the people they serve.

General discussion ensued.

Mr. McGlennon stated he still felt there were some practical questions involved in how this plays out.

Mr. Stevens stated that action wise, the intent was to bring this before the Board as an awareness. He commented it is something the health foundation funded, we do receive the funding, and it is our contract. He noted that Mr. Coe and Mr. Thompson were both sharing with their Boards and staff so they are aware of this conversation and wanted to make sure this Board had access to the consultants. He expressed his thanks to Ms. Mayeaux and Mr. Rubin for condensing their presentation as it is usually a one- or two-hour discussion. He stated it is a decision of the two Boards and really was not this Board's decision for them to do it or not; staff was trying to provide information to guide the Boards and give them some direction and conversation and they will decide as independent Boards if they are going to work together to discuss this any further or not. He relayed his hope they will discuss if it is collocated or merging together, whatever is in the best interest of the customers and individuals they serve.

Ms. Larson stated there were some concerning issues brought forward and if the two Boards decided this was not something they wished to do, she hoped a report would be brought back before this Board. She elaborated at that time a decision would need to be made moving forward regarding continued funding.

Mr. Stevens replied yes and mentioned some County staff members serve as members on each Board, allowing input and knowledge of what is going on, and noted Mr. Coe and Mr. Thompson are both very communicative with County staff.

Ms. Larson inquired about a timeline.

Mr. Stevens replied hopefully over the next three to six months the Boards will work through the process and have an outcome to either do it or not. He emphasized the structure was their decision; however, we do control a small portion of the funding and want to be certain the funding is doing the most it can do to serve our residents in need within the community.



Mr. Hipple commented these are two great organizations that will merge into one and be a one-stop shop and with that be able to have more profitability. He stated with more profitability we would be able to do more for the community that we currently are unable to do because of funding and limits. He emphasized it would allow a stronger financial backing to be able to reach more people who do not have the ability to get to these services and needs in the community.

Ms. Vinroot stated the next steps would be for the Williamsburg City Council to hear this presentation and then the two Boards would make the recommendation. She further stated the internal working group that has been working all along will come back to the table and consider how to move forward in terms of what the two Boards have decided. She noted this will continue the collaboration and the conversations.

Ms. Larson and fellow Board members expressed their gratitude to the Williamsburg Community Health Foundation for its partnership on this matter.

### 3. Space Needs Assessment

Mr. Shawn Gordon, Chief Civil Engineer, Capital Projects, approached the Board and introduced Ms. Grace Boone, Director of General Services; Mr. Tony Bell, Managing Principal of Moseley Architects; and Mr. Adam Berker, Project Manager. He expressed his gratitude to the James City County Administration and the Executive Team for its participation and feedback which was vital for the validity of this document; a special thank you to Ms. Julie Northcott-Wilson, Business Analyst, Parks and Recreation and Ms. Boone for coordinating all the interviews. He gave a summary of the highlights of the assessment and stated the last County Administration assessment was completed in 1999 and excluded the schools. He noted this assessment included the Williamsburg-James City County (WJCC) School Administration, the WJCC Courts, and James City County Administration. He stated to complete the assessment, 66 questionnaires were filled out, over 132 interviews and follow-up interviews, and 73 functional division spaces were incorporated. He commented the current and future needs looked at efficient and effective uses of the spaces, to include the personnel office spaces, support spaces, meeting rooms, conference rooms, and copy areas. He noted the assessment did not focus on the existing space uses in each of the facilities today. He explained that the result is a comprehensive report that can be used for future master plan needs as well as for a Facilities Master Plan.

Mr. Bell gave an overview of the PowerPoint presentation included in the Agenda Packet. Mr. Bell stated the real goal of this exercise was to develop a proactive approach to space needs and reviewed the process details outlined in the slideshow which is included in the Agenda Packet. He noted 21 departments that were interviewed along with the various facilities included in the assessment. He discussed the difference between net square footage and gross square footage and how the terms are frequently utilized throughout the study. He explained the breakdown of the various columns reported in the space needs summary for WJCC School Administration, WJCC Courts, and James City County Administration. He noted that for every single department interviewed and analyzed, there is a breakdown with every single space and position itemized and totaled. He discussed the Benchmarking Analysis as well as the Developing Space Standards portions of the presentation. He cited typical drivers for a position to require a private office or workstation and spoke with different department directors on how they anticipate delivering services over the next 20 years. Mr. Bell reviewed the Example of Existing Space Allocation and Future Step-Example Master Plan included in the assessment. He briefly discussed how ideally the County could create a diagram County-wide that would show roughly 500,000 square feet of space, 20 years out.

Ms. Larson commented the assessment showed 48 employees listed under Voter Registrar. She expressed concern with this type of valuable information and noted glaring issues, such as with General Services, which stuck out to her. She clarified that the recommended next step would be to draw up what we think the future should look like and start working toward that goal. She inquired about the timeframe of this assessment as a living document.

Mr. Bell replied the document has somewhat of an expiration date, noting the longer it is put off, the more obsolete the information. He recommended data be updated in 10 years and discussed the potential for figures to be adjusted as circumstances change.

Ms. Larson noted possible lack of space issues currently going on in some of the more pressing departments and was pleased the WJCC School Administration was considered in the assessment.

Ms. Sadler questioned the example of Hanover County being used and emphasized that space in general is the focus.

Mr. Bell clarified the takeaway from the document is only numbers; how space is going to be partitioned out in the future needs to be determined. He briefly discussed the differences in Hanover County versus James City County in regard to the number of campuses spread out. General discussion ensued regarding space needs and the COVID-19 Pandemic as well as technology, file storage, and dedicated space allotted for early voting and various meeting gatherings.

Ms. Larson referenced positions dealing with the public that need to be on-site versus positions that never interact with the public and a possible telecommuting situation could be feasible.

Mr. Bell cited a position, such as a building inspector for example, that requires frequent out of the office duties on a daily basis versus a position that typically utilizes in-office space.

Ms. Larson referenced Voter Registrar and inquired about the new laws and the possibility of any forthcoming monies.

Mr. Hipple noted his lingering desire for one building to house County offices. He discussed current offices and varying size issues. He described his vision of safety rooms as well as automobile garages for employee parking. He focused on the current campus style spaces and costs versus the potential advantages of a single County facility that would serve citizens needs collectively in one building. He touched base on the current costs of maintaining several buildings compared to a single facility housing all offices. He remarked this is something we need to move on sooner than later and the assessment shows how far behind we are in what is needed.

Mr. Stevens expressed his gratitude to Mr. Bell, Mr. Berker, and Mr. Gordon for their work contributions and coordination as well as noted returning in the future for the next step in continuing the discussion. He relayed his intentions to speak with each supervisor sometime in October regarding end of the year dollars and funding. He stated this project was in last year's operational budget and there is currently no funding for it; however, he will come back before the Board at the end of the year to see if it wants to reauthorize those monies in order to move forward. He further stated he would speak with each Board member regarding the numbers being considered so they will have that information before walking into a meeting.

Ms. Larson clarified that Mr. Stevens was referring to the master plan and not the single building vision Mr. Hipple previously discussed.

Mr. Stevens replied correct.

4. FY 2021 Financial Update

Ms. Sharon Day, Director of Financial and Management Services (FMS), noted the PowerPoint slides included in the Agenda Packet covered the first two months of this fiscal year (FY), July-August 2020, but she wanted to provide a quick update on the last fiscal year which ended on June 30, 2020, before reviewing the slideshow. She stated that last month she provided an update on FY 2020 and at that time was projecting a year-end surplus of approximately \$6 million, mainly made up of expenditure savings. She stated a revenue shortfall was projected of approximately \$3.5 million and expenditure savings of about \$9.8 million, which cumulatively brought the surplus to about \$6 million. She commented that not much has changed, we are still in the process of going through the audit and closing books and estimating we will fall somewhere between the \$6-7 million range for FY 2020. She noted receipt of an update from the Chief Financial Officer of the School Division regarding its year end results for FY 2020 and it is estimating a surplus of approximately \$5.5 million with the County share being about 90%, which would equate to approximately \$5.2 million. She stated of that \$5.2 million, \$2 million is already included in the FY 2021 budget. She further stated it was her understanding there was an additional request for about \$750,000 that would be forthcoming to the Board, leaving a balance of approximately \$2.5 million that would add to the County year-end surplus of the \$6-7 million, meaning the total with the School number included would be approximately \$9 million. She relayed intentions of applying the Coronavirus Aid, Relief, and Economic Security (CARES) Act for COVID-19 presumptive clause to public safety, which would allow CARES funding for some of the personnel costs and the Fire and Police Departments. She stated there is approximately \$3-4 million that is being applied to CARES Act which would also add to the year-end surplus, without that we are at about \$6-7 million, add another \$2.5 million for the Schools, and potentially add another \$3-4 million by using that presumptive clause from CARES. She projected ending somewhere in the range of \$12-13 million all-inclusive for FY 2020.

Ms. Larson inquired when conversations would begin with the Chief Financial Officer of WJCC Schools in regard to moving forward.

Ms. Day replied those conversations have taken place explaining they begin with enrollment numbers as of September 30, 2020. She remarked data was received and downloaded this week from the School Division and briefly discussed the processes of analyzing the information.

Ms. Larson inquired about a timeline regarding the September 30, 2020 enrollment figures, realizing some families have chosen homeschooling or other virtual learning opportunities.

Ms. Day replied typically in the November-December timeframe.

Mr. Hipple referenced the \$12-13 million surplus and inquired about the amount of loss this fiscal year if the COVID-19 money did not exist.

Ms. Day replied she was only presenting the General Fund this evening and the CARES money resides in a different fund; however, in total for FY 2020 approximately \$6.7 million was received, noting there were other smaller grants but the bulk of it was the CARES monies. She commented that without the CARES Act monies it would have been approximately \$6.7 million of expenditures that would have had to been covered and briefly discussed the General Fund impact.

Mr. Hipple noted efforts made by staff behind the scenes in an attempt to save money, as well

as the influx of the COVID-related monies, all of which helped the County achieve its current financial status.

Ms. Day concurred that was a very fair statement and noted the speed of actions and restrictions that were put in place as compared to other localities.

General discussion ensued regarding future costs of furniture, vehicles, and equipment maintenance and/or replacement.

Mr. Stevens commented the departments had really pulled their weight during this pandemic. Mr. Stevens noted he and Ms. Day would return before the Board in the October timeframe to discuss refunding of some, but not all, of the budget and certain activities that were taken out because of pressing needs.

Mr. Hipple emphasized the Board's appreciation toward County staff for its joint efforts and hard work throughout the pandemic.

Ms. Day proceeded to give an overview of the FY 2021 Financial Update included in the Agenda Packet and pointed out that the information was based on a cash basis as well as an accrued basis. She noted the majority of the revenue received this year is for last year and has been moved and adjusted accordingly. She explained this is part of the surplus numbers shared earlier and felt the presentation would be more meaningful if actual collections this year compared to last year were presented. She anticipated providing a similar summary to include graphs and charts each month for the foreseeable future until instructed otherwise by the Board.

Ms. Larson inquired about Howl-O-Scream at Busch Gardens Williamsburg.

Mr. Stevens replied he recently spoke with Mr. Kevin Lembke, President of Busch Gardens Williamsburg, who indicated Busch Gardens would not be doing Howl-O-Scream due to the cost of upfitting and hiring, but did hope to extend similar current operating events through the fall. He commented Busch Gardens Williamsburg would like for its attendance numbers to be up closer to the 5,000-7,000 attendance capacity. He noted working on putting a date in place for the Board members and our legislators to visit the theme park in an effort to bring attention back and show how safe it is for a patron. Mr. Stevens expressed his hope that attendance numbers would increase. He explained that he did not anticipate Busch Gardens Williamsburg would be back to 20,000-30,000 patrons or the big Howl-O-Scream or Christmas Town events would be held as in past years. He commented that he did not know much about the December events planned, but hoped it would continue some operation. Mr. Stevens inquired if the Board had any other information it would like incorporated into the financial reports Ms. Day previously mentioned. He asked if there were any missing pieces the Board would like added; if so, that information would happily be included in an effort to keep up-to-date in present standing with financial trends.

Mr. Icenhour offered that graphs and/or trend lines on a month-to-month basis would be helpful. He explained this would be especially useful to see if we were on track and whether adjustments would need to be made and when.

Ms. Day reflected back on a comment made by Mr. Hipple in regard to COVID-related expenditures, and stated the CARES Act funding ends on December 30, 2020, and the current budget does not include any funding for ongoing COVID-related expenditures.

Mr. Hipple stated that expense would have to be covered in-house creating a compounded issue in the budget.

5. Authorization for the Reclassification of Accounts Payable Specialist Position and Related Budget Appropriation

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

Ms. Day gave an overview of the memorandum and resolution included in the Agenda Packet.

Mr. Hipple asked if after the pandemic settles down, will the reclassified Accounts Payable Specialist position be utilized moving forward.

Ms. Day replied absolutely as this upgraded position was included in the FY 2021 budget and was approved by Human Resources as well as County Administration; however, with the budget reductions and the pandemic, the funding was removed. She noted that currently there is one full-time Accounts Payable employee who processes the invoices for every County department, James City Service Authority, Economic Development Authority, Williamsburg Area Transit Authority, Olde Towne Medical and Dental Center, the jail, and juvenile detention. She expressed her gratitude to the employee and noted the need for this reclassification full-time position.

6. REC Connect Program Modification and Williamsburg-James City County School Division COVID-19 Child Care Program

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. John Carnifax, Director of Parks and Recreation, introduced in the audience Ms. Arlana Fauntleroy, Recreation Services Administrator and Ms. April Melton, Operations Manager who oversees all of the Before and After School Programs, which is currently a full day program. He expressed kudos to the contributions of both employees, school staff, as well as Ms. Day and Ms. Cheryl Cochet, Assistant Director of FMS, in putting together this program. Mr. Carnifax proceeded to give an overview of the memorandum and resolution included in the Agenda Packet. He explained the program was set on four school sites for community use and one for school staff. He discussed that only three school sites have been opened due to current demand, with 60 youths registered at each site, averaging approximately 35-45 participants per day, per week at the community site. He noted the school site averages about 6-10 participants as the schools have allowed teachers to bring their children to school during the day. He briefly explained the projection of the CARES Act funding based on the current needs to offset this program.

Ms. Larson inquired if there was communication with the Schools in regard to changing phases.

Mr. Carnifax replied yes, Ms. Fauntleroy has already had two meetings and they are preparing for these scenarios. He noted one concern being if we are not allowed to be in the schools when they are doing the two or three day sites that will definitely impact what can be offered.

General discussion on this topic as well as staff and student safety ensued.

7. Communications Overview

Ms. Latora Rouse, Communications Manager, gave an overview of the PowerPoint presentation included in the Agenda Packet. She addressed in detail the various forms of communication such as: News Flashes; Social Media; Podcasts; Emergency Communications; Graphic Design; Community Meetings; Internal Communications; Special Projects and Department Support; as well as COVID-19 Response. She explained that a primary information function is the publication of News Flashes, also known as press releases, producing an average of 39 News Flashes per month, up slightly due to the COVID-19 Pandemic. She stated one of the best known public information tools is social media, with the County having over 12,000 followers on Facebook and over 5,000 on Twitter. She acknowledged various types of information shared on these sites and said all social media posts that are for County-related content always point back to the County's website. Ms. Rouse explained the County website is the number one source of information for James City County and discussed social media algorithms. She listed two sets of options regarding moving forward in Communications. Option A included: Continued Emergency Communications; Community Engagement Alternatives; and Special Projects and Department Support. Option B included: Emergency Communications Enhancing the PIO Team; Community Engagement, Community Walking Groups; Social Media Instagram; Process Improvements Marketing, Podcasts, Community Conversations; Integrating Tools from COVID-19 Experience; and Branding Evolution. In conclusion, she reviewed the ways for citizens to "Stay in the Know" such as: the County website, Facebook and Twitter, Podcasts, video alternatives, emergency notifications, and COVID-19 information. She noted an upcoming episode of *This Week in James City County* streaming live on October 1, 2020, with guest Ms. Dianna Moorman, James City County General Registrar, talking all things election.

Ms. Larson inquired about Ms. Rouse's thoughts on the website.

Ms. Rouse replied the County is due for a website upgrade and noted the upgrade will be managed by Information Resources Management; however, Communications and Administration will be involved in the process which will allow the offering of advice in terms of the organization of the context.

Ms. Larson complimented Ms. Rouse on her idea regarding future neighborhood walks.

Mr. McGlennon extended his congratulations to the Communications Department on doing a great job sending out a positive message about the County and allowing individuals to learn information in an entertaining and engaging way.

Ms. Sadler expressed her thanks for keeping the COVID-19 information available, noting it is very resourceful and the citizens appreciate it.

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

### **1. Additional Voting Drop Boxes**

Mr. Icenhour welcomed Ms. Sadler back in-person to the meeting.

Ms. Sadler expressed her gratitude to Ms. Moorman for doing an outstanding job as well as going above and beyond in order to see that everything is running efficiently. She offered the thought of how to better help Ms. Moorman with staff and funding some of the needs in the General Registrar's Office. She extended her condolences to the family of Supreme Court Justice Ruth Bader Ginsburg on her recent passing.

Mr. McGlennon welcomed Ms. Sadler back. He echoed her thoughts regarding Supreme Court Justice Ginsburg as well as Ms. Moorman. He extended his support in providing Ms.

Moorman additional help because it is important for citizens to have the opportunity to vote.

Ms. Larson stated she would like to follow up on Ms. Sadler's words regarding Justice Ginsburg as she saw value in the role that women play in the economics of the world. She shared recently visiting the General Registrar's Office and noticing a congested space issue where every available amount of space was being utilized. She emphasized the uniqueness of the General Registrar's position and the inadequate compensation associated with the amount of work and responsibilities designated to the position. She referenced the Legislative Agenda stating this should be one of the topics addressed. She discussed determining the responsibility of compensation as a locality as well as the Commonwealth and looking to the General Assembly for help with this issue. Ms. Larson stressed that in some localities this position is part-time; however, in a growing community such as James City County it is not a part-time job. She referenced the Ambers House and expressed her thanks for a recent tour along with everyone associated in maintaining the house as well as emphasized the need for a future discussion regarding the house. She relayed her gratitude to Mr. Stevens and Mr. Carnifax for the information and tour of the Marina. She expressed her appreciation for the approach at which these matters are given and emphasized these two properties need decisions made or monies spent due to rapid deterioration of the properties.

Mr. Hipple concurred with his fellow Board members on every issue discussed. He agreed that the new building was going to be great when all the needs are met. He inquired about recent information regarding Cox Communications (Cox).

Mr. Stevens replied that Mr. Kinsman had been back and forth with Cox regarding an agreement. He stated there were 12 projects and a few merged together. He explained two of the larger projects were concerned with the timeframe and a second agreement is being developed. He noted the other projects are on a very good track to move forward and we are close to having the contract signed.

Mr. Hipple shared an idea of collecting data and assigning someone in charge of what has been done and put in place since the start of COVID-19. He explained this would be a collection of information regarding processes as well as things being considered in order to get through this event. He discussed this might be a useful tool to reference down the road if necessary.

Mr. Stevens agreed with Mr. Hipple's suggestion and referenced after action reports. He noted the length of time this event has remained and considered a mid-action report in order to have a better memory of the last six months. He stated this could be very helpful in the future and noted to confer with Fire Chief Ashe and/or Ms. Sara Ruch, Deputy Coordinator Emergency Management, as they may already be contemplating such a list.

Mr. Icenhour stated he also went on a tour through the Voter Registrar's Office and it is obvious there is not adequate space. He commented that Ms. Moorman informed him there are over 60,000 registered voters in the County, and approximately 12,500 absentee ballots were sent out last Friday. He stated it was his understanding, that last Friday and the following Monday, there were over 700 in-person early voters. He mentioned County staff has been operating under stressful conditions for an extended period of time and would like to commend staff, on behalf of the citizens served, of doing a superb job and everyone is appreciated. Mr. Icenhour referenced an earlier email from Ms. Moorman regarding a decision whereby they will be operating at the library and the Abram Frink Community Center, Monday-Friday, from October 19, 2020, through the end of the cycle. He noted the library location was contingent upon receiving approval from the library and asked Mr. Stevens to reach out to the library for whatever can be done to try to make that happen.

Ms. Larson mentioned the first wave of mail ballots went out last Friday. She explained that if

you do go to in-person voting and indicate you already requested a mail-in ballot, you will be given a provisional ballot which will not be opened until November 6, 2020, so that they can count to see whether your original mail-in ballot has come in. She stressed they are asking people to wait a little while to see if their ballot comes out in the first wave, or possibly the second, before going to the Vote Center.

Mr. Icenhour emphasized we should all be telling people that if they have asked for an absentee ballot it is much simpler on our Voter Registrar if they vote the absentee ballot. He noted if there is a concern about putting it in the mail there is an alternative method of returning it. He explained that whether they mail it back or put it in one of the drop boxes, it is easier on the process if you requested the absentee ballot to actually vote the absentee ballot. He remarked that Ms. Moorman mentioned the absentee ballots went out last Friday and if you have not received yours in about 7-10 days to contact her.

Ms. Larson stated if the post office scans it correctly the ballot should be able to be tracked.

Mr. Icenhour stated individuals can also go on the Department of Elections website and enter the barcode to track the status of the ballot.

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

None.

#### **F. ADJOURNMENT**

1. Adjourn until 5 p.m. on October 13, 2020 for the Regular Meeting

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 6:39 p.m., Mr. Icenhour adjourned the Board of Supervisors.



**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**REGULAR MEETING**  
**County Government Center Board Room**  
**101 Mounts Bay Road, Williamsburg, VA 23185**  
**October 13, 2020**  
**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 - via phone  
John J. McGlennon, Roberts District  
James O. Icenhour, Jr., Chairman, Jamestown District

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

Mr. Icenhour requested a motion to allow Ms. Sadler to participate remotely, due to an illness which did not allow her attendance.

A motion to allow Ms. Sadler to Participate Remotely was made by John McGlennon, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Mr. Icenhour welcomed Ms. Sadler to the meeting.

Ms. Sadler acknowledged her presence on the call.

**C. MOMENT OF SILENCE**

**D. PLEDGE OF ALLEGIANCE**

Mr. Icenhour led the Board and citizens in the Pledge of Allegiance.

**E. PRESENTATIONS**

1. Retiree Recognition - Jane Townsend, Satellite Services Administrator

Ms. Jenni Tomes, Treasurer, recognized Ms. Jane Townsend and cited Ms. Townsend's professional achievements throughout her career with James City County.

Ms. Sharon Day, Director of Financial and Management Services, also recognized Ms. Townsend. She reflected on her professional interactions with Ms. Townsend and noted contributions made toward the Satellite Division of Motor Vehicles located on the government complex.

Mr. Icenhour presented Ms. Townsend with a Certificate of Service and Appreciation in

recognition of 25 years of dedicated service with James City County and gathered with Ms. Day, Ms. Tomes, and Ms. Townsend for a photo.

The Board members applauded and gave Ms. Townsend a standing ovation.

## 2. Legislative Update - Congressman Wittman

The Honorable Rob Wittman, U.S. Representative for Virginia's 1st Congressional District, addressed the Board and expressed his appreciation for the opportunity to update the Board on some of the things happening in Washington, DC. He stated that first on the list of priorities for localities is the question about another round of COVID-19 relief. He recognized the challenges with schools and additional costs incurred with COVID-19. The Congressman further stated conversations continue and mentioned a bipartisan bill he felt would pass if/when it got to the floor. He referenced efforts being made to navigate the bill through the process, which was put together by 25 Republicans and 25 Democrats, in the amount of approximately \$1.5 trillion. Congressman Wittman listed areas of discussion: the payroll protection plan; unemployment benefits for individuals struggling to find employment; as well as additional costs local governments are experiencing, especially school systems and challenges they face. He explained these monies are borrowed and will have to be paid back at some point; therefore, efforts continue to do things in a timely and fiscally responsible way, noting the current debt was approximately \$27 trillion. He stated that different versions of the National Defense Authorization Act, which is the blueprint for the nation's military, have passed in the House and the Senate and are currently in a Conference Committee. He indicated good things were moving forward and discussed that a submarine had been removed but now placed back into the budget, emphasizing the regional importance as submarines are built at Huntington Ingalls Industries, also known as the Newport News Shipbuilding. He noted his belief that the bill will pass, commenting we are waiting for the conferees to be appointed so we can work out the differences between the House and the Senate Bills. Congressman Wittman referenced the passing of several bills, such as the Great American Outdoors Act and America's Conservation Enhancement Act and discussed the positive impacts and significant interests each of them bring to the region. He remarked that unfortunately Washington, DC, does not get its budgeting done on time and briefly discussed continuing resolutions, noting one that passed which now funds the government through the middle portion of November 2020. In conclusion, he stated his expectation that the programs the County relies upon and dollars that come down, will stay status quo as long as this continuing resolution remains in place.

Mr. Icenhour expressed his appreciation to Congressman Wittman for providing an update.

Ms. Larson inquired if any of the relief had anything regarding revenue replacement for states to pass along to localities. She noted the local economy relies on tourism as well as the possibility of another year with a downturn in the economy on the horizon.

Congressman Wittman replied there have been discussions regarding revenue replacement; however, the debate was about where the dollars would specifically go within the local governments. He briefly discussed how he would like to see those monies be block granted to localities with few strings attached, emphasizing that currently everything is in a state of flux as far as what will happen with dollars that go to governments.

Ms. Larson commented fortunately the state has passed down monies even though there was not any prior commitment to do so.

Congressman Wittman agreed with Ms. Larson and would continue to advocate to make certain that whatever comes up in the next COVID-19 relief package, we will try to get the dollars as directly to the local governments as possible without having to go through more

steps.

Ms. Larson expressed her thanks. She briefly discussed the unfavorable option of raising revenues due to the actions of individuals higher up.

Congressman Wittman stated he fully understood and agreed.

Ms. Sadler expressed her gratitude for Congressman Wittman being present at the meeting as well as his comforting leadership, especially during the COVID-19 Pandemic. She noted how the Congressman's phone lines were always open with staff readily available to answer questions and provide helpful direction. She expressed kudos in regard to Town Halls which provided very helpful information that could be passed along to the citizens regarding financial assistance and personal protective equipment for businesses. In conclusion, Ms. Sadler expressed her thanks to Mr. Joe Schumacher, District Director, as well as Congressman Wittman's staff for always being willing to help out when necessary.

Congressman Wittman expressed his thanks and noted the weekly local government official calls were incredibly important and explained the process of getting up-to-date information to localities. He commented that presently those calls continue on a bi-weekly basis. He noted those calls helped bring attention to the need for putting extensions in place on some programs, such as the summer meals program, which now continues until the middle of 2021. He discussed connectivity and E-Rate as well as the roles they played for many students in order to have a virtual classroom at home.

Mr. Hipple expressed his appreciation to Congressman Wittman and commented on the benefit of contacting someone who previously sat on a Board and understands its limitations. He further expressed his appreciation for keeping the lines of communication open as well as the help given by the Congressman and his office.

Congressman Wittman expressed his thanks to Mr. Hipple and his fellow Board members for the work they do, as well as offered assistance from himself and/or Mr. Schumacher if needed.

The Board thanked Congressman Wittman for his update.

### 3. Award Presentation - Recognition of the Workforce Housing Task Force

Mr. A. Vaughn Poller, Neighborhood Development Administrator, gave an overview of the memorandum included in the Agenda Packet. He noted the award would be traveling via the U.S. Postal Service and should arrive in the near future.

Mr. Icenhour stated he was very glad to see this award as the Workforce Housing Task Force put a lot of work, thought, and effort into its product. He recognized the occasional frustration toward the slowness with which the wheels of government turn; however, feels it is in the right direction.

### 4. Community Video Center Staff - NATOA Awards

Mr. Patrick Page, Director of Information Resources Management, stated it was his pleasure to inform the Board and James City County citizens of the efforts from the Community Video Center staff resulting in awards from the National Association of Telecommunications Officers and Advisors (NATOA). He further stated the awards included Honorable Mentions in areas of Public Safety, Public Health, Public Service Announcements, and Public Community Meetings. He noted an Award of Distinction in the area of Profile of a City or County

Department, as well as achieving First Place for Award of Excellence in the area of Public Education. Mr. Page commented that the Community Video staff takes pride in producing quality, informative, and educational videos for the public. He presented a short video which highlighted the Award of Honor (Honorable Mention); Award of Distinction (Runners-Up); and Award of Excellence (First Place). Afterward, a brief but detailed video, produced by the Community Video staff, was shown regarding this year's changes in the voting process in an effort to aid citizens' understanding of the voting procedures prior to visiting the James City County Vote Center.

Mr. Icenhour mentioned he recently spoke with Ms. Dianna Moorman, General Registrar, and there would be two additional drop locations for individuals who want to bring in their absentee ballots. He noted one of the locations would be at the Abram Frink Community Center as well as one at the James City County Library located on Croaker Road. He commented this would be available Monday-Saturday the last two weeks of October.

## 5. Floodplain Program - Community Rating System

Mr. Darryl Cook, Assistant Director of Stormwater and Resource Protection, gave an overview of the PowerPoint presentation included in the Agenda Packet. He stated the Federal Emergency Management Agency (FEMA) created the Community Rating Systems (CRS) Program that is instituted to provide incentives for localities that go above and beyond the minimum requirements of the Flood Insurance Program. He noted the goal of this program is to provide additional protection to citizens and minimize flood damages. He introduced Mr. Zane Hadzick, FEMA Mitigation Planning Specialist, who joined the conversation via Zoom. Mr. Cook also introduced a representative from the Department of Conservation and Recreation who will be presenting the results of the rating classification that was recently completed by FEMA.

Mr. Hadzick stated on behalf of the Commonwealth of Virginia and FEMA, he formally recognized and congratulated James City County for its significant accomplishments as part of the National Flood Insurance Program (NFIP) CRS. He commented there are currently over 22,000 communities voluntarily participating in the NFIP with 290 located in the Commonwealth of Virginia. He discussed the criteria to join and remain part of the NFIP, and noted these additional efforts produce activities that result in safer communities more prepared for future flooding events. He remarked that James City County is one of an elite group of 27 Virginia localities that has made its commitment to reducing flood risk in increasing resiliency through ongoing efforts in participation in the CRS. He explained the CRS includes 10 different class rating levels based on the number and types of activities voluntarily initiated by the participating communities, with each level corresponding to a percentage discount on NFIP policy premiums within the locality. He stated the CRS Class Rating classification for James City County is a Class 5, which is something to be incredibly proud of. He further stated each NFIP policy in the special flood hazard area in James City County receives a 25% premium discount and qualifies each eligible policyholder for an average of \$284 savings on their annual premium. He explained this 25% discount would apply to over 338 policies in addition to policies written outside of the special flood area that would receive a 10% premium discount. He noted the overall total annual savings for the citizens in James City County is \$101,000 due to the Class 5 branding and further noted this contributes to over \$7 million savings Commonwealth-wide.

Mr. Cook pointed out to the Board this was a team effort and introduced in the audience: Ms. Christy Parrish, Zoning Administrator; Mr. Tom Coghill, Director of Building Safety & Permits; and Ms. Kim Hazelwood, GIS Supervisor. He explained these individuals supported the program on a daily basis as well as in special projects and noted the County is the first community in the state to achieve this classification. He acknowledged the invaluable

assistance received from Ms. Mary Carson-Stiff from the Wetlands Watch, Emergency Management, and Housing. Mr. Cook presented the plaque to Mr. Icenhour.

*Note - Conversation was inaudible from where individuals were standing away from the microphones.*

A group photo followed portraying Mr. Icenhour, Mr. Cook, Ms. Parrish, Mr. Coghill, and Ms. Hazelwood.

## **F. PUBLIC COMMENT**

1. Ms. Peg Boarman, Clean County Commission Chair, 17 Settlers Lane, addressed the Board in regard to trash. She spoke about recently encountering a construction vehicle with an uncovered trailer filled with trash and debris. She described the unfavorable experience of traveling at a speed over 45 miles per hour with trash flying out of the truck and the trailer. She expressed her gratitude to Mr. McGlennon for attending the 7th Annual Recycling Day Expo. She discussed the event and noted the wet weather as well as the amount of participating individuals from localities such as James City County, the City of Williamsburg, York County, and other jurisdictions. She outlined the breakdown of activities and divulged the overall recycling results from the event.

2. Mr. Randy Taylor, 7112 Church Lane, addressed the Board in regard to requesting James City County help with enforcing the requirements of a land disturbance permit for 8450 Richmond Road owned by Mr. Walker Ware. Mr. Taylor stated his family owns the Taylor Farm located on Richmond Road and gave a brief history of his ancestry that previously resided in the local area. He described recent situations regarding his neighbor Mr. Ware's property and rainwater flow/backup issues. He noted previously contacting Mr. Ware, James City County offices, and the Virginia Department of Transportation (VDOT) regarding this ongoing situation and receiving responses such as: nothing we can do; not our fault; or we will look into it and get back to you. He remarked to this date nothing has been done about this frustrating dilemma.

Ms. Sadler requested Mr. Kinsman and Mr. Stevens to look into the situation.

## **G. CONSENT CALENDAR**

### **1. Minutes Adoptions**

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

The Minutes Approved for Adoption included the following meetings:

- September 1, 2020, Special Meeting
- September 8, 2020, Regular Meeting

### **2. Grant Award - Virginia E-911 Services Board**

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

3. Grant Award - Department of Motor Vehicles - Alcohol Enforcement - \$21,000

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

4. Grant Award - Department of Motor Vehicles - Speed Enforcement - \$21,000

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

5. Grant Award - Department of Motor Vehicles - Occupant Protection - \$6,132

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

6. Grant Award - Justice Assistance Grant - \$11,119

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

7. Grant Award - Coronavirus Emergency Supplemental Funding (CESF) - \$48,875

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

8. Grant Award - Port Security Grant Program - \$407,768

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

9. Grant Award - State Homeland Security Program - \$21,100

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

10. Grant Award - COVID Homelessness Emergency Response Program - \$129,630

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

11. Grant Award - Kinship Navigator Program - \$46,556

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

12. Grant Award - Center for Tech and Civic Life COVID-19 Response Grant - \$38,745

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

13. Grant Award - COVID Homelessness Emergency Response Program - \$90,141

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

14. Appointment of Animal Control Officer

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

15. Dedication of the Streets in Phase VII-C of the Powhatan Secondary of Williamsburg Subdivision

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

16. Contract Awards – General Construction Annual Services

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

17. Memorandum of Understanding Between Hampton Roads Localities and Hampton Roads Sanitation District - Mutual Cooperation in the Retrofit Enforcement of Grease Control Devices

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

18. Next Generation 9-1-1 Participation Agreement

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

**H. PUBLIC HEARING(S)**

Mr. Icenhour stated Ms. Julia Leverenz was the Planning Commission Representative this evening and was participating via Zoom.

1. Conveyance of 114 Nina Ln. to JCSA

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. Max Hlavin, Deputy County Attorney, gave an overview of the 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.

2. Proposed Fiscal Year 2021-2026 Secondary Six-Year Plan

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. Tom Leininger, Senior Planner, gave an overview of the memorandum and resolution included in the Agenda Packet.

Ms. Larson inquired about how to get some of the intersections in her district on this plan and commented she thought these were all worthwhile; however, she was disappointed.

Ms. Sadler echoed Ms. Larson's question as she has continually asked for a stoplight in front of Stonehouse Elementary School.

Mr. Paul Holt, Director of Community Development and Planning, replied those are very good questions and are all worthwhile projects, but it comes down to availability of resources. He discussed the funding challenge with the Secondary Six-Year Plan over the last few years citing examples seen County-wide. He further discussed how staff had tried to tap into the larger iceberg of funding these last couple of years, such as Smart Scale, but there has not been an easy go-to pot of money for smaller \$1-10 million range projects. He commented projects like intersections are competing with areas such as the Cities of Hampton, Virginia Beach, Newport News, Norfolk, Chesapeake, Suffolk, and Isle of Wight as well as others. He stated that unfortunately our locality is like most municipalities that are simply unable to cut that check to do these retroactive projects at existing built up intersections, which is not taking away from the need, but rather a sense of scale versus availability of resources. He noted efforts made to be more competitive in regional funding such as advance projects and ideas, getting them to where they can be shovel ready, and apply for as many and as much as possible.

Ms. Larson remarked she appreciated that and was not laying fault with the County, but finds it disturbing as there are very real safety concerns having to compete with areas like Virginia Beach. She suggested an investment into the safety at the Commonwealth level and noted frustration at being cut off with every safety measure attempted. She stated she would support this item because it is very important to do these improvements.

General discussion ensued regarding this type of funding, safety, and traffic congestion issues.

Mr. McGlennon briefly discussed the issue of dried up funding sources due to the current economy. He suggested considering moving the transportation component to the Capital Improvements Program and dedicating some funds to these types of projects in an effort to move ahead.

Mr. Hipple discussed limited amounts of funding and efforts with VDOT. He expressed kudos to Mr. Holt and his staff for working behind the scenes and advocating funds for the County. He mentioned similar dilemmas dealt with in the different levels of government. He commented projects in the County have done very well and moved ahead, but there will always be improvements needed. He noted the loss in revenues due to the pandemic and the continuation of seeking funding for safety issue concerns.

Mr. Icenhour opened the Public Hearing.



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

3. AFD-05-86-2-2018. 10039 Old Stage Road, Barnes Swamp AFD Addition

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

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

Ms. Leverenz stated that at the September 2, 2020 Planning Commission meeting, the Board voted, without discussion, to recommend approval of this item. She further stated the only comment the Board had was a compliment to the Forest Management Program that was included with the application.

Mr. Icenhour opened the Public Hearing.

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

4. SUP-20-0014/Z-20-0004. Williamsburg Landing Boatwright Circle Amendments

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. Thomas Wysong, Senior Planner, gave an overview of the staff report, resolution, and Ordinance included in the Agenda Packet.

Mr. McGlennon expressed his thanks to Mr. Wysong for the information he provided and noted he may have questions after the Public Comment portion of the meeting.

Ms. Leverenz stated the Planning Commission meeting held on September 2, 2020, found the litigations and the buffer improvements to be adequate to address its concerns as well as the residents' concerns. She further stated the construction disruption would be considerable, but temporary, and this project does address the County's need for senior housing.

Mr. Icenhour opened the Public Hearing.

1. Ms. Judy Knudson, 5638 Boatwright Circle, addressed the Board in regard to SUP-20-0014/Z-20-0004 Williamsburg Landing Boatwright Circle Amendments. She stated her support for the item and listed three positive points: 1) the new houses would enhance the neighborhood; 2) the enhanced buffer along Marclay Drive would help with noise; and 3) Williamsburg Landing has been a long-time partner with the Virginia Land Conservancy.

2. Paul Gerhardt, Esquire, Kaufman & Canoles, PC, 4801 Courthouse Street, addressed the Board in regard to SUP-20-0014/Z-20-0004 Williamsburg Landing Boatwright Circle Amendments. He indicated that seated in the audience were: Mr. Greg Storer, Chief Executive Officer of Williamsburg Landing; Mr. Ryan Stephenson, P.E. with AES Consulting Engineers; Mr. Tom Tingle with Guernsey Tingle Architects; and Mr. Tim Wright, Williamsburg Landing Boatwright Circle Board of Directors member and resident. He stated the applicant had reviewed, and was in agreement with, the Proffer Amendment and Special Use Permit (SUP) conditions presented by staff. He discussed working with staff to supplement the buffer as well

as working with VDOT and staff to provide access to the required Best Management Practice, attempting to obtain access off Lake Powell Road to enter through an already open area. In conclusion, he noted the Planning Commission's unanimous support and respectfully asked for the Board of Supervisors' support regarding this item.

Mr. McGlennon inquired about the access off Lake Powell Road.

Mr. Gerhardt referenced the maps included in the Agenda Packet and explained working with VDOT to enter off Lake Powell Road in an existing open spaced area.

Mr. Icenhour offered, as Mr. Gerhardt had previously mentioned, that Mr. Stephenson, Mr. Storer, and Mr. Tingle were available if the Board had any further questions.

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

Mr. McGlennon expressed his thanks to Mr. Wysong for responses provided to questions raised. He clarified that the actual design of the buffer would take place at the site plan stage of the project, with nearly double the new plantings in the areas that were disturbed for access.

Mr. Wysong replied correct.

Mr. McGlennon stressed the importance of restoring and/or enhancing a buffer within a relatively reasonable period of time and asked the applicant if there was a timeframe for completion of the project.

Mr. Gerhardt noted constraints for the builder such as working hours from 7:30 a.m.-4 p.m. and not working on the weekends, as well as having created two entry points for deliveries that come off Marclay Drive so as not to disturb nearby neighborhoods.

Mr. Storer approached the Board and stated the tentative timeline would be to start in early 2021 with approximately nine months of construction.

Mr. Hipple made note that on a personal level he was doing some work on a house for Mr. Gerhardt, but they had not discussed anything connected with this item.

Mr. McGlennon stated he was contacted by a constituent regarding concerns related to this item. He noted his satisfaction with the responses the applicant made this evening and emphasized the importance of reestablishment and enhancement of the buffer so that individuals can enjoy the quiet and beauty of the area.

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

### **1. Contract Award - Toano West Stream Restoration - \$343,486**

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

*Note - Item No. 1 followed Item No. 2 under Board Considerations at the request of Mr. Stevens.*

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

2. School Year-End Spending Plan Appropriation - \$769,827

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

*Note - Item No. 2 was moved to the Item No. 1 position under Board Considerations at the request of Mr. Stevens.*

Ms. Day gave an overview of the memorandum and resolution included in the Agenda Packet. She mentioned that late last week the Governor released notice of an additional state allocation of federal Coronavirus Aid, Relief, and Economic Security (CARES) Act monies totaling approximately \$220 million. She commented the Williamsburg-James City County (WJCC) share would be approximately \$2 million and noted those funds require an extremely quick turnaround. She emphasized those dollars have to be spent, and the services and products must be delivered, by November 30, 2020. She explained it was her understanding the schools will first utilize those dollars to the extent possible and only request the additional \$769,827 from the County on a reimbursement basis if it cannot use its CARES dollars first. She noted that the School Superintendent as well as several members of the Senior Leadership were in the audience to answer any questions.

Mr. McGlennon expressed his gratitude to Dr. Olwen Herron, WJCC School Superintendent, for attending this evening's meeting, as well as the careful management of funds during the past year resulting in a very significant surplus. He noted the amount of revenue being limited which provide essential services and expressed kudos for a significant amount of savings in such a tight budget year. He expressed his delight hearing the Governor was releasing funding and recognized the challenges faced of spending and acquiring goods by November 30, 2020. He applauded the intent to utilize that funding first before having to draw on the amount requested from the County and the City of Williamsburg.

Ms. Larson referenced the feasibility of the requirement to turn the money around so quickly as well as the future of schools in regard to this type of thing.

Dr. Herron replied there has been an extension and the CARES Act funds did not have to be spent until December 30, 2020. She discussed items that would not be able to be done in the allotted time as well as efforts made toward receiving other items before the deadline.

*Note - Some of the remarks made by Dr. Herron were inaudible as the microphone was not pulled down in front of her and Ms. Larson respectfully asked that she adjust it.*

Mr. Hipple inquired if there were any current projects that could utilize the CARES Act funds. He discussed the possibility of transferring funds to an ongoing project and moving those funds across the board.

Dr. Herron replied they were in the process of looking at everything and briefly discussed that three school sites were currently experiencing air quality issues.

General discussion ensued regarding obtaining services and having them completed within the allocated deadline as well as other options for use of CARES Act monies.

Dr. Herron expressed her gratitude toward Mr. Stevens and Ms. Day declaring them incredible partners to work with throughout all of the issues encountered.

Ms. Larson stated her position on having children in school, noting it was not her decision to

make. She expressed her gratitude to Dr. Herron, staff, teachers, and students for all of their hard work during this very tough time.

Dr. Herron expressed her thanks to Ms. Larson as well as her public support of teachers and staff.

Mr. Hipple mentioned the new electric school buses would be equipped with seatbelts and it may be time to look at outfitting the older buses with seatbelts.

Ms. Larson commented that in Board Comments she is going to ask if there is a way to get information on a point Ms. Sadler brought up earlier regarding accidents and traffic statistics while schools have been out.

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

Mr. McGlennon stated he attended an event sponsored by the Daughters of the American Revolution honoring Mr. Cliff Guertin for the Battle of Iwo Jima memorial that exists on his property along Jamestown and Neck-O-Land Roads. He expressed kudos for the memorial becoming more professional and attractive over the years, and noted Mr. Guertin has been an active participant in the community working hard to try and maintain what was once the dam at Lake Powell. He saluted the Clean County Commission and its 7th Annual Recycling Day Expo. He remarked about weather challenges faced and the Commission's continuation of showing up and communicating to citizens the importance of recycling, reusing, and reducing as well as keeping the County clean.

Ms. Larson remarked she was out of town when the previously mentioned events occurred. She referenced an earlier comment made during the Public Comment regarding a project that had not received a passing inspection since February and wanted to follow up. She inquired if the James City County Police could provide information depicting three traffic accident hot spots and determine if schools being virtual has any impact on the number of accidents in those locations. She noted accidents occurring at such intersections as Jolly Pond, Centerville, and Greensprings Roads as well as on Route 5. She gave Mr. Cook a shout-out for his helpfulness regarding the beaver dams at Greensprings Trail causing neighborhood and roadway flooding issues. She mentioned that Mr. Jeffrey Wassmer on the York County Board of Supervisors recently announced his resignation to be effective immediately. She expressed her gratitude to Mr. Wassmer for his time and efforts as the Chair of the Tourism Council.

Mr. Hipple stated he would speak with his director and see what could be done regarding hazardous County intersection safety issues and seek any funds available that were overlooked. He noted having recently attended many virtual meetings.

Ms. Sadler thanked Mr. Hipple for looking into the VDOT situation. She recently attended a ribbon-cutting for Plastics Consignments located in Norge.

Mr. Icenhour stated he had been active with the Business Council and is currently on the Military Affairs Committee. He gave a shout-out to the Business Council for obstacles it faced during the COVID Pandemic. He noted a GoFundMe fundraiser the Committee held which raised enough money to send 12 young enlisted individuals, from Coast Guard and Navy bases, with \$300 each for going home for the holidays spending.

Discussion ensued regarding amending the Board calendar to move the previously scheduled November 17, 2020 Meeting back to November 10, 2020 since the Virginia Associations of Counties' Annual Conference would be held virtually and would no longer conflict with the Board meeting.

A motion to Amend the Board Calendar was made by Ruth Larson and the motion result was Passed.

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

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

Mr. McGlennon suggested the Board handle the two appointments scheduled for Closed Session in Open Session.

The Board recommended the appointment of Ms. Grace Boone, Director of General Services, to serve on the Williamsburg Regional Library Board.

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

The Board recommended the appointment of Mr. Jason Purse, Assistant County Administrator, to serve on the Williamsburg Area Transit Authority Board.

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

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

Mr. Stevens reminded citizens that in-person absentee or early voting is available to all James City County registered voters Monday-Friday, 8 a.m.-5 p.m., at the James City County Vote Center, located at the Recreation Center on 5301 Longhill Road. He emphasized this is the only designated location for James City County for in-person, absentee voting. He commented this voting will also be available for Saturday, October 24 and Saturday, October 31 from 8 a.m.-5 p.m. He noted that over 12,000 residents in James City County had already voted in this election. He expressed kudos to the County Registrar and her staff for all their efforts and to call 259-4949 with any questions. He referenced Halloween 2020 and stated James City County, along with most localities, are allowing families to make the participation decision for themselves. He emphasized the Center for Disease Control and Prevention, as well as the Department of Health, have issued guidance for Halloween 2020 which parents are encouraged to read before making their decision. He noted the hours in James City County designated for Trick or Treating are 6-8 p.m. on October 31 for children ages 12 and under. He clarified that leaving your porch light on during those hours indicates that your household is participating; whereas, leaving the porch light turned off indicates non-participation which should be respected as well. He commented that Trick or Treaters should wear cloth masks that cover the nose and mouth as well as maintain social distancing. He emphasized that a regular costume mask is not a substitute for a cloth mask, as the costume mask does not provide the protection needed, and the guidance states not to wear a costume mask over a cloth mask as it could be dangerous.

Ms. Larson referenced the County graphic concerning risk levels and complimented the graphic was excellent.

#### **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 6:58 p.m., the Board entered Closed Session.

At approximately 7:04 p.m., the Board re-entered Open Session

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions, pursuant to Section 2.2-3711 (A)(1) of the Code of Virginia

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

2. Williamsburg Regional Library Board

*Note - this appointment occurred in Open Session.*

3. Williamsburg Area Transit Authority

*Note - this appointment occurred in Open Session.*

4. Discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Virginia Code Section 2.2-3711(A)(3)

## **M. ADJOURNMENT**

1. Adjourn until 4 p.m. on October 27, 2020 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 7:05 p.m., Mr. Icenhour adjourned the Board of Supervisors.

**MINUTES**  
**JAMES CITY COUNTY BOARD OF SUPERVISORS**  
**Joint Meeting with Williamsburg-James City County School Board, Board of Supervisors,**  
**and Williamsburg City Council**  
**via Ring Central**  
**October 26, 2020**  
**8:00 AM**

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**A. CALL TO ORDER**

Ms. Ownby called the Williamsburg-James City County (WJCC) School Board to order at 8 a.m.

Mr. Pons called the City Council to order at 8 a.m.

Mr. Stevens called the Board of Supervisors to order at 8 a.m.

**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

**City Council**

Caleb Rogers

Barbara Ramsey

Douglas Pons, Mayor

Pat Dent

Ted Maslin

Andrew Trivette, City Manager

Sandi Filicko, Clerk of Council

**WJCC School Board**

James Beers

Kyra Cook

Greg Dowell

Julie Hummel (8:01 a.m.)

Jim Kelly

Lisa Ownby, Chair

Sandra Young (8:02 a.m.)

Olwen Herron, Superintendent

Rene Ewing, Chief Financial Officer

Janet Cerza, Clerk of the Board

**General Assembly Representatives**

Senator Thomas Norment

Senator Monty Mason

Delegate Amanda Batten

Delegate Michael Mullen

### C. SPECIAL JOINT MEETING AGENDA ITEM

1. Dr. James Regimbal will Present - Trends and Benchmarking around State and Federal Level Funding

Dr. Regimbal gave an overview of the WJCC School District Demographic and Funding Analysis presentation (*see Attachment*). The presentation consisted of the following:

- Per Capita Local Revenues Not Keeping Pace with Inflation
- Comparison of Local Property Tax Rates to Household Income and Housing Values
- State Income Tax Growth has Significantly Exceeded Statewide Local Real Estate Growth Since Recession
- Slow Real Property Revenue Growth has Required Rising Rates
- WJCC Schools Sources of Funding FY 2009-19
- State Per Pupil K-12 Direct Aid Funding (Net of Unallotted) FY 2022 Still \$321/Pupil Less than FY 2009 Inflation - Adjusted - Nominal and Inflation - Adjusted (CPI \$2005)
- WJCC State Per Pupil K-12 Direct Aid (all Funds) - Nominal and Inflation - Adjusted (CPI \$2005)
- WJCC LCI Analysis
- WJCC 2020-22 K-12 Rebenchmarking Exceeded Statewide - Rebenchmarking Percentages Due to LCI Declines and ADM Increases
- James City and Williamsburg State K-12 Funding Accounts - FY 2021
- Comparison of FY 2019 Local Expenditures above Required Local Effort
- Still, WJCC Has Slipped in Pay Compared to Surrounding School Divisions and Statewide
- NEA Average Instructional Salaries by State vs. Zillow Median Home Value Index
- Since 2009, WJCC K-12 Students Have Increased Faster than the State (March 31 ADM)
- WJCC Has Lower Free Lunch Percentages than Statewide Averages
- WJCC Students with Disabilities Comprise 15% of ADM Having Grown 26% Since 2015
- WJCC Homeless Students Has Varied by Year
- Summary

Dr. Regimbal presented on the following:

- Local revenue growth has not kept pace with population and inflation. Both James City County and Williamsburg have raised property tax rates since 2009, but less than average statewide locality increases.
- James City and Williamsburg have higher Real Estate values than surrounding localities. James City Real Estate tax rates are slightly higher than surrounding counties, but much lower than nearby cities. Williamsburg Real Estate rates are significantly below surrounding locality rates.
- State funding for the WJCC school district has significantly lagged local K-12 funding increases since the 2009-2010 recession.
- James City and particularly Williamsburg have high Local Composite Indexes LCI's - much higher than surrounding school districts, although falling over the last 10 years. James City's population and Average Daily Membership (ADM) has been growing more rapidly than the state, while Williamsburg's share of sales tax, income, and property values has been falling.
- James City is in the top tier of localities' exceeding required local match requirements.
- WJCC teacher salary increases have underperformed the region and state average increases since 2009.
- WJCC has fewer free lunch students than statewide averages, but relatively more students with disabilities - 15% versus 14% statewide - and recently growing faster than state disabled students - 26% versus 12% since 2015.



There were questions and discussion about the number of homeless students on free and/or reduced lunch; real estate values have not been growing as fast as before the recession and local governments have had to raise real estate tax to get revenue; teacher salaries (state was contributing more up to 2009 to K-12); increase in English Language Learners (ELLs); when the LCI numbers drop, will there be more state funding due to the lower LCIs (the 2023-2024 biennium budget will use the 2019 LCI); the ADM and real estate are more important indicators than the LCI; lower income families have been most impacted by the pandemic (income taxes); and, how administrative costs would relate (costs are fairly similar to surrounding localities.)

There was also discussion about how the lower September 30 and March 30 ADM this school year will impact the biennium (March 30 is the final amount of what the school division will receive in terms of per pupil payments); will schools will be held harmless; consider the pace revenue should be (historic triangle area is different than other areas as it is a tourist region and relies more on real estate taxes - consider raising real estate taxes); LCIs (each one point change in James City County is \$800,000 (up or down) and each one point is \$90,000 (up or down) for Williamsburg.)

Discussion followed on teacher salary average includes others (principals, assistant principals, etc.); WJCC is down 580 students - or 5% of the student population; based on the current ADM \$1.7 million would be lost from the state if ADM is not held harmless; many are Kindergarten students, other students enrolled in K12.com or enrolled in other school divisions (loophole in law that allows County and city residents to attend Richmond Public Schools and lose ADM to Richmond Public Schools); the impact of Return to Learn plan on personnel needs (significant substitute pool, employ extra instructional aides.); protocols are in place to trace (with Virginia Health Department), isolate, send home, put class on line or may close school; may not be able to hire more bus drivers and custodians).

There are two schools with air quality issues (problems remediated and teachers are setting up their classrooms); what the school system is doing to save money (did not employ full staff at beginning of the school year, reassigned and furloughed staff); how CARES Act funding was spent (\$1.9 million was used for air quality filters, Personal Protection Equipment, and extra staff; and, how much pressure is on school systems to be stricter with the identification of special education students (following federal and state guidelines for identifying students).

#### **D. ADJOURNMENT**

##### **1. Board of Supervisors, City Council and the WJCC School Board Adjourn**

The City Council took a roll call vote to adjourn the meeting which carried 5:0.

The WJCC School Board adjourned.

At approximately 9:31 a.m., the Board of Supervisors took a roll call vote to adjourn the meeting, which carried 5:0.

# **WJCC School District Demographic and Funding Analysis**

Fiscal Analytics, Ltd.

October 26, 2020

# Per Capita Local Revenues Not Keeping Pace With Inflation

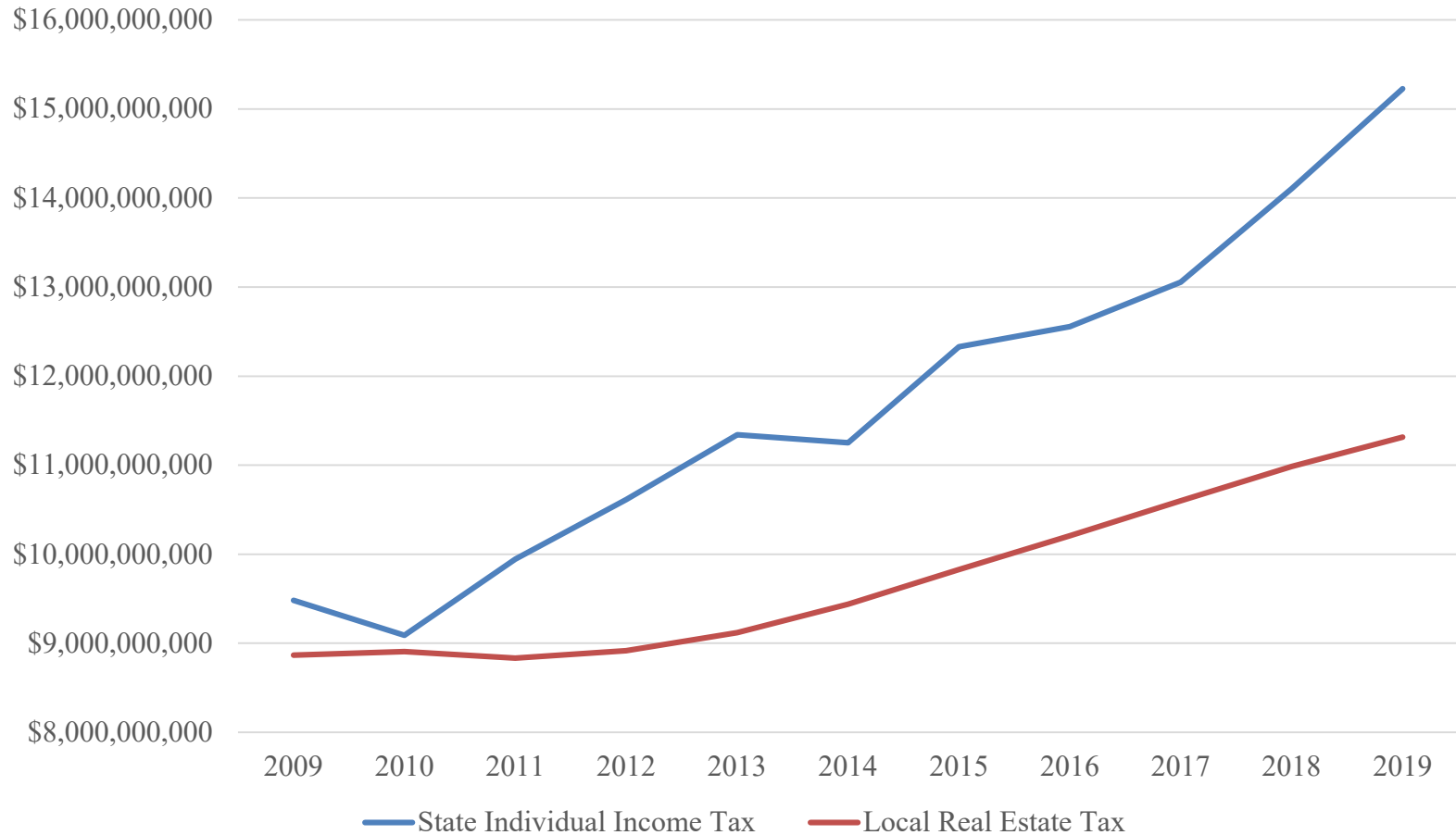
|  | Williamsburg   |                |             |  | James City Co. |                |             |
|--|----------------|----------------|-------------|--|----------------|----------------|-------------|
|  | FY 2009        | FY 2019        | % Growth    |  | FY 2009        | FY 2019        | % Growth    |
| ADM  | 753            | 1,026          | 36.3%       |  | 9,483          | 10,401         | 9.7%        |
| Population   | 13,572         | 15,183         | 11.9%       |  | 63,696         | 75,837         | 19.1%       |
| CPI-U Inflation Index  | 215.7          | 256.1          | 18.7%       |  | 215.7          | 256.1          | 18.7%       |
| Total Local Revenues*  | \$32,991,978   | \$40,242,604   | 22.0%       |  | \$146,852,743  | \$191,174,947  | 30.2%       |
| <b>Per capita Local Revenues</b>                                       | <b>\$2,431</b> | <b>\$2,651</b> | <b>9.0%</b> |  | <b>\$2,306</b> | <b>\$2,521</b> | <b>9.3%</b> |
| State revenues*  | \$7,261,668    | \$8,562,748    | 17.9%       |  | \$63,687,957   | \$70,386,470   | 10.5%       |
| Federal Revenues   | \$1,522,181    | \$1,763,006    | 15.8%       |  | \$9,821,896    | \$12,188,108   | 24.1%       |
| Total Revenues   | \$41,775,827   | \$50,568,358   | 21.0%       |  | \$220,362,596  | \$273,749,525  | 24.2%       |
|  |                |                |             |  |                |                |             |
| Real Property  | \$10,136,979   | 11,134,520     | 9.8%        |  | \$85,326,956   | 102,369,420    | 20.0%       |
| Public Service Prop.   | \$279,150      | 328,796        | 17.8%       |  | \$1,426,801    | 2,070,535      | 45.1%       |
| Personal Property  | \$636,373      | 781,628        | 22.8%       |  | \$14,729,182   | 24,966,205     | 69.5%       |
| Machinery & Tools  | \$1,307,209    | 1,407,810      | 7.7%        |  | \$4,910,373    | 5,792,160      | 18.0%       |
| Sales Tax  | \$3,844,275    | 6,841,762      | 78.0%       |  | \$8,618,525    | 15,757,412     | 82.8%       |
| BPOL   | \$1,595,535    | 2,330,418      | 46.1%       |  | \$5,967,511    | 7,658,776      | 28.3%       |
| Meals Tax  | \$5,522,541    | 7,308,479      | 32.3%       |  | \$5,618,586    | 7,509,825      | 33.7%       |
| Service Charges  | \$1,230,941    | 2,128,373      | 72.9%       |  | \$9,520,646    | 12,240,762     | 28.6%       |
| Transient Occupancy  | \$4,922,280    | 4,388,031      | -10.9%      |  | \$2,764,063    | 3,715,256      | 34.4%       |
| Recordation/Bank   | \$299,172      | 643,741        | 115.2%      |  | \$1,226,412    | 1,141,226      | -6.9%       |
| Other Revenues**   | \$3,217,523    | \$2,949,046    | -8.3%       |  | \$6,743,688    | \$7,953,370    | 17.9%       |
|  |                |                |             |  |                |                |             |
| * Adjusted for Communication Sales and Use Taxes now from state        |                |                |             |  |                |                |             |
| ** Other taxes, Permits, Licenses, Fines, Fees, Rental, Interest, etc. |                |                |             |  |                |                |             |

# Comparison of Local Property Tax Rates to Household Income and Housing Values

|                       | Real Property<br>Tax Rate | Median Household<br>Income (2018) | Zillow Home<br>Value Index |
|-----------------------|---------------------------|-----------------------------------|----------------------------|
| <b>Williamsburg</b>   | <b>0.60</b>               | <b>\$56,163</b>                   | <b>\$331,288</b>           |
| <b>James City Co.</b> | <b>0.84</b>               | <b>\$83,048</b>                   | <b>\$330,686</b>           |
| Newport News          | 1.22                      | \$51,884                          | \$196,342                  |
| Hampton               | 1.24                      | \$54,550                          | \$192,159                  |
| York Co.              | 0.80                      | \$90,367                          | \$296,604                  |
| Gloucester Co.        | 0.70                      | \$66,701                          | \$256,028                  |
| New Kent Co.          | 0.79                      | \$79,698                          | \$296,875                  |
|                       |                           |                                   |                            |
| 2018 City Median      | 1.09                      |                                   |                            |
| 2018 County Median    | 0.69                      |                                   |                            |
| <b>Virginia</b>       |                           | <b>\$71,564</b>                   | <b>\$296,604</b>           |

Sources: <https://www.census.gov/quickfacts/fact/table/VA/PST045219>  
<https://www.zillow.com/home-values/>

## State Income Tax Growth Has Significantly Exceeded Statewide Local Real Estate Tax Growth Since Recession



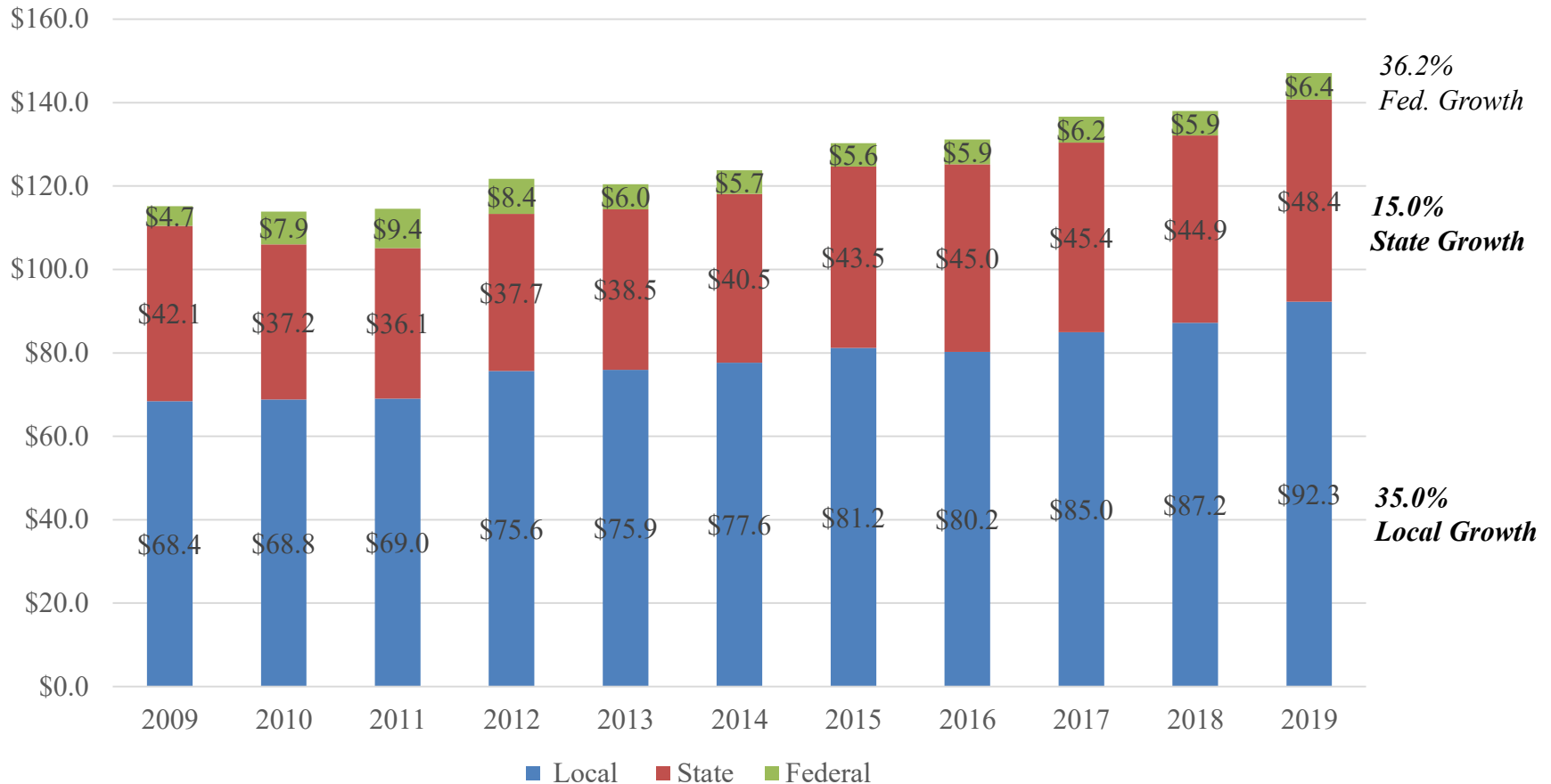
# Slow Real Property Revenue Growth Has Required Rising Rates

## Real Estate Tax Rates in Virginia Localities\*

|                             | <u>CY 2009</u> | <u>CY 2020</u> | <u>Change</u> |
|-----------------------------|----------------|----------------|---------------|
| Williamsburg                | 0.54           | 0.60           | 0.06          |
| Newport News                | 1.10           | 1.22           | 0.12          |
| <i>City Median (2018)</i>   | <i>0.90</i>    | <i>1.09</i>    | <i>0.09</i>   |
| James City                  | 0.77           | 0.84           | 0.07          |
| York                        | 0.658          | 0.795          | 0.137         |
| <i>County Median (2018)</i> | <i>0.55</i>    | <i>0.69</i>    | <i>0.14</i>   |

\* Nominal rates per \$100 of assessed value. Source: Weldon Cooper Center, "Virginia Local Tax Rates"

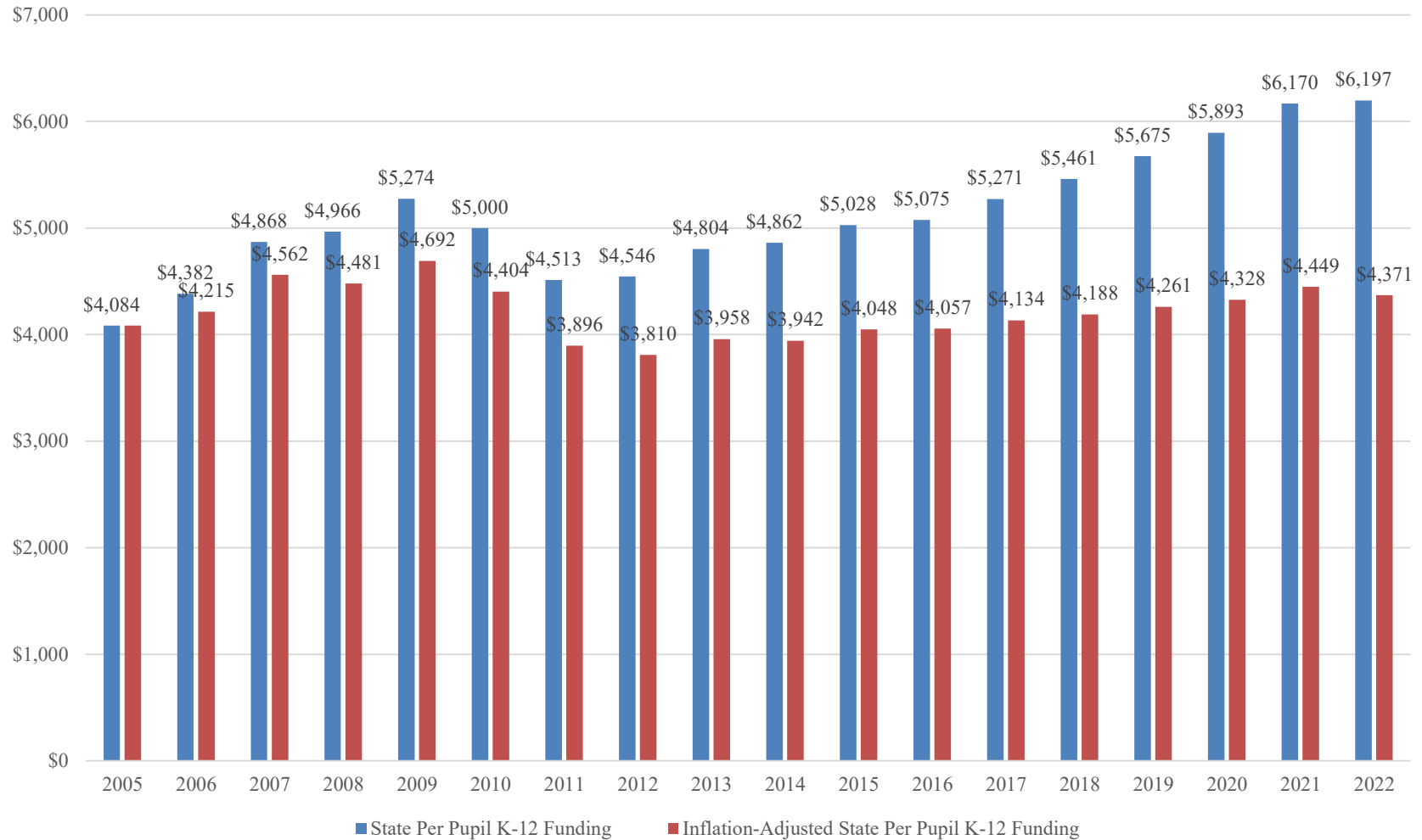
# WJCC Schools Sources of Funding FY 2009-19 (\$Mil.)



Note: State funding includes sales tax, FY 2009-19 avg. annual state funding growth = 1.5%, local funding growth = 3.0%.

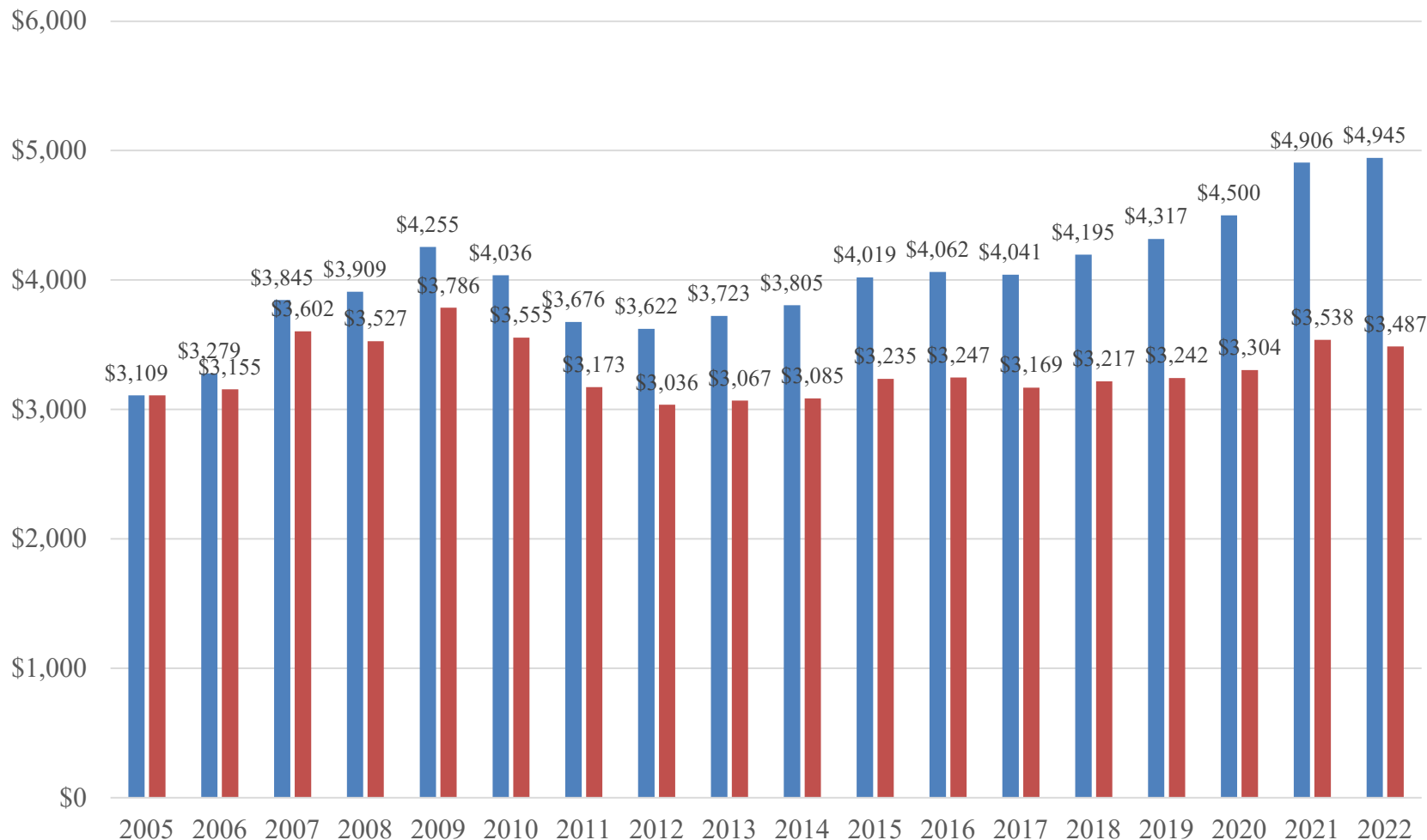
Source: DOE Superintendents Annual Report

**State Per Pupil K-12 Direct Aid Funding (Net of Unallotted)**  
**FY22 Still \$321/Pupil Less Than FY 09 Inflation -Adjusted**  
*Nominal and Inflation-Adjusted (CPI \$2005)*





## WJCC State Per Pupil K-12 Direct Aid (All Funds) Nominal and Inflation-Adjusted (CPI \$2005)



Source: Virginia DOE - [http://www.doe.virginia.gov/school\\_finance/budget/calc\\_tools/index.shtml](http://www.doe.virginia.gov/school_finance/budget/calc_tools/index.shtml)

Note: includes state sales tax distribution

# WJCC LCI Analysis

(Percent of State)

|  |                          |                          |                          |  |                       |                       |                       |
|--|--------------------------|--------------------------|--------------------------|--|-----------------------|-----------------------|-----------------------|
| Base Year Data   | 2017                     | 2013                     | 2007                     |  | 2017                  | 2013                  | 2007                  |
| <b>Biennium LCI</b>  | <b>2020-22</b>           | <b>2016-18</b>           | <b>2010-12</b>           |  | <b>2020-22</b>        | <b>2016-18</b>        | <b>2010-12</b>        |
|  | <u><b>James City</b></u> | <u><b>James City</b></u> | <u><b>James City</b></u> |  | <u><b>Wmsburg</b></u> | <u><b>Wmsburg</b></u> | <u><b>Wmsburg</b></u> |
| TVRE   | 1.039%                   | 1.038%                   | 1.004%                   |  | 0.157%                | 0.159%                | 0.165%                |
| VAGI*  | 1.089%                   | 1.038%                   | 0.999%                   |  | 0.115%                | 0.132%                | 0.172%                |
| Sales  | <u>0.947%</u>            | <u>0.982%</u>            | <u>0.921%</u>            |  | <u>0.386%</u>         | <u>0.407%</u>         | <u>0.456%</u>         |
| <b>Numerator<br/>Weighted Avg</b>                            | <b>1.050%</b>            | <b>1.032%</b>            | <b>0.994%</b>            |  | <b>0.163%</b>         | <b>0.173%</b>         | <b>0.197%</b>         |
|  |                          |                          |                          |  |                       |                       |                       |
| ADM  | 0.836%                   | 0.811%                   | 0.784%                   |  | 0.080%                | 0.080%                | 0.064%                |
| Population   | <u>0.882%</u>            | <u>0.850%</u>            | <u>0.799%</u>            |  | <u>0.182%</u>         | <u>0.180%</u>         | <u>0.172%</u>         |
| <b>Denominator<br/>Weighted Avg</b>                          | <b>0.851%</b>            | <b>0.824%</b>            | <b>0.789%</b>            |  | <b>0.114%</b>         | <b>0.114%</b>         | <b>0.100%</b>         |
|  |                          |                          |                          |  |                       |                       |                       |
| <b>Num/Denom Ratio<br/>(1.0 = .45 LCI)</b>                   | <b>1.2331</b>            | <b>1.2529</b>            | <b>1.2594</b>            |  | <b>1.4290</b>         | <b>1.5210</b>         | <b>1.9701</b>         |
| <b>LCI</b>   | <b>.5553</b>             | <b>.5641</b>             | <b>.5668</b>             |  | <b>.7459</b>          | <b>.7747</b>          | <b>0.8000</b>         |
|  |                          |                          |                          |  |                       |                       |                       |
| * Williamsburg VAGI adjusted for over 3% non-resident income |                          |                          |                          |  |                       |                       |                       |

# WJCC 2020-22 K-12 Rebenchmarking Exceeded Statewide Rebenchmarking Percentages Due to LCI Declines and ADM Increases

|  | <u>FY 2021</u>     | <u>FY 2022</u>     | <u>Total Biennium</u> |
|--|--------------------|--------------------|-----------------------|
| Update Prevailing Salaries and Other Personal Data             | \$358,377          | \$359,257          | \$717,634             |
| Non-Personal Costs and Apply Oct Inflation Rates               | \$1,464,585        | \$1,529,619        | \$2,994,204           |
| Revise Programs Based on Fall 2017 ADM Enrollment              | \$466,665          | \$458,596          | \$925,261             |
| Update Health Care Premium (without inflation)                 | \$161,186          | \$161,875          | \$323,061             |
| Update Incentive, Categorical & Lottery Program Accounts       | \$308,102          | \$363,325          | \$671,427             |
| Reset SOQ Model Base Data                                      | (\$381,960)        | (\$381,960)        | (\$763,920)           |
| Update Federal Deduct Per Pupil Amount                         | (\$38,753)         | (\$38,856)         | (\$77,609)            |
| Revise SOL Failure Rates & CEP Free Lunch Eligibility          | \$43,622           | \$43,233           | \$86,855              |
| Update Support Position Cap to Reflect Actual Staffing Ratios  | (\$9,943)          | (\$9,714)          | (\$19,657)            |
| Update Projected School-Aged Population Sales Tax Distribution | \$390,801          | \$533,832          | \$924,633             |
| <b>Update Local Composite Index</b>                            | <b>\$1,076,763</b> | <b>\$1,090,780</b> | <b>\$2,167,543</b>    |
| Update VRS, RHCC, & Group Life                                 | <u>\$218,673</u>   | <u>\$219,600</u>   | <u>\$438,273</u>      |
| WJCC Rebenchmarking Subtotal                                   | \$4,058,118        | \$4,329,587        | \$8,387,705           |
| Chapter 1289 WJCC State Funding                                | \$50,315,665       | \$50,610,547       | \$100,926,212         |
| <b>Rebenchmarking % of Total State WJCC K12 Funding</b>        | <b>8.1%</b>        | <b>8.6%</b>        | <b>8.3%</b>           |
|  |                    |                    |                       |
| Statewide Rebenchmarking Subtotal                              | \$361,147,906      | \$399,415,479      | \$760,563,385         |
| Chapter 1289 Statewide K12 Funding                             | \$7,756,435,456    | \$7,824,946,232    | \$15,581,381,688      |
| <b>Rebenchmarking % of Total Statewide K12 Funding</b>         | <b>4.7%</b>        | <b>5.1%</b>        | <b>4.9%</b>           |

Source: Money Committee January 8, 2020 Summary of the Governor's Proposed Amendments to the 2020-22 Budget

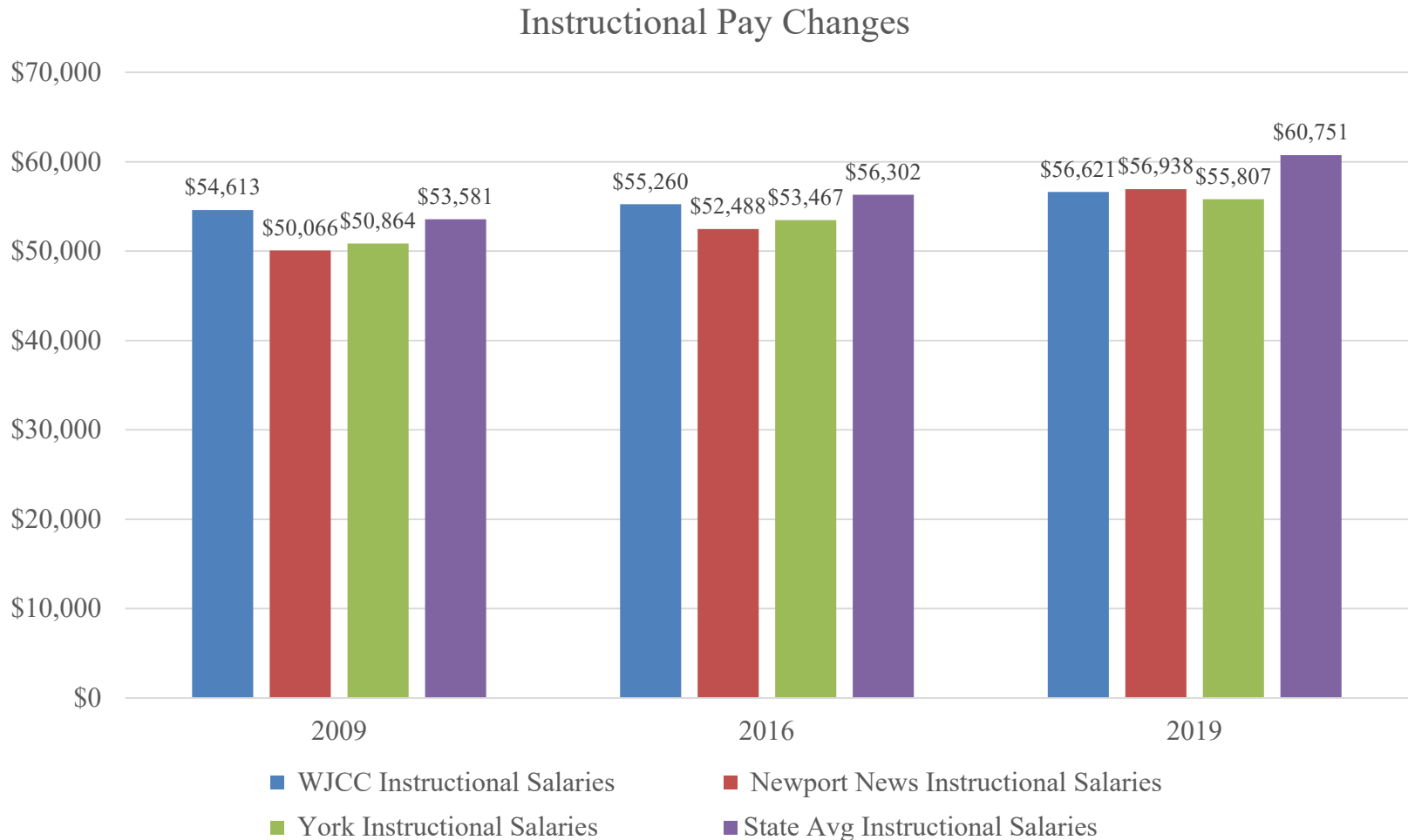
# James City and Williamsburg State K-12 Funding Accounts - FY 2021

|   | <u>James City</u>   | <u>RLM</u>          | <u>Williamsburg</u> | <u>RLM</u>         |
|---|---------------------|---------------------|---------------------|--------------------|
| Basic Aid                               | \$23,672,893        | \$29,560,507        | \$1,246,750         | \$3,659,783        |
| Sales Tax                               | \$13,287,978        | N/A                 | \$1,477,846         | N/A                |
| Textbooks                               | \$495,972           | \$619,324           | \$27,499            | \$80,723           |
| Vocational Education                    | \$166,139           | \$207,460           | \$9,468             | \$27,791           |
| Gifted Education                        | \$244,594           | \$305,427           | \$13,562            | \$39,809           |
| Special Education                       | \$3,059,735         | \$3,820,713         | \$169,392           | \$497,242          |
| Prevention, Intervention, & Remediation | \$530,723           | \$662,718           | \$29,426            | \$86,379           |
| VRS Retirement                          | \$3,175,110         | \$3,964,782         | \$176,045           | \$516,771          |
| Social Security                         | \$1,361,421         | \$1,700,016         | \$75,484            | \$221,581          |
| Group Life                              | \$96,915            | \$121,018           | \$5,373             | \$15,774           |
| English as a Second Language            | \$272,199           | \$339,897           | \$45,584            | \$133,810          |
| Remedial Summer School                  | <u>\$89,916</u>     | <u>N/A</u>          | <u>\$10,248</u>     | <u>N/A</u>         |
| <b>Total SOQ</b>                        | <b>\$46,453,595</b> | <b>\$41,301,862</b> | <b>\$3,286,677</b>  | <b>\$5,279,663</b> |
| <b>Incentive</b>                        | <b>\$772,454</b>    | <b>\$867,810</b>    | <b>\$487,006</b>    | <b>\$154,862</b>   |
| <b>Categorical*</b>                     | <b>\$0</b>          | <b>\$0</b>          | <b>\$1,362,195</b>  | <b>\$0</b>         |
| <b>Lottery</b>                          | <b>\$3,089,617</b>  | <b>\$1,111,673</b>  | <b>\$408,280</b>    | <b>\$189,768</b>   |
| <b>Total K-12 Education</b>             | <b>\$50,315,665</b> | <b>\$43,281,345</b> | <b>\$5,544,158</b>  | <b>\$5,615,082</b> |

# Comparison of FY 2019 Local Expenditures Above Required Local Effort

|  | <u>James City</u>  | <u>Williamsburg</u> |
|--|--|---------------------|
| 2019 Required Local Effort                       | \$37,914,055   | \$5,605,828         |
| FY 2019 Actual Local Expenditures for Operations | \$81,613,878   | \$6,728,275         |
| Expenditures Above RLE                           | \$43,699,823   | \$1,122,447         |
| <b>% Expenditures Above RLE</b>                  | <b>115.3%</b>  | <b>20.0%</b>        |
|  |  |                     |
|  | <u>All School Districts<br/>Exceeding RLE in FY 2019</u> |                     |
| 0 - 25%  | 18   |                     |
| 25 - 75%   | 43   |                     |
| 75 - 100%  | 28   |                     |
| Over 100%  | 46   |                     |

# Still, WJCC Has Slipped in Pay Compared to Surrounding School Divisions and Statewide



Source: Superintendent's Annual Report.

\* All instructional positions include classroom teachers, guidance counselors, librarians, principals, and assistant principals.

## NEA Average Instructional Salaries by State vs Zillow Median Home Value Index

| Rank |                      | NEA AVG<br>Instructional<br>Salary - 2019 | Rank      |                      | Zillow Home Value<br>Index August 2020 |
|------|----------------------|---|-----------|----------------------|--|
|      | <b>United States</b> | <b>\$66,126</b>                           |           | <b>United States</b> | <b>\$256,663</b>                       |
| 1    | New York             | \$88,277                                  | 1         | Hawaii               | \$648,194                              |
| 2    | California           | \$85,390                                  | 2         | District of Columbia | \$636,246                              |
| 3    | Massachusetts        | \$83,622                                  | 3         | California           | \$587,412                              |
| 4    | New Jersey           | \$82,029                                  | 4         | Massachusetts        | \$449,102                              |
| 5    | Rhode Island         | \$80,208                                  | 5         | Washington           | \$443,350                              |
| 6    | Washington           | \$79,525                                  | 6         | Colorado             | \$418,363                              |
| 7    | Alaska               | \$78,581                                  | 7         | Oregon               | \$374,639                              |
| 8    | Washington D.C.      | \$78,477                                  | 8         | Utah                 | \$373,049                              |
| 9    | Connecticut          | \$78,247                                  | 9         | New Jersey           | \$353,518                              |
| 10   | Maryland             | \$77,482                                  | 10        | New York             | \$335,502                              |
| 11   | Minnesota            | \$72,793                                  | 11        | Maryland             | \$322,369                              |
| 12   | Pennsylvania         | \$72,222                                  | 12        | Rhode Island         | \$318,115                              |
| 13   | Oregon               | \$69,450                                  | 13        | Nevada               | \$316,275                              |
| 14   | Illinois             | \$68,305                                  | 14        | Idaho                | \$312,592                              |
| 15   | Hawaii               | \$67,978                                  | 15        | New Hampshire        | \$310,463                              |
| 16   | Delaware             | \$66,511                                  | <b>16</b> | <b>Virginia</b>      | <b>\$296,848</b>                       |
| 17   | North Dakota         | \$64,970                                  | 17        | Alaska               | \$296,168                              |
| 18   | Nevada               | \$64,734                                  | 18        | Montana              | \$295,933                              |
| 19   | Georgia              | \$63,557                                  | 19        | Kansas               | \$295,029                              |
| 20   | Vermont              | \$63,529                                  | 20        | Arizona              | \$293,397                              |
| 21   | Ohio                 | \$62,225                                  | 21        | Delaware             | \$270,911                              |
| 22   | Michigan             | \$62,185                                  | 22        | Minnesota            | \$270,082                              |
| 23   | Indiana              | \$61,935                                  | 23        | Connecticut          | \$269,890                              |

|           |                 |                 |    |                |           |
|-----------|-----------------|-----------------|----|----------------|-----------|
| 24        | Wyoming         | \$60,979        | 24 | Vermont        | \$266,474 |
| 25        | Iowa            | \$60,942        | 25 | Maine          | \$259,991 |
| 26        | Colorado        | \$60,896        | 26 | Florida        | \$258,257 |
| 27        | Texas           | \$60,706        | 27 | Wyoming        | \$256,427 |
| 28        | Utah            | \$60,374        | 28 | North Dakota   | \$235,998 |
| 29        | Wisconsin       | \$60,027        | 29 | South Dakota   | \$218,416 |
| 30        | New Hampshire   | \$60,003        | 30 | New Mexico     | \$216,112 |
| 31        | Kentucky        | \$56,651        | 31 | Texas          | \$215,658 |
| 32        | New Mexico      | \$56,630        | 32 | North Carolina | \$214,726 |
| 33        | Oklahoma        | \$56,320        | 33 | Georgia        | \$213,026 |
| 34        | Alabama         | \$56,273        | 34 | Illinois       | \$209,335 |
| 35        | South Carolina  | \$56,112        | 35 | Wisconsin      | \$204,948 |
| 36        | Maine           | \$55,996        | 36 | Pennsylvania   | \$204,876 |
| <b>37</b> | <b>Virginia</b> | <b>\$55,615</b> | 37 | South Carolina | \$196,857 |
| 38        | Nebraska        | \$55,367        | 38 | Tennessee      | \$196,125 |
| 39        | North Carolina  | \$54,682        | 39 | Nebraska       | \$183,380 |
| 40        | Tennessee       | \$54,577        | 40 | Michigan       | \$182,327 |
| 41        | Idaho           | \$54,025        | 41 | Louisiana      | \$171,504 |
| 42        | Missouri        | \$53,308        | 42 | Missouri       | \$170,670 |
| 43        | Kansas          | \$53,123        | 43 | Indiana        | \$164,636 |
| 44        | Montana         | \$53,120        | 44 | Ohio           | \$160,093 |
| 45        | Louisiana       | \$52,994        | 45 | Iowa           | \$156,851 |
| 46        | Arkansas        | \$52,766        | 46 | Kentucky       | \$153,591 |
| 47        | South Dakota    | \$50,511        | 47 | Alabama        | \$149,996 |
| 48        | Arizona         | \$50,381        | 48 | Oklahoma       | \$136,104 |
| 49        | West Virginia   | \$49,499        | 49 | Arkansas       | \$135,958 |
| 50        | Florida         | \$49,103        | 50 | Mississippi    | \$127,677 |
| 51        | Mississippi     | \$47,623        | 51 | West Virginia  | \$107,762 |

Note: Removing PD 8 (NoVa) - similar to Maryland instructional pay - would reduce VA state average about \$6,000, ranking Virginia in the bottom 5 states.

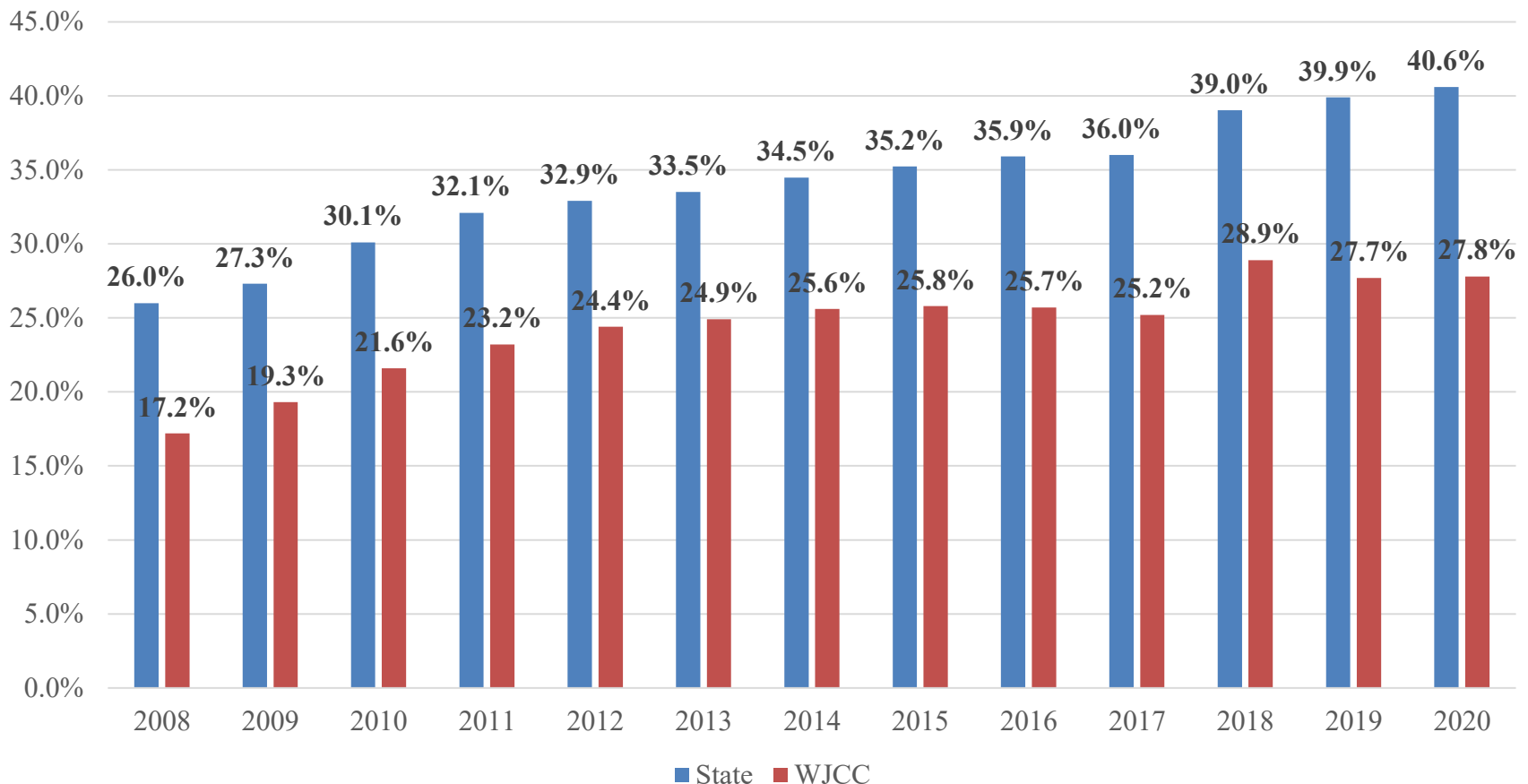


## Since 2009, WJCC K12 Students Have Increased Faster than the State (March 31 ADM)

|                                       | <u>Statewide</u> | <u>% Increase</u> |  | <u>WJCC</u>  | <u>% Increase</u> |
|---------------------------------------|------------------|-------------------|--|--------------|-------------------|
| 2009                                  | 1,195,844        |                   |  | 10,236       |                   |
| 2010                                  | 1,204,422        | 0.7%              |  | 10,486       | 2.4%              |
| 2011                                  | 1,209,568        | 0.4%              |  | 10,448       | -0.4%             |
| 2012                                  | 1,215,363        | 0.5%              |  | 10,602       | 1.5%              |
| 2013                                  | 1,222,545        | 0.6%              |  | 10,715       | 1.1%              |
| 2014                                  | 1,229,317        | 0.6%              |  | 10,955       | 2.2%              |
| 2015                                  | 1,258,833        | 2.4%              |  | 11,061       | 1.0%              |
| 2016                                  | 1,240,093        | -1.5%             |  | 11,268       | 1.9%              |
| 2017                                  | 1,243,921        | 0.3%              |  | 11,470       | 1.8%              |
| 2018                                  | 1,246,931        | 0.2%              |  | 11,421       | -0.4%             |
| 2019                                  | 1,245,029        | -0.2%             |  | 11,427       | 0.1%              |
| 2020                                  | 1,250,770        | 0.5%              |  | 11,456       | 0.3%              |
| <b><i>Increase<br/>Since 2009</i></b> | <b>54,926</b>    | <b>4.6%</b>       |  | <b>1,220</b> | <b>11.9%</b>      |

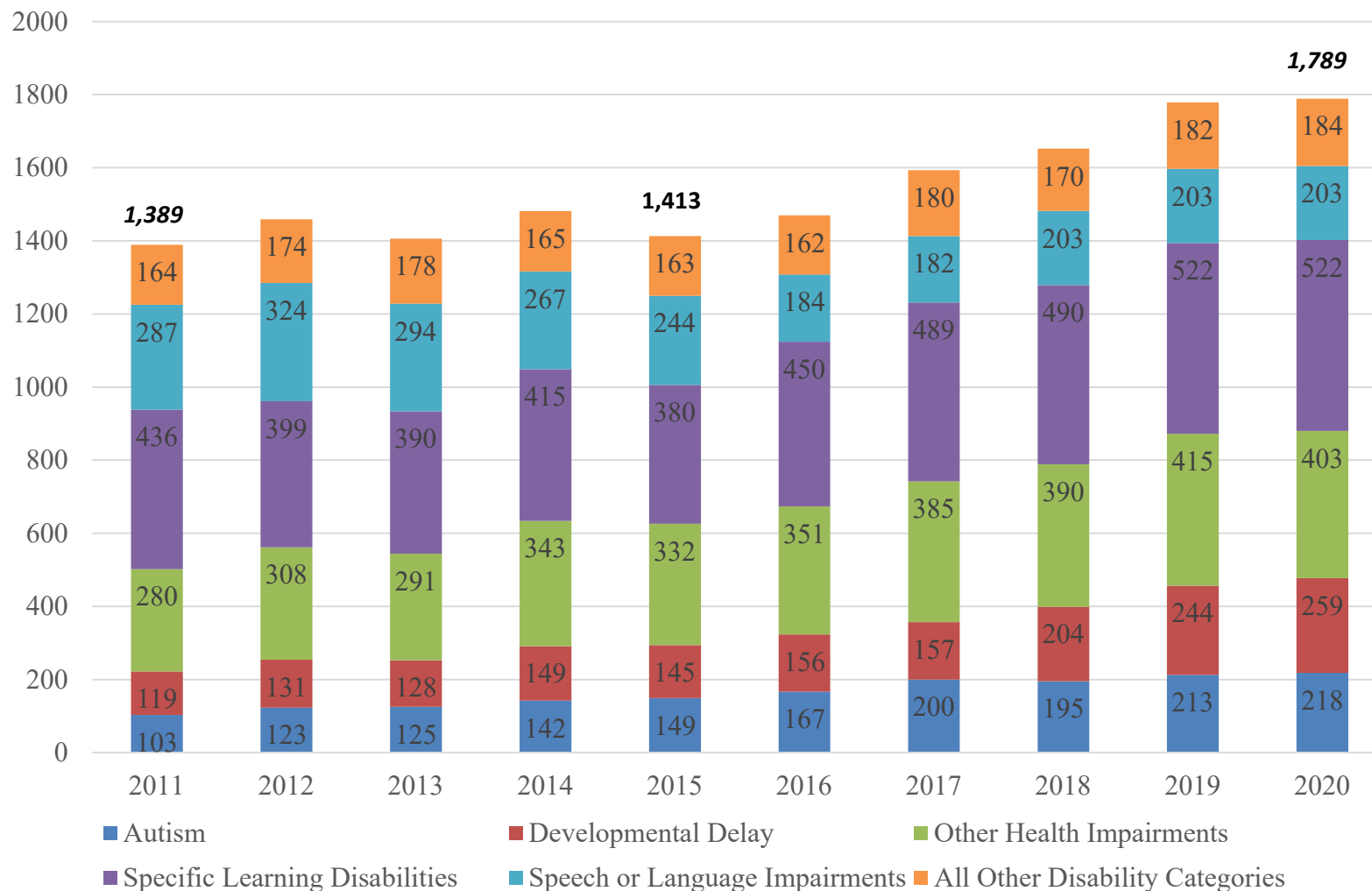
# WJCC Has Lower Free Lunch Percentages than Statewide Averages

## State and WJCC Free Lunch Percentages



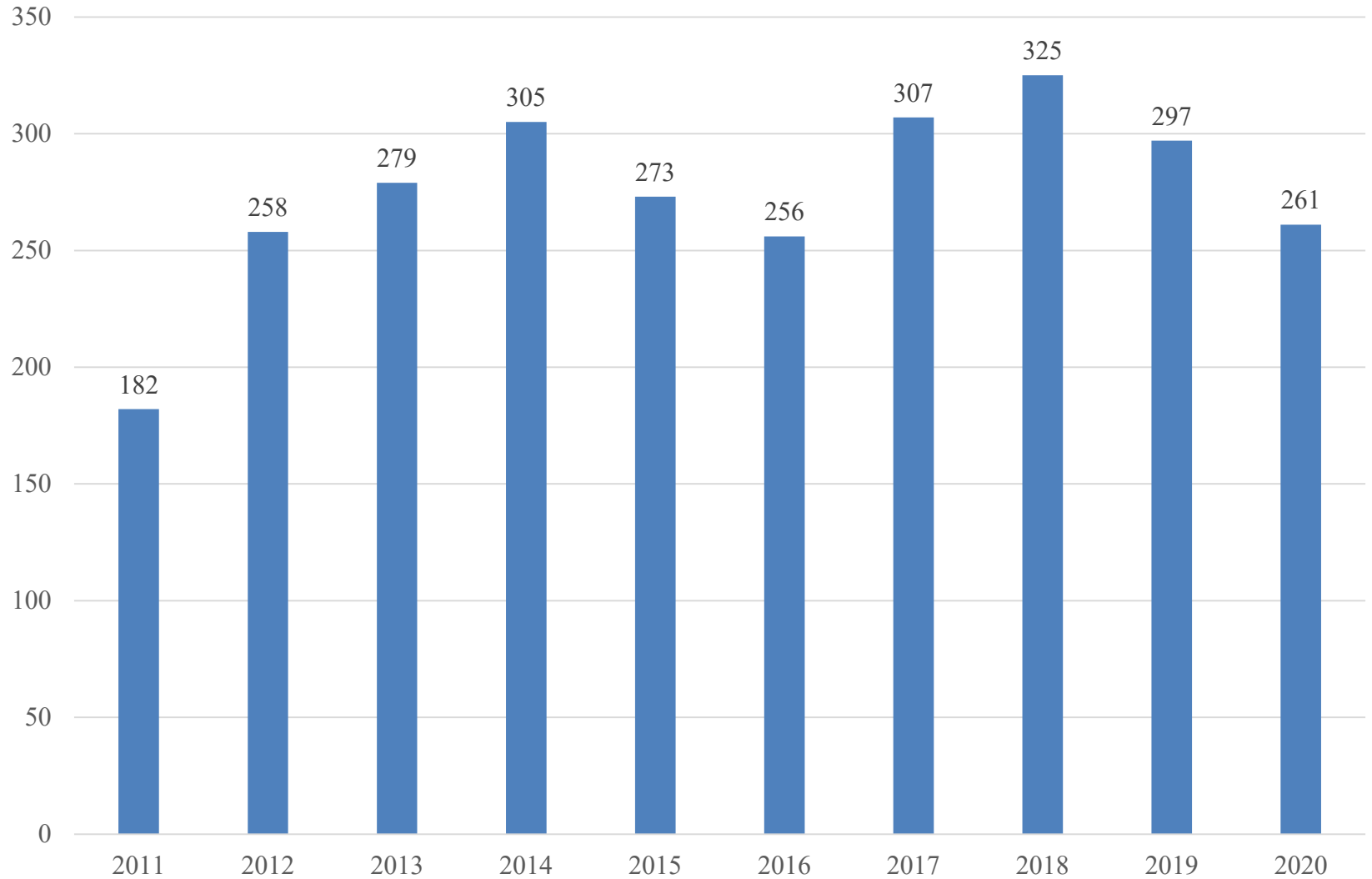
\* Jump in FY18 FL students due to participating in the Community Eligibility Provision and/or Direct Certification of Medicaid eligible students (WJCC)

# WJCC Students With Disabilities Comprise 15% of ADM Having Grown 26% Since 2015



Note: Statewide students with disabilities comprise 14% of ADM, having grown 12% since 2015

## WJCC Homeless Students Has Varied by Year



# Summary

- Local revenue growth has not kept pace with population and inflation. Both James City and Williamsburg have raised property tax rates since 2009, but less than average statewide locality increases.
- James City and Williamsburg have higher RE values than surrounding localities. James City RE tax rates are slightly higher than surrounding counties, but much lower than nearby cities. Williamsburg RE rates are significantly below surrounding locality rates.
- State funding for the WJCC school district has significantly lagged local K12 funding increases since the 2009-10 recession.
- James City and particularly Williamsburg have high LCI's - much higher than surrounding school districts, although falling over the last ten years. James City's population and ADM has been growing more rapidly than the state, while Williamsburg's share of sales tax, income, and property values has been falling.
- James City is in the top tier of localities' exceeding required local match requirements.
- WJCC teacher salary increases have underperformed the region and state average increases since 2009.
- WJCC has fewer free lunch students than statewide averages, but relatively more students with disabilities – 15% versus 14% statewide – and recently growing faster than state disabled students – 26% versus 12% since 2015 .

ITEM SUMMARY

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer & Nathan R. Green

SUBJECT: Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,665

The James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office participate in the Virginia Forfeited Asset Sharing Program managed by the Virginia Department of Criminal Justice Services (DCJS). This program provides disbursement of funds received from the forfeiture of assets from drug enforcement activities to be used according to § 19.2-386.14 (D) of the Code of Virginia, "all forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement but shall not be used to supplant existing programs or funds."

The James City County Police Department and Williamsburg-James City County Commonwealth's Attorney's Office have entered a Memorandum of Understanding with the Tri-Rivers Drug Task Force (TRDTF). Through TRDTF, funds are routinely received through assets forfeited in drug arrests involving the manufacturing or distribution of dangerous narcotics in James City County as well as from similar cases the other members of TRDTF conduct. The specific sharing percentages are detailed in the Memorandum of Understanding with the other members of the TRDTF. Funds may also be received; however, through local drug cases not investigated by TRDTF.

The expenditure of forfeited funds is restricted to law enforcement activities specified by DCJS.

Funds have been dispersed to the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office in the amount of \$1,665.

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

ATTACHMENTS:

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Cover Memo  | Cover Memo |
| ☐ | Resolution  | Resolution |

REVIEWERS:

| Department | Reviewer           | Action   | Date                  |
|------------|--------------------|----------|-----------------------|
| Police     | Rinehimer, Bradley | Approved | 10/23/2020 - 12:27 PM |
| Police     | Rinehimer, Bradley | Approved | 10/23/2020 - 12:28 PM |

|                        |                 |          |                      |
|------------------------|-----------------|----------|----------------------|
| Publication Management | Burcham, Nan    | Approved | 10/23/2020 - 1:32 PM |
| Legal Review           | Kinsman, Adam   | Approved | 10/23/2020 - 2:53 PM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:09 AM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:24 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:33 AM |

## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police  
Nathan R. Green, Commonwealth's Attorney

SUBJECT: Acceptance of Funds - Virginia Forfeited Asset Sharing Program - \$1,665

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The James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office participate in the Virginia Forfeited Asset Sharing Program managed by the Virginia Department of Criminal Justice Services (DCJS). This program provides disbursement of funds received from the forfeiture of assets from drug enforcement activities to be used according to § 19.2-386.14 (D) of the Code of Virginia, "all forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement but shall not be used to supplant existing programs or funds."

The James City County Police Department and Williamsburg-James City County Commonwealth's Attorney's Office have entered a Memorandum of Understanding with the Tri-Rivers Drug Task Force (TRDTF). Through TRDTF, funds are routinely received through assets forfeited in drug arrests involving the manufacturing or distribution of dangerous narcotics in James City County as well as from similar cases the other members of TRDTF conduct. The specific sharing percentages are detailed in the Memorandum of Understanding with the other members of the TRDTF. Funds may also be received; however, through local drug cases not investigated by TRDTF.

The expenditure of forfeited funds is restricted to law enforcement activities specified by DCJS.

Funds have been dispersed to the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office in the amount of \$1,665.

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

BJR/NRG/nb  
VAForfASProg-Nov20-mem

Attachment



## RESOLUTION

### ACCEPTANCE OF FUNDS -

#### VIRGINIA FORFEITED ASSET SHARING PROGRAM - \$1,665

WHEREAS, the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office participate in the Virginia Forfeited Asset Sharing Program managed by the Virginia Department of Criminal Justice Services (DCJS); and

WHEREAS, this program provides disbursement of funds received from the forfeiture of assets from drug enforcement activities to be used according to § 19.2-386.14 (D) of the Code of Virginia, "all forfeited property, including its proceeds or cash equivalent, received by a participating state or local agency pursuant to this section shall be used to promote law enforcement but shall not be used to supplant existing programs or funds"; and

WHEREAS, funds have been dispersed to the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office in the amount of \$1,665.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts and appropriates funds of \$1,665 to the Special Projects and Grants Fund for the Police Department's and Commonwealth's Attorney's participation in the Virginia Forfeited Asset Sharing Program.

#### Revenues:

|   |                |
|---|----------------|
| State - Police Department State Asset Forfeit Funds     | \$1,327        |
| State - Commonwealth Attorney State Asset Forfeit Funds | <u>338</u>     |
| Total   | <u>\$1,665</u> |

#### Expenditures:

|   |                |
|---|----------------|
| Police Department State Asset Forfeit Funds     | \$1,327        |
| Commonwealth Attorney State Asset Forfeit Funds | <u>338</u>     |
| Total   | <u>\$1,665</u> |

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 10th day of November, 2020.

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award – Patrick Leahy Bulletproof Vest Partnership - \$39,200

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The James City County Police Department has been awarded a Patrick Leahy Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for \$39,200 (\$19,600 federal funds; \$19,600 local match). The funds are to be used to purchase approximately 34 new and replacement bulletproof vests for officers.

BVP has typically been a recurring grant program made available each year to law enforcement agencies throughout the United States. This grant expires August 31, 2022, which allows us to replace vests as needed, or purchase vests for new officers throughout the grant period.

Each sworn officer within the Department is offered a bulletproof vest as part of his/her normal issued equipment. Unless recalls are made or the vest is damaged, the lifespan of vests is typically five years. The vests used by the Department are engineered for superior performance and integrate high-performance ballistic materials with a temperature regulating carrier for maximum comfort.

The grant requires a match of \$19,600, which is available in the Special Projects/Grants Fund.

Staff recommends adoption of the attached resolution to appropriate funds.

**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Cover Memo  | Cover Memo |
| ☐ | Resolution  | Resolution |

**REVIEWERS:**

| Department             | Reviewer           | Action   | Date                 |
|------------------------|--------------------|----------|----------------------|
| Police                 | Rinehimer, Bradley | Approved | 10/22/2020 - 7:02 AM |
| Police                 | Rinehimer, Bradley | Approved | 10/22/2020 - 7:02 AM |
| Publication Management | Burcham, Nan       | Approved | 10/22/2020 - 7:39 AM |
| Legal Review           | Kinsman, Adam      | Approved | 10/23/2020 - 9:34 AM |
| Board Secretary        | Fellows, Teresa    | Approved | 11/3/2020 - 10:10 AM |
| Board Secretary        | Purse, Jason       | Approved | 11/3/2020 - 10:25 AM |
| Board Secretary        | Fellows, Teresa    | Approved | 11/3/2020 - 10:34 AM |



## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Chief of Police

SUBJECT: Grant Award –Bulletproof Vest Partnership - \$39,200

---

The James City County Police Department has been awarded a Patrick Leahy Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for \$39,200 (\$19,600 federal funds; \$19,600 local match). The funds are to be used to purchase approximately 34 new and replacement bulletproof vests for officers.

BVP has typically been a recurring grant program made available each year to law enforcement agencies throughout the United States. This grant expires August 31, 2022, which allows us to replace vests as needed, or purchase vests for new officers throughout the grant period.

Each sworn officer within the Department is offered a bulletproof vest as part of his/her normal issued equipment. Unless recalls are made or the vest is damaged, the lifespan of vests is typically five years. The vests used by the Department are engineered for superior performance and integrate high-performance ballistic materials with a temperature regulating carrier for maximum comfort.

The grant requires a match of \$19,600, which is available in the Special Projects/Grants Fund.

Staff recommends adoption of the attached resolution to appropriate funds.

BJR/md  
GA-BlltprfVst-mem

Attachment

## RESOLUTION

### GRANT AWARD - BULLETPROOF VEST PARTNERSHIP - \$39,200

WHEREAS, the James City County Police Department has been awarded a Patrick Leahy Bulletproof Vest Partnership (BVP) grant from the Office of Justice Programs' Bureau of Justice Assistance for \$39,200 (\$19,600 federal funds; \$19,600 local match); and

WHEREAS, the grant requires a local match of \$19,600, which is available in the Special Projects/Grants Fund; and

WHEREAS, the funds are to be used to purchase approximately 34 new and replacement bulletproof vests for officers.

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

Revenues:

|                                  |                 |
|----------------------------------|-----------------|
| Federal - BVP - Fiscal Year 2020 | \$19,600        |
| Local Match                      | <u>\$19,600</u> |
| Total                            | <u>\$39,200</u> |

Expenditure:

|                        |                 |
|------------------------|-----------------|
| BVP - Fiscal Year 2020 | <u>\$39,200</u> |
|------------------------|-----------------|

\_\_\_\_\_  
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 10th day of November, 2020.

GA-BlltprfVst-res

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Dianna Moorman, General Registrar

SUBJECT: Grant Award - USC Schwarzenegger Institute's Democracy Fund Initiative - \$20,000

---

**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                  |
|------------------------|-----------------|----------|-----------------------|
| Board Secretary        | Fellows, Teresa | Approved | 10/28/2020 - 11:54 AM |
| Board Secretary        | Purse, Jason    | Approved | 10/28/2020 - 4:41 PM  |
| Board Secretary        | Fellows, Teresa | Approved | 10/29/2020 - 8:11 AM  |
| Publication Management | Burcham, Nan    | Approved | 10/29/2020 - 8:15 AM  |
| Legal Review           | Kinsman, Adam   | Approved | 10/29/2020 - 8:17 AM  |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:10 AM  |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM  |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:34 AM  |

## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Dianna S. Moorman, General Registrar

SUBJECT: Grant Award - USC Schwarzenegger Institute's Democracy Fund Initiative - \$20,000

---

The USC Schwarzenegger Institute for State and Global Policy has granted funding to the local voter elections office specifically for the public purpose of supporting nonpartisan efforts to increase voter access and the operation of polling in James City County. The County's Voter Registration and Elections Office has been awarded \$20,000 for this purpose.

In addition, the County has agreed to submit a report to the USC Schwarzenegger Institute explaining and documenting how grant funds have been expended in support of the expressed purpose. All funds must be spent by November 30, 2020.

It is recommended that the Board of Supervisors adopt the attached resolution to authorize acceptance of these grant funds and appropriate the use of these funds for eligible expenses for the 2020 federal election cycle.

DSM/nb  
GA-USCGrant-mem

Attachment

## RESOLUTION

### GRANT AWARD - USC SCHWARZENEGGER INSTITUTE'S

#### DEMOCRACY FUND INITIATIVE - \$20,000

WHEREAS, James City County's Voter Registration and Elections Office will oversee election operations in the County during the 2020 federal election cycle; and

WHEREAS, the County has been awarded a grant from the USC Schwarzenegger Institute for State and Global Policy for the public purpose of supporting nonpartisan efforts to increase voter access and the operation of polling in James City County for the 2020 federal election cycle; and

WHEREAS, the County agrees to abide by the stipulations provided by the USC Schwarzenegger Institute for State and Global Policy regarding the allowable uses of these funds and the necessary recordkeeping; and

WHEREAS, no local match is required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes acceptance of these grant funds and the budget appropriation of \$20,000 to Special Projects/Grants Fund as shown below.

#### Revenue:

|   |                 |
|---|-----------------|
| Grant Award - USC Schwarzenegger Institute's<br>Democracy Fund Initiative | <u>\$20,000</u> |
|---|-----------------|

#### Expenditure:

|                |                 |
|----------------|-----------------|
| Election Funds | <u>\$20,000</u> |
|----------------|-----------------|

\_\_\_\_\_  
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 10th day of November, 2020.



**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Development and Communications Assistant Position

---

**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |
| ☐ | Attachment  | Exhibit    |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                 |
|------------------------|-----------------|----------|----------------------|
| Board Secretary        | Fellows, Teresa | Approved | 10/28/2020 - 4:36 PM |
| Board Secretary        | Purse, Jason    | Approved | 10/28/2020 - 4:41 PM |
| Board Secretary        | Fellows, Teresa | Approved | 10/29/2020 - 8:11 AM |
| Publication Management | Burcham, Nan    | Approved | 10/29/2020 - 8:15 AM |
| Legal Review           | Kinsman, Adam   | Approved | 10/29/2020 - 8:17 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:10 AM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:34 AM |

## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Development and Communications Assistant Position

---

The Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area. OTMDC utilizes nurse practitioners and physicians to address the primary medical care of its patients, and dentists and hygienists to provide quality dental care to its uninsured and underinsured patients. OTMDC relies for funding on foundation grants, support of municipalities, and the generous support of donors in the community, and has a wide range of mailings and individual donor solicitation.

The Olde Towne Board of Directors wishes to create a new Development and Communications Assistant position which will be funded by the Williamsburg Area Medical Assistance Corporation.

ALT/nb  
DevCommAsst-mem

Attachments

## RESOLUTION

### OLDE TOWNE MEDICAL AND DENTAL CENTER ADDITION OF A

### DEVELOPMENT AND COMMUNICATIONS ASSISTANT

WHEREAS, Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area; and

WHEREAS, OTMDC utilizes Nurse Practitioners to provide quality health and wellness care; and

WHEREAS, it is now necessary to increase provider availability to assure patient access at OTMDC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the addition of a Development and Communications Assistant to the personnel staff of OTMDC, funded by the Williamsburg Area Medical Assistance Corporation.

\_\_\_\_\_  
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 10th day of November, 2020.

DevCommAsst-res



|                           |  |
|---------------------------|--|
| <b>Class Title</b>        | <b>Development and Communications Assistant</b>    |
| <b>Position Number</b>    | <b>0703</b>  |
| <b>FLSA Status</b>        | <b>Non-Exempt</b>                                  |
| <b>EEO Classification</b> | <b>Administrative Support Workers</b>              |
| <b>Department</b>         | <b>Olde Town Medical and Dental Center (OTMDC)</b> |
| <b>Supervised By</b>      | <b>Executive Medical Director</b>                  |

#### **Nature of Work**

Provides administrative and clerical support for the Executive Director, the Board of Olde Towne Medical and Dental Center (OTMDC). With "As Needed" assistance to Dir. Of Dev. & Marketing & Comms Specialist.

#### **Essential Job Functions (other essential job functions may be designated by department)**

- Maintains the website and social media accounts as needed. Helps improve social media through creating engaging written, graphic and video content.
- Assist the Executive Director with minute write-ups, media consults, and community outreach.
- Grant writing and facilitation of existing grants, both organic and established.
- Prints materials as needed; writes thank you letters; manages and oversees mailings; designs brochures, invitations, etc. for fundraising purposes; updates brochures, flyers, annual reports, etc., as needed.
- Assists with grant applications, if necessary; manages donation database; performs administrative/clerical tasks, as needed.
- Provides administrative support for fundraising and special events and assists in preparing Annual Report.
- Operates and maintains standard office equipment, including personal computer, facsimile, Xerox C70, copier, and phones.
- Assist Executive Director with correspondence both internal and external to the needs of OTMDC.
- Performs other duties as assigned.

#### **Job Preparation Needed**

- Any combination of education and experience equivalent to a high school degree; some college course work in public administration, fundraising, business or related field preferred; considerable experience in customer services, clerical support, or related field.
- Excellent written and verbal communication skills required along with good organizational skills and strong attention to detail.
- Knowledge of office best practices and procedures; correct business English, spelling and punctuation; ability to edit communications for grammar, spelling, punctuation, and tone. Skilled in use of computer software, especially Microsoft Office Suite. Graphic design experience preferred.
- Must be able to work independently as well as part of a team. Ability to multitask and prioritize daily responsibilities required. Must be able to make independent decisions in accordance with established policies and procedures; learn and use specialized language and technical terms; work under pressure; set priorities, organize, and perform work independently; take minutes and transcribe accurately at a reasonable rate of speed; monitor the daily developments and progress of work performed and to modify or initiate corrective action, as appropriate; establish and maintain effective working relationships with employees and the public; deal with public relations problems courteously and tactfully.
- Ability to provide data entry and information/report services; corrects and updates databases; communicates changes in electronic files to users; prepares and sends correspondence and form letters on general matters. Ability to learn and utilize donor relationship software such as E-Tapestry. Experience in graphics applications such as Canva, Adobe Illustrator other creative tools a plus.
- Must possess, or obtain within 30 days of hire, a valid Virginia driver's license and have an acceptable driving record based on James City County's criteria.

#### **Performance**

All employees are expected to work effectively and ethically with citizens and with each other to meet the needs of the community and the organization. Employees are expected to demonstrate work behaviors that model the County's values and further the County's mission.

#### **Post Offer Requirements**

- Drug test
- Infection control test
- Driving record check
- Credential check
- State and or national criminal/sex offender record check

#### **Introductory Period 6 months**

#### **Post Hire Requirements**

Not applicable

#### **Job Locations and Conditions**



**Class Title**  
**Position Number**  
**FLSA Status**  
**EEO Classification**  
**Department**  
**Supervised By**

**Development and Communications Assistant**  
**0703**  
**Non-Exempt**  
**Administrative Support Workers**  
**Olde Town Medical and Dental Center (OTMDC)**  
**Executive Medical Director**

- Work is performed at OTMDC; position deals on a continuing basis with sensitive or controversial matters and has public contact.
- Performs work safely in accordance with department safety procedures and County Safety Program; operates equipment safely and reports any unsafe work condition or practice to supervisor.
- May be required to report to work to serve customers during emergency conditions; may be assigned to report at a different time and location and to perform different duties as necessary.



|                           |  |
|---------------------------|--|
| <b>Class Title</b>        | <b>Development and Communications Assistant</b>    |
| <b>Position Number</b>    | <b>0703</b>  |
| <b>FLSA Status</b>        | <b>Non-Exempt</b>                                  |
| <b>EEO Classification</b> | <b>Administrative Support Workers</b>              |
| <b>Department</b>         | <b>Olde Town Medical and Dental Center (OTMDC)</b> |
| <b>Supervised By</b>      | <b>Executive Medical Director</b>                  |

### General Aptitudes and Physical Abilities

James City County is an Equal Opportunity Employer. The Americans with Disabilities Act requires that we identify the general aptitudes and physical requirements needed to perform the job listed above. Incumbents must be able to perform all essential job functions unaided or with reasonable accommodation. Prospective and current employees are invited to discuss accommodations.

#### Frequency Scale:

|  |  |  |  |                                  |
|--|--|--|--|----------------------------------|
| C= Continuously<br>(2/3 or more of the time) | F= Frequently<br>(from 1/3 to 2/3 of the time) | O= Occasionally<br>(up to 1/3 of the time) | R= Rarely<br>(less than 1 hour per week) | N= Not an essential job function |
|--|--|--|--|----------------------------------|

| General Aptitudes/<br>Physical Abilities      | Frequency | Description   |
|---|-----------|---|
| Mental Ability                                | C         | Must have general learning ability and the ability to understand instructions and underlying principles; understand and follow oral and written instruction, and/or to guide/give instructions; and, ability to make decisions in accordance with established procedures and policies   |
| Communication Ability                         | C         | Must have ability to understand meanings of words and ideas associated with them and to use them effectively; comprehend language to understand the relationship between words; understand meanings of whole sentences and paragraphs; present information or ideas clearly; and, communicate with public, vendors, supervisors, and/or other employees, and County officials. <ul style="list-style-type: none"> <li>• Verbal Communication: hear/ listen; communicate orally with public, vendors, supervisors, other employees, and County officials</li> <li>• Written Communication: read/understand text; exchange information in written form</li> </ul> |
| Mathematical ability                          | R         | Must have ability to perform accurate calculations mentally and/or aided by a calculator or other device  |
| Spatial ability                               | N         | Must have ability to comprehend forms in space and understand relationships of plane and solid objects; may be used in such tasks as blue print reading and in solving geometry problems; frequently described as the ability to mentally visualize objects of two or three dimensions or to think visually of geometric forms  |
| Operate office equipment                      | F         | Office equipment such as computer keyboard and mouse, copy/fax machines, telephones, calculator, etc.   |
| Operate other equipment/tools                 | N         | Necessary equipment and/or tools  |
| Transport/Reposition Objects                  | O         | Must be able to transport and reposition <5 pounds of materials/equipment from ground to waist and at waist level   |
| Ascend/Descend                                | N         | Must be able to work in and move to different height levels   |
| Sit   | F         | Must have the ability to sit  |
| Stand   | O         | Must have the ability to stand  |
| Walk  | O         | Move self from one location to another on (flat terrain, rough terrain or both flat and rough terrain)  |
| Run   | N         | Move self from one location to another on (flat terrain, rough terrain or both flat and rough terrain)  |
| Position self to lower level                  | O         | Must have ability to bend forward or down from the middle of the waist or the middle of the back, to bend downwards, to lower oneself   |
| Reaching, handling, fingering, and/or feeling | F         | Must have ability to stretch out, extend, or put forth a bodily part; to touch or grasp something, by extending or stretching; to touch, lift, hold or operate with hands   |
| Seeing  | C         | Must be able to see, to perceive, or comprehend by the sense of sight; be able to focus with distinctness or clarity; use peripheral vision; and, determine color and depth perception. Must be able to see at night and/or in dark spaces  |
| Hearing                                       | C         | Must be able to hear and listen to voices and sounds  |
| Driving                                       | N         | Must be able to transfer or convey in a (standard, automatic, or multi-gear) vehicle including (car, van, small truck, medium truck, large truck, truck w/equipment, heavy bus equipment)   |

**Board of Directors Meeting  
Olde Towne Medical and Dental Center  
Virtual Meeting  
July 27, 2020 5:05-6:42 PM**

| Attendance   |  |  |                                 |
|--|--|--|---------------------------------|
| Members Present  |  | Members Absent   | Staff Present                   |
| Chris James<br>Ben Puckett<br>Christine Payne<br>Frank Sisto<br>Dr. Camilla Buchanan<br>Dr. Rana Graham<br>Ramon Rodriguez<br>Judy Knudson<br>Brian Smalls | Janna Roche<br>Jonathan Weiss<br>Brian Fuller<br>Wendy Evans<br>Walt Zaremba<br>Stacy Kern-Scheerer<br>Caleb Rogers<br>Cheryl Cochet | John Anderson, M.D.<br>Amanda Ulishney<br>Cheryl Fields<br>Adria Vanhoozier<br>David Masterson<br>Sharon Marchelya<br>Rashid Jones | Dr. Bill Mann<br>Aaron Thompson |

**Agenda**

**Summary of Business Items covered:**

**1. Call to Order and Attendance – Christopher James**

Chair James welcomed the directors, a quorum was present.

**2. Introduction of new Board members**

Chair recognized Brian Small, asking him to introduce the new Board members: Stacy Kern-Scheerer, Rashid Jones, and Caleb Rogers. It was noted that the following Board members agreed to serve a second term on the Board: Camilla Buchanan, David Masterson, Ramon Rodriguez, Sharon Marchelya and Adria Vanhoozier.

**3. Introduction of new Executive Director – Christopher James**

Aaron Thompson was introduced and welcomed. Aaron thanked the Board for the opportunity and expressed his delight in being asked to be part of this important community organization.

**4. Visioning Moment -Dr. Mann**

Dr. Mann discussed the case of a young women who has diabetes that was complicated by the stress she was dealing with. Patient was supported both medically and though counseling, including educational sessions and mental health support, resulting in return to near normal health.

#### **5. Consent Agenda – Christopher James**

Motion was made and seconded to approve the consent agenda. The motion passed without objection. Chair asked members to review items i., j., and k. to confirm that they accurately reflect their information and assignments.

- a. Board of Directors Meeting Minutes- May 18, 2020
- b. Board of Directors Annual Meeting Minutes May 18, 2020
- c. Executive Committee Minutes July 13, 2020
- d. Finance Committee Meeting Minutes July 9, 2020
- e. Communications and Development Minutes May 20, 2020
- f. Communications and Development Minutes June 17, 2020
- g. Director of Development Report
- h. Marketing & Communications Specialist Report
- i. 2020-2021 Board of Directors Roster
- j. 2020-2021 Meeting Calendar
- k. Committee Roster

#### **4. Investment Policy Revision – Ben Puckett**

Ben reviewed the suggested changes to the existing investment policy to address the potential need to transfer excess monies from the operating funds into the investment account. After discussion, the policy as developed and agreed to by the Finance Committee, was approved by the Board with no dissent.

#### **5. Management Discussion and Analysis – Dr. Mann**

a. EMD Report – Dr Mann advised that twice a year he provides an in-depth report on the state of the center. He pointed out that even during these fluid times that there are no surprises in the provided report; key points: services are returning to near normal at a very slow pace with significant focus on the sanitizing of the physical environment between patients; air filtration equipment that was purchased for the dental section has been very positively received by patients and they are looking to expand into other areas of the center; patient no show rate continues to run at a higher than normal level. See the EMD report for additional details.

b. Creation of Development & Communications Assistant Position – Dr. Mann presented the case for replacing a support position held by a temporary employee with a p/t permanent position. This position will provide administrative and technical support to the Director of Development, Communications & Marketing Specialist, and the Executive Director. The position will also relieve some of the pressure on the Business office. The replacement was supported by the C&D Committee Chair and the Finance Chair. After discussion, a motion was made by Ben Puckett and seconded by Camilla Buchanan to approve the establishment of this position, which will be funded by the Williamsburg Area Medical Assistance Corporation. The position and funding was approved without dissent.



## **6. Committee Reports**

### **a. Finance Committee - Ben Puckett**

Ben Puckett provided an update having just received the June financial statement. Key take a ways: Cash is \$564k v. \$76k at the beginning of the year; Endowment is \$4.64m, a gain of \$201k during the year even given the \$254k transfer to operations; Total revenue was down but expenses were down a greater amount from budgeted; net income was -170k which was \$38k better than budget; The income statement does not reflect the PPP loan but the cash balance does. We will rely on our auditors to guide us on how to account for the PPP loan forgiveness.

### **b. Finance Committee Recommendation – Ben Puckett**

As instructed by the Board, the Finance committee reviewed the need to recognize the OTMDC staff for its efforts during the recent COVID-19 pandemic. The committee reviewed 3 options prior to making a recommendation. The three options were: a one - time bonus for each staff member; reinstating the normal merit salary adjustment program which was not provided for in the current budget and no action. The recommendation of the committee was to reinstate the average 2% merit salary. This was discussed at the Board meeting with strong opinions being expressed on all sides. A motion was made by Camilla Buchanan that the committee recommendation be adopted and was seconded by Jonathan Weiss. The motion passed with 13 voting positive and 3 voting to the negative. Without exception, the Board members want to express to the staff their appreciation of a job well done under exceedingly difficult conditions.

## **7. Other Business**

a. On the retirement of Dr. William J. Mann Jr, the Board passed a resolution recognizing his contribution to Olde Towne Medical & Dental Center over his years of service, thanking him for his contribution while putting the health and welfare of all patients first and foremost and wishing him health, happiness and prosperity. A formal copy of the resolution will be drawn up and presented to Dr. Mann.

## **8. Next Board Meeting**

September 28, 2020 5:00 to 6:30 PM at the Multi-purpose Room, or Virtual

There being no other business Walt Zaremba moved to adjourn and Frank Sisto seconded the motion. The meeting adjourned at 6:42 PM.

**Christopher James**

**Chair, Olde Towne Medical and Dental Center**

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Full-Time Dental Director

---

**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |
| ☐ | Attachment  | Exhibit    |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                 |
|------------------------|-----------------|----------|----------------------|
| Board Secretary        | Fellows, Teresa | Approved | 10/28/2020 - 4:36 PM |
| Board Secretary        | Purse, Jason    | Approved | 10/28/2020 - 4:42 PM |
| Board Secretary        | Fellows, Teresa | Approved | 10/29/2020 - 8:11 AM |
| Publication Management | Daniel, Martha  | Approved | 10/29/2020 - 8:24 AM |
| Legal Review           | Kinsman, Adam   | Approved | 10/29/2020 - 8:24 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:10 AM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:34 AM |

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

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Full-Time Dental Director

---

The Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area. OTMDC utilizes nurse practitioners and physicians to address the primary medical care of its patients, and dentists and hygienists to provide quality dental care to its uninsured and underinsured patients. OTMDC relies for funding on foundation grants, support of municipalities, and the generous support of donors in the community. OTMDC has a wide range of fundraising activities, including but not limited to, a golf tournament, two 5-K runs, wine tastings, donor mailings, and individual donor solicitation.

With the retirement of the OTMDC esteemed, former Executive Medical Director the Olde Towne Board of Directors wishes to create a new Dental Director position which will be funded by the Williamsburg Area Medical Assistance Corporation.

ALT/nb  
DntlDirFT-mem

Attachments

## RESOLUTION

### OLDE TOWNE MEDICAL AND DENTAL CENTER ADDITION OF A

### FULL-TIME DENTAL DIRECTOR

WHEREAS, Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area; and

WHEREAS, OTMDC provides quality health and wellness care; and supports the functioning of the clinic with a broad range of patient care to both patients within the three jurisdictions; and

WHEREAS, it is now necessary to increase provider availability and provider oversight to assure excellent patient care, outcomes, and quality measures.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the addition of a Dental Director to the personnel staff of OTMDC, funded by the Williamsburg Area Medical Assistance Corporation.

\_\_\_\_\_  
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 10th day of November, 2020.

DntlDirFT-res

a. Finance Committee - Ben Puckett

Ben Puckett provided a detailed update. Key points: Net income \$87K not including endowment. Endowment is \$4.64M at end of the year. Current assets more than \$320K YTD. Gross patient revenue is about even with last year in spite of COVID-19. Bad debt is at 15% which is in line with amount assumed with the current economy and pandemic. We did fall short with gross revenue and patient visits due to pandemic, not from bad debt.

**6. Other Business**

a. The study of CBH/HMA – Aaron Thompson

Certain board members according to their expertise met with the lawyer, Peter Mellett and the following was discussed: The functions of CSBs is very restricted due to legislation written about this type of entity. This committee will do due diligence to investigate how we can help them and how they can support OTMDC and ways to enhance collaboration. Aaron Thompson met with their executive director David Coe. It was proposed that each will sign a non-disclosure agreement and form a working group of members of both boards to work together on next steps. Their board will meet next week to discuss and then the two groups can meet after that to formally work on collaboration. Discussion was had on the topic and questions were raised and answered. The main question was that if we have never received referrals from them for primary care, who is doing their primary care now and why do they seek to partner with OTMDC? The two groups will need to address this when they meet.

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Discussion was had on a holiday party for the staff. Dr. Mann used to host and pay for this in recent years so there is no budgeted money for this year. Frank Sisto mentioned that it was being discussed in the C&D committee. A budget is needed to have a luncheon at Anna's Brick Oven for the staff in December. Chris James agreed something should be done for staff and that perhaps a more upscale place might be in order within reason. Concerns over the staff exposure to COVID-19 were raised but the ultimate outcome was that if the staff was comfortable with going out that should be allowed and budget should be allocated to do so. No budget amount was set.

c. Board Discussion & Approval of Full and Part Time Positions

1. Full Time Dental Director

2. Part Time Medical Director

*The Executive Director discussed rationale and need for the three positions. One of which has been approved previously. He discussed the need to hire a medical director with the retirement of Dr. Mann. As well as the need to replace our former volunteer dental director.*

Motion was made to approve both the FT Dental Director & PT Medical Director positions by: Ray Rodriguez

Seconded by: Judy Knudson

Unanimously approved by the Board of Directors



|                           |  |
|---------------------------|--|
| <b>Class Title</b>        | <b>Dental Director</b>                     |
| <b>Position Number</b>    |  |
| <b>FLSA Status</b>        | <b>Exempt</b>                              |
| <b>EEO Classification</b> | <b>Professionals</b>                       |
| <b>Department</b>         | <b>Olde Town Medical and Dental Center</b> |
| <b>Supervised By</b>      | <b>Executive Director</b>                  |

### **Nature of Work**

Performs responsible dental procedures and customer service for Olde Towne Medical and Dental Center to include carrying out varied and complex dental procedures.

### **Essential Job Functions (other essential job functions may be designated by department)**

- Performs dental treatments to include oral examination, any necessary radiographs and charting of all pathology including any pertinent information of a medical nature to include restoration, oral surgery, endodontics, periodontics and minor prosthodontics; writes prescriptions as needed.
- Confers with other health care providers and refers patients to specialists when indicated.
- Participates in dental audits and adheres to appropriate dental procedures in the care of patients; assesses equipment needs for dental clinic.
- Follows guidelines given by the Occupational Safety and Health Administration (OSHA) and update procedures as necessary.
- Ensures that services delivered follow applicable laws, rules and regulations, and that services are delivered within the context of applicable standards of professional practice; previews and selects clinical literature
- Oversees scheduling and flow of patients in clinic to ensure maximum and appropriate staff support for each patient visit.
- Provides effective supervision of assigned staff and volunteers including selection, performance management, training, prioritizing and assigning work and related activities.
- Provides clinical/dental support to the Executive Medical Director
- Performs other duties as assigned.
- Create monthly schedules for all dental providers and volunteers sharing call.
- Advise and approve purchase of all dental equipment; in consultation with the Executive Director, when applicable.

### **Job Preparation Needed**

- Doctor of Dentistry degree from an accredited dental school.
- Must have a valid Virginia Dental License or be able to obtain within 30 days of hire. Including full prescriptive authority.
- Must have a Drug Enforcement Administration (DEA) Registration Number.
- Some knowledge of standard office practices and procedures, equipment and clerical techniques in a medical setting, medical terminology and telephone triage; and some knowledge of general office computer software.
- Ability to teach children and adults dental health care, particularly prevention; ability to work under pressure and to meet deadlines; ability to establish and maintain effective working relationships with dentists, doctors, nurses, other coworkers, volunteers and the public.

### **Performance**

All employees are expected to work effectively and ethically with citizens and with each other to meet the needs of the community and the organization. Employees are expected to demonstrate work behaviors that model the County's values and further the County's mission.

### **Post Offer Requirements**

- Credential check
- Drug test
- National criminal/sex offender record check

### **Introductory Period 12 months**

### **Post Hire Requirements**

- Must maintain all required certifications

### **Job Locations and Conditions**

- Duties are performed at the Olde Towne Medical Center in a dental clinic setting; operates standard office and dental office equipment.
- Performs work safely in accordance with department safety procedures and County Safety Program; operates equipment safely and reports any unsafe work condition or practice to supervisor.
- May be required to report to work to serve customers during emergency conditions; may be assigned to report at a different time and location and to perform different duties as necessary.



**Class Title**  
**Position Number**  
**FLSA Status**  
**EEO Classification**  
**Department**  
**Supervised By**

**Dental Director**  
  
**Exempt**  
**Professionals**  
**Olde Town Medical and Dental Center**  
**Executive Director**

### General Aptitudes and Physical Abilities

James City County is an Equal Opportunity Employer. The Americans with Disabilities Act requires that we identify the general aptitudes and physical requirements needed to perform the job listed above. Incumbents must be able to perform all essential job functions unaided or with reasonable accommodation. Prospective and current employees are invited to discuss accommodations.

#### Frequency Scale:

|  |  |  |  |                                  |
|--|--|--|--|----------------------------------|
| C= Continuously<br>(2/3 or more of the time) | F= Frequently<br>(from 1/3 to 2/3 of the time) | O= Occasionally<br>(up to 1/3 of the time) | R= Rarely<br>(less than 1 hour per week) | N= Not an essential job function |
|--|--|--|--|----------------------------------|

| General Aptitudes/<br>Physical Abilities      | Frequency | Description  |
|---|-----------|--|
| Mental Ability                                | C         | Must have general learning ability and the ability to understand instructions and underlying principles; understand and follow oral and written instruction, and/or to guide/give instructions; and ability to make decisions in accordance with established procedures and policies   |
| Communication Ability                         | C         | Must have ability to understand meanings of words and ideas associated with them and to use them effectively; comprehend language to understand the relationship between words; understand meanings of whole sentences and paragraphs; present information or ideas clearly; and communicate with public, vendors, supervisors and/or other employees and County officials. <ul style="list-style-type: none"> <li>• Verbal Communication: hear/listen; communicate orally with public, vendors, supervisors, other employees and County officials</li> <li>• Written Communication: read/understand text; exchange information in written form</li> </ul> |
| Mathematical ability                          | O         | Must have ability to perform accurate calculations mentally and/or aided by a calculator or other device   |
| Spatial ability                               | O         | Must have ability to comprehend forms in space and understand relationships of plane and solid objects; may be used in such tasks as blueprint reading and in solving geometry problems; frequently described as the ability to mentally visualize objects of two or three dimensions or to think visually of geometric forms  |
| Operate office equipment                      | F         | Office equipment such as computer keyboard and mouse, copy/fax machines, telephones, calculator, etc.  |
| Operate other equipment/tools                 | F         | Necessary equipment and/or tools   |
| Transport/Reposition Objects                  | O         | Must be able to transport and reposition 5-10 pounds of materials/equipment from ground to waist, at waist level, waist level to shoulder, above shoulder  |
| Ascend/Descend                                | R         | Must be able to work in and move to different height levels  |
| Sit   | F         | Must have the ability to sit   |
| Stand   | F         | Must have the ability to stand   |
| Walk  | F         | Move self from one location to another on flat terrain   |
| Run   | N         | Move self from one location to another on flat terrain, rough terrain or both flat and rough terrain   |
| Position self to lower level                  | R         | Must have ability to bend forward or down from the middle of the waist or the middle of the back, to bend downwards, to lower oneself  |
| Reaching, handling, fingering, and/or feeling | O         | Must have ability to stretch out, extend, or put forth a bodily part; to touch or grasp something, by extending or stretching; to touch, lift, hold or operate with hands  |
| Seeing  | C         | Must be able to see, to perceive, or comprehend by the sense of sight; be able to focus with distinctness or clarity; use peripheral vision; and determine color and depth perception. Must be able to see at night and/or in dark spaces  |
| Hearing                                       | C         | Must be able to hear and listen to voices and sounds   |
| Driving                                       | N         | Must be able to transfer or convey in a standard, automatic, or multi-gear) vehicle including car, van, small truck, medium truck, large truck, truck w/equipment, heavy bus equipment   |

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Part-Time Medical Director

---

**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |
| ☐ | Attachment  | Exhibit    |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                 |
|------------------------|-----------------|----------|----------------------|
| Board Secretary        | Fellows, Teresa | Approved | 10/28/2020 - 4:36 PM |
| Board Secretary        | Purse, Jason    | Approved | 10/28/2020 - 4:42 PM |
| Board Secretary        | Fellows, Teresa | Approved | 10/29/2020 - 8:11 AM |
| Publication Management | Daniel, Martha  | Approved | 10/29/2020 - 8:22 AM |
| Legal Review           | Kinsman, Adam   | Approved | 10/29/2020 - 8:24 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:11 AM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:34 AM |



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

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Aaron L. Thompson, Executive Director of Olde Towne Medical and Dental Center

SUBJECT: Olde Towne Medical and Dental Center Addition of a Part-Time Medical Director

---

The Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area. OTMDC utilizes nurse practitioners and physicians to address the primary medical care of its patients, and dentists and hygienists to provide quality dental care to its uninsured and underinsured patients. OTMDC relies for funding on foundation grants, support of municipalities, and the generous support of donors in the community. OTMDC has a wide range of fundraising activities, including but not limited to, a golf tournament, two 5-K runs, wine tastings, donor mailings, and individual donor solicitation.

With the retirement of the OTMDC esteemed, former Executive Medical Director the Olde Towne Board of Directors wishes to create a new Medical Director position which will be funded by the Williamsburg Area Medical Assistance Corporation.

ALT/nb  
MedDirPT-mem

Attachments

## RESOLUTION

### OLDE TOWNE MEDICAL AND DENTAL CENTER ADDITION OF A

#### PART-TIME MEDICAL DIRECTOR

WHEREAS, Olde Towne Medical and Dental Center (OTMDC) serves the uninsured and underinsured population of James City and York Counties, and the Greater Williamsburg Area; and

WHEREAS, OTMDC provides quality health and wellness care; and supports the functioning of the clinic with a broad range of patient care to both patients within the three jurisdictions; and

WHEREAS, it is now necessary to increase provider availability to assure patient access at OTMDC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the addition of a Medical Director to the personnel staff of OTMDC, funded by the Williamsburg Area Medical Assistance Corporation.

\_\_\_\_\_  
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 10th day of November, 2020.

MedDirPT-res

**a. Finance Committee - Ben Puckett**

Ben Puckett provided a detailed update. Key points: Net income \$87K not including endowment. Endowment is \$4.64M at end of the year. Current assets more than \$320K YTD. Gross patient revenue is about even with last year in spite of COVID-19. Bad debt is at 15% which is in line with amount assumed with the current economy and pandemic. We did fall short with gross revenue and patient visits due to pandemic, not from bad debt.

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*2. Part Time Medical Director*

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Motion was made to approve both the FT Dental Director & PT Medical Director positions by: Ray Rodriguez

Seconded by: Judy Knudson

Unanimously approved by the Board of Directors



# JOB DESCRIPTION/SPECIFICATION

*Olde Towne*

**MEDICAL & DENTAL CENTER**

|  |   |   |
|--|---|---|
| <b>JOB TITLE:</b><br><br><b>Medical Director</b>                     | <b>DEPARTMENT:</b><br><br><b>Administration</b> | <b>DAYS AND HOURS OF WORK:</b><br><br><b>Monday – Friday, Hours flexible based on Clinic Hours of Operation</b> |
| <b>APPOINTED BY AND REPORTS TO:</b><br><br><b>Executive Director</b> | <b>FLSA:</b><br><br><b>Exempt</b>               | <b>EEO CODE:</b><br><br><b>01-Director</b>  |

## **JOB SUMMARY**

Under the direction of the Executive Director, oversees the work of the medical clinicians and provides professional medical services in the community the Health Facility serves.

## **ESSENTIAL FUNCTIONS**

1. Develop, review, and implement clinical practice guidelines.
2. Organize and facilitate staff development activities such as clinical practice updates, journal clubs and chronic illness collaborative.
3. Reviewing clinical practice by developing and participating in medical record audits, peer review, and other practice review activities.
4. Provide medical practice oversight for primary care operations in all community health center facilities to include involvement in individual provider practice and primary care program operations
5. Provide medical practice perspective and guidance with regard to managed care issues
6. Provide medical practice perspective and guidance to primary care partnerships with other organizations and community partners; participate in negotiation of partnership contracts and agreements.
7. Assuring quality practices are promoted by the development of practice guidelines, staff development activities, clinical practice review
8. Assuring coordination of activities and clinical practice for medical care and clinical services.
9. Developing and maintaining systems for medical provider peer review
10. Participate in and provide medical leadership and perspective in Public Health Professional Practice Committee, Quality Assurance/Improvement Committee, Credentialing Committee and Leadership Group.
11. Coordinate with Director of Nursing regarding practice issues in clinical operations and services.
12. Provide medical perspective and leadership in critical incident reviews and other medical practice aspects of risk management.
13. Provide medical practice perspective with regard to department billing procedures and policies.
14. Facilitate and coordinate medical student and resident training opportunities and placements in the department. Assuring that appropriate contracts are in place to address liability, student health, and placement issues.

# **JOB DESCRIPTION/SPECIFICATION**

## **KNOWLEDGE, SKILLS, ABILITIES AND OTHER CHARACTERISTICS**

1. Knowledge of the principals and practice preventive medicine.
2. Knowledge of the local, state and federal laws pertaining to medicine and to rural/community health centers.
3. Knowledge of the structure and function of the community health centers
4. Skill in communicating effectively with patients and their families
5. Skill in establishing and maintaining effective working relationships with other employees, patients and the general public.
6. Must have excellent interpersonal skills and empathy towards patients, as well as have excellent communication skills, critical thinking skills, the ability to handle stressful situations, the capacity to function independently, have varied clinical experience, and the ability to document meticulously.
7. Must have excellent process improvement skills and able to understand clinic functions and department interactions.
8. Knowledge of practice management components, particularly in cost constrained environments.
9. Knowledge of regulatory compliance i.e., HIPPA, FQHC, OSHA, CLIA, etc.
10. Ability to manage and supervise various positions and relate well to people from diverse ethnic and cultural backgrounds, as well as have a passion for working with at-risk, culturally diverse populations.
11. Basic understanding of information technology and ability to organize, analyze and synthesize complex data from various sources.
12. Able to adapt process improvement in accordance with organization objectives.
13. Willingness to work flexible hours in order to meet the organization's needs/demands.

## **EDUCATION AND EXPERIENCE:**

1. Must be a graduate of a college or university accredited by the American Medical Association with a Doctor of Medicine degree or accredited by the American Osteopathic Association with a Doctor or Osteopathy degree. If medical education occurred at a foreign medical school, the applicant must possess a current Education Council Foreign Medical Graduate Certificate. Successful completion of an approved program of residency training in family practice required.
2. Must be licensed to practice medicine in Virginia including current DEA registration.
3. Must have a minimum of three-five years of practice in clinical experience in one or more areas of medicine, and three to five years of administrative or supervisory experience, preferably in an ambulatory setting
4. Board certification in Family Practice preferred

## **QUALIFICATIONS**

To perform this job successfully, the employee must be able to perform each essential function, as well as the physical and mental requirements satisfactorily. The requirements listed above are representative of the knowledge, skills, abilities and other characteristics required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

# JOB DESCRIPTION/SPECIFICATION

## LANGUAGE SKILLS

Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to complete organization forms and correspondence, as needed. Ability to speak effectively before groups or employees of organization.

## MATHEMATICAL SKILLS

Ability to add, subtract, multiply, and divide, as well as interpret medical numerology e.g., cc's or centimeters, etc.

## REASONING ABILITY

Able to think and reason in order to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists. Ability to interpret a variety of instructions furnished in written, oral, diagram, or schedule form.

## WORK ENVIRONMENT

Fast paced work environment. The noise level in the work environment is usually moderate.

## DISCLAIMER

The above duties and responsibilities are essential job functions, subject to reasonable accommodations. All job requirements listed indicate the minimum level of knowledge, skills and/or abilities deemed necessary to perform the job proficiently.

This job description is not intended to be construed as an exhaustive statement of duties, responsibilities, or requirements. Employees may be required to perform any other job-related instructions, as requested by their supervisor, subject to reasonable accommodation.

|                        |             |                 |             |
|------------------------|-------------|-----------------|-------------|
| <b>Signatures:</b>     |             |                 |             |
| <hr/>                  |             | <hr/>           |             |
| <b>Human Resources</b> | <b>Date</b> | <b>Employee</b> | <b>Date</b> |

## **JOB DESCRIPTION/SPECIFICATION**

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Ordinance to Amend County Code Section 15-26

---

**ATTACHMENTS:**

|   | Description     | Type       |
|---|-----------------|------------|
| ☐ | Memo            | Cover Memo |
| ☐ | Ordinance       | Ordinance  |
| ☐ | Final Ordinance | Ordinance  |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                  |
|------------------------|-----------------|----------|-----------------------|
| Attorney               | Kinsman, Adam   | Approved | 10/19/2020 - 9:05 AM  |
| Publication Management | Daniel, Martha  | Approved | 10/19/2020 - 9:09 AM  |
| Legal Review           | Kinsman, Adam   | Approved | 10/19/2020 - 9:13 AM  |
| Board Secretary        | Fellows, Teresa | Approved | 10/19/2020 - 10:45 AM |
| Board Secretary        | Purse, Jason    | Approved | 10/28/2020 - 4:42 PM  |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:11 AM  |



## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Elizabeth Parman, Assistant County Attorney

SUBJECT: Ordinance to Amend County Code Section 15-26

---

James City County Code Section 15-26 in its current form penalizes profane cursing or swearing in public as well as being drunk in public.

Va. Code Section 18.2-388 is the statutory authority for County Code § 15-26 and was amended during the Virginia General Assembly's 2020 legislative session to remove the penalty for profane cursing or swearing in public. Therefore, County Code Section 15-26 should be amended to reflect the change to the Va. Code.

The attached Ordinance removes the penalty for profane cursing or swearing in public. Being drunk in public is still deemed a Class 4 misdemeanor punishable by a fine of not more than \$250.

EP/nb  
ORD-AmdSec15-26-mem

Attachment

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

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, OFFENSES-MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 15-26, PROFANE SWEARING AND DRUNKENNESS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 15, Offenses-Miscellaneous, is hereby amended and reordained by amending Section 15-26, Profane swearing and drunkenness.

**Chapter 15. Offenses - Miscellaneous**

**Sec. 15-26. —~~Profane swearing and drunkenness~~ *Public drunkenness*.**

If any person shall ~~profanely curse or swear or~~ be drunk in public he shall be deemed guilty of a Class 4 misdemeanor.  
(1-9-61; Ord. No. 56A-3, 6-10-85)

**State law reference** - Similar provisions, Code of Va., § 18.2-388.

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

VOTES

ATTEST:

AYE    NAY  
ABSTAIN

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

|           |       |       |
|-----------|-------|-------|
| SADLER    | _____ | _____ |
| MCGLENNON | _____ | _____ |
| LARSON    | _____ | _____ |
| HIPPLE    | _____ | _____ |
| ICENHOUR  | _____ | _____ |

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2020.

ORD-AmdSec15-26-ord

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

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 15, OFFENSES-MISCELLANEOUS, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING SECTION 15-26, PROFANE SWEARING AND DRUNKENNESS.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 15, Offenses-Miscellaneous, is hereby amended and reordained by amending Section 15-26, Profane swearing and drunkenness.

**Chapter 15. Offenses - Miscellaneous**

**Sec. 15-26. Public drunkenness.**

If any person shall be drunk in public he shall be deemed guilty of a Class 4 misdemeanor.  
(1-9-61; Ord. No. 56A-3, 6-10-85)

**State law reference** - Similar provisions, Code of Va., § 18.2-388.

ORD-AmdSec15-26-ord-final

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Tom Leininger, Senior Planner

SUBJECT: SUP-20-0016. Norge Solar Farm SUP Amendment

---

**ATTACHMENTS:**

|   | Description   | Type            |
|---|---|-----------------|
| ☐ | Staff Report  | Staff Report    |
| ☐ | Resolution  | Resolution      |
| ☐ | Location Map  | Exhibit         |
| ☐ | SUP-0028-2016 Approved Resolution                             | Backup Material |
| ☐ | SUP-0028-2016 Approved Master Plan                            | Backup Material |
| ☐ | Public Comment Received prior to Planning Commission Meeting  | Backup Material |
| ☐ | Unapproved Minutes of the October 7, 2020 Planning Commission | Backup Material |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                 |
|------------------------|-----------------|----------|----------------------|
| Planning               | Holt, Paul      | Approved | 10/21/2020 - 1:32 PM |
| Development Management | Holt, Paul      | Approved | 10/21/2020 - 1:32 PM |
| Publication Management | Daniel, Martha  | Approved | 10/21/2020 - 2:02 PM |
| Legal Review           | Kinsman, Adam   | Approved | 10/21/2020 - 3:49 PM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:11 AM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:35 AM |

## **SPECIAL USE PERMIT-20-0016. Norge Solar Farm SUP Amendment**

### **Staff Report for the November 10, 2020, Board of Supervisors Public Hearing**

#### **SUMMARY FACTS**

|                       |   |
|-----------------------|---|
| Applicant:            | Ms. Robin Lucey, Virginia Electric and Power Company (Dominion Energy Virginia)   |
| Land Owner:           | Whisper Ridge, LLC  |
| Proposal:             | To amend SUP-0028-2016 to extend the commencement of construction expiration date by 12 months. No further changes to the approved Special Use Permit (SUP) are proposed. |
| Locations:            | 320, 339, 341, and 345 Farmville Lane and a parcel of land of $\pm$ 0.21 acres situated between 140 and 142 Oslo Court  |
| Tax Map/Parcel Nos.:  | 2320100052A, 2320100052G, 2320100052, and 2320100055  |
| Project Acreage:      | The five parcels total $\pm$ 224 acres  |
| Zoning:               | A-1, General Agricultural ( $\pm$ 215.68 acres) and R-2, General Residential ( $\pm$ 8.34 acres)  |
| Comprehensive Plan:   | Low Density Residential   |
| Primary Service Area: | Inside  |
| Staff Contact:        | Tom Leininger, Senior Planner   |

#### **PUBLIC HEARING DATES**

|                       |                              |
|-----------------------|------------------------------|
| Planning Commission:  | October 7, 2020, 6:00 p.m.   |
| Board of Supervisors: | November 10, 2020, 5:00 p.m. |

#### **FACTORS FAVORABLE**

1. Staff finds the proposal consistent with the 2015 Comprehensive Plan, *Toward 2035: Leading the Way*.
2. Staff finds the proposal will not negatively impact surrounding development.
3. Impacts: Please see Impact Analysis on Pages 3-4.

#### **FACTORS UNFAVORABLE**

1. Impacts: Please see Impact Analysis on Pages 3-4.

#### **SUMMARY STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors approve this application subject to the attached conditions.

#### **PLANNING COMMISSION RECOMMENDATION**

At its October 7, 2020 meeting, the Planning Commission voted 6-0 to recommend approval of the SUP request to the Board of Supervisors.

#### **PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING**

None.

#### **PLANNING AND ZONING HISTORY**

- The Board of Supervisors denied Case No. Z-0009-1985 on June 10, 1985. The proposal was to rezone property located at 341 Farmville Lane from A-1, General Agricultural, to A-2, Limited Agricultural.
- On January 9, 2018, the Board of Supervisors approved Case No. SUP-0028-2016 for an electric generation facility.

## **SPECIAL USE PERMIT-20-0016. Norge Solar Farm SUP Amendment**

### **Staff Report for the November 10, 2020, Board of Supervisors Public Hearing**

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#### **PROJECT DESCRIPTION**

Ms. Robin Lucey of Dominion Energy Virginia has applied for an SUP amendment to extend the previously approved SUP-0028-2016 condition for commencement of construction by 12 months. There are no further changes to the Master Plan or remaining conditions. Case No. SUP-0028-2016 was set to expire on January 9, 2022. Should this SUP amendment receive approval, the new expiration date is January 9, 2023.

According to the applicant, in September 2020, Dominion Energy Virginia entered into a contract for the construction of the Norge Solar project. Engineering and permitting activities will start with applications for various permits required for the construction of the project expected to be submitted in Quarters 3-4 (Q3-Q4) of 2021. Permits are expected in early 2022, with construction commencing thereafter beginning with site preparation. The project will begin accepting delivery of materials and construction of the solar arrays throughout the spring/summer of 2022, with the project expected to be substantially complete and operational in Q3 of 2022.

Prior to the Planning Commission meeting, staff received an email from Mr. Bobby Waters (Attachment No. 6). Mr. Waters did not express any concerns with this application to extend the commencement of construction date, but did want to be reassured that staff will oversee the buffering around the solar farm facility and the clearing process. As part of the site plan and the pre-construction process, staff will check that the site plan meets the requirements of the Zoning Ordinance, SUP, and the approved master plan. Trees will be marked prior to clearing process to show where the limits of clearing.

#### **COMPREHENSIVE PLAN**

The 2035 Comprehensive Plan Land Use Map designates the properties subject to this SUP as Low Density Residential (LDR). Recommended uses in LDR areas include single-family residences, schools, places of public assembly, and very limited commercial uses. The Comprehensive Plan does not specifically identify solar power, or utilities in general, in LDR, or the other land use designation areas; therefore, staff has reviewed this application under the “very limited commercial uses” development standards listed in LDR.

**SPECIAL USE PERMIT-20-0016. Norge Solar SUP Amendment****Staff Report for the November 10, 2020, Board of Supervisors Public Hearing****IMPACT ANALYSIS**

| <b>Impacts/Potentially Unfavorable Conditions</b> | <b>Status</b><br><i>(No Mitigation<br/>Required/Mitigated/Not<br/>Fully Mitigated)</i> | <b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>   |
|---|--|---|
| <u>Public Transportation: Vehicular</u>           | <u>Mitigated</u>   | -The new solar farm would not exceed 100 peak hour trips and SUP-0028-22016 Condition No. 5 states that the project shall take access from Old Church Road.<br>-SUP-0028-2016 Condition No. 4 states that the applicant shall submit a Construction Traffic Mitigation Plan to be approved by the Planning Director prior to the issuance of a land disturbance permit. |
| <u>Public Transportation: Pedestrian/Bicycle</u>  | <u>No Mitigation Required</u>  | -Pedestrian/bicycle accommodations are not shown on the adopted Pedestrian/Bicycle Accommodations Master Plan.  |
| <u>Public Safety</u>                              | <u>Mitigated</u>   | -Subject property is located within a six-minute radius of Fire Station 1.<br>-SUP-0028-2016 Condition No. 12 states that an Emergency Action Plan shall be submitted and approved prior to site plan approval.   |
| <u>Public Schools</u>                             | <u>No Mitigation Required</u>  | -N/A since no residential dwelling units are proposed.  |
| <u>Public Parks and Recreation</u>                | <u>No Mitigation Required</u>  | -N/A since no residential dwelling units are proposed.  |
| <u>Public Libraries and Cultural Centers</u>      | <u>No Mitigation Required</u>  | -The proposal does not generate impacts that require mitigation to public libraries or cultural centers.  |
| <u>Groundwater and Drinking Water Resources</u>   | <u>No Mitigation Required</u>  | -The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.   |
| <u>Watersheds, Streams, and Reservoirs</u>        | <u>Mitigated</u>   | -This project will need to demonstrate full compliance with environmental regulations at the development plan stage, but no other specific environmental impacts have been identified for mitigation.<br>-SUP-0028-2016 Condition Nos. 3 and 14 address a nutrient management plan and spill prevention control and countermeasures plan, respectively.                 |

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

**SPECIAL USE PERMIT-20-0016. Norge Solar SUP Amendment****Staff Report for the November 10, 2020, Board of Supervisors Public Hearing**

| <b>Impacts/Potentially Unfavorable Conditions</b> | <b>Status</b><br><i>(No Mitigation<br/>Required/Mitigated/Not<br/>Fully Mitigated)</i> | <b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>  |
|---|--|--|
| <u>Cultural/Historic</u>                          | <u>Mitigated</u>   | -Per Section 24-145 of the Zoning Ordinance, an archaeological study and natural resource inventory will be required at the development plan stage.  |
| <u>Nearby and Surrounding Properties</u>          | <u>Mitigated</u>   | -A vegetated buffer to screen the project from nearby properties is specified in SUP-0028-2016 Condition No. 8.<br>-The project will also need to demonstrate full compliance with lighting and landscaping regulations in the Zoning Ordinance at the development plan stage.<br>-Staff does not anticipate significant noise, odor, lighting, or other similar impacts on nearby properties.<br>-SUP-0028-2016 Condition Nos. 18 and 20 also limit the height of the panels and address use of materials to prevent glare.<br>-SUP-0028-2016 Condition No. 13 requires a construction management and mitigation plan which is intended in part to address impacts to nearby properties during the construction stage.<br>-SUP-0028-2016 Condition No. 11 limits the height and the color of the perimeter fence. |
| <u>Community Character</u>                        | <u>Mitigated</u>   | -Farmville Lane and Old Church Road are not designated in a Community Character Corridor, but are within a Community Character Area.   |

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



**PROPOSED SUP CONDITIONS**

Proposed conditions are provided as Attachment No. 1.

**STAFF RECOMMENDATION**

Staff continues to find the proposal compatible with surrounding zoning and development and consistent with the Comprehensive Plan adopted in 2015, *“Toward 2035: Leading the Way.”* Staff recommends that the Board of Supervisors approve this application subject to the attached conditions.

TL/md

SUP20-16NorSolAmd

Attachments:

1. Resolution
2. Location Map
3. Approved SUP-0028-2016 Resolution
4. Approved SUP-0028-2016 Master Plan
5. Public Comment Received prior to Planning Commission Meeting
6. Unapproved Minutes of the October 7, 2020 Planning Commission

## RESOLUTION

### CASE NO. SUP-20-0016, NORGE SOLAR SPECIAL USE PERMIT AMENDMENT

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

WHEREAS, Whisper Ridge, LLC (the “Owner”) owns properties located at 320, 339, 341, and 345 Farmville Lane, further identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052, and 2320100055, respectively, and other areas legally described and identified as: All those pieces or parcels of property situate, lying, and being in James City County, Virginia, consisting of Parcels 1, 2, C, D, and I, comprising of .35 acre, 0.08 acre, 0.08 acre, and 0.09 acre, respectively, all set forth as and shown on a certain plat of survey made by E.E. Paine, Inc., entitled “Plat of Property of J. Guy and Christina M. Hughes” dated June 17, 1974, revised September 3, 1975, and recorded in the Office of the Clerk of the Circuit Court for the County of James City, Virginia, on November 24, 1975, in Plat Book 33 at Pages 23 and 24” (collectively, the “Properties”). The Properties are zoned A-1, General Agricultural and R-2, General Residential; and

WHEREAS, Ms. Robin Lucey of Dominion Energy Virginia, on behalf of the Owner, has applied for an SUP amendment to amend SUP-0028-2016 approved by the Board of Supervisors on January 9, 2018, to amend Condition No. 17 of the approved resolution to extend the commencement of construction by 12 months from the original expiration date; and

WHEREAS, the Planning Commission, following its public hearing on October 7, 2020, recommended approval of Case No. SUP-20-0016 by a vote of 6-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0016; and

WHEREAS, the Board of Supervisors of James City County, Virginia, finds this use to be consistent with good zoning practices and the 2035 Comprehensive Plan Land Use Map designation for the Property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-20-0016 as described herein with the following conditions:

1. Commencement. The Facility shall be operational within 60 months from the issuance of SUP-0028-2016, or the SUP shall become void. The Facility operator shall submit a certified letter to the County Director of Planning prior to 60 months from the issuance of the SUP to confirm the operational status of the Facility.

BE IT FURTHER RESOLVED by the Board of Supervisors of James City County, Virginia, that the SUP issued herein as part of Case No. SUP-20-0016 request shall be supplemental to and not replace or supersede SUP-0028-2016.

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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  | _____      | _____      | _____          |

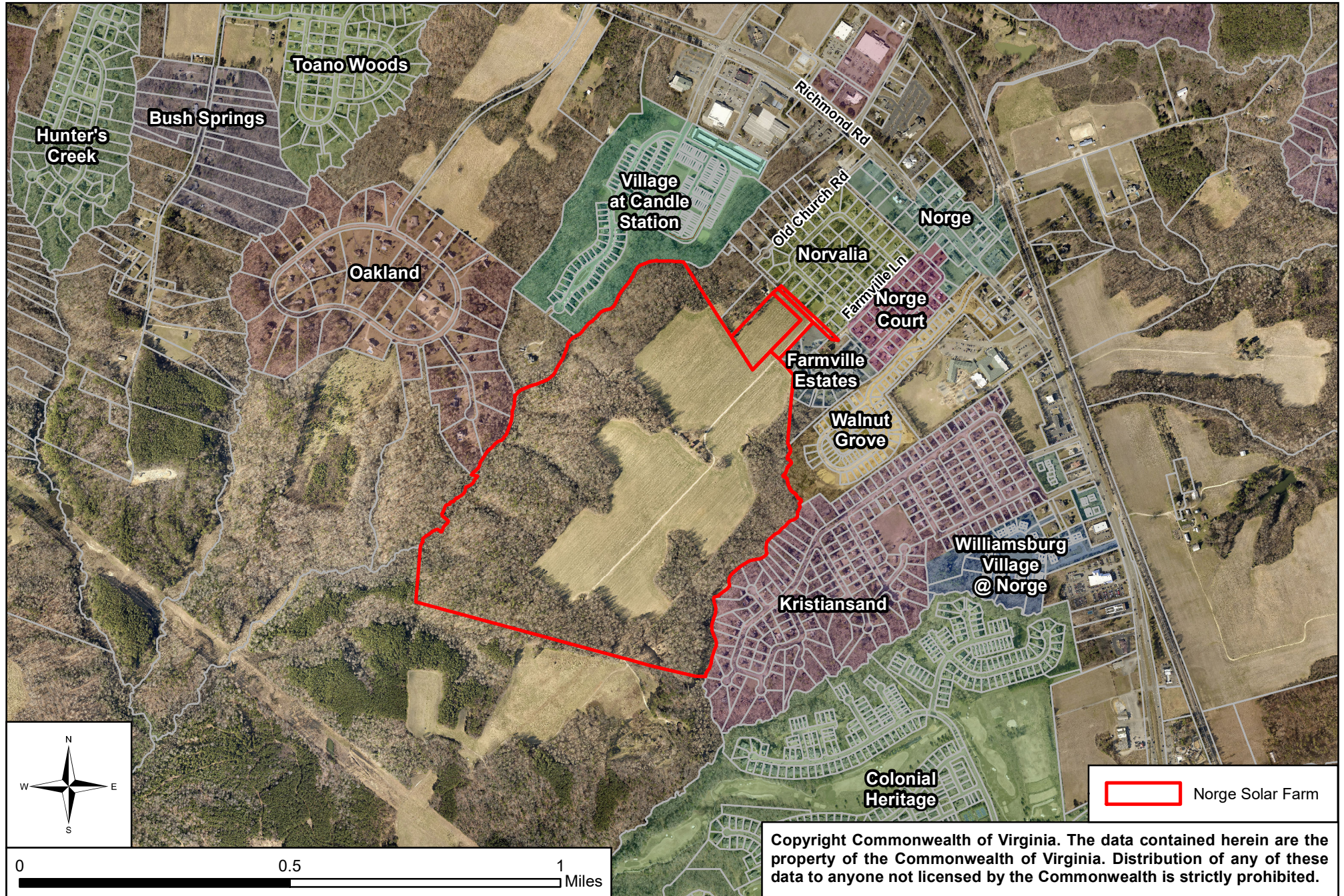
Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2020.

SUP20-16NorSolAmd-res



# JCC SUP-20-0016

## Norge Solar Farm SUP Amendment





## RESOLUTION

### CASE NO. SUP-0028-2016. SOLAR ELECTRICAL GENERATION FACILITY AT NORGE

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

WHEREAS, Whisper Ridge, LLC (the "Owner") owns properties located at 320, 339, 341 and 345 Farmville Lane, further identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055 respectively, and other areas legally described and identified as: All those pieces or parcels of property situate, lying and being in James City County, Virginia, consisting of Parcels 1, 2, C, D and I, comprising of 0.35 acre, 0.08 acre, 0.08 acre, 0.03 acre and 0.09 acre, respectively, all set as forth and shown on a certain plat of survey made by E. E. Paine, Inc., entitled "Plat of the Property of J. Guy and Christina M. Hughes" dated June 17, 1974, revised September 3, 1975, and recorded in the Office of the Clerk of the Circuit Court for the County of James City, Virginia, on November 24, 1975, in Plat Book 33 at Pages 23 and 24" (collectively, the "Properties"). The Properties are zoned A-1, General Agricultural and R-2, General Residential; and

WHEREAS, Mr. Drew Gibbons of SunPower Devco, LLC, on behalf of the Owner, has applied for an SUP to allow for the construction of a solar electrical generation facility on the Properties as shown on a plan titled "Norge Solar Master Plan" dated October 4, 2017; and

WHEREAS, a public hearing was advertised, adjoining property owners notified and a hearing conducted on Case No. SUP-0028-2016; and

WHEREAS, following a public hearing on December 6, 2017, the Planning Commission recommended approval of this application by a vote of 5-1 and found the proposal consistent with the Comprehensive Plan by a vote of 6-0.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-0028-2016, as described herein with the following conditions:

1. Master Plan. This SUP shall be valid for the construction and operation of a photovoltaic solar electrical generation facility with a capacity of up to 5,000 kilovolt amperes or more, and electrical transmission lines capable of transmitting 69 kilovolts or more (the "Facility"). The Facility shall be located at 320, 339, 341 and 345 Farmville Lane, which are identified as James City County Real Estate Tax Map Parcel Nos. 2320100052A, 2320100052G, 2320100052 and 2320100055, respectively, and parcels described as "All those pieces or parcel of property situate, lying and being in James City County, Virginia, consisting of Parcels 1, 2, C, D and I, comprising of 0.35 acre, 0.08 acre, 0.08 acre, 0.03 acre and 0.09 acre, respectively, all set as forth and shown on a certain plat of survey made by E. E. Paine, Inc., entitled "Plat of the Property of J. Guy and Christina M. Hughes" dated June 17, 1974, revised September 3, 1975, and recorded in the Office of the Clerk of the Circuit Court for the County of

James City, Virginia, on November 24, 1975, in Plat Book 33 at Pages 23 and 24" (together, the "Properties"). The Facility shall be in accordance with the "Norge Solar Master Plan" prepared by Kimley-Horn and dated October 4, 2017, (the "Master Plan"), with any deviations considered per Section 24-23(a)(2) of the Zoning Ordinance, as amended.

2. Boundary Line Extinguishment. Prior to final approval of any site plan, a subdivision plat that extinguishes the lot lines separating properties located at 339, 341 and 345 Farmville Lane shall be recorded.
3. Nutrient Management Plan. A Nutrient Management Plan (NMP) shall be prepared by a certified nutrient management planner for all of the area within the defined limits of disturbance for the Properties. The purpose of the NMP is to provide for long-term establishment and maintenance of turf grass, pasture, rangeland or other similar type vegetative cover which preserve the long-term soil health for potential future farming purposes. The NMP shall include measures necessary to manage and limit yearly nutrient application rates in order to best protect the surrounding Resource Protection Areas (RPA) and ravines. The NMP shall have a component which specifically identifies, maintains and protects designated Prime Farmland soil mapping units consistent with the Soil Survey of James City County and the City of Williamsburg, Virginia, (April 1985) and the County's Comprehensive Plan. The NMP shall be approved by the County's Director of Stormwater and Resource Protection prior to issuance of any Certificate of Completion or Certificate of Occupancy for the Facility. Upon approval of the NMP, the Facility operator shall be responsible for ensuring that any nutrient applied in the area within the defined limits of work is in strict accordance with the NMP.
4. Construction Traffic Mitigation Plan. A Construction Traffic Mitigation Plan (CTMP), shall be approved by the Virginia Department of Transportation (VDOT) and the County Director of Planning, or his designee prior to the issuance of a land disturbing permit for the Facility. The CTMP shall identify all existing conditions and provide a plan to address all necessary repairs to public roads internal to the Norvalia subdivision required as a result of damage from construction traffic and provide a timeline for completion of repairs. All road repairs as identified by the approved CTMP as determined by VDOT shall be completed within six (6) months of the Facility commencing operations.
5. Vehicular Access. Vehicular access to and from the Facility and the Properties, which includes traffic associated with the construction, operation, maintenance and decommissioning period of the Facility shall only be through Old Church Road which connects with Norge Farm Lane through properties currently owned by the Owner and designated as "Parcel 1" and "Parcel 2" on the above-referenced plat of survey and a parcel identified as James City County Real Estate Tax Map Parcel No. 2320100052A.
6. Archaeology. A Phase I Archaeological Study for the Properties shall be approved by the Director of Planning prior to issuance of a land disturbing permit for the Facility. A treatment plan shall be submitted to and approved by the Director of Planning for all sites in the Phase I study that are recommended for a Phase II evaluation and/or identified as eligible for inclusion on the National Register of Historic Places. If a Phase II study is undertaken, such a study shall be approved by the Director of Planning

and a treatment plan for said sites shall be submitted to, and approved by, the Director of Planning for sites that are determined to be eligible for inclusion on the National Register of Historic Places and/or those sites that require a Phase III study. If in the Phase III study, a site is determined eligible for nomination to the National Register of Historic Places and said site is to be preserved in place, the treatment plan shall include nomination of the site to the National Register of Historic Places. If a Phase III study is undertaken for said sites, such studies shall be approved by the Director of Planning prior to land disturbance within the study areas. All Phase I, Phase II, and Phase III studies shall meet the Virginia Department of Historic Resources' *Guidelines for Preparing Archaeological Resource Management Reports* and the Secretary of the Interior's *Standards and Guidelines for Archaeological Documentation*, as applicable, and shall be conducted under the supervision of a qualified archaeologist who meets the qualifications set forth in the Secretary of the Interior's *Professional Qualification Standards*. All approved treatment plans shall be incorporated into the plan of development for the Properties and the clearing, grading or construction activities thereon. This condition shall be interpreted in accordance with the County's Archaeological Policy adopted by the County on September 22, 1998.

7. Natural Heritage Resource. A natural resource inventory of suitable habitats for S1, S2, S3, G1, G2 or G3 resources in the project areas shall be approved by the Director of Planning prior to issuance of a land disturbing permit. If the inventory confirms that a natural heritage resource either exists or could be supported by a portion of the Properties where the Facility is located, a Conservation Management Plan (CMP) shall be approved by the Director of Planning for the affected area prior to issuance of a land disturbing permit. All inventories and CMPs shall meet the standards of the Virginia Department of Conservation and Recreation's Division of Natural Heritage ("DCR/DNH") for preparing such plans, and shall be conducted under the supervision of a qualified biologist as determined by DCR/DNH or the United States Fish and Wildlife Service. All approved CMPs shall be incorporated into the plan of development for the Properties, and the clearing, grading, or construction activities thereon, to the maximum extent possible. Upon approval by the Director of Planning, a mitigation plan may be submitted for the incorporation of the CMP into the plan of development for the Properties.
8. Vegetated Buffer. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a landscape plan for the Facility. The landscape plan shall provide a 50-foot-vegetated buffer along the perimeter of the Properties. The perimeter buffer shall be provided by one of the three treatment options listed below:
  - In areas of the 50-foot perimeter buffer that are currently comprised of mature forest, as determined by the Director of Planning or his designee, the buffer shall be left undisturbed in its natural state.
  - In areas of the 50-foot-perimeter buffer that are not completely comprised of mature forest, as determined by the Director of Planning or his designee, supplementation with evergreen shrubs and trees shall be required.
  - In areas of the 50-foot-perimeter buffer where little or no vegetation exists, as determined by the Director of Planning or his designee, the buffer shall be landscaped to the provisions of Section 24-96 of the Zoning Ordinance for

General Landscape Areas except that the required evergreen tree and shrub mixture shall be increased from 35% to at least 50%.

9. Lighting. Prior to final approval of any site plan, the Director of Planning, or his designee, shall review and approve a lighting plan for the Facility. Any exterior site or building lighting shall be shielded and directed downward. No glare, defined as 0.1 foot-candle or higher, shall extend outside the boundaries of the Properties. Lights shall be operated by a motion detector or be able to be turned on as needed by the Facility operator and shall not be routinely illuminated at night. All light poles shall not exceed 16 feet in height from finished grade unless otherwise approved by the Director of Planning prior to final site plan approval.
10. Signage. Unless otherwise exempt by Section 24-74 of the Zoning Ordinance, no outdoor signage related to the Facility shall be permitted on the Properties.
11. Fencing. Prior to final approval of any site plan, the Director of Planning or his designee shall review and approve a detail of any proposed fencing for the Facility. The fence shall be black, or other neutral color, and shall not exceed a height of eight feet above finished grade. The fence shall not contain barbed wire unless it is required by federal or state regulations.
12. Emergency Management Plan. The Facility operator shall prepare and maintain an Emergency Management Plan (EMP) to address situations that may require response from James City County public safety personnel, including, without limitation, fire safety and emergency response personnel. The EMP shall:
  - Be developed in conjunction with and approved by the County Fire Chief and County Police Chief or their designees prior to final approval of any site plan.
  - Provide a mutually agreed upon schedule for the Facility operator to provide information sessions and training for James City County public safety personnel relative to possible emergency response situations at the Facility.
  - Provide pertinent contact numbers for the Facility operator emergency personnel.
  - Provide that all emergency contact information will be posted on access gates.
13. Construction Management and Mitigation Plan. Prior to final approval of any site plan, the Director of Planning or his designee shall approve a Construction Management and Mitigation Plan (CMMP). The CMMP shall include those items listed below:
  - a. Construction Management:
    - Designated parking areas.
    - All piling driving activity on the Properties be limited to the hours of 8 a.m. to 6 p.m., Monday through Friday.



- Other construction activities, including clearing and grading of the Properties shall be limited to the hours of 7 a.m. to 7 p.m., Monday through Friday.
- Construction delivery traffic to the Properties shall not be allowed during pick-up/drop-off times for surrounding schools.
- Storage, transportation and disposal of any waste and/or hazardous materials.

b. Construction Mitigation:

- Dust mitigation, such as water trucks, mulch or similar methods.
- Smoke and burn mitigation, such as containments or similar methods.
- Visual and noise mitigation, such as fences, landscaping or similar methods.

14. Spill Prevention Control and Countermeasure Plan. Prior to issuance of a land disturbing permit, the Director of Stormwater and Resource Protection, or his designee, shall approve a Spill Prevention Control and Countermeasure (SPCC) Plan for the Facility. The SPCC shall outline measures and procedures necessary for the operation of the Facility until decommission.

15. Decommissioning and Restoration Plan. Prior to final approval of any site plan, the Director of Planning, or his designee, shall approve a Decommissioning and Restoration Plan (DRP). The DRP shall outline the required steps for removal of above- and below-ground Facility components, disposal of and/or recycling of wastes and materials and the restoration of the Properties to pre-construction conditions. The DRP shall address abandonment of operations and the possible failure of the Facility operator to comply with the decommissioning process and provide an estimated cost associated with the decommissioning and restoration activities. To ensure sufficient funds are available to the County to conduct the DRP should the owner fail to perform its obligation under this condition, a surety shall be posted with James City County in a form acceptable to the County Attorney, in an amount sufficient for the removal and disposal of all the power generating equipment, inverters, fencing, wiring and any other ancillary materials and equipment associated with the Facility.

16. Off-Site Parking. Prior to final approval of a site plan, the Director of Planning, or his designee, shall approve an Off-Site Parking Plan (OPP). The off-site parking area shall be used by construction workers who shall be transported to the Properties via a shuttle van and/or bus. The OPP shall conform to all Zoning Ordinance requirements and shall identify elements such as, but not limited to, the number of off-site parking spaces provided and the location of the off-site parking area. In order to reduce the amount of construction related traffic during the construction period at Norvalia neighborhood and to ensure that construction workers are parking their vehicles at the off-site parking area, no more than 20 vehicles may be parked on the Properties at any time, except for trucks, as defined by the Zoning Ordinance and delivery vehicles. No on-street parking shall be allowed.

17. Commencement. The Facility shall be operational within 48 months from the issuance of this SUP or this SUP shall become void. The Facility operator shall submit a certified letter to the Director of Planning to confirm the operational status of the Facility.
18. Height Limitation. With the exception of distribution poles and overhead wiring, as permitted by the Zoning Ordinance, the maximum height of all structures in the Facility, including the photovoltaic solar panel mounts shall not exceed 16 feet above finished grade.
19. Underground Wires. All electrical wiring used in the Facility shall be located underground, except where wiring is necessary to connect the Facility to the exiting overhead utility line.
20. Glare. All photovoltaic solar panels shall be made of or coated with anti-reflective materials to prevent glare.
21. Severance Clause. This SUP is not severable. Invalidation of any word, phrase, clause, sentence or paragraph shall invalidate the remainder.

*Ruth M. Larson*

Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:

*Teresa J. Fellows*

Teresa J. Fellows  
Deputy Clerk to the Board

|           | VOTES                               |                          |                          |
|-----------|-------------------------------------|--------------------------|--------------------------|
|           | <u>AYE</u>                          | <u>NAY</u>               | <u>ABSTAIN</u>           |
| MCGLENNON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ICENHOUR  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SADLER    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| HIPPLE    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LARSON    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Adopted by the Board of Supervisors of James City County, Virginia, this 9th day of January, 2018.

SUP28-16SGenNorge-res







## Thomas Leininger

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**From:** Community Development  
**Sent:** Wednesday, October 7, 2020 12:02 PM  
**To:** Paul Holt; Thomas Leininger  
**Subject:** FW: [External] SUP-20-0016. Norge Solar Farm SUP Amendment

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**From:** waters8@cox.net [mailto:waters8@cox.net]  
**Sent:** Tuesday, October 6, 2020 9:02 AM  
**To:** Community Development <community.development@jamescitycountyva.gov>  
**Subject:** [External] SUP-20-0016. Norge Solar Farm SUP Amendment

I would like to submit the following citizen comment for the October 7, 2020 Planning Commission meeting:

My name is Bobby Waters and I reside at 236 Nina Lane in James City County. My property is adjacent to the proposed solar electrical generation facility named Norge Solar Farm. I suggest that the county actively oversee the removal of trees, underbrush, etc. This could be done by physically checking marked trees before they are cut down. There is a stream between my property and the proposed site which is part of the RPA (Resource Protection Area). It takes decades to replace a mature tree. Thank you for your time.

Bobby Waters

**Unapproved Minutes of the October 7, 2020  
Planning Commission Regular Meeting**

**SUP-20-0016. Norge Solar Farm SUP Amendment**

Mr. Tom Leininger, Senior Planner, stated that Ms. Robin Lucey has applied for a Special Use Permit (SUP) amendment for 320, 339, 341, and 345 Farmville Lane to amend SUP-0028-2016 approved by the Board of Supervisors on January 9, 2018.

Mr. Leininger stated that the SUP amendment would amend condition Number 17 of the approved resolution to extend the commencement of construction by 12 months from the original expiration date. Mr. Leininger stated that if this amendment is approved, the new expiration date would be January 9, 2023. Mr. Leininger stated that there are no further changes to the remaining SUP conditions or master plan.

Mr. Leininger stated that staff finds the proposal to be compatible with the Comprehensive Plan, Zoning Ordinance, and surrounding development, and recommends that the Planning Commission recommend approval of this application subject to the proposed condition.

Mr. Leininger noted that since the release of the agenda materials, staff received one citizen comment that was forwarded to the Commission.

Mr. Tim O'Connor inquired if any of the prior legislation to extend expiration dates for site plans and legislative applications would apply to this case.

Mr. Max Hlavin, Deputy County Attorney, stated that approvals for all of the plans covered under the prior legislation expired as of July 1, 2020.

Mr. Krapf called for disclosures from the Commission.

There were no disclosures.

Mr. Krapf opened the Public Hearing.

Mr. Krapf invited the applicant to speak.

Ms. Robin Lucey, Business Development Manager, Dominion Energy, stated that she appreciated the Commission's time in reviewing the application and that she would be happy to answer any questions the Commission might have.

Mr. O'Connor inquired if the applicant is certain that an additional 12 months is sufficient to obtain the necessary permits and begin construction. Mr. O'Connor noted that he would prefer to grant a longer extension at this time rather than require the applicant to keep going through the legislative process.

Ms. Lucey stated that the current timeline should be more than sufficient.

Mr. Krapf requested that staff provide a summary of the citizen comment that was received by email.

Mr. Leininger stated that the email noted concerns about buffering and assurance that the Resource Protection Area (RPA) would not be disturbed. Mr. Leininger noted that during the site plan stage, staff would be able to review the limits of clearing and address any concerns.

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

Mr. Polster noted that it is permissible to disturb the RPA in the A-1, General Agricultural Zoning District. Mr. Polster stated that it appeared that the citizen concern was related to removal of trees. Mr. Polster further stated that even if the disturbed area is replanted, the difference between the mature tree that could be removed and the new plantings would reduce the coverage of the buffer.

Mr. Holt stated that as part of the site plan review process, staff will assess the plan to ensure that what is shown for proposed site clearing and what is shown for proposed construction substantively matches up with the Master Plan.

Mr. Polster noted that the County has spent substantial funds to stabilize the stream on the north side of the property. Mr. Polster further stated that he is concerned about losing the investment by stirring up Yarmouth Creek with this project.

Mr. Haldeman inquired about the staff memo reference to the A-2, Limited Agricultural District.

Mr. Holt stated that the District was phased out many years ago.

Mr. Polster made a motion to recommend approval of the application.

On a roll call vote the Commission voted to recommend approval of SUP-20-0016. Norge Solar Farm SUP Amendment. (6-0)

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Tom Leininger, Senior Planner

SUBJECT: SUP-20-0015. 3179 Chickahominy Road Family Subdivision

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**ATTACHMENTS:**

|   | Description                                   | Type            |
|---|---|-----------------|
| ☐ | Staff Report                                  | Staff Report    |
| ☐ | Resolution                                    | Resolution      |
| ☐ | Location Map                                  | Exhibit         |
| ☐ | Ordinance No. 168A-13, Cranston's Pond        | Backup Material |
| ☐ | Proposed Subdivision Plat                     | Backup Material |
| ☐ | AFD Committee Unapproved Minutes SUP-20-0015. | Backup Material |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                  |
|------------------------|-----------------|----------|-----------------------|
| Planning               | Holt, Paul      | Approved | 10/23/2020 - 7:54 AM  |
| Development Management | Holt, Paul      | Approved | 10/23/2020 - 9:58 AM  |
| Publication Management | Daniel, Martha  | Approved | 10/23/2020 - 10:09 AM |
| Legal Review           | Kinsman, Adam   | Approved | 10/23/2020 - 2:53 PM  |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:11 AM  |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:25 AM  |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:34 AM  |

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**SPECIAL USE PERMIT-20-0015. 3179 Chickahominy Road Family Subdivision****Staff Report for the November 10, 2020, Board of Supervisors Public Hearing**

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**SUMMARY FACTS**

Applicant: Mr. William Harcum

Land Owner: Mr. Peyton Harcum

Proposal: To allow for a family subdivision of a one-acre parcel in the A-1, General Agriculture Zoning District.

Location: 3179 Chickahominy Road

Tax Map/Parcel No.: 2220100087

Project Acreage: ± 62.56 acres

Zoning: A-1, General Agriculture and R-8, Rural Residential

Comprehensive Plan: Rural Lands

Primary Service Area: Outside (PSA)

Staff Contact: Tom Leininger, Senior Planner

**PUBLIC HEARING DATES**

Agricultural and Forestal District  
(AFD) Advisory Committee: October 22, 2020, 4:00 p.m.

Board of Supervisors: November 10, 2020, 5:00 p.m.

**FACTORS FAVORABLE**

1. With the proposed conditions, staff finds the proposal compatible with surrounding zoning and development.
2. With the proposed conditions, the proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, “*Toward 2035: Leading the Way.*”
3. Impacts: See Impact Analysis on Pages 3-4.

**FACTORS UNFAVORABLE**

1. Impacts: See Impact Analysis on Pages 3-4.

**SUMMARY STAFF RECOMMENDATION**

Staff recommends the Board of Supervisors approve this application subject to the attached conditions.

**AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE RECOMMENDATION**

At its October 22, 2020 meeting, the AFD Advisory Committee voted 5-0 to recommend approval of the Special Use Permit (SUP) request to the Board of Supervisors.

**PROPOSED CHANGES MADE SINCE THE AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE MEETING**

None.

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



**PROJECT DESCRIPTION**

Mr. William Harcum has applied for an SUP on behalf of Mr. Peyton Harcum to create a one-acre lot within the A-1, General Agriculture Zoning District portion of the property as part of a family subdivision. An SUP is required because the proposed lot is between one and three acres.

The applicant has submitted a draft survey of the parcel showing the proposed one-acre lot and the proposed access easement from Chickahominy Road. The remaining parcel will be 61.56 acres. There is currently a residential structure on the parent parcel. Should this application be approved, the applicant would need to submit a subdivision application and meet both the Subdivision Ordinance and Zoning Ordinance requirements. In addition to the plat, an affidavit stating that the new parcel will be given to the son of Mr. Peyton Harcum must be submitted prior to final approval of the plat. The proposed dwelling will have a new well and new septic system.

The parcel is currently within the Cranston's Mill Pond AFD and, per the adopted Cranston's Mill Pond AFD Ordinance, the parcel may remain in the AFD with an approved SUP for a family subdivision.

**PLANNING AND ZONING HISTORY**

On December 1, 1986, the Board of Supervisors approved the Cranston's Mill Pond AFD, which included the subject parcel.

On September 11, 2018, the Board of Supervisors approved the renewal of the Cranston's Mill Pond AFD with an expiration date of October 31, 2022.

**SURROUNDING ZONING AND DEVELOPMENT**

North: R-8, Rural Residential and R-1, General Residential  
South: A-1, General Residential and R-8, Rural Residential  
West: R-8, Rural Residential  
East: R-1, General Residential

All parcels surrounding the subject parcel are designated Rural Lands on the 2035 Comprehensive Plan.

**COMPREHENSIVE PLAN**

- The site is designated Rural Lands on the adopted Comprehensive Plan Land Use Map. Appropriate primary uses include traditional agricultural and forestal activities, but also uses such as agri-tourism, rural support business, and rural-based public or commercial recreation. In addition to the primary uses, Rural Lands contain scattered houses at a low density. This proposal seeks to add one single-family home and would be consistent with the Rural Lands density recommendations.
- The development standards state that non-agricultural/non-forestal uses should be sited to minimize impacts or disturbance to agricultural and forestal uses, open fields, and important agricultural/forestal soils and resources. Staff finds the use to be consistent given that the proposed home location has already been cleared, so there will be no new impacts or disturbance to agricultural and forestal uses. Existing vegetation on-site will be maintained.

**SPECIAL USE PERMIT-20-0015. 3179 Chickahominy Road Family Subdivision****Staff Report for the November 10, 2020, Board of Supervisors Public Hearing****IMPACT ANALYSIS**

| <b>Impacts/Potentially Unfavorable Conditions</b> | <b>Status</b><br><i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | <b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>  |
|---|--|--|
| <u>Public Transportation: Vehicular</u>           | <u>No Mitigation Required</u>  | -The proposal is not anticipated to generate traffic exceeding a typical residential use.<br>-No changes anticipated to Level of Service on Chickahominy Road.   |
| <u>Public Transportation: Pedestrian/Bicycle</u>  | <u>No Mitigation Required</u>  | -Pedestrian/bicycle accommodations are shown on the adopted Pedestrian/Bicycle Accommodations Master Plan.<br>-The Regional Bikeways Master Plan shows Chickahominy Road as an existing shared road for bicycles.<br>-The Pedestrian Accommodations Plan shows a proposed sidewalk along Chickahominy Road, but this proposal would not trigger the requirement of providing a sidewalk. |
| <u>Public Safety</u>                              | <u>No Mitigation Required</u>  | -Subject property is located within a four-minute radius of Fire Station 1.<br>-The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.   |
| <u>Public Schools</u>                             | <u>No Mitigation Required</u>  | -This proposal includes the addition of one single-family home and does not generate impacts that require mitigation for public schools.   |
| <u>Public Parks and Recreation</u>                | <u>No Mitigation Required</u>  | -The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.   |
| <u>Public Libraries and Cultural Centers</u>      | <u>No Mitigation Required</u>  | -The proposal does not generate impacts that require mitigation to public libraries or cultural centers.   |
| <u>Groundwater and Drinking Water Resources</u>   | <u>No Mitigation Required</u>  | -The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.  |
| <u>Watersheds, Streams, and Reservoirs</u>        | <u>No Mitigation Required</u>  | -The Stormwater and Resource Protection Division has reviewed this application and had no objections. Stormwater management needs will be handled at the single-family development stage.  |

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

**SPECIAL USE PERMIT-20-0015. 3179 Chickahominy Road Family Subdivision****Staff Report for the November 10, 2020, Board of Supervisors Public Hearing**

| <b>Impacts/Potentially Unfavorable Conditions</b> | <b>Status</b><br><i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i> | <b>Considerations/Proposed Mitigation of Potentially Unfavorable Conditions</b>   |
|---|--|---|
| <u>Cultural/Historic</u>                          | <u>No Mitigation Required</u>  | -The subject property has been previously disturbed and has no known cultural resources on-site.                                    |
| <u>Nearby and Surrounding Properties</u>          | <u>No Mitigation Required</u>  | -The addition of a residential home would be consistent with the existing character of the area and surrounding properties.         |
| <u>Community Character</u>                        | <u>No Mitigation Required</u>  | -This segment of Chickahominy Road is not designated as a Community Character Corridor nor is it within a Community Character Area. |

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

**PROPOSED SUP CONDITIONS**

Proposed conditions are provided as Attachment No. 1.

**STAFF RECOMMENDATION**

Staff finds the proposal to be compatible with surrounding development and consistent with the recommendations of the adopted Comprehensive Plan. Staff recommends the Board of Supervisors approve this application subject to the attached conditions.

TL/nb

SUP20-15-3179CkhmyRd

Attachments:

1. Resolution
2. Location Map
3. Cranston's Mill Pond AFD Adopted Resolution
4. Draft Subdivision Plat
5. Unapproved Minutes of the October 22, 2020, Agricultural and Forestal District Advisory Committee Meeting

## RESOLUTION

### CASE NO. SUP-20-0015. 3179 CHICKAHOMINY ROAD FAMILY SUBDIVISION

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

WHEREAS, Mr. William Harcum, on behalf of Mr. Peyton Harcum, has requested an SUP to allow for a family subdivision with lots less than three acres in size on a piece of property located at 3179 Chickahominy Road, further identified as James City County Real Estate Tax Map Parcel No. 2220100087; and

WHEREAS, the Agricultural and Forestal District Advisory Committee, following its meeting on October 22, 2020, recommended approval of Case No. SUP-20-0015 by a vote of 5-0; and

WHEREAS, a public hearing was advertised, adjoining property owners notified, and a hearing conducted on Case No. SUP-20-0015.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, after consideration of the factors in Section 24-9 of the James City County Code, does hereby approve the issuance of Case No. SUP-20-0015 as described herein with the following conditions:

1. Master Plan: This SUP is valid for a family subdivision for the creation of one new lot of no less than one acre, with one parent lot of approximately 61.56 acres (the "Subdivision") on property located at 3179 Chickahominy Road, further identified as James City County Real Estate Tax Map Parcel No. 2220100087. The Subdivision shall be consistent with James City County Code Section 19-17, as amended, and generally as shown on the master plan drawn by Eastern Land Surveying LLC, titled "Family Subdivision Survey for J. Payten Harcum," dated August 25, 2020 (the "Master Plan").
2. Access: The Subdivision's +/- one-acre lot shall be accessed by an access and utility easement as shown on the Master Plan.
3. Commencement: A final subdivision plat for the Subdivision must be recorded within 24 months from the issuance of the SUP or the SUP shall automatically be void.
4. Severance Clause: The SUP is not severable. Invalidation of any word, phrase, clause, sentence, or paragraph shall invalidate the remainder.

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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

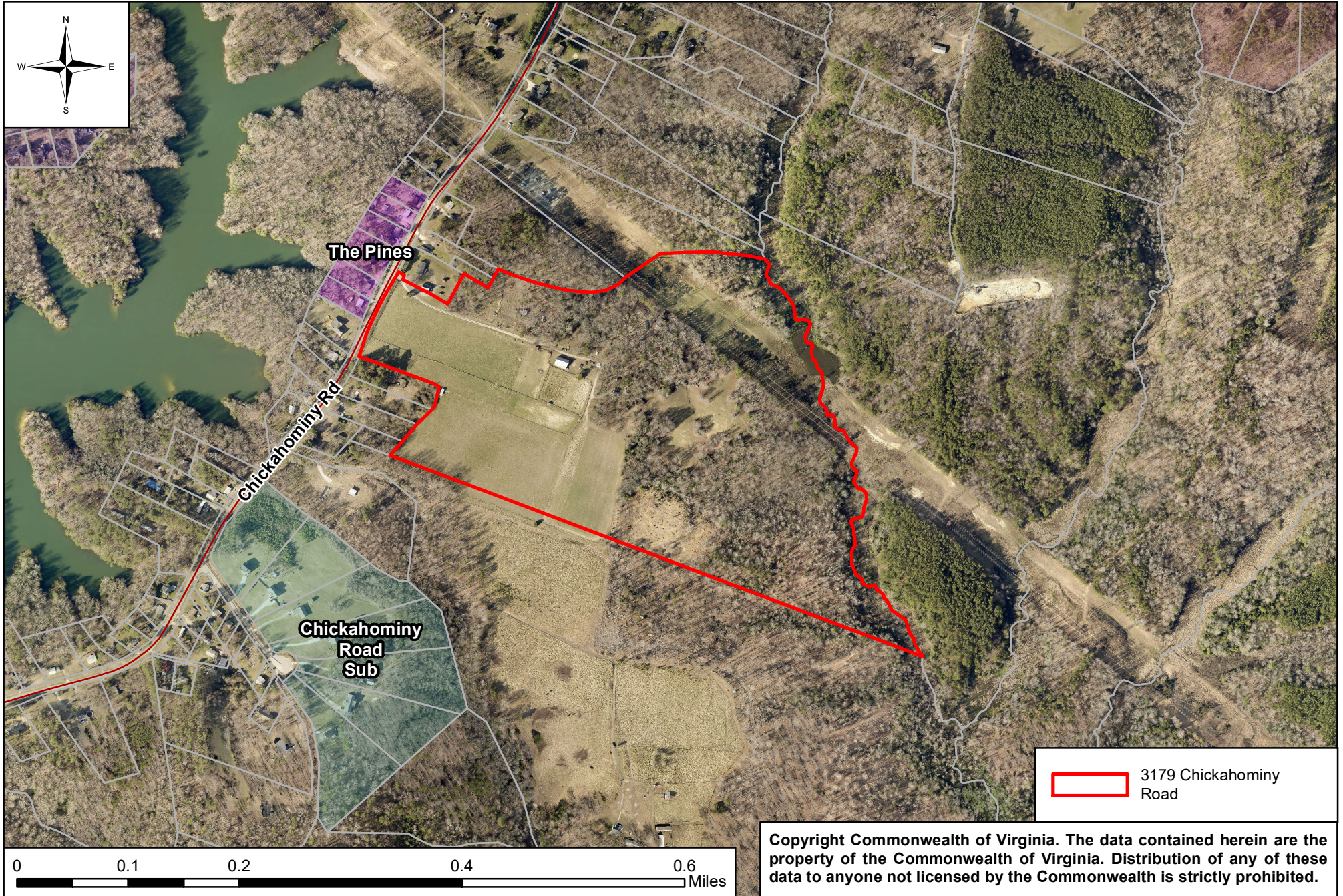
|           | VOTES      |            |                |
|-----------|------------|------------|----------------|
|           | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> |
| SADLER    | _____      | _____      | _____          |
| MCGLENNON | _____      | _____      | _____          |
| LARSON    | _____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

Adopted by the Board of Supervisors of James City County, Virginia, this 10th day of November, 2020.

SUP20-15-3179CkhmyRd-res



# SUP-20-0015, 3179 Chickahominy Rd. Family Subdivision





# ADOPTED

ORDINANCE NO. 168A-13

SEP 11 2018

Board of Supervisors  
James City County, VA

AGRICULTURAL AND FORESTAL DISTRICT-06-86-1-2018

CRANSTON'S POND 2018 RENEWAL

WHEREAS, James City County has completed a review of the Cranston's Pond Agricultural and Forestal District (the "District"); and

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

WHEREAS, the Agricultural and Forestal District (AFD) Advisory Committee at its meeting on June 21, 2018, voted 9-0 to recommend renewal of the District; and

WHEREAS, the Planning Commission following its public hearing on August 1, 2018, concurred with the recommendation of staff and the AFD Advisory Committee and voted 5-0 to recommend renewal of the District with the conditions listed below.

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

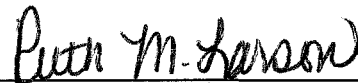
1. The Cranston's Pond Agricultural and Forestal District (the "District") is hereby continued to October 31, 2022 in accordance with the provisions of the Virginia Agricultural and Forestal District Act, Virginia Code Section 15.2-4300 et. seq. (the "Act").
2. That the District shall include the following parcels, provided, however, that all land within 25 feet of road right-of-ways is excluded from the District:

| <u>Owner</u>                  | <u>Parcel No.</u> | <u>Acres</u>  |
|-------------------------------|-------------------|---------------|
| Hidden Acres Farm, Inc.       | 2330100001        | 416.50        |
| Bertrand E. Geddy Jr. Trustee | 2230100026        | 167.50        |
| Edward K. English Estate      | 2240100001A       | 101.67        |
| Peyton J. Harcum              | 2220100087        | 62.56         |
| Otto C. & Thelma Ripley       | 3120100003B       | 21.01         |
| Susanna Y. English            | 2210100056        | <u>5.07</u>   |
|                               | Total:            | <u>774.31</u> |

3. That pursuant to Sections 15.2-4312 and 15.2-4313 of the Act, the Board of Supervisors requires that no parcel in the District be developed to a more intensive use without prior approval of the Board of Supervisors. Specifically, the following restrictions shall apply:



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



Ruth M. Larson  
Chairman, Board of Supervisors

ATTEST:



Teresa J. Fellows  
Deputy Clerk to the Board

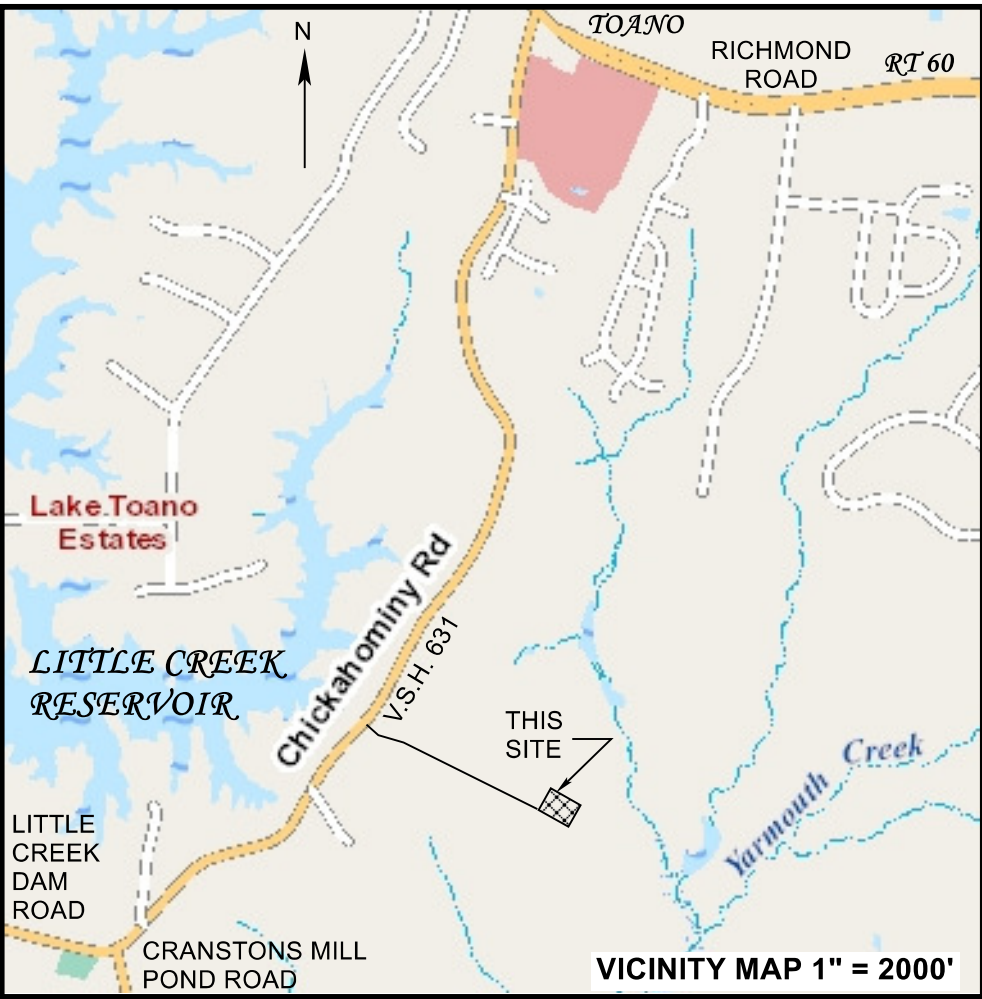
|           | VOTES                               |                          |                          |
|-----------|-------------------------------------|--------------------------|--------------------------|
|           | <u>AYE</u>                          | <u>NAY</u>               | <u>ABSTAIN</u>           |
| MCGLENNON | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ICENHOUR  | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| SADLER    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| HIPPLE    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| LARSON    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Adopted by the Board of Supervisors of James City County, Virginia, this 11th day of September, 2018.

AFD-CranstnPdRnw-res

FAMILY SUBDIVISION SURVEY FOR  
**J. PAYTEN HARCUM**  
JAMES CITY COUNTY, VIRGINIA

ADVANCED PRINT NOT FOR RECORDATION



V.S.H. 631 WAS NOT SURVEYED AT THIS TIME. IT IS CLEARLY UNDERSTOOD THAT THE INTENT OF THE EASEMENT (20' WIDTH) IS TO EXTEND TO V.S.H. 631

SEE DEED OF EASEMENT 14' IN WIDTH ADJACENT TO THE LANDS OF HARCUM INSTR. NO. 200007274

LANDS OF J. PAYTEN HARCUM 6' IN WIDTH BEING PART OF PARCEL ID. 2220100087 EXTENDING TO V.S.H. 631 INSTR. NO. 140007057 D.B.242 p.685 P.B.38 p.101

PARCEL 56  
PARCEL ID 2210100056  
SUSANNA Y. ENGLISH  
INSTR. NOS. 13008092W 100017721 090014093 (PLAT)

PARCEL 62  
PARCEL ID 2210100062

PARCEL 61  
PARCEL ID 2210100061

PARCEL 60  
PARCEL ID 2210100060

PARCEL 57  
PARCEL ID 2210100057  
LESLIE WILLIAMS  
NORMA V. WHITE  
INSTR. NO. 110014146  
D.B. 748 p.764  
P.B.11 p.20

PARCEL 58  
PARCEL ID 2210100058  
J. PAYTEN HARCUM  
INSTR. NO. 140014859

PARCEL 87  
PARCEL ID 2210100087  
J. PAYTEN HARCUM  
INSTR. NO. 140007057  
D.B.242 p.685  
P.B.38 p.101

PARCEL 87  
PARCEL ID. 2220100087  
62.56 ACRES BY TAX RECORDS  
- 1.00 AC. BY THIS SURVEY  
= 61.56± ACRES BY SUBTRACTION

PARCEL 1A  
PARCEL ID 2240100001A  
SUSANNA Y. ENGLISH  
INSTR. NO. 13008092W  
D.B.106 p.268  
D.B.242 p.685  
P.B.38 p.101

OWNER'S CONSENT

THIS FAMILY SUBDIVISION OF LAND IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE WISHES AND DESIRES OF THE UNDERSIGNED OWNER AND OR PROPRIETOR.

J. PAYTEN HARCUM DATE

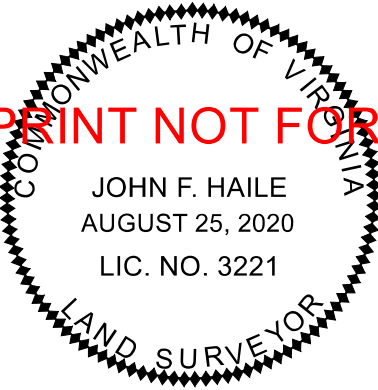
STATE OF VIRGINIA I, \_\_\_\_\_, A NOTARY PUBLIC DO CERTIFY THAT PERSON WHOSE NAME IS SIGNED TO THE FOREGOING WRITING HAS ACKNOWLEDGED THE SAME BEFORE ME IN JAMES CITY COUNTY.

GIVEN UNDER MY HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020

NOTARY PUBLIC

NOTES:

- THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.
- CURRENT OWNER: J. PAYTEN HARCUM INSTR. NO. 140007057 D.B.242 p.685 P.B.38 p.101
- THIS SITE IS CURRENTLY ZONED A1 GENERAL AGRICULTURE ZONING (ADDITIONALLY) R8.
- ALL NEW UTILITIES SHALL BE PLACED UNDERGROUND.
- ALL NEW SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE II, DIVISION 3 OF THE JAMES CITY COUNTY ZONING ORDINANCE.
- ALL NEW MONUMENTS SHALL BE SET IN ACCORDANCE WITH SECTION 19-34 THROUGH 19-36 OF THE JAMES CITY COUNTY SUBDIVISION ORDINANCE.
- ALL ROADS SHALL BE PRIVATE RIGHT-OF-WAYS AND SHALL NOT BE MAINTAINED BY JAMES CITY COUNTY OR THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT).
- THIS SITE IS IN AN AGRICULTURAL DISTRICT.
- THIS SITE IS IN FLOOD ZONE X BY MAP NO. 51095C0106D EFF. 12/16/2015.
- NO WETLANDS ON THIS SITE.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.



I certify that this Family Subdivision Survey is correct to the best of my knowledge and belief, subject to easements, servitudes, and covenants of record.

EASTERN LAND SURVEYING LLC

1242 SHARON ROAD, SUITE 200  
KING WILLIAM, VA 23086 PHONE 804-445-6555

|                       |                       |
|-----------------------|-----------------------|
| TPC NO: 2020-1        | SCALE: 100 Ft/In      |
| JOB NO: 100           | FILE NO: 5            |
| PARCEL ID: 2210100057 | DATE: AUGUST 25, 2020 |

**Unapproved Minutes of the October 22, 2020  
Agricultural and Forestal District Advisory Committee Regular Meeting**

1. SUP-20-0015. 3179 Chickahominy Road Family Subdivision

Mr. Tom Leininger addressed the Committee and stated that the applicant, Mr. William Harcum, has applied for a Special Use Permit (SUP) on behalf of Mr. Peyton Harcum to create a one-acre lot within the A-1, General Agriculture Zoning District portion of the property, as part of a family subdivision at 3179 Chickahominy Road.

Mr. Leininger stated that, per the Cranston's Pond AFD ordinance, subdivision of land shall result in parcels greater than 25 acres except in cases where the Board of Supervisors approve of smaller lots as part of family subdivisions. He noted that both the new one-acre parcel and the parent parcel would remain within the Cranston's Pond AFD.

Mr. Leininger said that staff brought the case to the Committee since it is a legislative case within the AFD. He stated that the Committee's recommendation will be included at the Nov. 10, 2020 Board of Supervisors (BOS) meeting. Mr. Leininger said that staff finds the proposal compatible with surrounding development, in compliance with the Cranston's Pond AFD ordinance, and consistent with the County's comprehensive plan. He said staff recommends that the Committee recommend approval of this application to the BOS, subject to the attached conditions.

Mr. Leininger said he was happy to answer any questions, and the applicant was available to answer questions as well.

Mr. Taylor asked if there were any comments or questions.

Ms. Garrett asked about the conditions.

Mr. Leininger referenced the proposed SUP conditions attached in the Agenda packet. He stated that the one-acre parcel will remain in the AFD and no acreage would be removed from the AFD.

Mr. Alex Baruch noted that the one-acre parcel may remain in the AFD because it is a family subdivision, not a regular subdivision.

Mr. Taylor asked if there were any other questions.

Mr. Abbot asked about the tax implications of the new home site.

Mr. Baruch stated that the County Commissioner of the Revenue would make a change of use assessment during the next tax cycle.

Mr. Abbott clarified that the Committee is making a recommendation to the BOS, but the BOS would approve the SUP.

Mr. Abbott motioned to recommend approval of Case No. SUP-20-0015, 3179 Chickahominy Road Family Subdivision, subject to the attached conditions.

Mr. Wanner seconded the Motion.

The Motion was approved on a voice vote of 5-0. Applicants Mr. Payten Harcum and Mr. William Harcum abstained from the vote.

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Contractors' Offices and Storage in Planned Unit Development Districts

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**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |

**REVIEWERS:**

| Department             | Reviewer         | Action   | Date                 |
|------------------------|------------------|----------|----------------------|
| Zoning Enforcement     | Parrish, Christy | Approved | 11/2/2020 - 2:01 PM  |
| Development Management | Holt, Paul       | Approved | 11/2/2020 - 2:36 PM  |
| Publication Management | Daniel, Martha   | Approved | 11/2/2020 - 2:40 PM  |
| Legal Review           | Kinsman, Adam    | Approved | 11/3/2020 - 10:17 AM |
| Board Secretary        | Fellows, Teresa  | Approved | 11/3/2020 - 10:34 AM |
| Board Secretary        | Purse, Jason     | Approved | 11/3/2020 - 10:43 AM |
| Board Secretary        | Fellows, Teresa  | Approved | 11/3/2020 - 10:44 AM |

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

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Christy H. Parrish, Zoning Administrator

SUBJECT: Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Contractors' Offices and Storage in Planned Unit Development Districts

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At the request of a supervisor, staff has prepared the attached Initiating Resolution to consider the addition of contractors' offices and storage as a use in the Planned Unit Development - Commercial (PUD-C) District.

Staff recommends approval of the attached resolution.

CHP/nb  
PUDContOff-mem

Attachment

## RESOLUTION

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

### TO CONSIDER CONTRACTORS' OFFICES AND STORAGE IN

### PLANNED UNIT DEVELOPMENT DISTRICTS

WHEREAS, the Code of Virginia § 15.2-2286 and County Code Section 24-13 permit the Board of Supervisors of James City County, Virginia (the "Board"), to, by resolution, initiate amendments to the regulations of the Zoning Ordinance that the Board finds to be prudent; and

WHEREAS, the Board is of the opinion that the public necessity, general welfare, and 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 initiate amendment of the James City County Code, Chapter 24, Zoning, Article V, Districts, Division 14, Planned Unit Development (PUD) in order to consider the addition of contractors' offices and storage in the PUD District. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Ordinances 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 10th day of November, 2020.

PUDContOff-res

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Fiscal Year 2021 Budget Restoration Appropriation - \$1,796,000

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**ATTACHMENTS:**

|   | Description  | Type         |
|---|--------------|--------------|
| ☐ | Memorandum   | Cover Memo   |
| ☐ | Resolution   | Resolution   |
| ☐ | Presentation | Presentation |

**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/3/2020 - 4:58 PM |



## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Sharon B. Day, Director of Financial and Management Services

SUBJECT: Fiscal Year 2021 Budget Restoration Appropriation - \$1,796,000

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As a result of the economic impacts of the Novel Coronavirus Disease (COVID-19), the Board of Supervisors made changes to the County Administrator's Proposed Budget for Fiscal Year (FY) 2021 to reflect anticipated revenue shortfalls and corresponding reductions in expenditures.

Based on savings achieved during FY 2020 through restrictions on spending and new resources received, staff recommends the utilization of fund balance of approximately \$1,796,000 to restore certain expenditures that were removed prior to the adoption of the FY 2021 budget and other necessary expenditures. Included in that total is \$200,000 in Contingency to assist with anticipated COVID-19 costs to occur after the expiration of the Coronavirus Aid, Relief, and Economic Security Act and other relief funding as well as other unanticipated expenditures.

The attached resolution authorizes the use of the General Fund's fund balance for this purpose and authorizes the appropriation in the applicable departments.

Staff recommends the adoption of the attached resolution.

SBD/nb  
FY21BudgtRest-mem

Attachment

## RESOLUTION

### FISCAL YEAR 2021 BUDGET RESTORATION APPROPRIATION - \$1,796,000

- WHEREAS, the County Administrator prepared a Proposed Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021; and
- WHEREAS, the Fiscal Year (FY) 2021 Adopted Budget reflected reductions to the revenues and expenditures from the Proposed Budget to address the anticipated economic impacts of the Novel Coronavirus Disease (COVID-19); and
- WHEREAS, the County achieved savings during FY 2020 through restrictions on spending and new resources received; and
- WHEREAS, the Board wishes to utilize these savings during the current fiscal year in order to fund expenditures removed from the FY 2021 Proposed Budget and other necessary costs.
- NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of James City County, Virginia, that the following amounts are hereby appropriated in the FY 2021 General Fund as shown below, and the County Administrator is hereby authorized to transfer funds to and from the Contingency account and divisional expenditure accounts.

Revenue:

|              |                    |
|--------------|--------------------|
| Fund Balance | <u>\$1,796,000</u> |
|--------------|--------------------|

Expenditures:

|                                  |                    |
|----------------------------------|--------------------|
| General Administration           | \$102,500          |
| Court Services                   | 45,600             |
| Public Safety                    | 484,600            |
| Financial Administration         | 26,100             |
| Information Resources Management | 182,500            |
| Community Development            | 32,500             |
| General Services                 | 476,700            |
| Parks and Recreation             | 118,500            |
| Transfers to Other Funds         | 127,000            |
| Contingency                      | <u>200,000</u>     |
| Total                            | <u>\$1,796,000</u> |

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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 10th day of November, 2020.

FY21BudgtRest-res

# FY2021 Budget Restorations

Board Meeting November 10, 2020

# General Fund Expenditures



| Department  | Reduction<br>from FY2021<br>Proposed to<br>Adopted<br>Budget | FY2020<br>Budget<br>Savings | Total                  | Restoration<br>Request |
|---|--|-----------------------------|------------------------|------------------------|
| General Administration  | \$ (226,203)   | \$ (277,121)                | \$ (503,324)           | \$ 102,500             |
| Court Services  | (116,995)  | (369,890)                   | (486,885)              | 45,600                 |
| Public Safety   | (1,240,048)  | (5,604,161)                 | (6,844,209)            | 484,600                |
| Financial Admin.  | (179,005)  | (428,143)                   | (607,148)              | 26,100                 |
| Information Technology  | (161,801)  | (552,602)                   | (714,403)              | 182,500                |
| Community Development   | (231,010)  | (278,773)                   | (509,783)              | 32,500                 |
| General Services  | (1,150,684)  | (1,963,134)                 | (3,113,818)            | 476,700                |
| Parks & Recreation  | (360,379)  | (870,118)                   | (1,230,497)            | 118,500                |
| WJCC School Division  | (5,310,049)  | (6,564,113)                 | (11,874,162)           | -                      |
| Contributions to Outside Entities<br>and Transfers to Other Funds | (10,817,426)   | (3,035,628)                 | (13,853,054)           | 327,000                |
| <b>Total</b>  | <b>\$ (19,793,600)</b>                                       | <b>\$ (19,943,683)</b>      | <b>\$ (39,737,283)</b> | <b>\$ 1,796,000</b>    |

| Department   | Restoration Request | Purpose   |
|--|---------------------|---|
| General Administration   | \$ 102,500          | Econ. Development: travel for leads & conferences; H/R: fill vacancies, background investigations, training, etc.   |
| Court Services   | 45,600              | CW Attorney: restore funding for 2 positions; Courts: replace lock system   |
| Public Safety  | 484,600             | Police: physicals, training, vehicle replmts., equip. for traffic, incident safety & evidence storage, replace AEDs, etc.; Fire: overtime, equip. & vehicle replmts., etc.; Animal Ctrl.: PT help w/ call volume, etc.; Dispatch: dues/memberships, polygraph svcs.                     |
| Financial Admin.   | 26,100              | Treasurer: monitors for and upgrades to security cameras, training; Purchasing/Accounting/FMS: career ladders, position reclasses, substitute temp. mail courier, training  |
| Information Technology   | 182,500             | Mobile device mgmt., network switch mgmt. software, WiFi replmt., ReCollect website, backup and recovery replmt., microfilm scanner replmts., training  |
| Community Development  | 32,500              | Planning: fill vacant Principal Planner; Bldg. & Safety Permits): fill vacant Plans Examiner, overtime for after hrs./weekend inspections, removal of unsafe structure  |
| General Serivces   | 476,700             | Stormwater: CWH grants, MS4 program; Gen. Cap. Svcs.: Facility Master Plan, proj. mgmt., 3rd party inspections; Facilities: various prof. svcs., filters; Grds. Maint.: bulk material, reel mower replmt., street maint.; Fleet: clean diesel fuel in tanks, polish and seal bay floors |
| Parks & Recreation   | 118,500             | Furniture & equip. replmts., refurbish Kidsburg, vehicle & equip. replmts., kayaks, benches, pressure washer, etc., training, advertising   |
| Contributions to Outside Entities and Transfers to Other Funds | 327,000             | Local match to CDBG grant and Social Services; contingency for PPE/COVID and unanticipated exps. to be transferred to depts. as needed  |
| <b>Total</b>   | <b>\$ 1,796,000</b> |   |



# FY2021 Budget Restorations

Board Meeting November 10, 2020

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Establishment of One Full-Time Regular Position

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**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |

**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/2/2020 - 5:09 PM |

## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Scott A. Stevens, James City County Administrator

SUBJECT: Establishment of One Full-Time Regular Position

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James City County strives to provide effective approachable leadership and to ensure an organizational structure is in place to help with our future leadership needs. As a growing community, it is important that County Administration remains involved and easily accessible to our residents. Adding an Assistant County Administrator position will help meet these goals and allow us to provide a quicker response to citizens, the Board of Supervisors, and employee inquiries. It will also reduce the number of direct reports of the County Administrator and help with succession planning within the organization.

If approved, this position is expected to have an estimated impact of \$50,000 or less on the Fiscal Year 2021 budget. The attached resolution authorizes the appropriation in County Administration and the use of the General Fund's Fund Balance for this purpose.

I recommend adoption of the attached resolution for the establishment of an additional full-time regular Assistant County Administrator, salary range 25, and for the use of Fund Balance and appropriation for this purpose.

SAS/md  
FTReg-AsstCAdm-mem

Attachment

## RESOLUTION

### ESTABLISHMENT OF ONE FULL-TIME REGULAR POSITION AND APPROPRIATION

WHEREAS, James City County recognizes a need for management positions to provide leadership and appropriate span of control; and

WHEREAS, James City County also needs to have sufficient staffing to develop a robust succession management plan and ensure continuity of operations; and

WHEREAS, adding a new Assistant County Administrator position will provide the needed span of control, leadership, and succession management planning for James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby establishes one full-time regular position, Assistant County Administrator, effective November 11, 2020, and authorizes the use of the General Fund's Fund Balance of \$50,000 and provides for an appropriation for this purpose.

Revenue:

|              |                  |
|--------------|------------------|
| Fund Balance | \$ <u>50,000</u> |
|--------------|------------------|

Expenditure:

|                       |                  |
|-----------------------|------------------|
| County Administration | \$ <u>50,000</u> |
|-----------------------|------------------|

\_\_\_\_\_  
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 10th day of November, 2020.

FTReg-AsstCAdm-res

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Authorization of Two Percent General Wage Increase

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**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | Memorandum  | Cover Memo |
| ☐ | Resolution  | Resolution |

**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/3/2020 - 3:25 PM |

## MEMORANDUM

DATE: November 10, 2020

TO: The Board of Supervisors

FROM: Scott A. Stevens, James City County Administrator

SUBJECT: Authorization of Two Percent General Wage Increase

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When COVID-19 began in March of 2020 and due to the economic uncertainty of the pandemic, funding for a general wage increase was removed from the FY 2021 budget. Due to the numerous measures taken by the County to curtail spending, the County's finances are currently trending well, with over \$10 million being added to our Fund Balance at the end of fiscal year 2020. This result was largely due to staffs' actions as County employees have taken on many unexpected challenges this year while continuing to provide outstanding service to our citizens. They have achieved this with less money in their budgets, fewer coworkers, more concern for their health and safety, and an uncertain financial future.

James City County has recognized the need to provide a 2% General Wage Increase to maintain the market competitiveness of the County's compensation plan and to recognize staff for their efforts over the past year while being fiscally prudent. The effective date would be January 1, 2021 and all full-time and part-time regular and limited term staff of James City County would be eligible.

The estimated cost from January 1 and through June 30, 2021 is \$500,000. The attached resolution authorizes the use of Fund Balance for this purpose and authorizes the appropriation in the applicable departments.

Staff recommends adoption of the attached resolution.

SAS/nb  
WageIncrease-mem

Attachment



## RESOLUTION

### AUTHORIZATION OF TWO PERCENT GENERAL WAGE INCREASE

WHEREAS, James City County desires to maintain the market competitiveness of the County's Compensation Plan and to recognize staff for their efforts over the past year; and

WHEREAS, staff recommends a 2% General Wage Increase for all full-time and part-time regular and limited term James City County positions effective January 1, 2021; and

WHEREAS, the estimated cost from January 1, 2021 and through June 30, 2021 is \$500,000.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves a 2% General Wage Increase for all full-time and part-time regular and limited term positions effective January 1, 2021 and authorizes the use of the General Fund's fund balance for this purpose and to be appropriated in the applicable departments for a total of \$500,000.

Revenue:

Fund Balance

\$500,000

Expenditures:

Personnel

\$500,000

\_\_\_\_\_  
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 10th day of November, 2020.

WageIncrease-res

**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Adam R. Kinsman, County Attorney

SUBJECT: 2021 Legislative Agenda

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**ATTACHMENTS:**

|   | Description | Type       |
|---|-------------|------------|
| ☐ | memo        | Cover Memo |
| ☐ | reso        | Resolution |
| ☐ | Program     | Exhibit    |

**REVIEWERS:**

| Department             | Reviewer        | Action   | Date                 |
|------------------------|-----------------|----------|----------------------|
| Attorney               | Kinsman, Adam   | Approved | 10/29/2020 - 3:43 PM |
| Publication Management | Daniel, Martha  | Approved | 10/29/2020 - 3:45 PM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:09 AM |
| Legal Review           | Kinsman, Adam   | Approved | 10/29/2020 - 3:45 PM |
| Board Secretary        | Purse, Jason    | Approved | 11/3/2020 - 10:24 AM |
| Board Secretary        | Fellows, Teresa | Approved | 11/3/2020 - 10:33 AM |

## MEMORANDUM

DATE: November 10, 2020  
TO: The Board of Supervisors  
FROM: Adam R. Kinsman, County Attorney  
SUBJECT: 2021 Legislative Program

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Attached for your consideration is a resolution approving James City County's 2021 Legislative Program. Also attached is the 2021 Legislative Program.

I recommend adoption of the attached resolution.

ARK/md  
JCC2021LegislPrg-mem

Attachments

## RESOLUTION

### 2021 LEGISLATIVE PROGRAM

WHEREAS, James City County has developed a Legislative Program for the consideration of the 2021 session of the General Assembly which outlines certain legislative policies which the Board believes ought to guide the General Assembly and proposes certain legislation that would benefit the County; and

WHEREAS, the Board has carefully considered its Legislative Program and believes that it is in the best interests of the citizens of James City County.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the County's 2021 Legislative Program and commends it to the County's representatives in the General Assembly for action.

BE IT FURTHER RESOLVED that a copy of the County's 2021 Legislative Program be forwarded to the County's elected representatives to the General Assembly.

\_\_\_\_\_  
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 10th day of November, 2020.

JCC2021LegislPrg-res



## JAMES CITY COUNTY 2021 LEGISLATIVE PROGRAM

### Part I. Legislation Introduced on Behalf of the County

#### 1-1 DISTRIBUTION OF ONLINE SALES TAX BY PHYSICAL ADDRESS

The County requests that the General Assembly require online retailers to distribute sales tax by physical address vs. ZIP codes to ensure that each locality receives the proper amount.

#### 1-2 AMEND THE VIRGINIA CODE TO ALLOW LOCALITIES TO PROHIBIT E-CIGARETTE STORES FROM LOCATING WITHIN 1000 FEET OF A PUBLIC SCHOOL.

The recent deaths associated with the unknown health effects of e-cigarettes and “vaping” have proven that these products may be deadly. Research has proven that the e-cigarette flavoring is intended to appeal to youth and that youth “vaping” is increasing. Legislation allowing localities to prohibit e-cigarette stores from locating near public schools will help remove this temptation.

#### 1-3 AMEND THE VIRGINIA CODE TO REQUIRE THAT ABSENTEE VOTES BE REPORTED BY PRECINCT WHEN THERE ARE MORE THAN 25 SUCH VOTES CAST IN THAT PRECINCT.

#### 1-4 AMEND SECTION 58.1-1707 OF THE VIRGINIA CODE TO INCREASE THE ANNUAL LITTER TAX IMPOSED UPON CERTAIN MANUFACTURERS, WHOLESALERS, DISTRIBUTORS, AND RETAILERS

Section 58.1-1707 imposes an annual litter tax upon certain manufacturers, wholesalers, distributors, and retailers, along with an extra litter tax per location of certain locations. Ninety-five percent (95%) of the proceeds of this tax are used for local litter prevention and recycling grants to localities. These grants are important to furthering the Clean County Commission’s anti-litter activities.

#### 1-5 AMEND THE VIRGINIA CODE TO ALLOW LOCAL GOVERNMENTS THE OPTION TO REQUIRE SPRINKLERS IN ALL RESIDENTIAL DWELLINGS.

#### 1-6 AMEND SECTION 46.2-1156 OF THE VIRGINIA CODE TO INCREASE THE PENALTY FOR ALLOWING THE CONTENTS OF A VEHICLE TO DROP, SIFT, LEAK, OR OTHERWISE ESCAPE UPON THE HIGHWAY.

The current penalty for such a violation is a Class 4 misdemeanor, which includes a fine of not more than \$250. The County requests that the Code be changed to include a minimum fine of \$250.

#### 1-7 AMEND VIRGINIA CODE SECTION 15.2-2286 TO EXPLICITLY GIVE BOARDS OF SUPERVISORS THE ABILITY TO IMPOSE “SUNSET CLAUSES” ON USE PERMITS.

Virginia Code section 15.2-2309(6) allows Boards of Zoning Appeals (BZA) to grant use permits unless the Board of Supervisors has reserved that right to themselves, which is the case in many localities, including James City County. Virginia Code 15.2-2309(6) states that BZAs may impose duration limits on use permits. The Virginia Code does not explicitly grant that same authority to Boards of Supervisors.

## **Part II. Position/Legislation Supported by the County**

### **1-1 AIRPORT ROAD – RICHMOND ROAD INTERSECTION IMPROVEMENTS**

The County encourages the General Assembly to provide funding to the Virginia Department of Transportation specifically for improvements to the Airport Road – Richmond Road intersection.

### **1-2 IMPACT FEES**

The County encourages the General Assembly to revise existing impact fee laws to encourage the use of statutorily-calculated impact fees in lieu of cash proffers.

### **1-3 PRIMARY DATE**

The County supports changing the primary date from the second to the third Tuesday in June.

### **1-4 NONPARTISAN REDISTRICTING.**

James City County supports nonpartisan redistricting at the state and local levels.

### **1-5 LEGISLATIVE PROGRAMS OF VML/VACO/VIRGINIA COALITION OF HIGH GROWTH COMMUNITIES**

James City County supports the legislative agendas of the Virginia Municipal League, the Virginia Association of Counties, and the Virginia Coalition of High Growth Communities.

### **1-6 STATE FUNDING**

James City County requests that the state adequately fund for local road improvements, tourism, substance abuse and mental health treatment, public education, stormwater local assistance funds (“SLAF” funding), public libraries, next-generation 911, and General Registrars.

### **1-7 EASTERN STATE HOSPITAL SURPLUS PROPERTY**

James City County encourages the Department of General Services, with the cooperation of the Department of Behavioral Health and Developmental Services, to continue to work with the County to identify a site adjacent to the Eastern State Hospital for the location of a new facility for Colonial Behavioral Health, which may or may not include a joint facility with Olde Towne Medical Center.

### **1-8 PENDING/ANTICIPATED LEGISLATION**

James City County encourages the General Assembly to vote against any bills that would abrogate the qualified immunity of police officers and to vote against amending Virginia Code section 24.2-603 to require that polls remain open until 8:00 P.M.



**ITEM SUMMARY**

DATE: 11/10/2020

TO: The Board of Supervisors

FROM: Teresa J. Fellows, Deputy Clerk

SUBJECT: Adjourn until 4 p.m. on November 24, 2020 for the Work Session

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**REVIEWERS:**

| Department      | Reviewer        | Action   | Date                |
|-----------------|-----------------|----------|---------------------|
| Board Secretary | Fellows, Teresa | Approved | 11/3/2020 - 1:26 PM |