

A G E N D A
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 24, 2022
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION

D. CONSENT CALENDAR

1. Appropriation - \$112,800 - COVID-19 Cost Recovery
2. Contract Award - \$370,226 - Warhill Sports Complex Basketball Court Replacement
3. Heritage Humane Society Contract for Animal Shelter Management Services
4. Minutes Adoption
5. Public Housing Agency Plan

E. BOARD DISCUSSIONS

1. Joint Work Session with the Planning Commission: Planning Division Work Program
2. Overview of Open Space Preservation Programs and Update on the Natural and Cultural Assets Plan Effort
3. Building Consolidation Study

F. BOARD CONSIDERATIONS

1. Contract with WJCC Schools and the City of Williamsburg

G. BOARD REQUESTS AND DIRECTIVES

H. REPORTS OF THE COUNTY ADMINISTRATOR

I. CLOSED SESSION

1. Consideration of a personnel matter, the appointment of individuals to County Boards and/or Commissions pursuant to Section 2.2-3711(A)(1) of the Code of Virginia
2. Appointment - Williamsburg Regional Library Board of Trustees
3. Appointment - Economic Development Authority

J. ADJOURNMENT

1. Adjourn until 5 pm on June 14, 2022 for the Regular Meeting

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

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

SUBJECT: Appropriation - \$112,800 - COVID-19 Cost Recovery

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Financial Management	Cochet, Cheryl	Approved	5/6/2022 - 4:19 PM
Publication Management	Pobiak, Amanda	Approved	5/6/2022 - 4:30 PM
Legal Review	Kinsman, Adam	Approved	5/13/2022 - 9:45 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 11:05 AM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 3:48 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:49 PM

MEMORANDUM

DATE: May 24, 2022

TO: The Board of Supervisors

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

SUBJECT: Appropriation - \$112,800 COVID-19 Cost Recovery

The Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) is providing cost recovery during the COVID-19 pandemic. The reimbursement for these costs is 100% federal funding through July 1, 2022.

During Fiscal Year (FY) 2022, James City County has incurred approximately \$112,800 in expenditures related to the COVID-19 health emergency that are eligible for reimbursement from FEMA. These expenditures include approximately \$42,000 in personal protective equipment and \$70,800 in COVID-19 testing supplies. Eligible costs may still be incurred during the remainder of the fiscal year if needs arise, and final amounts for FY2022 reimbursable expenditures will be determined once all eligible expenditures have been paid.

The attached resolution requests the authorization for a flexible budget to appropriate the actual amount of costs (expenditures) and reimbursement (revenue) in the Special Projects/Grants Fund, once the final amounts for FY2022 are determined. A reimbursement request will be submitted by the County to FEMA based on the FY2022 final amounts.

Staff recommends approval of the attached resolution.

SBD/ap
AppropFY22FEMA-mem

Attachment

RESOLUTION

APPROPRIATION - \$112,800 COVID-19 COST RECOVERY

WHEREAS, the Federal Emergency Management Agency (FEMA) through the Virginia Department of Emergency Management (VDEM) is providing cost recovery during the COVID-19 pandemic; and

WHEREAS, James City County incurred approximately \$112,800 in COVID-19 related expenditures during Fiscal Year (FY) 2022 that are eligible for reimbursement; and

WHEREAS, the County will seek reimbursement from FEMA for the total amount of eligible expenditures incurred in FY2022; and

WHEREAS, these claims are reimbursable by the federal government at 100%, through July 1, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the following appropriation in the Special Projects/Grants Fund for purposes described above:

Revenue:

Federal - FEMA

\$112,800 (or actual amount incurred)

Expenditure:

COVID-19 FEMA Costs

\$112,800 (or actual amount incurred)

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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LARSON
SADLER
MCGLENNON

VOTES

AYE NAY ABSTAIN ABSENT

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Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of May, 2022.

AppropFY22FEMA-res

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: John H. Carnifax Jr., Director of Parks and Recreation

SUBJECT: Contract Award - \$370,226 - Warhill Sports Complex Basketball Court Replacement

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Parks & Recreation	Carnifax, John	Approved	5/6/2022 - 12:33 PM
Publication Management	Daniel, Martha	Approved	5/6/2022 - 12:38 PM
Legal Review	Kinsman, Adam	Approved	5/13/2022 - 9:46 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 11:05 AM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 3:48 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:49 PM

MEMORANDUM

DATE: May 24, 2022
TO: The Board of Supervisors
FROM: Alister Perkinson, Parks Administrator
SUBJECT: Contract Award - \$370,226 - Warhill Sports Complex Basketball Court Replacement

A Request for Proposals (RFP) was solicited from qualified firms to provide basketball court replacement services on the existing three basketball courts at the Warhill Sports Complex, per specifications deemed necessary by members of James City County (JCC) General Services and Parks & Recreation. The existing three courts have outlived their useful life and present several maintenance and drainage problems resulting in a poor playing surface.

The following qualified firms submitted proposals to be considered for contract award. In these proposals each firm described their past experience, qualifications, project approach and timeline, court surfacing specifications, and cost of total project.

Firm:
Tennis Court, Inc.
Webb Development, LLC

A team of staff members from JCC General Services and Parks & Recreation evaluated each of the proposals and selected one firm, Tennis Courts, Inc.

Staff recommends approval of the attached resolution awarding a contract to Tennis Courts, Inc.

AP/ap
CA-Wrhl1BBallRepl-mem

Attachment

RESOLUTION

CONTRACT AWARD - \$370,226 - WARHILL SPORTS COMPLEX

BASKETBALL COURT REPLACEMENT

WHEREAS, a Request for Proposals (RFP) has been advertised and evaluated for the Warhill Sports Complex Basketball Court Replacement; and

WHEREAS, two firms submitted proposals and Tennis Courts, Inc. was determined to be the most fully qualified firm that best met James City County Parks & Recreation's needs as defined in the RFP; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the contract award in the amount of \$370,226 to Tennis Courts, Inc. for the Warhill Sports Complex Basketball Court Replacement.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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MCGLENNON

VOTES

AYE NAY ABSTAIN ABSENT

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Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of May, 2022.

CA-WrhlIBallRepl-res

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Bradley Rinehimer, Assistant County Administrator

SUBJECT: Heritage Humane Society Contract for Animal Shelter Management Services

ATTACHMENTS:

	Description	Type
☐	Memorandum	Cover Memo
☐	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 10:21 AM
Board Secretary	Rinehimer, Bradley	Approved	5/16/2022 - 10:25 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 10:28 AM
Publication Management	Daniel, Martha	Approved	5/16/2022 - 10:32 AM
Legal Review	Kinsman, Adam	Approved	5/17/2022 - 3:57 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 4:06 PM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 4:06 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 4:14 PM

MEMORANDUM

DATE: May 24, 2022

TO: The Board of Supervisors

FROM: Bradley J. Rinehimer, Assistant County Administrator

SUBJECT: Heritage Humane Society Contract for Animal Shelter Management Services

Heritage Humane Society (“Heritage”) provides certain animal control functions to the County on a contract basis. The last contract was dated February 15, 2017, and negotiations have been ongoing in order to update the terms. A new contract has been drafted to the satisfaction of the County Attorney, the Financial and Management Services, and Animal Control as well as the Heritage Humane Society. The major updates in the 2022 contract are as follows:

- Contract rate shall be fixed at \$2.00 per County resident as of July 1 of each year;
- County no longer pays 26% of shelter utility costs; and
- Contract term shall initially be five (5) years with an option to renew for five (5) terms of five (5) years each.

The contract shall be effective on July 1, 2022.

I recommend adoption of the attached resolution which authorizes the County Administrator to execute the Heritage Humane Society Contract for Animal Shelter Management Services.

BJR/ap
HHSCntrct22-mem

Attachment

RESOLUTION

HERITAGE HUMANE SOCIETY

CONTRACT FOR ANIMAL SHELTER MANAGEMENT SERVICES

WHEREAS, Heritage Human Society (“Heritage”) provides certain Animal Shelter Management Services to the County under the terms of a contract dated February 15, 2017; and

WHEREAS, the contract has expired; and

WHEREAS, the County and Heritage have drafted an updated contract; and

WHEREAS, the draft contract is amenable to the County and Heritage.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby authorize and direct the County Administrator to sign the new Heritage Humane Society Contract for Animal Shelter Management Services.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of May, 2022.

HHSCntrct22-res

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Minutes Adoption

ATTACHMENTS:

	Description	Type
📎	April 12, 2022 Regular Meeting	Minutes
📎	April 26, 2022 Business Meeting	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 8:13 AM

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 12, 2022
5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:17 p.m. following the James City Service Authority Board of Directors Regular Meeting.

B. ROLL CALL

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

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

Mr. McGlennon noted a Public Hearing was scheduled for Item No. 5, Ford's Village. He further noted the applicant's request to postpone the Public Hearing until the Board's June 14, 2022, Regular Meeting. Mr. McGlennon noted the Public Hearing would be opened at this meeting, but no presentation would be made. He further noted any individuals who had signed up to speak this evening would be allowed to do so, but only one opportunity to speak during the Public Hearing process was allowed. Mr. McGlennon advised speakers may choose to wait in the event of potential revisions to the proposal.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Charlotte Walker, a 4th grade student at J. Blaine Blayton Elementary and a resident of the Stonehouse District

Ms. Sadler gave highlights of Charlotte's interests and activities at school and in the community.

Charlotte led the Board and citizens in the Pledge of Allegiance.

E. PUBLIC COMMENT

1. Ms. Marie Bond, 100 Fairfax Way, addressed the Board noting her comments were for an item not currently on the Board's Agenda. She added that item was in reference to the roundabout survey for the intersection of Route 199 and John Tyler Highway she received. Ms. Bond noted the Virginia Department of Transportation (VDOT) planned to do work in that area. She further noted she represented the Green Spring Garden Club, Inc., which had donated \$25,000 for the plantings in 2008 on both sides of Strawberry Plains Road. Ms. Bond addressed VDOT's incorporation of a turn lane, adding while the turn lane was in the

original plan, VDOT did not plan for it when the Green Spring Garden Club, Inc. completed its plantings. She noted VDOT's removal of one side of plantings. Ms. Bond further noted a 2012 meeting with VDOT, the architect, and James City County, adding the plantings were allowed to be replaced and redone. Ms. Bond expressed her appreciation of that gesture and added the nonprofit club had been working on maintaining area beautification projects for 61 years. She noted the 50 members and 15 associate members of the Green Spring Garden Club, Inc. were unified in their formal stand against the removal of the plantings again. Ms. Bond added the Green Spring Garden Club, Inc. was making a formal declaration it would fight the project. She thanked the Board for its consideration and time.

Mr. McGlennon thanked Ms. Bond and the Green Spring Garden Club, Inc. for the beautification work done.

F. CONSENT CALENDAR

Mr. McGlennon asked if any Board member wished to remove any item from the Consent Calendar.

1. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding How Density is Calculated for Residential Developments

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

2. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding Community Recreation Facilities in Residential Districts

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

3. Initiation of Consideration of Amendments to the Zoning Ordinance to Consider Possible Amendments Regarding the Use List of the General Business District, B-1

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. McGlennon noted Ms. Larson's absence due to a family emergency and extended well wishes in the situation.

G. PUBLIC HEARING(S)

Mr. McGlennon noted Item Nos. 1 and 2 would be addressed together as they were related to the tax rate and next year's budget.

Mr. Stevens noted two items for Public Hearing. He further noted one item addressed the proposed real property tax increase, which was the result of the real property reassessment process. Mr. Stevens stated the second item addressed the County's Fiscal Year (FY) 2023-2024 Biennial Budget. He noted he and Ms. Sharon Day, Director of Financial and Management Services (FMS), would provide a presentation addressing both topics. Mr.

Stevens requested a separate vote on each Public Hearing per State Code. He noted James City County had a two-year budget cycle with FY 2023, the first year of the biennial budget, being the only year where funding was appropriated for spending. Mr. Stevens further noted the second year, FY 2024, served as a plan. Mr. Stevens stated the FY 2023 Proposed Budget was \$233.4 million, which was 4% more than the current year. He highlighted the focal points of service to community, staffing, and community appearance and capital projects in the PowerPoint presentation. Mr. Stevens noted staffing challenges with retention and recruitment. He further noted the staffing impact with the closure of convenience centers, modification of operating hours, closure of a child care site, modification of building inspection schedules, and other factors. Mr. Stevens stated research showed 60% of employees leaving were in the lower pay grades with less than five years of service. He noted over the past two years, hiring and training time had been invested to then lose employees which impacted service delivery. Mr. Stevens further noted the Board of Supervisors approved the minimum hourly pay wage increase from \$9.64 in December 2021 to \$12 in February 2022. He noted after evaluation of vacancies and recruitment for summer employment, discussion ensued on acceleration of the pay increase proposed for the next fiscal year to April 2022. Mr. Stevens further noted that proposal included \$1,500 and a 5% wage increase for employees, adding the minimum hourly wage would rise to \$13.36 or \$28,000 per year for the lowest paid County employee when implemented. Mr. Stevens continued the presentation highlighting new positions, conversions from part-time to full-time positions, and reclassifications and career ladder implementation. He noted comments regarding community appearance improvement for both residents and visitors, adding \$900,000 was included in this year's budget to fund an additional road crew, increased mowing, and litter pick-up. Mr. Stevens noted the ongoing effort also included enlarged lettering for road signs. He continued the presentation highlighting the five-year Capital Improvements Plan (CIP) and its projected needs with one year of approved funding. Mr. Stevens noted some of the five-year CIP funding included parks, building maintenance, large vehicle purchases such as fire apparatus or EMS equipment, the Purchase of Development Rights program, and others. He further noted new items included funding for pre-Kindergarten space, new library space, and an additional 50% more County facility space for employees to serve the community by 2040. Mr. Stevens stated two projects to address this issue included replacement of the General Services complex and renovation of the Social Services Department. He noted these four projects accounted for more than \$85 million added to the five-year CIP which was not included in last year's budget, adding the significance of the need. Mr. Stevens further noted anticipation for an additional significant need within the next 5-10 years. He stated Ms. Day would discuss the proposed budget in detail and the real estate tax assessment.

Ms. Day noted the County's budget was comprised of eight total funds with the General Fund being the main operating fund and the largest fund. She further noted the next most significant fund, the Capital Projects Fund, included capital projects and School Division projects. Ms. Day continued the PowerPoint presentation highlighting the other funds: Debt Service (to pay outstanding debt obligations), in addition to other funds which were used to account for substantial federal and state grants received by the County for use in services for residents. She noted the Interfund Transfer and its designation as a deduction. Ms. Day explained some revenue sources come into one fund, and then transferred to a different fund for expenditure. She cited the Lodging Tax as an example with a 5% tax on County hotels, adding that revenue goes into the General Fund with 3% of that 5% allocated for tourism purposes per a state mandate. Ms. Day explained the money comes into the General Fund, which is then moved to the Tourism Fund where it is spent. She noted the Interfund Transfer line eliminated the duplication. Ms. Day continued the PowerPoint presentation highlighting the total General Fund for FY 2023 Proposed Budget was \$218.2 million which was \$16 million or 7.9% increase over the FY 2022 budget. She noted the FY 2023 Budget proposed no change in the real estate tax rate, but reflected a fee change in the Medic Transport Recover Fee program for resident ambulance service. Ms. Day further noted the fee change aligned with the Medicare and Medicaid reimbursement rates. She highlighted staffing additions in the

presentation. Ms. Day noted the budget challenge regarding the estimated costs to provide services exceeded the actual revenue collections. She further noted requests totaling \$3.4 million were not funded. Ms. Day continued the PowerPoint presentation noting County policy mandated 5% of the annual General Fund revenue be designated for pay-as-you-go funding for capital projects. She noted the mandate was suspended during the pandemic due to the sharp decline in revenue, but the \$5.1 million line item shown represented the County returning to pre-pandemic numbers. Ms. Day cited additional drivers included funding for a general wage increase for staff, funding for initiatives which began in FY 2022, adjustments regarding the Virginia Retirement System evaluation, health benefit adjustments, and other factors. She stated the job reclassifications and career ladders were a more affordable option to address staffing needs. Ms. Day noted increased funding for the County's contribution to the School Division, tourism investment, Williamsburg Regional Library and other outside agencies, and the minimum wage increase from \$9.64 to \$12 per hour. Ms. Day highlighted the 16.25 personnel requests per department, of which 7.75 were funded. She noted each of the 16.25 positions were independently evaluated by Human Resources on the basis of need as well as a benchmark comparison to the County's counterparts. Ms. Day further noted only one of the 16.25 positions was not recommended. She added the remaining 8.5 positions unfunded were across multiple departments. Ms. Day continued noting the shift to the revenue side of the General Fund, which highlighted the majority of the revenue was from real estate and personal property taxes. She added those items comprised approximately 70% of the total budget. Ms. Day highlighted the real estate assessment resulted in an 8.2% overall increase in the total assessed value of real property. She noted this year the National Automobile Dealers Association (NADA) Appraisal Guide, which the County used for personal property assessment, reflected significant increases in vehicular value, particularly used vehicles. Ms. Day further noted the Board of Supervisors had opted to provide tax relief to those impacted the most with the application of an assessment ratio of 75% of the NADA value, which resulted in an overall assessment value reduction of over \$200 million on over 65,000 vehicles in James City County. She added that action resulted in a \$9 million savings to County residents. Ms. Day stated new construction, growth, and development were also included in the General Property Taxes, while the other local taxes included sales, meals, and lodging taxes. She noted these revenues had increased to pre-pandemic levels with the economic recovery. Ms. Day added the Historic Triangle 1% Sales Tax and the Cigarette Tax revenue were both entirely allocated to the County's CIP program, which in turn assisted funding on pay-as-you-go projects and lowered debt on which the County has borrowed. She continued the PowerPoint presentation highlighting other revenue sources, which included licenses, permits, and fees, state revenue, and other sources. Ms. Day noted Parks & Recreation programs were included in this category and with the normal operations and programs resuming, increased costs were expected. She further noted on the expenditure side of the General Fund, the expenditures were broken down by function as represented by County departments. Ms. Day stated the largest portion was for Education in both operations contribution and debt service and capital. She added Public Safety was the second largest category at approximately 15%, adding those two categories combined reflected two-thirds of the total operating budget. Ms. Day noted the remaining one-third covered all the County operations and capital needs. She continued the PowerPoint presentation with a breakdown of costs and the allocation of funds as well as that breakdown to the average homeowner. Ms. Day presented a scenario based on an average home value of \$370,000 at the current County tax rate of \$0.84/\$100 assessed value would equal approximately \$3,100 annual real estate tax. She noted if an equalization were implied or basically remove the reassessment, the rate would drop to \$0.7715/\$100 or \$2,855 annual real estate tax. Ms. Day further noted the difference was then \$253 annually or \$21 monthly. She added the frequent question of how much is one cent on the tax rate, which she said is \$37 per year or \$3.08 per month. Ms. Day continued the PowerPoint presentation highlighting the timeline for the Real Estate Assessment process and the actions at each period. She noted May-June 2021, staff was reviewing commercial properties followed by July-December 2021 when appraisers predominately reviewed residential properties using a variety of tools including the Multiple Listing Service

(MLS) used by real estate agents. Ms. Day further noted appraisers also reviewed individual sales to ensure they were arms-length transactions which indicated a reasonable sale between two people. She added this review removes sales between family members who may made a deal on the transaction. Ms. Day noted in January 2022, appraisers reviewed their peers' assessments as well as reviews by two levels of senior management with the assessment information sent to the vendor in February 2022. She added printing and mailing to residents occurred at this time. Ms. Day stated March 2022 was the period of engagement between the Real Estate staff and property owners for questions and explanation of the methodology used by the appraisers for determining the assessment. She continued noting April 30, 2022, was the deadline to appeal an assessment with the Board of Equalization followed by the Board of Equalization conducting appeal hearings in June 2022. Ms. Day stated the County had over 35,000 parcels and its appraisers had over 20 years' experience and multiple certifications, adding the appraisers were required to complete continuing education annually to be current with both the market and the field. Ms. Day noted the Real Estate Division's phone number was visible at the bottom of the PowerPoint slide, adding residents were encouraged to call with questions. She further noted this timeline also assisted the Commissioner of the Revenue and the Treasurer in finalizing their land book and getting billings in place. Ms. Day stated the most recent reassessment was effective January 1, 2022, with the first payment due December 2022. She noted several upcoming Budget Meetings: Business Meeting on April 26 at 1 p.m., and the Regular Meeting on May 10 at 5 p.m. when the budget is scheduled for adoption. Ms. Day further noted both meetings would be held at the County's Government Center, 101-F Mounts Bay Road. She noted additional resources available on the County's website, jamescitycountyva.gov, where the proposed budget document could be viewed as well as supplemental material and information. Ms. Day further noted the Annual Comprehensive Financial Report and the Disbursement Register (also known as the online checkbook) were also available online.

Ms. Sadler asked if Ms. Day could supply the phone number for the Real Estate Office for individuals with questions or wish to appeal their assessments.

Ms. Day noted the Real Estate Office number was 757-253-6650.

Mr. McGlennon thanked Mr. Stevens and Ms. Day for the presentation.

1. Proposed Real Property Tax Increase

Mr. McGlennon opened the Public Hearing.

1. Mr. Dan Roose, 3292 Reades Way, addressed the Board noting his financial background. He noted 8% inflation, wages, fixed income, and the impact on the community, particularly with the possibility of home foreclosures due to these factors. Mr. Roose referenced the earlier mention of the \$0.84/\$100 and the equalized rate of \$0.7715/\$100 and requested striking a balance between the two amounts. He noted that adjustment would provide revenue to the County while also providing relief to citizens.

2. Ms. Robin Pavlosky, 103 Oxford Circle, addressed the Board recommending a minimum one cent tax rate reduction due to inflation and the ensuing economic issues for citizens locally and nationally.

3. Mr. Ronal Pavlosky, 103 Oxford Circle, addressed the Board regarding his concern on the increased tax rate assessment. He noted individuals on fixed incomes in the current economic climate would welcome assistance, not additional burdens, from elected officials. Mr. Pavlosky requested additional consideration of the rate to assist County residents.

4. Mr. Bruce Beiderman, 9120 Manorwood Way, addressed the Board noting the local area housed many retirees who were impacted by rising costs. He requested a minimum one cent reduction in the tax rate.
5. Mr. Gary Lane, 4247 Old Lock Road, addressed the Board requesting a tax reduction, particularly with rising prices.
6. Ms. Ann Marie Smith, 105 Underwood Road, addressed the Board noting the housing prices, adding eventually the prices would lower. She noted that property taxes, once enacted, rarely were reduced. Ms. Smith requested acceptance of the one cent reduction.
7. Mr. Richard Hanley, 216 Warehams Point, addressed the Board noting the 8% inflation rate, effects of the pandemic, and fixed incomes. He noted his reassessment was 13.1% compared to the average 8.2%. Mr. Hanley requested the \$0.84/\$100 rate be reduced.
8. Mr. Steve Corkran, 133 Greens Way, addressed the Board reiterating the concerns regarding the increased inflation rate and a request for a decreased tax rate to provide relief to citizens.
9. Mr. Jay Everson, 6923 Chancery Lane, addressed the Board requesting a tax rate between \$0.7715 and \$0.84.
10. Mr. Gregory Dries, 6236 Sommerset Lane, addressed the Board reiterating comments from earlier speakers. He urged the Board to reduce the tax rate and not to base the rate on an inflated number. Mr. Dries noted the pressure on fixed incomes and the reality that inflation may continue to rise and the ensuing impacts. He further noted he also encouraged the Board to consider a tax rate lower than \$0.84.
11. Mr. Robert Fryer, 4345 Landfall Drive, addressed the Board noting in comparison to the previously noted 8.2% assessment increase, his neighborhood had seen a 20%-25% assessment increase. He noted the assessments based on the current inflated rates that would probably not be sustainable. Mr. Fryer further noted seeking a fairer average on the assessments.
12. Mr. Curtis Stoldt, 303 Moody's Run, addressed the Board the tax rate in relation to the elevated prices for homes. He cited the increased rate of taxes on his property since 2016, adding sustainability was more difficult for retirees. Mr. Stoldt referenced the State Code in relation to assessments and percentage of the tax rate.
13. Mr. Gilbert Petrina, 4747 Yeardley Loop, addressed the Board in support of his fellow speakers' comments. He requested the tax rate be lowered, particularly closer to the \$0.7715 rate.
14. Mr. Stan Dykstra, 3215 Derby Lane, addressed the Board noting the impact of the recent assessment. He referenced the 2006-2007 real estate bubble and its similarity to the current market. Mr. Dykstra noted his support of a lower tax rate.
15. Mr. Stephen Zebinski, 5133 Ginger Court, addressed the Board in support of a lower tax rate to offset the assessment.
16. Mr. Chris Henderson, 101 Keystone, addressed the Board noting he had been a local real estate broker for almost 40 years. He noted the real estate tax rate's impact on local businesses, adding small businesses were currently stressed. He further noted these small businesses had sought rent relief under the COVID-19 pandemic restrictions. Mr. Henderson noted concern for area businesses such as the Williamsburg Premium Outlets. He further noted

the affordability of homes and impacts on new construction. Mr. Henderson addressed savings for service veterans and seniors moving into the local area.

Mr. McGlennon closed the Public Hearing as there were no additional speakers. He noted no action would be taken on this item at tonight's meeting.

Ms. Sadler requested a comprehensive list of any budgetary items for consideration prior to the Board's next Business Meeting slated for April 26, 2022, which could be applied to reductions in the real estate tax as an inflationary aid to citizens. She noted consideration of the items as needs as opposed to wants. Ms. Sadler further noted no inclusion of personnel or staffing as those needs were already known to the Board.

2. Fiscal Year 2023-2024 County Biennial Budget

Mr. McGlennon opened the Public Hearing on the second item as it related to the budget.

1. Ms. Ann Marie Smith, 105 Underwood Road, addressed the Board noting the projected 50% more space needed by 2040. She asked if hotel space had been considered with shared workspaces or remote working, adding this option had drastically changed the workplace dynamic. Ms. Smith questioned if that percentage was still correct as workspace demand had decreased. She noted she had some questions regarding the fee for medical transport. Ms. Smith further noted the cost of ambulance services for citizens and network contract coverage.

Mr. McGlennon noted answers would be provided to Ms. Smith. He noted the County had the ability to provide ambulance service that should not cost County residents.

Ms. Smith inquired if that was a change from previously.

Mr. McGlennon replied yes, but not the immediate past.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board acknowledging Ms. Sadler's reference to budgetary needs versus wants. He encouraged the Board to review critical needs and avoid discretionary spending for this budget cycle. Mr. Henderson addressed market trends for lumber and construction costs and a possible deferment until a later date. He noted the impact to the real estate tax rate.

Mr. McGlennon closed the Public Hearing as there were no other speakers.

3. Proposed Fiscal Year 2023-2028 Secondary Six-Year Plan

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Tom Leininger, Principal Planner, addressed the Board regarding VDOT's annual compilation of priority projects for the updated Secondary Six-Year Plan (SSYP). He noted the Board worked with VDOT to compile the list of projects for FY23-28. Mr. Leininger further noted the County received annual state and federal allocations which would fund the proposed improvements. He stated the following SSYP projects were recommended by staff for consideration: 1) Croaker Road widening between Richmond Road and the James City County Library from two to four lanes; 2) and 3) Longhill Road Phases II and III which currently had no funding allocation; 4) and 5) Intersection Safety Improvements at Old Stage

Road and Route 30 and Centerville Road and Route 5. Mr. Leininger stated with these two safety improvements as a priority, VDOT could begin allocating SSYP funds for future funding cycles. He noted VDOT utilized a special funding mechanism which provided annual allocations for unpaved roads and bridge replacements. Mr. Leininger further noted Peach Street was identified under the unpaved road category and the Hicks Island Road Bridge was identified under the bridge category. He stated staff recommended adoption of the resolution in the Agenda Packet with the priority list.

Ms. Sadler questioned the location of Old Stage Road and Route 30 or Rochambeau Drive.

Mr. Paul Holt, Director of Community Development and Planning, noted that was a mistake, adding the correct location was Old Stage Road and Rochambeau Drive.

Ms. Sadler noted the location was Old Stage Road and Rochambeau Drive.

Mr. Holt confirmed yes.

Ms. Sadler questioned the work to be done at that location.

Mr. Holt referenced some intermittent replacements based on the Roadway Safety Audit (RSA). He noted those replacements were being evaluated for safety improvement and effectiveness. Mr. Holt further noted following VDOT's evaluation, follow-up with the County would take place regarding a permanent solution to replace the currently existing bollards at the intersection.

Ms. Sadler thanked Mr. Holt for the clarification.

Mr. McGlennon opened the Public Hearing.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board noting difficulties at the intersection of Jamestown Road and Route 199. He noted it had taken four cycles before he had advanced through the intersection, adding the original plan for Route 199 had allowed for an above grade intersection. Mr. Henderson further noted now was the time to complete that step. He added the elimination of any at-grade intersections with Route 199 for planning purposes and the traffic issues in that area.

Mr. McGlennon noted Mr. John Haldeman, representative from the Planning Commission, was present. He expressed his appreciation for Mr. Haldeman's attendance.

Mr. McGlennon closed the Public Hearing as there were no other speakers.

4. LU-20-0002. Eastern State - New Town Addition and LU-20-0003. Eastern State - Mixed Use Community Land Use Designation Changes

Mr. Icenhour made a motion to Defer Consideration of LU-20-0002 and LU-20-0003 for another 12 months from today or until a rezoning application was submitted, whichever comes first, and a request for staff to take the step administratively to go back and modify the language in place to remove the reference to New Town as New Town Parcels A and B were on one side and New Town Parcel C was on the other side. Mr. Icenhour noted maintaining that designation until applicants and their proposals were known. Mr. Icenhour further noted this offered some assurance to New Town residents that this was not a predetermined issue.

Mr. McGlennon asked if Mr. Icenhour's reference was for Eastern State not New Town.

Mr. Icenhour confirmed Eastern State Parcel A and B and Eastern State Parcel C. He requested the removal of the wording for New Town in relation to Parcel C.

Ms. Sadler asked if both requests were part of the motion.

Mr. Icenhour confirmed yes.

Ms. Sadler requested the two items be addressed separately, particularly on the second item since Ms. Larson was absent for comments with relation to the change of the language.

Mr. Icenhour agreed.

A motion for Deferral of 12 months and at the next meeting, discuss the terminology, was made by James Icenhour, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Icenhour thanked the New Town Residential Association (NTRA) for its comprehensive list.

Mr. Thomas Wysong, Senior Planner, addressed the Board citing its July 13, 2021, September 28, 2021, and October 26, 2021, Board Meetings and adoption of the 2045 Comprehensive Plan. He noted in consideration of the Comprehensive Plan, the Board had voted to postpone the two Eastern State Land Use designation change applications for six months or until rezoning applications for the Eastern State properties was submitted. Mr. Wysong further noted no rezoning applications had been received for either land use case. He added staff recommended postponement of both applications for 12 months or until submission of rezoning applications for both properties. Mr. Wysong noted if the Board desired to approve the Land Use Mixed Use designation change to one or both applications, staff recommended the Board approve the draft amendment language to the Land Use section of the adopted 2045 Comprehensive Plan to ensure guidance of private development of the Eastern State parcel.

Mr. McGlennon reopened the Public Hearing.

1. Ms. Mary Cheston, 5178 Rollison Drive, addressed the Board on behalf of the Board of Directors of the NTRA, the homeowners association for approximately 550 homeowners adjacent to the Eastern State property. She noted she was President of the Association. Ms. Cheston further noted the 20-year history of New Town. She requested the Board not vote for either of the Eastern State Land Use proposals. Ms. Cheston stated the NTRA had five requests of the Board with one a long-term request and the other four had been sent via letter. She noted these requests were in addition to the postponement, adding any prospective developers and the public needed a clear direction on the Board's expectations for the new area. Ms. Cheston noted the first request was to have County staff remove all document assumption that linked Parcel C to New Town which encompassed revision of the draft Mixed Use descriptive language and title with a renaming to Eastern State Parcel C. She further noted the applicant had made the change on the application title, but no official changes had been made to the documents. Ms. Cheston noted the second request was no allowance of new road access through the New Town residential community, particularly the cut-through of Olive Drive. She further noted the applicant removed the access following community response, but the application remained unchanged. Ms. Cheston added the cut-through was to be deeded to the Association, but that had not been done. She noted the applicant's responses, but added the County's emergency response needs were unanswered to this point. Ms. Cheston requested a form of official assurance there would be no cut-through. She noted

a request for the development to have a separate community association and not be part of either the New Town Residential or Commercial Association. Ms. Cheston cited the reasons for this request. She noted the fourth request was the County's encouragement for the state to seek other developers. Ms. Cheston noted the last request focused on environmental protection with less density. She further noted the importance of getting this development right regarding Parcel C in relation to New Town.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board referencing the Crossroads Study which had been done approximately 20 years earlier on the Eastern State property. He noted his participation as a stakeholder and the representation of good urban planning as shown in the study. Mr. Henderson further noted residential sensitivity to traffic and noise concerns, but also topographic challenges to Parcel C. He added the affordability component could potentially be addressed here. Mr. Henderson noted the commercial property was well suited for a regional facility. He further noted the location would be better suited for the sports complex that the City of Williamsburg, York County, and James City County were considering due to traffic access. Mr. Henderson stated the property under the County's custodial care and not the state would prove more beneficial for all groups.

Mr. McGlennon closed the Public Hearing as there were no additional speakers.

5. Z-21-0012 and MP-21-0003. Proffer and Master Plan Amendment for the Continuing Care Retirement Facility at Ford's Colony (Ford's Village)

Mr. McGlennon reminded the audience that Item No. 5 had been deferred until June 14, 2022, at the applicant's request. He noted no presentation or staff report would be made.

Mr. McGlennon opened the Public Hearing, adding it would remain open until June 14, 2022. He reminded the audience if anyone chose to speak at this meeting, the opportunity to speak again in June would not be available. He called the registered speakers, Mr. Barrett King and Mr. Craig Hardison, who were unavailable.

1. Mr. Chris Henderson, 101 Keystone, addressed the Board noting he was a Ford's Colony resident, a former Board member of its homeowners association, and former Planning Commission member. He referenced the original proffered Master Plan for the facility and expressed his support of the revised plan, though he favored elimination of the second access point on News Road. Mr. Henderson noted multiple ingress and egress points for these larger facilities particularly with regard to emergency vehicles in addition to relieving traffic congestion. He noted the lack of interconnectivity in local areas. Mr. Henderson encouraged review of the vehicular access points for the plan.

Mr. McGlennon noted there were no additional speakers for this evening's meeting, but the Public Hearing would remain open until June 14, 2022.

6. HW-22-0001. Busch Gardens Height Waiver Extension

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. John Risinger, Planner, addressed the Board noting Mr. Anthony Loubier of Vanasse Hangen Brustlin, Inc., had applied on behalf of SeaWorld Parks & Entertainment, LLC, for a 36-month extension on Height Waiver (HW)-19-0001 due to difficulties faced with the

COVID-19 pandemic. He noted no other changes were proposed. Mr. Risinger cited the specifics of the application.

Mr. McGlennon opened the Public Hearing.

1. Ms. Suzy Cheely, 1 Busch Gardens Boulevard, addressed the Board noting she was the Busch Gardens representative and available for any questions.

Mr. McGlennon asked about the newest ride at Busch Gardens.

Ms. Cheely noted Pantheon, originally slated for 2020, just opened at the park. She further noted postponements on attractions and construction had occurred, thus this extension.

2. Mr. Chris Henderson, 101 Keystone, addressed the Board noting Busch Gardens was a great corporate citizen in the community and the local contributions made by the company. He highlighted the creativity of the organization's seasonally themed events in addition to the spectacular attractions. Mr. Henderson noted the necessary support of the organization.

Mr. McGlennon closed the Public Hearing as there were no additional speakers. He thanked the audience for its attendance.

H. BOARD CONSIDERATION(S)

1. S-21-0072. 7751 Newman Road Family Subdivision

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

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

Ayes: Hipple, Icenhour Jr, McGlennon, Sadler

Absent: Larson

Mr. Wysong addressed the Board on the specifics of this application. He noted the applicants were present for any questions.

I. BOARD REQUESTS AND DIRECTIVES

Absent: Larson

Mr. Icenhour extended his personal appreciation to Mr. Stevens, County Administrator, and Mr. John Camifax, Director of Parks & Recreation, for their assistance with the Vietnam Veterans Ceremony on March 29, 2022. He noted the ceremony was well attended by over 200 people and very successful. Mr. Icenhour acknowledged the oldest veteran, Mr. Charles Yerkes, 99 years old. He noted Mr. Yerkes, a veteran of World War II, the Korean War, and the Vietnam War, using his walker, came forward from the back of the room to receive his commemorative pen and certificate. Mr. Icenhour further noted a round of applause was heard. He thanked everyone in the community for their support.

Mr. McGlennon thanked Mr. Icenhour for the work put into the organization of the event.

Mr. Hipple noted Hampton Roads Transportation Accountability Commission's (HRTAC) Finance team was working on refinancing of projects with HRTAC. He further noted limitations on funding in the current conditions, and while final numbers were unknown, the hope was approximately \$80 million in savings would be available for roads and transportation. Mr. Hipple stated that number could change with interest rates, but he would provide another update later. He noted some projects were able to be refinanced for available money toward transportation.

Mr. McGlennon thanked Mr. Hipple for the update.

Ms. Sadler thanked Mr. Stevens for answering all her calls and budget questions.

Mr. McGlennon congratulated Mr. Stevens, Ms. Day, and County staff for organizing the budget community meeting. He noted the meeting was available on the County's YouTube channel, adding important information was included. Mr. McGlennon commended the Child Abuse Prevention program that had been organized during Child Abuse Prevention Month. He noted the program, which took place March 25, 2022, at the James City County Recreation Center, featured numerous organizations and resources. Mr. McGlennon referenced local areas highlighting the blue pinwheels which designated Child Abuse Prevention Month. Mr. McGlennon noted a Closed Session had been slated for an appointment consideration to the Colonial Behavioral Health Board, but there was a staff recommendation to appoint Mr. Roy Witham, Superintendent of the Virginia Peninsula Regional Jail, for an expired term ending on June 30, 2022. He sought a motion for that appointment.

A motion to Appoint Mr. Roy Witham was made by Sue Sadler, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, McGlennon, Sadler
Absent: Larson

J. REPORTS OF THE COUNTY ADMINISTRATOR

Absent: Larson

Mr. Stevens noted over 29,000 real estate reassessments had been sent out to citizens. He further noted if citizens felt those reassessments were not accurate, contact the Real Estate Division at 757-253-6650. Mr. Stevens stated April 30, 2022, was the deadline to submit an appeal as a reminder to citizens.

K. CLOSED SESSION

Absent: Larson

There was no Closed Session and the appointment was made in Open Session as noted previously in the minutes.

1. Appointment - Colonial Behavioral Health Board

L. ADJOURNMENT

1. Adjourn until 1 pm on April 26, 2022 for the Budget Business Meeting

A motion to Adjourn was made by James Icenhour Jr, the motion result was Passed.
AYES: 4 NAYS: 0 ABSTAIN: 0 ABSENT: 1
Ayes: Hipple, Icenhour Jr, McGlennon, Sadler
Absent: Larson

At approximately 6:44 p.m., Mr. McGlennon adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
April 26, 2022
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

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

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

C. PRESENTATION

1. Proclaiming May 1-7, 2022 as Public Service Recognition Week in James City County

Mr. Stevens cited the Public Service Recognition Proclamation included in the Agenda Packet. Mr. Stevens expressed his gratitude to the Board for allowing recognition of County employees.

Mr. McGlennon thanked Mr. Stevens.

Mr. McGlennon mentioned various County public servants were in attendance, adding he would appreciate it if the Board would take a photo with those public servants in attendance.

2. Proclaiming May 1-7, 2022 as Resilience Week in James City County

Mr. McGlennon cited the Resilience Week Proclamation included in the Agenda Packet.

3. VDOT Project Pipeline

Mr. Chad Tucker, Program Manager of the Virginia Office of Intermodal Planning and Investment, addressed the Board noting for the past six to seven years he had managed the Commonwealth Transportation Board's (CTB) Smart Scale Program. Mr. Tucker mentioned about a year ago CTB requested he initiate the Project Pipeline study program. Mr. Tucker informed the Board he would provide an overview of the program as well as results from the pipeline study conducted along Route 199 on the PowerPoint presentation. Mr. Tucker stated every four years CTB through its Multi-Modal Transportation Plan established priorities and

needs. Mr. Tucker explained the purpose of the Project Pipeline was to provide technical assistance and resources to local governments and regional agencies. Mr. Tucker anticipated streamline project planning and improved project readiness for projects which compete for the Smart Scale program and other funding opportunities. Mr. Tucker noted CTB was able to utilize data sources to create dashboards to expedite diagnosis of issues. Mr. Tucker further noted Route 199 was on a high priority list for the Hampton Roads region, adding that the majority of the Route 199 corridor functions as a limited access roadway. Mr. Tucker explained there were some remaining signals which tended to be choke points, in addition to a few safety challenges. Mr. Tucker touched on CTB's performance-based planning process which was guided by the principles shown on the PowerPoint presentation. Mr. Tucker highlighted the principles: 1) if it is not broken, do not fix it; 2) if you can, prevent breakage from occurring preserve and to protect assets; 3) if it is broken, try fixing; and 4) if all attempts to try and fix the problem did not work, then consider replacement. Mr. Tucker spoke about the Project Pipeline timeline, adding there was a three-phase approach to the study. Mr. Tucker mentioned the Phase No. 1 was to diagnose the cause of the issue(s); Phase No. 2 which was the current phase, was to test, develop alternatives, and solicit feedback; and Phase No. 3 was to work with the local government to select a preferred alternative, identifying an investment strategy, and developing a good cost estimate to allow for funding opportunities. Mr. Tucker stated for this study the recommendation was to continue Phase No. 2 to allow for further public input. Mr. Tucker commented there was an abundance of feedback received from the community advising there were some concerns with the alternatives being considered. Mr. Tucker added once further public input was collected to better understand the concerns then the recommendations would be modified based on the feedback. Mr. Tucker highlighted the Route 199 Study overview on the PowerPoint presentation, adding the study was mainly focused on the areas of John Tyler Highway to the Brookwood Drive intersection with Jamestown Road intersection in the center as shown on the PowerPoint slide. Mr. Tucker stated the VTrans needs in this area focus specifically on improving bicycle access, capacity preservation, congestion mitigation, pedestrian access, and safety improvement. Mr. Tucker mentioned the highest priorities currently were the capacity preservation and safety improvement. Mr. Tucker reported in the past five years there had been approximately 113 injuries from vehicular accidents which had occurred at these three intersections. Mr. Tucker discussed the existing conditions of Route 199 in the three identified intersections indicated on the graph on the PowerPoint slide. Mr. Tucker stated in the AM peak trips the speeds start at over 40 miles per hour and essentially steadily decline throughout the day until after 5 p.m. Mr. Tucker mentioned the goal was to find a solution to allow Route 199 eastbound and westbound to be more efficient and reduce some of the delay. Mr. Tucker spoke about the safety overview, adding he believed a lot of the crashes occur due to the congestion. Mr. Tucker briefly spoke about the queues and signals. Mr. Tucker pinpointed areas of vehicle crashes on a map shown on the PowerPoint slide. Mr. Tucker also referenced angle accidents.

Ms. Larson asked what an angle accident was.

Mr. Tucker explained it was referred to as a T-bone accident.

Ms. Larson thanked Mr. Tucker for the clarification.

Mr. Tucker recognized the Kimley-Horn team which had conducted some of the field review over the past summer-fall timeframe along the Route 199 corridor providing photos of the congestion in multiple areas of the identified three intersections of Route 199 on the PowerPoint. Mr. Tucker presented the current Level of Service and delay data, in addition to what was predicted in the year 2045. Mr. Tucker anticipated as the area continued to grow, the delay would increase. Mr. Tucker mentioned in the past building interchanges was proposed at these signals; however, there had been some public pushback on that based on community impacts. Mr. Tucker noted the recommendations were mainly to improve efficiency

in the existing signalizations. Mr. Tucker spoke about the MetroQuest online survey program, which allowed it to target specific zip codes using social media, adding it was the most effective online survey to date. Mr. Tucker noted community feedback from the completed survey indicated concerns of relocation of some turns and turn restrictions that were being proposed. Mr. Tucker further noted based on the community feedback it was the best course of action to revisit Phase No. 2 to gather more public input to provide an improvement strategy supported by the community. Mr. Tucker anticipated coming back before the Board in four or five months after the additional community outreach data was collected and any revisions to the recommendations were made. Mr. Tucker concluded his presentation and welcomed any questions the Board might have.

Mr. McGlennon stated he had a few questions and indicated he lived in the area in which had access to Brookwood Drive. Mr. McGlennon noted it was the only access point in order to get out of the residential area which included businesses such as: the Williamsburg-James City County Airport, Williamsburg Landing, Williamsburg Winery, and for Laurel Lane Elementary School. Mr. McGlennon inquired about the public comment results Mr. Tucker had received from the survey which was conducted. Mr. McGlennon stated as he read over the online material that there would be a public meeting held, adding he was unaware of any public meeting which was held on this matter.

Mr. Tucker replied there was not a public meeting.

Mr. McGlennon stated right.

Mr. Tucker explained that approximately a year ago when the Project Pipeline initially began there was every intent to conduct a public hearing in Phase No. 1 after the diagnosis process to find out whether the community agreed with the observations and the data collected. However, there was some skepticism whether to have the public engagement in Phase No. 1 or Phase No. 2, adding this was also in the midst of the COVID-19 pandemic. Mr. Tucker expressed he felt this particular study would have benefited from the public engagement in Phase No. 1 as the community could address the performance related concerns and provide feedback on recommendations. Mr. Tucker expressed he felt there were some misunderstandings about what was being proposed at the Brookwood Drive intersection. Mr. Tucker explained there were two proposals which involved a through cut, where it would essentially prohibit the through movement from the side street; however, individuals coming from Brookwood Drive could still make a left or right turn on to Route 199, adding from Route 199 the access to turn left was still available at the intersection. Mr. Tucker mentioned it was the other side of Route 199 which would be prohibited. Mr. Tucker stated there were some variations that restricted left turns on to Route 199; however, the proposal which was being considered was the more traditional through cut which would have only prohibited the through movement across. Mr. Tucker stated the counts received for the through movement across showed little demand opposed to the right and left turn on to Route 199 as Mr. McGlennon mentioned which was the main access point for those communities. Mr. Tucker expressed the difficulty to provide precise detailed information through a survey opposed to an in-person approach to allow visuals and a more detailed understanding of the proposals.

Mr. McGlennon asked if there were also proposals to restrict left-turn lanes on Jamestown Road as well.

Mr. Tucker explained what was being proposed at the Jamestown Road intersection was a bowtie intersection which does not necessarily prohibit the left-turn, but it would relocate how the left-turn would occur.

Mr. McGlennon inquired if the traffic would turn right, go down about a quarter mile and then turn back towards Jamestown Road, adding then wait for the traffic signal to allow to cut

across.

Mr. Tucker replied essentially the proposal was to build a roundabout to the north and south of Jamestown Road. Mr. Tucker indicated in further detail on the map on the PowerPoint slide. Mr. Tucker mentioned this would reduce the number of accidents as well as reduce the traffic light delay for the left-turn. Mr. Tucker mentioned the surrounding communities in that area were opposed to having to go through the intersection twice; however, this method had been used in other states and found beneficial for both congestion and safety purposes. Mr. Tucker reiterated the ability to make a left just in a different manner.

Mr. McGlennon replied you would make a right and then a left.

Mr. Tucker responded you would go straight through and then turn left.

Mr. McGlennon stated he travels Jamestown Road approximately two to three round trips per day through the general area, adding in terms of congestion he believed there was about a half an hour in which the traffic was heavy, which resulted in waiting through two traffic light cycles to proceed. Mr. McGlennon commented in the afternoon, it was sometimes an hour. Mr. McGlennon mentioned he reviewed some of the data provided and the information indicated a 40-second improvement on the through flow traffic; however, those affected by the bowtie intersection would significantly increase their time to reach their destination.

Mr. Tucker replied the 40-second travel time savings was the average per vehicle for all the entering vehicles including the side street traffic. Mr. Tucker mentioned he believed in the peak hour trips there were approximately 5,000-6,000 vehicles entering the intersection, which would allow a 40-second reduced travel time per vehicle based on the simulation. Mr. Tucker noted the time savings may differ based on the approach; however, the average was 40 seconds.

Mr. McGlennon mentioned he had served on this Board for a fair period of time, adding when he first started on the Board, he dealt with issues at Jamestown Road, in addition he was also involved in the decision of widening Route 199. Mr. McGlennon stated there was a clear understanding that the section of Route 199 from John Tyler Highway to the eastern portion of Route 199 would continue to be signalized. Mr. McGlennon expressed his concern with potentially removing signalization.

Mr. Tucker replied all recommended proposals retained the signalizations. Mr. Tucker reiterated in the past there was discussions of building interchanges at these identified intersections. Mr. Tucker stated essentially these were signals along an otherwise limited access road which operated similar to an interstate, adding these signalization areas tend to become a chokepoint. Mr. Tucker mentioned there were ways to allow a traffic signal to operate more efficiently. Mr. Tucker reiterated all proposals presented on the MetroQuest survey retained at-grade access and the signalization, adding the objective was to reduce signal phasing and reduce conflict points to move traffic through more efficiently. Mr. Tucker reiterated based on the community feedback received from the survey that further evaluation was needed.

Mr. McGlennon replied he understood the objective; however, he had concerns with various principles such as increasing speeds at those identified intersections which had various activity including pedestrians, bicyclists, etc.

Mr. Tucker responded the objective was not to increase the speed but decrease delay and allow the existing capacity to operate more efficiently. Mr. Tucker displayed the VTrans slide on the PowerPoint, adding there were opportunities to enhance bicycle access and pedestrian access; however, the main focus currently was on the capacity preservation and safety

improvement components.

Mr. McGlennon asked about the online survey, adding he received a lot of feedback from County residents stating there was not an option on the survey for a no-build option.

Mr. Tucker confirmed it was not an option in this particular survey, adding for future surveys to include a no-build option. Mr. Tucker reiterated revisiting Phase No. 2 to better understand the community's concerns and desires to provide alternative recommendations which were favorable.

Mr. McGlennon mentioned he believed the Board recognized the capacity specifically at Jamestown Road, adding the area was well built out and there was limited opportunity for residential development. Mr. McGlennon expressed the roadways could not support additional traffic. Mr. McGlennon thanked Mr. Tucker for the presentation; however, based on the survey feedback reevaluation of the approach should be considered.

Mr. Tucker replied yes sir.

Ms. Larson expressed the capacity concern on Jamestown Road, adding she traveled this area daily and there were significant congestion concerns. Ms. Larson mentioned the public engagement piece, adding the data indicated improvements were needed. Ms. Larson recommended reevaluation.

Mr. McGlennon asked what response was received from the Williamsburg City Council.

Mr. Tucker replied the feedback was similar. He added the community was in agreement to further engagement opportunities, but there was a lot of nuisance in regard to the proposed recommendations. Mr. Tucker referred to Ms. Larson's point of the public in-person engagement component would have helped provide a better understanding of the proposed recommendations. Mr. Tucker mentioned over the next several months the focus was on in-person public engagement from various homeowners associations and surrounding communities to provide the necessary feedback to provide a more favorable approach to alternative improvements.

Mr. McGlennon thanked Mr. Tucker for the presentation.

D. CONSENT CALENDAR

A question arose pertaining to the number of items on the Consent Calendar.

Mr. Stevens confirmed there were only two items which were indicated on the Agenda Packet.

1. Contract Award - \$833,480 - Replacement Fire Pumper

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

2. Minutes Adoption

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

The Minutes Approved for Adoption included the following meetings:

- March 8, 2022, Regular Meeting
- March 11, 2022, Joint Meeting
- March 12, 2022, Retreat Meeting
- March 22, 2022, Business Meeting

E. BOARD DISCUSSIONS

1. Hampton Roads Alliance Update

Mr. McGlennon welcomed Mr. Douglas Smith, President and CEO of the Hampton Roads Alliance (the Alliance).

Mr. Stevens provided a brief introduction to the Board noting a few years ago there was discussion on joining the Alliance, which at that time the City of Williamsburg, York County, and James City County, as a region chose not to join. Mr. Stevens recognized the continued efforts with the Greater Williamsburg Partnership (GWP). Mr. Stevens mentioned as of December 2021, the decision was made to rejoin the Alliance, adding the participation was incorporated into the budget. Mr. Stevens anticipated following the presentation the Board would be inclined to remain in the partnership, as he felt it had served the community in a positive manner. Mr. Stevens thanked Mr. Smith for the opportunity and for being in attendance.

Mr. Smith addressed the Board to provide a PowerPoint presentation on the organization. Mr. Smith recognized his colleague, Mr. Steve Harrison, Vice President of Business Intelligence and Communications. Mr. Smith acknowledged in the past there were some concerns in terms of the organization; however, the organization had reformed. Mr. Smith mentioned communication was pertinent. Mr. Smith informed the Board that a Vice President was assigned to each community, adding Mr. Harrison was assigned to the County. Mr. Smith discussed the mission of the Alliance was to grow traded-sector jobs in the region, adding the focus was to help grow the businesses already here. Mr. Smith spoke briefly about the vision and values on the PowerPoint presentation. Mr. Smith touched on the changes at the Alliance which included new personnel, new mission model, and new governance. Mr. Smith mentioned the organization used to have a 70-member Board which led to challenges, adding the Board was now a 13-member Board. Mr. Smith briefly recognized the Board members on the PowerPoint presentation. Mr. Smith mentioned there was interest in adding a Board member from the local community to join the Board. Mr. Smith moved on to discuss funding which was 50% public sector funding and 50% private sector funding. Mr. Smith stated the Alliance received approximately \$1.7 million from the private sector. Mr. Smith mentioned interest in businesses locally whom the Alliance should engage with for investment and support purposes. Mr. Smith reported eight companies invested \$100,000 annually to the Alliance, adding the Alliance changed from a 501(c)(6) status to a 501(c)(3) status to aid the investors in tax advantages for contributions. Mr. Smith discussed the Master Agreement for Regional Economic Development, which was a document negotiated by business leaders and city managers, unanimously approved by localities, which outlined obligations and roles of the Alliance and the localities. Mr. Smith recognized his predecessor, Mr. Rick Weddle, who brought in IBM and its site consulting group to study the region, to determine strengths and weaknesses, and operations. Mr. Smith explained the implementation of those recommendations had a positive impact on the Alliance over the past four years. Mr. Smith cited the four headline initiatives from the IBM study on the PowerPoint slide. Mr. Smith expressed the challenge as a region was how do we promote this region. Mr. Smith stated the

Alliance spends \$250,000 annually on this task. Mr. Smith touched on the role of the Alliance which included the following: to market Hampton Roads' business environment and talent, facilitate the decision process for companies considering Hampton Roads, assist existing businesses that are poised for growth, utilize research database to provide relevant, comprehensive, and impactful information to prospects and partners, and engage the region's top leaders to understand key trends and the region's economic competitiveness. Mr. Smith displayed the Master Agreement for Regional Economic Development priority sectors on the PowerPoint, adding Mr. Harrison would touch on that momentarily. Mr. Smith provided a brief overview of the lead generation data, adding the process was to reach out to businesses through different forms of communication, establish a meeting, and finalize the partnership. Mr. Smith mentioned the Alliance relied on the Virginia Economic Development Partnership (VEDP) to assist with leads, adding vast majority of the leads were coming from VEDP; however, the objective was to generate leads without dependency and this year that was achieved. Mr. Smith referred to the PowerPoint slide to indicate the majority of the lead activity was due to the Offshore Wind industry, adding this industry was trending and could potentially become an \$80-\$100 billion industry for the East Coast. Mr. Smith displayed a PowerPoint slide which represented partnerships with various businesses in Hampton Roads. Mr. Smith referred to the Offshore Wind industry as the anticipation was to land the industry here in the Commonwealth of Virginia and apply this instance to alternative industries. Mr. Smith stated the Alliance opened an Offshore Landing, which essentially was a coworking space for these types of companies, adding there were 20 international companies which were members of the Offshore Landing. Mr. Smith spoke briefly about other services offered which included business retention and expansion opportunities, adding localities were reluctant on this particular service, so the Alliance had to ensure a delicate approach to ensure value and success. Mr. Smith recognized Ms. Toi Hunter, Vice President for Business Retention and Expansion, for her continued efforts. Mr. Smith highlighted the development of key business retention and expansion industries on the PowerPoint slide. Mr. Smith advised Mr. Harrison would be discussing the next few slides on the PowerPoint presentation.

Mr. Harrison addressed the Board reiterating his role at the Alliance. Mr. Harrison commented the business intelligence component was focused on research and data. Mr. Harrison noted the Alliance obtained data to determine what makes Hampton Roads a great place to do business, adding traditionally Economic Development organizations would only provide that information to prospects; however, the Alliance wanted this information to be available to partnered localities. Mr. Harrison stated the Alliance had approximately \$50,000 worth of subscriptions to economic impact, workforce, demographics, and software, etc. Mr. Harrison informed the Board the organization offered its services to the County's Economic Development Department in addition to any County government personnel as part of the County's investment. Mr. Harrison discussed the type of data which the organization had access to such as retail, real estate, lease expirations, etc. Mr. Harrison touched on the pertinence of marketing the region as the Hampton Roads brand was unknown. Mr. Harrison noted various discussions with Site Selection consultants and the feedback was that Hampton Roads did not have a negative brand perception; however, it did not have a brand perception whatsoever. Mr. Harrison informed the Board of the current campaign which was "Every Business Needs an Ally", adding this could be customized to accommodate any particular industry. Mr. Harrison displayed a visual representation on the PowerPoint slide which could be modified and sent to C-suite executives for that specific industry. Mr. Harrison mentioned collaborative efforts with magazines, traditionally the Alliance used print ads; however, it had transitioned to using digital advertisements and working with groups such as Site Selection Magazine for beneficial purposes. Mr. Harrison briefly spoke about the Hampton Roads Intelligence Report. Mr. Harrison concluded the PowerPoint presentation and turned it over to Mr. Smith.

Mr. Smith welcomed any questions and/or comments the Board might have.

Mr. McGlennon thanked Mr. Smith and Mr. Harrison for being in attendance, adding he felt the presentation expressed a very passionate view of business development for the Hampton Roads area. Mr. McGlennon noted positive forward movement as well as an understanding of the concerns with a committed attitude to follow through.

Ms. Larson stated she did not have any specific questions; however, she expressed her concerns of the Economic Development challenges, the lack of Board members from the local area, and how the area was identified as a whole. Ms. Larson appreciated the efforts, passion, information, and hoped for collaborative efforts to include successful outcomes.

Mr. Smith mentioned he would provide a number of copies of the Hampton Roads Intelligence Report to the Board for insight and feedback purposes. Mr. Smith requested communication if there were ever any concerns and he would address it.

Ms. Sadler inquired as to the lack of local Board member from this area on the Alliance Board.

Mr. Smith replied the Board was voted in back in the November timeframe; however, he reiterated his earlier statement of the desire to add an additional Board member from this local area but did not want to add several members as the Board wanted to avoid a 70-member Board again.

Ms. Larson commented she was unsure of how anything got accomplished with a 70-member Board.

Ms. Sadler stated 12 was a push.

Mr. Smith requested the Board to consider recommendations for the new Board member.

Ms. Sadler thanked Mr. Smith and Mr. Harrison for being present. Ms. Sadler stated she sensed a positive shift regarding Economic Development. Ms. Sadler reiterated Ms. Larson's point of the challenges pertaining to Economic Development. Ms. Sadler recognized Mr. Christopher Johnson, Director of Economic Development, and his exceptional efforts, in addition to the new outlook the Alliance has presented. Ms. Sadler also expressed her concerns of how the region was identified as a whole, adding she felt a more appropriate term would be beneficial. Ms. Sadler expressed her gratitude for the collaborative efforts, adding the development of the new industrial area in the Stonehouse District would provide great opportunities and to provide a visual representation of what Economic Development looks like. Ms. Sadler thanked Mr. Smith and Mr. Harrison for the encouraging presentation.

Mr. Hipple agreed with the concern of how the region is identified as a whole, adding he desired a term which would encompass all the localities. Mr. Hipple asked if the organization targeted individual localities and classified them into specific categories based on various components to target certain individuals.

Mr. Harrison confirmed yes. Mr. Harrison mentioned a Target Industry Analysis for the City of Williamsburg, York County, and James City County was conducted, adding it came to the same conclusion as the IBM study that was also conducted. Mr. Harrison stated the data received from those studies were then incorporated into the Alliance's Strategic Plan. Mr. Harrison noted a variety of databases were utilized to look at location quotients, adding the organization was currently working on the back end to the website to allow local governments to access this information.

Mr. Hipple expressed his concern of how the quality of an organization could be impactful to the community if the standards did not correspond. Mr. Hipple asked if the organization

offered multiple locations to businesses based on the preferred area to relocate.

Mr. Smith replied he was unsure if that had ever been done; however, the target approach was to revisit the prospects which the organization was unable to secure. Mr. Smith anticipated some further connectivity to better understand the locality's objective, adding a monthly forum was held to allow for discussion opportunities.

Mr. Hipple asked if the organization had any discussion on the increase in violence in the Hampton Roads area. Mr. Hipple expressed the concern of it impacting prospects from relocating to this area.

Mr. Smith replied the Alliance stayed connected through Mr. Bob Crum, Executive Director of Hampton Roads Planning District Commission (HRPDC), as a meeting was held monthly for discussion opportunities; however, as an organization itself there had not been discussions on it. Mr. Smith mentioned it was a very critical issue, amongst other factors such as, affordable housing, education, recycling, etc. which all tie into Economic Development.

Mr. Hipple replied thank you.

Mr. McGlennon expressed the opportunity to identify the community's strengths, adding he felt there were a number of successful Economic Development enterprises in the area such as, Coresix Precision Glass and O-I Glass, which allowed for value and outlets regarding creativity, land availability benefits, and as a locality to benefit from the machinery and tools taxes, resources, etc. Mr. McGlennon stated he looked forward to the collaborative efforts between the County's Economic Development Department and the Alliance to improve growth. Mr. McGlennon noted a consistent trend of Boards not necessarily including representatives from each locality; however, the importance was that the administrative leadership of that organization acknowledged it served a broader community. Mr. McGlennon mentioned a list of Boards as an example. Mr. McGlennon commented there were various factors to consider; however, there may be an opportunity for adjustment.

Mr. Smith recognized Ms. Mary Bunting, City Manager for the City of Hampton, and Board member of the Virginia Resources Authority. Mr. Smith indicated he and Ms. Bunting would host a forum this summer for engagement purposes, adding there was still some uncertainty on how often it would occur; however, he felt it would be beneficial.

2. Business investment Grant Program

Mr. McGlennon welcomed Mr. Christopher Johnson, Director of Economic Development, to the podium.

Mr. Johnson addressed the Board to discuss the proposal of a business investment program for consideration as a result of collaborative discussions with various County departments such as Economic Development, Community Development, and County Administration. Mr. Johnson highlighted various components small businesses and prospects tend to face such as: cost of compliance with County Ordinance codes, policies, potential legislative relief, or seeking funding assistance, etc. Mr. Johnson gave an overview of the memorandum included in the Agenda Packet. Mr. Johnson welcomed any questions the Board might have, adding Mr. Paul Holt, Director of Community Development and Planning, and Mr. Jason Purse, Assistant County Administrator, were involved in the internal discussions and were in attendance for any questions as well.

Ms. Larson stated she did not have any questions; however, she wanted to thank Mr. Johnson

as she felt this was extremely important. Ms. Larson remarked she would like to see more money invested into the program and for this to be an ongoing investment as time moved forward if it were to be approved. Ms. Larson mentioned the vacant spaces for potential businesses could be cost prohibitive. Ms. Larson expressed her support for this program, in addition to recognizing the investment businesses make into the community.

Mr. Johnson replied the figures put into the memorandum were simply an option as there was uncertainty on the exact amount which should be invested; however, upon Board discussion and determination the figures could be modified to the desired amount.

Ms. Sadler asked if the amount invested in the potential program could vary annually based on various factors.

Mr. Johnson replied yes; however, currently a two-year budget was in process of adoption, so this proposal was put together based on that budget, but it could certainly be accommodated.

Ms. Sadler thanked Mr. Johnson.

Mr. McGlennon recommended a set of principles to be implemented for operation purposes. Mr. McGlennon mentioned a prior funding program similar to this proposal focused on Community Character Corridors (CCC) which assisted with visual aesthetics of buildings. Mr. McGlennon stated if the discussion was based on County expectations/requirements that may become challenging. Mr. McGlennon suggested criteria to follow to determine eligibility.

Mr. Stevens stated the proposal was to introduce the idea, adding the intent was to remain competitive with surrounding localities as there were localities providing incentives to small businesses for reinvestment purposes. Mr. Stevens mentioned after discussion with staff, it was confirmed the County did not offer any program to assist with the rehabilitation of an existing site, adding in some cases it may be more cost effective to build a new site opposed to developing an existing site particularly if the intent was to change the use. Mr. Stevens confirmed the focus was on the CCCs and visual aesthetics, adding the County required this to an extent whether it was landscaping, sidewalks, façade improvements, etc. Mr. Stevens stated Mr. Johnson would collaborate with his team to produce a program to bring back before the Board for consideration. Mr. Stevens suggested a small amount be incorporated into the budget, so come July 1, 2022, a program would be presented to the Board and funding would be available.

Mr. McGlennon thanked Mr. Stevens.

3. Fiscal Year 2023-2024 Budget Business Meeting

A motion to reduce the County's tax rate from \$0.84 to \$0.83 and to ask Mr. Stevens to bring a budget reflecting his recommendations of the least impact for the County to achieve this 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

Mr. McGlennon welcomed Ms. Sharon Day, Director of Financial and Management Services (FMS) to the podium.

Ms. Day addressed the Board to discuss the Fiscal Year (FY) 2023-2024 budget. Ms. Day informed the Board FY23 was the only year which the funding was appropriated, adding the FY23 Proposed Budget was \$233.4 million, which was a 4% increase from current year's

budget. Ms. Day indicated the budget focused on three areas which included: 1) exceptional service to the community; 2) staff retention and recruitment; and 3) community appearance and capital needs. Ms. Day touched on the personnel portion of the operating budget. Ms. Day stated the County raised the minimum wage to \$13.36 per hour, adding this was done in a two-phased approach. Ms. Day mentioned funding also included \$1,500 and a 5% wage increase that was implemented in April 2022. Ms. Day indicated funding also created eight new full-time positions, four conversions of part-time to full-time positions, and 35 reclassifications of existing positions. Ms. Day moved on to discuss the capital side of the budget. Ms. Day advised the County restored the pay-as-you-go funding to the Capital Improvements Program (CIP) back to pre-pandemic levels, in addition to allocating 5% of the County's annual revenues to the pay-as-you go funding to reduce the overall debt burden. Ms. Day stated \$85 million was devoted to various County facility space needs which included new buildings and/or renovations to existing buildings. Ms. Day spoke about the General Fund indicating the FY23 Proposed Budget \$218.2 million, which was a 7.9% increase over the current year's budget. Ms. Day added FY23 was a reassessment year resulting in an 8.2% overall increase to total assessed value of real property including both residential and commercial properties. Ms. Day noted there were no proposed changes to the real estate tax rate. Ms. Day reported the County provided tax relief in reference to personal property tax by applying an assessment ratio of 75% to NADA values, adding that was a 25% reduction which ultimately saves the County citizens approximately \$9 million. Ms. Day stated the only fee change was to the Medic Transport Recovery Fees, adding this was to align the County's rates with the Medicare/Medicaid reimbursement rates. Ms. Day mentioned six of the eight new full-time positions created were funded through the General Fund, in addition to four conversions from part-time to full-time, and various reclassifications. Ms. Day remarked the estimated costs to provide the same level of services exceeded the revenue projection, adding there were additional requests primarily in personnel totaling \$3.4 million, which the County was not able to accommodate. Ms. Day provided a brief overview and display of the General Fund revenue summary on the PowerPoint slide. Ms. Day highlighted General Fund expenditure summary indicating 47% was allocated to the Williamsburg-James City School Division to support operations, 15% of the budget was allocated to the Fire Department, Police Department, Emergency Operations and Emergency Management, 16% of the budget was allocated to outside agencies which included the Williamsburg Regional Library (WRL), and non-profit organizations the County funds to provide services to County residents, debt service, and programs that are accounted for in other funds such as Housing and Social Services programs. Ms. Day indicated the remaining 22% of the budget was allocated to all other departments. Ms. Day highlighted important upcoming dates on the PowerPoint presentation.

Mr. Stevens advised that concluded Ms. Day's PowerPoint presentation. Mr. Stevens discussed three handouts which were provided to the Board. Mr. Stevens touched on the first handout which Chairman McGlennon had requested contained updated regional information, adding the handout included the conducted reassessments, current tax rates, and proposed tax changes. Mr. Stevens stated most of the surrounding localities recommended some type of tax rate decrease and the vast majority implemented a tax relief pertaining to personal property tax. Mr. Stevens discussed the bottom portion of the handout which pertained to tax exemptions for senior citizens and the criteria that must be met for eligibility. Mr. Stevens reported over the past five years the County had averaged approximately 500 properties with the total exemption equating to approximately \$474,000 annually. Mr. Stevens addressed a revision on the handout, adding New Kent County had proposed an \$0.11 decrease in revenue-neutral, in addition to a 25% decrease in the assessed value of personal property. Mr. Stevens informed the Board that the second handout was an overview of the \$3.4 million of which could not be funded for informative purposes. Mr. Stevens recognized County departments for their patience and understanding as the County does its best to accommodate requests and needs; however, the extent was based upon what the budget allowed. Mr. Stevens thanked County personnel for their continued efforts and services to the County

citizens. Mr. Stevens provided an overview of the third handout pertaining to the budget reduction consideration for \$0.01 tax rate reduction.

Ms. Sadler requested reiteration on the tax relief for personal property the County had offered.

Mr. Stevens replied the County provided tax relief for personal taxes by applying an assessment ratio of 75% to NADA values, adding that was a 25% reduction which saved County residents approximately \$9 million, Mr. Stevens indicated the statement would be sent out in May and would be due in June. Mr. Stevens expressed he felt that was a significant tax relief.

Ms. Sadler expressed the pertinence of the increased wages for County personnel. Ms. Sadler requested to make the motion to reduce the County's tax rate from \$0.84 to \$0.83 and asked Mr. Stevens to bring a budget reflecting his recommendations of the least impact for the County to achieve this.

Mr. Icenhour asked where the funds would come from in the budget to support the business investment proposal.

Mr. Stevens replied there was \$100,000 in the Capital Building Maintenance Miscellaneous category which was a placeholder as there were some items while at the end of their life cycle; however, were still currently functioning. Mr. Stevens recommended using some of those funds to support the business investment proposal if desired.

Mr. Icenhour asked how the figures were determined for the business investment proposal.

Mr. Stevens replied he and Mr. Johnson felt that was a likely figure; however, it could vary. Mr. Stevens noted if there were six or seven businesses; then the remaining two would potentially rollover to the next year or come before the Board to review the projects. Mr. Stevens explained the funds were simply to assist with the visual aesthetic piece as a goodwill as other localities provide incentives and benefit from that. Mr. Stevens advised he was often asked why the County did not offer any sort of aid to small businesses.

Mr. Icenhour stated he was in support of funding the proposal.

Mr. Hipple inquired about the reasoning for the \$0.11 decrease.

Mr. McGlennon replied the assessment showed a 24% increase, adding that was significant.

Ms. Sadler asked if that was their average increase.

Mr. McGlennon confirmed yes.

Ms. Sadler asked what the County's average was.

Mr. McGlennon replied 8.2%

Mr. Stevens pointed out while most localities were reducing the tax rate, their additional tax increase was significantly greater than the County's.

Mr. Hipple agreed and addressed that for public notification purposes. Mr. Hipple stated he supported the \$0.01 decrease in the tax rate.

Ms. Larson asked Ms. Day if the reimbursement the County received from the state for

Constitutional Officers was a 100%.

Ms. Day replied no, adding it varied depending on the office. Ms. Day stated for instance, in the Treasurer and Commissioner of the Revenue Offices the County received about a 50% reimbursement on the positions which were state funded and were reimbursed at the state salary amount. Ms. Day mentioned there were several positions within the Constitutional Officers which the state does not support and were 100% locally funded. Ms. Day added those positions were above the state's salary amount, so any difference the County was incurring was 100% of the cost.

Ms. Larson asked about the Sheriff's Office.

Ms. Day remarked it was the same scenario; however, the County was reimbursed 100% for the state funded positions and at the state salary amount. Ms. Day stated some positions were 100% locally funded and the Deputies made more than the state salary amount.

Ms. Larson inquired on future tax increases and projections for evaluation purposes.

Ms. Sadler added the next reassessments may also play a vital role in the evaluation process.

Ms. Day replied there was an abundance of speculation on this subject. Ms. Day mentioned several of the jurisdictions receiving significant increases assess annually and continue to have higher percentages than the County. Ms. Day indicated that the County reassessed every two years, adding there was a lot of speculation that this unrealized gain would be much smaller in the next reassessment period which would impact the generated revenue in real estate taxes. Ms. Day noted uncertainty regarding personal property tax and whether the values would decrease. Ms. Day further noted the inflation concerns and the impact to the CIPs for both the County and the School Division. Ms. Day advised FMS offered a 5-year summary in the budget for what is known currently; however, those CIP decisions will impact those figures and the uncertainty of what may happen in the housing market was a significant factor.

Ms. Larson replied right.

Mr. Stevens added after review of assessed values across the peninsula, he felt that the County real property values in terms of the assessments were undervalued. Mr. Stevens remarked most of the residents he had heard concerns from were addressing the tax increase, not the value increase. Mr. Stevens stated he spoke with the Real Estate Department and there were only three County residents which appealed the decision of the reassessment value to the Board of Equalization. Mr. Stevens mentioned various discussions with Ms. Day to provide staff with updated data and resources to help bring the County closer to market level values. Mr. Stevens noted if the housing market simply stabilized within the next two-year period and not take a sharp correction that the County may generate enough revenue to continue forward in the next two-year reassessment; however, there was still uncertainty regarding the economy. Mr. Stevens expressed he felt the County real property values were at a safe level if there was a sharp correction in the housing market.

Ms. Larson replied thank you.

Mr. McGlennon explained the calculation for the 75% NADA assessment ratio which equates to a \$130 savings. Mr. McGlennon moved on to discuss the savings in terms of the \$0.01 decrease in the tax rate which equates to \$30 annually. Mr. McGlennon expressed his concern of the tax rate relief due to the uncertainty of potential impacts associated with the decision.

Ms. Larson requested to ask Ms. Day two follow-up questions.

Mr. McGlennon replied yes.

Ms. Larson asked if the County acted too abruptly on the tax relief in relation to the personal property tax.

Ms. Day replied that may be a better question for Mr. Stevens; however, from a financial standpoint based on her discussions with Mr. Richard Bradshaw, Commissioner of the Revenue, who requested the adjustment to ensure it would be effective on the June statement. Ms. Day added Mr. Bradshaw had sufficient preliminary information from NADA to validate his decision.

Ms. Larson asked what measures the County would take if the tax rate decreased \$0.01 and then the possibility of the grocery tax being eliminated.

Ms. Day replied if the grocery tax were to be eliminated the direct loss of revenue to the County not including the School Division would be approximately \$2 million, adding that was a state estimate; however, that figure seemed rational based on information provided from the Commissioner of the Revenue Office. Ms. Day noted the potential of revisiting budget reductions or if a different approach was desired. Ms. Day further noted the long-term impact to the budget, unless there was further action from the General Assembly. Ms. Day mentioned the speculation was the first year would not be impactful; however, as time moved forward there was uncertainty in the effect it would have on the County, the possibility of additional tax relief in the future, and the uncertainty of the impact to the School Division as there was a possibility the School Division would seek assistance from the County to make up that difference.

Ms. Larson replied thank you.

F. BOARD CONSIDERATION(S)

None.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour requested verbiage revision in the 2045 Comprehensive Plan pertaining to Land Use in relation to the Eastern State terminology specifically referring to the Eastern State - New Town language. Mr. Icenhour requested the Planning Department, revise the language to Eastern State Parcel C.

Ms. Sadler requested further discussion at a future meeting.

Mr. Stevens replied he would ensure the request was executed. Mr. Stevens stated the Board could choose to vote or not vote.

Mr. Hipple expressed his concern with a letter received from the Firefighter Union and some of the content in the letter. Mr. Hipple remarked in the letter from the Firefighter Union it requested donations, adding he wanted the public to be aware if donations were made to the Firefighter Union, the donations would not go to the local firefighters in the field. Mr. Hipple stated in the upper end of the County, there was a Volunteer Fire Department, which sent out letters for donation purposes, adding his concern was that citizens may get confused as to where their donations may be going.

Ms. Sadler asked if Mr. Hipple knew when the County Volunteer Fire Department would be sending its letter out.

Mr. Hipple replied he was unsure.

Ms. Sadler asked if the donations made to the County Volunteer Fire Department went directly to the volunteer firefighters.

Mr. Hipple confirmed yes.

Ms. Sadler inquired as to where the donations went in reference to the Firefighter Union.

Mr. Hipple replied he was uncertain of that; however, the donations made to the County Volunteer Fire Department went to supplies, equipment, etc.

Ms. Larson mentioned she attended the Greater Williamsburg Chamber of Commerce Post-Legislative forum last week with Chairman McGlennon and Mr. Stevens indicating it was very informative. Ms. Larson stated she attended the eXp Realty grand opening on Friday evening. Ms. Larson added she and Mr. Stevens attended the Habitat for Humanity ReStore business after hours last week. Ms. Larson stated she attended a Jamestown Rediscovery tour with Mr. McGlennon expressing it was very informative and fascinating. Ms. Larson stated there were some concerns with potential climate change and flooding at Jamestown Settlement, adding Mr. Stevens was working to address these concerns. Ms. Larson thanked the Board for its support due to her absence last meeting.

Mr. Hipple inquired if there was an agreement with Dominion Energy in reference to protecting the coast and funding some of those efforts.

Ms. Larson replied she was unsure; however, she would try and find out. Ms. Larson commented the corrections would be very costly.

Mr. Hipple recalled in the negotiating process with Dominion Energy that was one of the criteria in the agreement.

Mr. McGlennon stated he believed there were funds to promote tourism sites; however, he was unsure of the funding to that aspect.

Mr. Hipple replied he thought it was shoreline protection, adding he felt that should be checked into to validate.

Mr. Stevens confirmed he would investigate.

Ms. Sadler stated the following meetings were not held for the Virginia Peninsula Regional Jail Board and the Agricultural and Forestal District (AFD) Advisory Committee. Ms. Sadler mentioned she attended an Economic Development Authority (EDA) meeting, adding the Board approved a Community Development Block Grant for \$700,000 in March. Ms. Sadler remarked the grant program went live Friday, April 22, adding funding requests of over \$250,000 had been received.

Mr. McGlennon stated on Saturday, April 23, he attended an Earth/Arbor Day Tree Planting Ceremony at Freedom Park. Mr. McGlennon recognized the combined efforts of the Master Gardeners of James City County, Tree Stewards, and the James City Clean County Commission, which resulted in the planting of two American Chestnut trees. Mr. McGlennon remarked it was a nicely presented and a well-attended event.

Mr. McGlennon stated the Board was slated for a Closed Session; however, after consulting with the Board members it was determined the actions would take place in an Open Session pertaining to the Parks and Recreation Advisory Commission.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens provided a brief overview of the eligibility criteria for the COVID-19 Small Business Relief Program, adding information was available on the County's website and/or call 757-253-6607. Mr. Stevens anticipated all funds to be allocated in effort to support the County's small businesses. Mr. Stevens commended staff for seeking the funds and initiating the program. Mr. Stevens indicated the second topic of discussion he would turn over to Mr. Kinsman for the introduction.

Mr. Kinsman introduced Mr. Josh Everard, Assistant County Attorney, in the audience. Mr. Kinsman informed the Board Mr. Everard started last Monday, April 18. Mr. Kinsman briefly spoke about Mr. Everard's qualifications.

The Board welcomed Mr. Everard.

I. CLOSED SESSION

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

A motion to Appoint Mr. Ivan Tabb to the Parks and Recreation Advisory Commission for a term to expire April 12, 2026, 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

A motion to Appoint Ms. Linda Knight to the Parks and Recreation Advisory Commission for a term to expire April 12, 2026, 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

A motion to Appoint Mr. Scott VanVorhees to the Parks and Recreation Advisory Commission for a term to expire April 12, 2026, 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

A motion to Appoint Mr. Larry Walk, Sr. to the Parks and Recreation Advisory Commission for a term to expire April 12, 2026, 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

J. ADJOURNMENT

1. Adjourn until 5 pm on May 10, 2022 for the Regular Meeting

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 3:18 p.m., Mr. McGlennon adjourned the Board of Supervisors.

ITEM SUMMARY

DATE: 5/10/2022

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Housing Choice Voucher Program 5 Year Plan Renewal

ATTACHMENTS:

	Description	Type
☐	Memo - Public Housing Agency Plan	Cover Memo
☐	Resolution - Public Housing Agency Plan	Resolution
☐	Backup Material - Draft Plan	Backup Material
☐	Backup Material - 45 Day Notice (VA Gazette)	Backup Material
☐	Backup Material - Local Advertisement (VA Gazette)	Backup Material
☐	Backup Material - Certification of Consistency (State)	Backup Material
☐	Backup Material - Certification of Compliance (Local)	Backup Material
☐	Backup Material - Civil Rights Certification (Local)	Backup Material

REVIEWERS:

Department	Reviewer	Action	Date
Social Services	Vinroot, Rebecca	Approved	5/10/2022 - 4:16 PM
Publication Management	Pobiak, Amanda	Approved	5/10/2022 - 4:22 PM
Legal Review	Kinsman, Adam	Approved	5/13/2022 - 9:46 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 11:07 AM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 3:49 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:50 PM

MEMORANDUM

DATE: May 24, 2022

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Public Housing Agency Plan Section 8 Housing Choice Voucher Program

The James City County Office of Housing is the designated Public Housing Agency (PHA) responsible for operation of the Section 8 Housing Choice Voucher Program within James City County. As a High Performing agency, the Housing Office has prepared the required PHA 5-Year Plan for Fiscal Years 2022-2026 ("PHA Plan"). The PHA Plan includes information required by the United States Department of Housing and Urban Development (HUD) regulations, including the agency's mission, goals, and objectives, as well as information regarding the Housing Office's current Section 8 Housing Choice Voucher programs and policies.

Staff has prepared the PHA Plan, provided opportunities for public review and comment, and have submitted the Plan to the Virginia Department of Housing and Community Development (VDHCD) for certification that the PHA Plan is consistent with the Consolidated Plan of the Commonwealth of Virginia.

Staff therefore recommends that the Board of Supervisors adopt the attached resolution to authorize submission of the PHA Plan to HUD and to authorize the Chairman to execute the attached PHA Certifications of Compliance with the PHA Plans and Related Regulations.

RV/md
Sec8HCVP-PHAPlan-mem

Attachment

RESOLUTION

PUBLIC HOUSING AGENCY PLAN

SECTION 8 HOUSING CHOICE VOUCHER PROGRAM

WHEREAS, the James City County Office of Housing is designated as the Public Housing Agency (PHA), VA041, authorized to operate the Section 8 Housing Choice Voucher Program within James City County; and

WHEREAS, the Quality Housing and Work Responsibility Act of 1998 (QHWRA), section 511, created the requirement for submission of PHA plans - a Five-Year and an Annual Plan; and

WHEREAS, the Office of Housing and Community Development has prepared the 5-Year PHA Plan for Fiscal Years 2022-2026 ("PHA Plan") and provided opportunities for public review and comment in accordance with the United States Department of Housing and Urban Development (HUD) regulations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the submission of the PHA Plan to HUD and authorizes the Chairman of the Board of Supervisors to execute the PHA Certifications of Compliance with the PHA Plans and Related Regulations form effective May 24, 2022.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 24th day of May, 2022.

Sec8HCVP-PHAPlan-res

5-Year PHA Plan (for All PHAs)	U.S. Department of Housing and Urban Development Office of Public and Indian Housing	OMB No. 2577-0226 Expires: 03/31/2024
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Purpose. The 5-Year and Annual PHA Plans provide a ready source for interested parties to locate basic PHA policies, rules, and requirements concerning the PHA’s operations, programs, and services, and informs HUD, families served by the PHA, and members of the public of the PHA’s mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families

Applicability. The **Form HUD-50075-5Y** is to be completed once every 5 PHA fiscal years by all PHAs.

A.	PHA Information.																									
A.1	<div> <div> PHA Name: <u>James City County</u> </div> <div> PHA Code: <u>VA041</u> </div> </div> <div> PHA Plan for Fiscal Year Beginning: <u>07/1/2022</u> The Five-Year Period of the Plan (i.e. 2019-2023): 2023-2027 PHA Plan Submission Type: <input checked="" type="checkbox"/> 5-Year Plan Submission <input type="checkbox"/> Revised 5-Year Plan Submission </div> <p>Availability of Information. In addition to the items listed in this form, PHAs must have the elements listed below readily available to the public. A PHA must identify the specific location(s) where the proposed PHA Plan, PHA Plan Elements, and all information relevant to the public hearing and proposed PHA Plan are available for inspection by the public. Additionally, the PHA must provide information on how the public may reasonably obtain additional information on the PHA policies contained in the standard Annual Plan, but excluded from their streamlined submissions. At a minimum, PHAs must post PHA Plans, including updates, at each Asset Management Project (AMP) and main office or central office of the PHA. PHAs are strongly encouraged to post complete PHA Plans on their official websites. PHAs are also encouraged to provide each resident council a copy of their PHA Plans.</p> <ul style="list-style-type: none"> The proposed plan was submitted to the Department of Housing and Community Development for review and to confirm consistency with the State Consolidated Plan. The Plan was made available for review by the public for 45 days at the following locations: James City County Housing Office – 5320 Palmer Lane Suite 1A, Williamsburg, VA 23188 <div> <input type="checkbox"/> PHA Consortia: (Check box if submitting a Joint PHA Plan and complete table below.) </div> <table border="1"> <tr> <th rowspan="2">Participating PHAs</th> <th rowspan="2">PHA Code</th> <th rowspan="2">Program(s) in the Consortia</th> <th rowspan="2">Program(s) not in the Consortia</th> <th colspan="2">No. of Units in Each Program</th> </tr> <tr> <th>PH</th> <th>HCV</th> </tr> <tr> <td>Lead PHA:</td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>						Participating PHAs	PHA Code	Program(s) in the Consortia	Program(s) not in the Consortia	No. of Units in Each Program		PH	HCV	Lead PHA:											
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Lead PHA:																										
B.	Plan Elements. Required for <u>all</u> PHAs completing this form.																									
B.1	<div> Mission. State the PHA’s mission for serving the needs of low-income, very low-income, and extremely low-income families in the PHA’s jurisdiction for the next five years. </div> <ul style="list-style-type: none"> The mission of James City County’s Public Housing Agency (PHA) is to promote and support the provision of affordable, decent, safe, and sanitary housing for all county residents and to upgrade housing conditions in low and moderate income neighborhoods. 																									

B.2	<p>Goals and Objectives. Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low-income, very low-income, and extremely low-income families for the next five years.</p> <ol style="list-style-type: none"> 1. Improve the quality of assisted housing. 2. Increase assisted housing choices. Provide voucher mobility, counseling, and conduct outreach efforts to potential voucher landlords. 3. Maintain High Performing Agency status (SEMAP score) through careful compliance monitoring & data collection practices. 4. Promote self-sufficiency and asset development of assisted households. Increase the number of HCV program participants who participate in the FSS program. 5. Provide or attract supportive housing services to increase independence for the elderly or families with disabilities. 6. Maintain IT resources to provide consistent and efficient program management and streamlined services to program participants.
B.3	<p>Progress Report. Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5-Year Plan.</p> <ol style="list-style-type: none"> 1. James City County established a Local Housing Voucher pilot program in 2022 to improve opportunities for Low Income families whose income exceeds Section 8 eligibility and do not qualify for Section 8. 2. By providing counseling to voucher holders considering moves to other jurisdictions and periodically giving presentations at meetings of local landlords on being/becoming a Section 8 landlord, more/improved assisted housing options are available for voucher holders. 3. James City County continues to meet and maintain its goals by consistently achieving high SEMAP scores and maintaining the PHA's record as a high performing agency. 4. Continued to graduate and enroll participants in the Family Self-Sufficiency program. Continued to maintain 15 active participants and Program Coordinator to administer the program. 5. James City County added 2 Special Purpose Voucher types to the PHA. In 2020 the PHA added 26 Mainstream vouchers and in 2022 the PHA added 10 SRAP (I/DD) vouchers. 6. Reduced number of clients on the waiting list and successfully completed all requirements necessary to move to an online waiting list to make applying more convenient and accessible to a larger population.
B.4	<p>Violence Against Women Act (VAWA) Goals. Provide a statement of the PHA's goals, activities, objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking.</p> <p>Violence Against Women Act (VAWA) Goals 7/1/2022 Notification to Participants regarding Violence Against Women Act, Public Law 109-162.</p> <ul style="list-style-type: none"> • The PHA will provide all participants with notification of their protections and rights under VAWA at the time of admission and at annual reexamination. • The PHA will also include in all assistance termination notices a statement explaining assistance termination protection provided by VAWA. <p>Notification of Applicants regarding Violence Against Women Act, Public Law 109-162.</p> <ul style="list-style-type: none"> • The PHA will provide all applicants with information about VAWA at the time they request an application for housing assistance, as part of the written briefing packet, and at the time the family is admitted to the program. • The PHA will provide all participants with information about VAWA at the time of admission (see section 5-I.B) and at annual reexamination. • The PHA will also include in all notices of denial a statement explaining the protection against denial provided by VAWA. • This information is also included in the Agency's Admin Plan on pages 338-360 and on the Housing webpage at https://jamecitycountyva.gov/DocumentCenter/View/24643/2020-Approved-Housing-Choice-Voucher-Administrative-Plan-PDF
C.	<p>Other Document and/or Certification Requirements.</p>
C.1	<p>Significant Amendment or Modification. Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan.</p> <ul style="list-style-type: none"> • The James City County Office of Housing shall define "significant amendment" or "modification" as: (1) revision to rent or admissions policies or the organization of the waiting list, and (2) any change with regard to homeownership programs. At this time no Significant Amendments or Modifications are planned or anticipated.
C.2	<p>Resident Advisory Board (RAB) Comments.</p> <p>(a) Did the RAB(s) have comments to the 5-Year PHA Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, comments must be submitted by the PHA as an attachment to the 5-Year PHA Plan. PHAs must also include a narrative describing their analysis of the RAB recommendations and the decisions made on these recommendations.</p>

C.3	<p>Certification by State or Local Officials.</p> <p>Form HUD-50077-SL, <i>Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan</i>, must be submitted by the PHA as an electronic attachment to the PHA Plan.</p> <p>The signed form has been received and will be included with the final submission of the 5 Year Plan.</p>
C.4	<p>Required Submission for HUD FO Review.</p> <p>(a) Did the public challenge any elements of the Plan?</p> <p>Y N <input type="checkbox"/> <input checked="" type="checkbox"/></p> <p>(b) If yes, include Challenged Elements.</p>

D.	Affirmatively Furthering Fair Housing (AFFH).						
D.1	<p>Affirmatively Furthering Fair Housing. (Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)</p> <p>Provide a statement of the PHA's strategies and actions to achieve fair housing goals outlined in an accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5). Use the chart provided below. (PHAs should add as many goals as necessary to overcome fair housing issues and contributing factors.) Until such time as the PHA is required to submit an AFH, the PHA is not obligated to complete this chart. The PHA will fulfill, nevertheless, the requirements at 24 CFR § 903.7(o) enacted prior to August 17, 2015. See Instructions for further detail on completing this item.</p> <table border="1" data-bbox="215 539 1471 921"> <tr> <td data-bbox="215 539 1471 581">Fair Housing Goal: Increase Housing Opportunities to Disadvantaged Populations</td></tr> <tr> <td data-bbox="215 581 1471 921"> <p><u><i>Describe fair housing strategies and actions to achieve the goal</i></u></p> <ol style="list-style-type: none"> Added 10 HUD VASH (Homeless Veteran) housing vouchers to provide rental assistance combined with case management and clinical services in collaboration with the Hampton Department of Veterans Affairs Medical Center. Added 26 Mainstream (Non-elderly/disabled) housing vouchers to provide rental assistance combined with case management services in collaboration with local and nonprofit housing providers to those previously homeless and exiting an institution, in permanent supportive housing or rapid rehousing programs. 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PHA staff organized Fair Housing workshops in collaboration with Housing Opportunities Made Equal (HOME) to inform tenants of their rights as renters. PHA staff organized a Landlord Appreciation breakfast to celebrate the participation of local landlords in support of the Section 8/Housing Choice Voucher program. 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Instructions for Preparation of Form HUD-50075-5Y - 5-Year PHA Plan for All PHAs

A. PHA Information. All PHAs must complete this section. (24 CFR § 903.4)

- A.1** Include the full **PHA Name**, **PHA Code**, **PHA Fiscal Year Beginning** (MM/YYYY), **Five-Year Period** that the Plan covers, i.e. 2019-2023, **PHA Plan Submission Type**, and the **Availability of Information**, specific location(s) of all information relevant to the hearing and proposed PHA Plan.

PHA Consortia: Check box if submitting a Joint PHA Plan and complete the table.

B. Plan Elements.

- B.1 Mission.** State the PHA's mission for serving the needs of low- income, very low- income, and extremely low- income families in the PHA's jurisdiction for the next five years. (24 CFR § 903.6(a)(1))
- B.2 Goals and Objectives.** Identify the PHA's quantifiable goals and objectives that will enable the PHA to serve the needs of low- income, very low- income, and extremely low- income families for the next five years. (24 CFR § 903.6(b)(1))
- B.3 Progress Report.** Include a report on the progress the PHA has made in meeting the goals and objectives described in the previous 5- Year Plan. (24 CFR § 903.6(b)(2))
- B.4 Violence Against Women Act (VAWA) Goals.** Provide a statement of the PHA's goals, activities objectives, policies, or programs that will enable the PHA to serve the needs of child and adult victims of domestic violence, dating violence, sexual assault, or stalking. (24 CFR § 903.6(a)(3)).

C. Other Document and/or Certification Requirements.

- C.1 Significant Amendment or Modification.** Provide a statement on the criteria used for determining a significant amendment or modification to the 5-Year Plan. For modifications resulting from the Rental Assistance Demonstration (RAD) program, refer to the 'Sample PHA Plan Amendment' found in Notice PIH-2012-32, REV 2.

C.2 Resident Advisory Board (RAB) comments.

- (a) Did the public or RAB have comments?
- (b) If yes, submit comments as an attachment to the Plan and describe the analysis of the comments and the PHA's decision made on these recommendations. (24 CFR § 903.17(b), 24 CFR § 903.19)

C.3 Certification by State or Local Officials.

[Form HUD-50077-SL](#), *Certification by State or Local Officials of PHA Plans Consistency with the Consolidated Plan*, must be submitted by the PHA as an electronic attachment to the PHA Plan.

C.4 Required Submission for HUD FO Review.

Challenged Elements.

- (a) Did the public challenge any elements of the Plan?
- (b) If yes, include such information as an attachment to the Annual PHA Plan or 5-Year PHA Plan with a description of any challenges to Plan elements, the source of the challenge, and the PHA's response to the public.

D. Affirmatively Furthering Fair Housing.

(Non-qualified PHAs are only required to complete this section on the Annual PHA Plan. All qualified PHAs must complete this section.)

D.1 Affirmatively Furthering Fair Housing. The PHA will use the answer blocks in item D.1 to provide a statement of its strategies and actions to implement each fair housing goal outlined in its accepted Assessment of Fair Housing (AFH) consistent with 24 CFR § 5.154(d)(5) that states, in relevant part: "To implement goals and priorities in an AFH, strategies and actions shall be included in program participants' ... PHA Plans (including any plans incorporated therein) Strategies and actions must affirmatively further fair housing" Use the chart provided to specify each fair housing goal from the PHA's AFH for which the PHA is the responsible program participant – whether the AFH was prepared solely by the PHA, jointly with one or more other PHAs, or in collaboration with a state or local jurisdiction – and specify the fair housing strategies and actions to be implemented by the PHA during the period covered by this PHA Plan. If there are more than three fair housing goals, add answer blocks as necessary.

Until such time as the PHA is required to submit an AFH, the PHA will not have to complete section D.; nevertheless, the PHA will address its obligation to affirmatively further fair housing in part by fulfilling the requirements at 24 CFR 903.7(o)(3) enacted prior to August 17, 2015, which means that it examines its own programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintain records reflecting these analyses and actions. Furthermore, under Section 5A(d)(15) of the U.S. Housing Act of 1937, as amended, a PHA must submit a civil rights certification with its Annual PHA Plan, which is described at 24 CFR 903.7(o)(1) except for qualified PHAs who submit the Form HUD-50077-CR as a standalone document.

This information collection is authorized by Section 511 of the Quality Housing and Work Responsibility Act, which added a new section 5A to the U.S. Housing Act of 1937, as amended, which introduced the 5-Year PHA Plan. The 5-Year PHA Plan provides the PHA's mission, goals and objectives for serving the needs of low- income, very low- income, and extremely low- income families and the progress made in meeting the goals and objectives described in the previous 5-Year Plan.

Public reporting burden for this information collection is estimated to average 1.64 hours per year per response or 8.2 hours per response every five years, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Privacy Act Notice. The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality.

Order ID: 7169548

* Agency Commission not included

GROSS PRICE * : \$128.30**PACKAGE NAME:** VG Legal Notices

Product(s): Virginia Gazette, vagazette_VApublicnotices.com**AdSize(s):** 1 Column**Run Date(s):** Wednesday, March 16, 2022**Zone:** Full Run**Color Spec.** 4C

Preview

**Section 8 Housing Choice
Voucher Program
Scheduled Public Meeting**

James City County will hold a public meeting on Monday, 5/2/22 at 4:00 p.m. at the James City County Office of Housing located at 5320 Palmer Lane, Suite 1A, Williamsburg, Virginia 23188 to solicit public input on the Public Housing Agency 5-Year and Annual Plan for Section 8 Housing Choice Voucher program administration. Housing Choice Voucher participants and applicants are encouraged to attend. The proposed 5-Year and Annual Plan will be available for review for 45 days beginning on March 15, 2022 in the James City County Office Of Housing, 5320 Palmer Lane, Suite 1A, Williamsburg Virginia 23188, and on the Housing page of the County website at <http://www.jamescitycountyva.gov/282/Rental-Assistance>.

For additional information contact Keith Denny, (757) 259-5349.

3/16/2022 7169548

AUTOMOTIVE

THE
VIRGINIA
GAZETTE

Public Hearing

**Section 8 Housing Choice
Voucher Program****Scheduled Public Meeting**

James City County will hold a public meeting on Monday, 5/2/22 at 4:00 p.m. at the James City County Office of Housing located at 5320 Palmer Lane,

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encouraged to attend. The proposed 5-Year and Annual Plan will be available for review for 45 days beginning on March 15, 2022 in the James City County Office Of Housing, 5320 Palmer Lane, Suite 1A, Williamsburg Virginia 23188, and on the Housing page of the County website at <http://www.jamescitycountyva.gov/282/Rental-Assistance>.

For additional information contact Keith Denny, (757) 259-5349.

3/16/2022 7169548

**Certification by State or Local
Official of PHA Plans Consistency
with the Consolidated Plan or
State Consolidated Plan
(All PHAs)**

U. S Department of Housing and Urban Development

Office of Public and Indian Housing

OMB No. 2577-0226

Expires 3/31/2024

**Certification by State or Local Official of PHA Plans
Consistency with the Consolidated Plan or State Consolidated Plan**

I, Bryan W. Horn, the Director, DHCD
Official's Name *Official's Title*

certify that the 5-Year PHA Plan for fiscal years 2022-2026 and/or Annual PHA Plan for fiscal year _____ of the James City County Housing PHA (VA041) is consistent with the
PHA Name

Consolidated Plan or State Consolidated Plan including the Analysis of Impediments (AI) to Fair Housing Choice or Assessment of Fair Housing (AFH) as applicable to the

James City County Housing PHA (VA041)
Local Jurisdiction Name

pursuant to 24 CFR Part 91 and 24 CFR §§903.7(o)(3) and 903.15.

Provide a description of how the PHA Plan's contents are consistent with the Consolidated Plan or State Consolidated Plan.

The Public Agency's plan will promote and support the provision of affordable, decent, safe, and sanitary housing for all county residents.

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

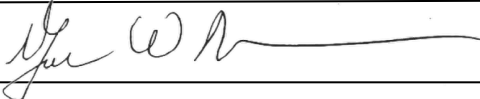
Name of Authorized Official:

Bryan W. Horn

Title:

Director, DHCD

Signature:



Date:

03/24/22

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure consistency with the consolidated plan or state consolidated plan.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Certifications of Compliance with PHA Plan and Related Regulations (Standard, Troubled, HCV-Only, and High Performer PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB No. 2577-0226
Expires 3/31/2024

PHA Certifications of Compliance with PHA Plan, Civil Rights, and Related Laws and Regulations including PHA Plan Elements that Have Changed

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the X 5-Year and/or Annual PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the PHA fiscal year beginning July 1, 2022, in connection with the submission of the Plan and implementation thereof:

1. The Plan is consistent with the applicable comprehensive housing affordability strategy (or any plan incorporating such strategy) for the jurisdiction in which the PHA is located (24 CFR § 91.2).
2. The Plan contains a certification by the appropriate State or local officials that the Plan is consistent with the applicable Consolidated Plan, which includes a certification that requires the preparation of an Analysis of Impediments (AI) to Fair Housing Choice, or Assessment of Fair Housing (AFH) when applicable, for the PHA's jurisdiction and a description of the manner in which the PHA Plan is consistent with the applicable Consolidated Plan (24 CFR §§ 91.2, 91.225, 91.325, and 91.425).
3. The PHA has established a Resident Advisory Board or Boards, the membership of which represents the residents assisted by the PHA, consulted with this Resident Advisory Board or Boards in developing the Plan, including any changes or revisions to the policies and programs identified in the Plan before they were implemented, and considered the recommendations of the RAB (24 CFR 903.13). The PHA has included in the Plan submission a copy of the recommendations made by the Resident Advisory Board or Boards and a description of the manner in which the Plan addresses these recommendations.
4. The PHA provides assurance as part of this certification that:
 - (i) The Resident Advisory Board had an opportunity to review and comment on the changes to the policies and programs before implementation by the PHA;
 - (ii) The changes were duly approved by the PHA Board of Directors (or similar governing body); and
 - (iii) The revised policies and programs are available for review and inspection, at the principal office of the PHA during normal business hours.
5. The PHA made the proposed Plan and all information relevant to the public hearing available for public inspection at least 45 days before the hearing, published a notice that a hearing would be held and conducted a hearing to discuss the Plan and invited public comment.
6. The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 et seq.), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program.
7. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.
8. For PHA Plans that include a policy for site-based waiting lists:
 - The PHA regularly submits required data to HUD's 50058 PIC/IMS Module in an accurate, complete and timely manner (as specified in PIH Notice 2011-65);

- The system of site-based waiting lists provides for full disclosure to each applicant in the selection of the development in which to reside, including basic information about available sites; and an estimate of the period of time the applicant would likely have to wait to be admitted to units of different sizes and types at each site;
 - Adoption of a site-based waiting list would not violate any court order or settlement agreement or be inconsistent with a pending complaint brought by HUD;
 - The PHA shall take reasonable measures to assure that such a waiting list is consistent with affirmatively furthering fair housing; and
 - The PHA provides for review of its site-based waiting list policy to determine if it is consistent with civil rights laws and certifications, as specified in 24 CFR 903.7(o)(1).
9. The PHA will comply with the prohibitions against discrimination on the basis of age pursuant to the Age Discrimination Act of 1975.
 10. In accordance with 24 CFR § 5.105(a)(2), HUD's Equal Access Rule, the PHA will not make a determination of eligibility for housing based on sexual orientation, gender identify, or marital status and will make no inquiries concerning the gender identification or sexual orientation of an applicant for or occupant of HUD-assisted housing.
 11. The PHA will comply with the Architectural Barriers Act of 1968 and 24 CFR Part 41, Policies and Procedures for the Enforcement of Standards and Requirements for Accessibility by the Physically Handicapped.
 12. The PHA will comply with the requirements of Section 3 of the Housing and Urban Development Act of 1968, Employment Opportunities for Low-or Very-Low Income Persons, and with its implementing regulation at 24 CFR Part 135.
 13. The PHA will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and implementing regulations at 49 CFR Part 24 as applicable.
 14. The PHA will take appropriate affirmative action to award contracts to minority and women's business enterprises under 24 CFR 5.105(a).
 15. The PHA will provide the responsible entity or HUD any documentation that the responsible entity or HUD needs to carry out its review under the National Environmental Policy Act and other related authorities in accordance with 24 CFR Part 58 or Part 50, respectively.
 16. With respect to public housing the PHA will comply with Davis-Bacon or HUD determined wage rate requirements under Section 12 of the United States Housing Act of 1937 and the Contract Work Hours and Safety Standards Act.
 17. The PHA will keep records in accordance with 2 CFR 200.333 and facilitate an effective audit to determine compliance with program requirements.
 18. The PHA will comply with the Lead-Based Paint Poisoning Prevention Act, the Residential Lead-Based Paint Hazard Reduction Act of 1992, and 24 CFR Part 35.
 19. The PHA will comply with the policies, guidelines, and requirements of 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Financial Assistance, including but not limited to submitting the assurances required under 24 CFR §§ 1.5, 3.115, 8.50, and 107.25 by submitting an SF-424, including the required assurances in SF-424B or D, as applicable.
 20. The PHA will undertake only activities and programs covered by the Plan in a manner consistent with its Plan and will utilize covered grant funds only for activities that are approvable under the regulations and included in its Plan.
 21. All attachments to the Plan have been and will continue to be available at all times and all locations that the PHA Plan is available for public inspection. All required supporting documents have been made available for public inspection along with the Plan and additional requirements at the primary business office of the PHA and at all other times and locations identified by the PHA in its PHA Plan and will continue to be made available at least at the primary business office of the PHA.
 22. The PHA certifies that it is in compliance with applicable Federal statutory and regulatory requirements, including the Declaration of Trust(s).

James City County Office of Housing and Comm. Dev.
PHA Name

VA041
PHA Number/HA Code

____ Annual PHA Plan for Fiscal Year 20____

X 5-Year PHA Plan for Fiscal Years 2023 - 2027

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802).

Name of Executive Director: Scott Stevens

Name Board Chairman: John J. McGlennon

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to solicit the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 et seq., and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. This information is collected to ensure compliance with PHA Plan, Civil Rights, and related laws and regulations including PHA plan elements that have changed.

Public reporting burden for this information collection is estimated to average 0.16 hours per year per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

Civil Rights Certification (Qualified PHAs)

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing
OMB Approval No. 2577-0226
Expires 3/31/2024

Civil Rights Certification

Annual Certification and Board Resolution

Acting on behalf of the Board of Commissioners of the Public Housing Agency (PHA) listed below, as its Chairperson or other authorized PHA official if there is no Board of Commissioners, I approve the submission of the 5-Year PHA Plan, hereinafter referred to as "the Plan", of which this document is a part, and make the following certification and agreements with the Department of Housing and Urban Development (HUD) for the fiscal year beginning July 1, 2022 in which the PHA receives assistance under 42 U.S.C. 1437f and/or 1437g in connection with the mission, goals, and objectives of the public housing agency and implementation thereof:

The PHA certifies that it will carry out the public housing program of the agency in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-2000d-4), the Fair Housing Act (42 U.S.C. 3601-19), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title II of the Americans with Disabilities Act (42 U.S.C. 12101 *et seq.*), and other applicable civil rights requirements and that it will affirmatively further fair housing in the administration of the program. In addition, if it administers a Housing Choice Voucher Program, the PHA certifies that it will administer the program in conformity with the Fair Housing Act, title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act, and other applicable civil rights requirements, and that it will affirmatively further fair housing in the administration of the program. The PHA will affirmatively further fair housing, which means that it will take meaningful actions to further the goals identified in the Assessment of Fair Housing (AFH) conducted in accordance with the requirements of 24 CFR § 5.150 through 5.180, that it will take no action that is materially inconsistent with its obligation to affirmatively further fair housing, and that it will address fair housing issues and contributing factors in its programs, in accordance with 24 CFR § 903.7(o)(3). The PHA will fulfill the requirements at 24 CFR § 903.7(o) and 24 CFR § 903.15(d). Until such time as the PHA is required to submit an AFH, the PHA will fulfill the requirements at 24 CFR § 903.7(o) promulgated prior to August 17, 2015, which means that it examines its programs or proposed programs; identifies any impediments to fair housing choice within those programs; addresses those impediments in a reasonable fashion in view of the resources available; works with local jurisdictions to implement any of the jurisdiction's initiatives to affirmatively further fair housing that require the PHA's involvement; and maintains records reflecting these analyses and actions.

James City County Office of Housing & Comm. Dev.

PHA Name

VA041

PHA Number/HA Code

I hereby certify that all the statement above, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Name of Executive Director: Scott Stevens

Name of Board Chairperson: John J. McGlennon

Signature

Date

Signature

Date

The United States Department of Housing and Urban Development is authorized to collect the information requested in this form by virtue of Title 12, U.S. Code, Section 1701 *et seq.*, and regulations promulgated thereunder at Title 12, Code of Federal Regulations. Responses to the collection of information are required to obtain a benefit or to retain a benefit. The information requested does not lend itself to confidentiality. The information is collected to ensure that PHAs carry out applicable civil rights requirements.

Public reporting burden for this information collection is estimated to average 0.16 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. HUD may not collect this information, and respondents are not required to complete this form, unless it displays a currently valid OMB Control Number.

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors and The Planning Commission

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

SUBJECT: Joint Work Session with the Planning Commission: Planning Division Work Program

ATTACHMENTS:

	Description	Type
▣	Staff Memo	Cover Memo
▣	Attachment 1. Board Initiating Resolutions	Backup Material
▣	Attachment 2. Regulatory and Guidelines Updates List from Implementation Chapter	Backup Material
▣	Attachment 3. Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	5/6/2022 - 1:02 PM
Development Management	Holt, Paul	Approved	5/6/2022 - 1:02 PM
Publication Management	Daniel, Martha	Approved	5/6/2022 - 1:06 PM
Legal Review	Kinsman, Adam	Approved	5/13/2022 - 9:46 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 11:06 AM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 3:48 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:50 PM

MEMORANDUM

DATE: May 24, 2022

TO: The Board of Supervisors
The Planning Commission

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

SUBJECT: Joint Work Session - Planning Division Work Program for the Remainder of Fiscal Year 2022, Fiscal Year 2023, and Future Fiscal Years

The information contained in this memorandum provides an update on the Planning Division work program for the remainder of Fiscal Year (FY) 2022, for FY23, and preliminary items for future fiscal years.

I. Ordinance Amendments

FY23

The Board of Supervisors has recently adopted five Initiating Resolutions, several of which relate to Comprehensive Plan Goals, Strategies, and Actions (GSAs) (Attachment No. 1). As priorities of the Board, staff would work on these items first during FY23. These items include:

1. Scenic roadway protection
2. Lot sizes in A-1 and R-8/utilities requirements in the Subdivision Ordinance/grandfathering
 - Potential revision of other Zoning and Subdivision Ordinance requirements and James City Service Authority (JCSA) regulations needed to address these items
3. Residential density calculation in Residential and Mixed Use Districts
4. Community Recreation Facilities
5. Use List of the General Business District, B-1

Following processes used to update the Ordinances in recent years, staff would generally anticipate the process for one or a set of amendments to include up to three meetings with the Policy Committee as options are considered, language is drafted, and language is refined and finalized. The process may also include periodic check-ins with the Board of Supervisors.

Staff anticipates that work on these Ordinance amendments would be primarily undertaken by County staff. At this time, supplemental resources may be used for consultant technical assistance, envisioned primarily for use related to Item Nos. 1 and 2 above, using already budgeted and allocated FY22 funds.

The public engagement effort undertaken with the 2045 Comprehensive Plan was a thorough process led by the Community Participation Team, with a scientific survey, and four rounds of public engagement activities. This input informed the development of the Comprehensive Plan and the GSAs. Therefore, for these Ordinance amendments, staff anticipates using that input to guide the Ordinance development and adding the following opportunities for public review and input: the creation of a simple informational website; ability to attend and speak at Policy Committee meetings; public hearings at the Planning Commission and Board of Supervisors meetings; and advertisement and notice provisions in accordance with the State Code. At this time, staff finds that additional public engagement efforts (community meetings, surveys, special mailings, more expansive website, etc.) would necessitate additional resources and adjustments to the schedule.

Future Fiscal Years

The recently adopted Comprehensive Plan contains many GSAs for each topical chapter. In the Implementation Chapter, the GSAs were re-grouped according to implementation categories that best matched the action. One of the implementation categories is Regulatory and Guideline Updates (Attachment No. 2). Staff proposes to use this list of updates as a reference for updating portions of the Zoning and Subdivision Ordinances in the future fiscal year(s) following FY23 and completion of the priorities above, recognizing that the implementation period of the Comprehensive Plan is approximately 20 years, and that constraints with time and resources limit the County's ability to incorporate all changes at one time. More specifically, staff has preliminarily identified working on the following GSA implementation items in the future fiscal year(s) following FY23 and completion of the priorities above.

1. Update definitions, such as the home occupations definition
2. Update some sections of Special Regulations such as "Pedestrian Accommodations" and "Highways, Streets, Parking and Loading" section per Transportation Chapter GSAs
3. Update some sections of Special Regulations such as "Landscaping" per Community Character and Environment Chapter GSAs
4. Examine uses in various districts, such as:
 - a. Agritourism and related uses (including equine stocking rates) in A-1 and R-8 per, Land Use Chapter GSAs
 - b. Alternative energy uses (and standards), per Environment and Land Use Chapter GSAs
 - c. Emerging technologies, per Economic Development Chapter GSAs
 - d. Short-term rentals, per Land Use Chapter
5. Consideration of Joint Land Use Study (JLUS) recommendations, per Land Use Chapter GSAs
6. Consideration of Character Design Guidelines (Comprehensive Plan Appendix H) incorporation in appropriate location(s)
7. Consideration of Workforce Housing Task Force Recommendations that were incorporated in the Housing Chapter GSAs, such as inclusionary zoning, accessory apartments, manufactured home parks, residential structure types and uses, residential density provisions, and a Zoning District for motel-to apartment conversions
8. Consideration of updates to the Mixed Use Districts per Mixed Use Designation Description updates (Land Use Chapter)
9. Consideration of updates to the Residential Districts per Low and Moderate Density Residential Designation Description updates (Land Use Chapter)
10. Consideration of green building policies/provisions, per Environment GSAs

For the items above, supplemental resources consist of a portion of the \$125,000 American Rescue Plan Act (ARPA) funding allocated for workforce housing recommendation implementation, for consultant technical assistance. Over the course of FY23, more information about the anticipated process and resources may be developed for these items. Due to the significant scope and workload associated with the items to implement Comprehensive Plan GSAs, if there is interest by the Planning Commission or the Board in exploring additional items, staff would seek guidance from the Board on prioritization of work program items in line with staff resources.

II. Comprehensive Plan-Related Activities

Following the adoption of the 2045 Comprehensive Plan in October 2021, staff has worked to update the text to reflect the Board's final changes and to update the Engage 2045 website. A full copy of the Comprehensive Plan, as adopted by the Board, is online at: <https://jamescitycountyva.gov/engage2045>. Staff is also now working on formatting the document and Future Land Use Map for publication in the near future.

Since adoption, staff has also been working to transition the land use, fiscal, and transportation models used during the Comprehensive Plan update process to the leave-behind model stage for ongoing County use. Staff anticipates the transition and staff familiarization process will continue in FY23, and use of the models will be ongoing in future fiscal years.

III. Other Work Program Items

As required by State Code, the County must review all established Agricultural and Forestal Districts (AFDs) prior to their expiration. In the upcoming renewal cycle, this review is occurring for 12 of the 13 Districts in the County, with Board action expected in September or October of 2022.

IV. “Routine” Duties

In addition to the items above, staff will complete “routine” duties, including, but not limited to, current planning case review and preparation (conceptual plans, site plans, subdivisions, rezonings, Special Use Permits, etc.); staff training; demographic and socioeconomic updates and information; work with groups such as the Historical Commission, Historic Triangle Bicycle Advisory Committee (HTBAC), New Town Design Review Board (DRB), AFD Committee, etc.; supporting the Community Development Department’s open space program; supporting the Community Development Department’s transportation planning activities; coordinating updates of the Comprehensive Plan GSAs; preparation of Capital Improvements Program materials for Planning Commission review; tracking State Legislation; and Division management (budget, workload indicators, work program, etc.).

Division Resources

The Division has experienced significant staff changes and vacancies in recent years. Since January 1, 2020, aside from the Director, nine of the 11 positions (82%) have new hires, staff in new roles, or have been vacant.

Conclusion

Staff looks forward to discussing this information with the Planning Commission and Board of Supervisors.

PDH/md
PDWrkProgFY22-23Fut-mem

Attachments:

1. Board Initiating Resolutions
2. Regulatory and Guideline Updates List from Implementation Chapter

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND

SUBDIVISION ORDINANCE TO PROVIDE ADDITIONAL REQUIREMENTS TO PROTECT

AND PRESERVE SCENIC ROADWAYS SUCH AS FORGE ROAD

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; 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 and Subdivision 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 in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to consider additional requirements to protect and preserve scenic roadways such as Forge Road. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:

Teresa J. Fellows
Deputy Clerk to the Board

SADLER
ICENHOUR
LARSON
MCLENNON
HIPPLE

VOTES

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Adopted by the Board of Supervisors of James City County, Virginia, this 23rd day of November, 2021.

InitConsdForgeRd-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE AND

SUBDIVISION ORDINANCE TO ESTABLISH LOT SIZES IN THE R-8 AND A-1 ZONING

DISTRICTS THAT ARE CONSISTENT WITH THE STATED RURAL LANDS DESIGNATION

DESCRIPTION AND DEVELOPMENT STANDARDS OF THE 2045 COMPREHENSIVE PLAN

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; and

WHEREAS, section 15.2-2253 of the Virginia Code and County Code Section 19-10 authorize the Board to request the Planning Commission to prepare and recommend amendments to the Subdivision Ordinance; 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 and Subdivision 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 in order to establish lot sizes in the Rural Residential District, R-8, and the General Agricultural District, A-1, that are consistent with the stated Rural Lands designation description and development standards as contained within the adopted James City County 2045 Comprehensive Plan. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby request the Planning Commission to prepare and recommend amendments to Chapter 19, Subdivisions, in order to establish lot sizes in the Rural Residential District, R-8, and the General Agricultural District, A-1, that are consistent with the stated Rural Lands designation description and development standards as contained within the adopted James City County 2045 Comprehensive Plan. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Subdivision Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby direct staff to include language that grandfathers all parcels in existence as of January 1, 2022 that are 25 or fewer acres in size.

BE IT FURTHER RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby direct staff to include language that eliminates the central well requirement for subdivisions that are consistent with the stated Rural Lands designation description and development standards as contained within the adopted James City County 2045 Comprehensive Plan.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of March, 2022.

InitConsRevR8-A1Zns-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CONSIDER POSSIBLE AMENDMENTS REGARDING HOW DENSITY IS

CALCULATED FOR RESIDENTIAL DEVELOPMENTS

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; 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, in order to consider possible amendments regarding how density is calculated for residential developments. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

InitConsGrossDensRD-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CONSIDER POSSIBLE AMENDMENTS REGARDING COMMUNITY

RECREATION FACILITIES IN RESIDENTIAL DISTRICTS

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; 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 in order to consider possible amendments regarding community recreation facilities in residential districts. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

InitConsCommRecFac-res

RESOLUTION

INITIATION OF CONSIDERATION OF AMENDMENTS TO THE ZONING ORDINANCE

TO CONSIDER POSSIBLE AMENDMENTS REGARDING THE USE LIST

OF THE GENERAL BUSINESS DISTRICT, B-1

WHEREAS, section 15.2-2286(A)(7) of the Code of Virginia, 1950, as amended (the “Virginia Code”), and County Code Section 24-13 authorize 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 required by public necessity, convenience, general welfare, or good zoning practice; 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, in order to consider possible amendments regarding the Use List of the General Business District, B-1. The Planning Commission shall hold at least one public hearing on the consideration of amendments to said Zoning Ordinances and shall forward its recommendation to the Board of Supervisors in accordance with the law.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

Adopted by the Board of Supervisors of James City County, Virginia, this 12th day of April, 2022.

InitConsGenBusUse-res

Community Character Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
CC 2.4.1 - Consider updates to the Toano CCA design guidelines to complement the Toano Commercial Historic District.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 2.6 - In Norge, consider development and adoption of formal design guidelines.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 2.7 - In the Jamestown/Greensprings area, consider development and adoption of formal design guidelines, and/or guidance on maintaining the historic and rural/wooded character of that area.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 3.3 - Continue to improve and protect the character of the County through use of the Character Design Guidelines.	<ul style="list-style-type: none"> • Preserve Community Character 	Short-Term in Strategic Plan
CC 3.3.1 - Further the use of the character design guidelines in legislative review processes and encourage private developers to familiarize themselves with these guidelines as part of educational materials and pre application meetings.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 3.3.2 - Incorporate the Character Design Guidelines in appropriate portions of the Zoning and Subdivision Ordinances, policies, and other regulations.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 3.3.3- Incorporate elements of the character design guidelines in other County policy documents and explore if any of the elements could be converted into regulations within the Zoning and Subdivision Ordinances.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 3.3.4 - Continue to evaluate the Character Design Guidelines and update, revise, and enhance the Guidelines regularly.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 3.3.5 - Consider developing Character Design Guidelines for rural areas in the County.	<ul style="list-style-type: none"> • Preserve Community Character 	
CC 5.1 - Use County Ordinances and/or policies as enabled by the Code of Virginia to require a more detailed phased clearing plan that minimizes the removal of existing trees and ensures tree preservation requirements are implemented during the site plan review and pre-construction phase of development. Consider developing requirements for County staff to inspect projects pre-and-post construction specifically to ensure compliance with the tree protection requirement of the Zoning Ordinance.	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character 	
CC 5.4 - Evaluate the appropriateness of street trees along narrow streets or located in neighborhoods with reduced setbacks and update the Streetscape Policy Guidelines accordingly.	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character 	

Community Character Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>CC 6.3 - Pursue the preservation of historic and archaeological sites of the County by:</p> <p>6.3.2 - Promoting voluntary techniques for preservation of these properties.</p> <p>6.3.3 - Considering designating areas of the County as historic districts or historic corridors with architectural review.</p> <p>6.3.4 - Discouraging the demolition or inappropriate use of cultural and historic resources through regulatory and voluntary techniques.</p> <p>6.3.5 - Integrating the results of the architectural survey into the planning process.</p> <p>6.3.6 - Exploring opportunities to preserve and enhance Community Character Areas such as those found in Five Forks, Norge and Toano through use of partnerships, pattern books, and design guidelines.</p>	<ul style="list-style-type: none"> • Preserve Community Character 	
<p>CC 7.1 - Update the Communications Facilities section of the Zoning Ordinance as necessary to accommodate the use of new and emerging wireless communication services while preserving community character.</p>	<ul style="list-style-type: none"> • Preserve Community Character • Enhance Quality of Life 	

Economic Development Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>ED 4.6 - Adopt the Virginia C-PACE program to incentivize private development that utilizes environmental conservation techniques.</p>	<ul style="list-style-type: none"> • Protect Nature • Expand Economic Development 	
<p>ED 7.1 - Review and update the Zoning Ordinance to ensure it promotes best practices for home occupations and other small businesses consistent with neighborhood and community character.</p>	<ul style="list-style-type: none"> • Preserve Community Character • Expand Economic Development 	
<p>ED 7.2 - Review and update County regulations, policies, and procedures to ensure they create clear expectations for developing new businesses in targeted industries, and that land use requirements are flexible to changing market trends.</p>	<ul style="list-style-type: none"> • Expand Economic Development 	Short-Term in Strategic Plan
<p>ED 7.3 - Examine and update County regulations to ensure that the County maintains best practices while continuing to accommodate new industries spurred by innovations and changes in technology.</p>	<ul style="list-style-type: none"> • Expand Economic Development 	

Environment Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>ENV 1.2 - Promote the use of Better Site Design, Low Impact Development (LID), and effective Best Management Practices (BMPs) by:</p> <p>1.2.4 - Continuing to develop and enforce new and existing regulations that require soils identification and the consideration of the limitations of these soils for development and agricultural and forestall activities.</p> <p>1.2.5 - Requiring submission of environmental inventories in order to protect environmentally sensitive lands; to save or most efficiently use permeable soils; and to limit impervious cover.</p> <p>1.2.6 - Continuing and expanding support for the Clean Water Heritage program in order to provide information on BMP maintenance and assistance to the public and to owners of stormwater management facilities.</p> <p>1.2.7 - Re-examining provisions in the Zoning Ordinance and other regulations to strengthen tree-protection measures.</p>	<ul style="list-style-type: none"> Protect Nature 	
ENV 1.5 - Implement comprehensive coastal resource management guidance, consistent with the policy that living shorelines are the preferred alternative for stabilizing eroding shorelines prior to consideration of structural stabilization methods.	<ul style="list-style-type: none"> Protect Nature 	
ENV 1.5.3 - Consider a policy where the above Shoreline Best Management Practices become the recommended adaptation strategy for erosion control, and where a departure from these recommendations by an applicant wishing to alter the shoreline must be justified at a hearing of the County Wetlands Board.	<ul style="list-style-type: none"> Protect Nature 	
ENV 1.5.8 - In conjunction with the County Wetlands Board, evaluate the feasibility of adopting a coastal Dunes and Beach Ordinance, pursuant to the Virginia Coastal Primary Sand Dune and Beach Act (currently VMRC handles local applications).	<ul style="list-style-type: none"> Protect Nature 	
ENV 1.13- Continue to use sound science to update and create the requirements, standards, and specifications used to design, approve, and build BMP facilities in James City County.	<ul style="list-style-type: none"> Protect Nature 	
ENV 1.20 - Explore Zoning Ordinance amendments that would incorporate recommendations of the Colonial Soil and Water Conservation District as it pertains to equine and other animal stocking rates.	<ul style="list-style-type: none"> Protect Nature 	Short-Term in Strategic Plan
ENV 2.3 - Promote recycling by developing a post-consumer waste office paper purchasing policy in accordance with the Virginia Public Procurement Act for all County facilities, expanding County facility reduce/reuse/recycling programs, and by increasing private sector and public awareness of recycling opportunities through the County's curbside recycling programs, Recollect website, and Recyclopedia tool.	<ul style="list-style-type: none"> Protect Nature Enhance Quality of Life 	
ENV 3.2 - Develop specific recommendations for voluntary and regulatory means to protect resources identified in studies, such as the Regional Natural Areas Inventory, and watershed management plans for County watersheds.	<ul style="list-style-type: none"> Protect Nature 	
ENV 3.3 - Continue to update mandatory tree protection standards and examine tree canopy protection standards.	<ul style="list-style-type: none"> Protect Nature Enhance Quality of Life 	

Environment Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
ENV 3.4 - Continue to develop and enforce zoning regulations and other County Ordinances that preserve to the maximum extent practicable rare, threatened, and endangered species; wetlands; flood plains; shorelines; wildlife habitats; natural areas; perennial streams; groundwater resources; and other environmentally sensitive areas.	<ul style="list-style-type: none"> • Protect Nature 	
ENV 3.7.1 - Investigate changes to the Zoning Ordinance including renaming the A-1, General Agricultural District and re-examining lot sizes and clustering provisions to acknowledge and encourage preservation of forested land.	<ul style="list-style-type: none"> • Protect Nature • Enhance Quality of Life • Preserve Community Character 	Short-Term in Strategic Plan <i>(See also related action LU 6.2, 6.2.1.)</i>
ENV 4.3 - Promote alternative modes of transportation and a reduction in auto dependency and trip distances through measures in the Zoning Ordinance such as encouraging enhanced pedestrian accommodations and reductions in required parking with approval of a mass or alternative transportation plan, or appropriate similar provisions.	<ul style="list-style-type: none"> • Protect Nature • Enhance Quality of Life 	
ENV 4.4 - Continue to evaluate and update Ordinances and policies to promote the construction of homes, businesses, and public facilities that conserve energy and achieve other green building standards. As one component of this, re-examine the existing Green Building Incentives adopted by the Board on September 11, 2012. Use U.S. Green Building Council's LEED program, Earthcraft, Envision, STAR Communities, WELL Building Standard, the Sustainable Development Code, and other sustainable building programs as guides in this effort.	<ul style="list-style-type: none"> • Protect Nature • Enhance Quality of Life • Expand Economic Development 	
ENV 4.5 - Investigate amending County Ordinances to allow or encourage appropriate energy production and conservation technologies in residential areas.	<ul style="list-style-type: none"> • Preserve Community Character • Protect Nature 	
ENV 4.6 - Investigate ways to amend the County Ordinances to address alternative energy production, and to amend ordinances or include special use permit conditions that protect and enhance natural resource on alternative energy production sites: 4.6.1 - In Ordinances or as development approval conditions, include provisions to minimize clearing of forested land. 4.6.2 - In Ordinances or as development approval conditions, implement best practice documents on the inclusion of native pollinator plants.	<ul style="list-style-type: none"> • Preserve Community Character • Protect Nature • Enhance Quality of Life 	

Housing Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
H 1.1.4 - Offer property tax/abatement/exemption for owners of deteriorating single-family homes that make improvements and either continue to live in the home or enter into an agreement with the County to rent the home to a low- or moderate-income working individual or family. Ensure the exemptions/abatements apply to the value of the improvements and not the entire property that utilizes environmental conservation techniques.	<ul style="list-style-type: none"> • Preserve Community Character • Support Affordable Workforce Housing 	
H 1.2.7 - Explore adding cottage homes to the housing stock in the mobile home parks, including identifying zoning and other regulations that are needed.	<ul style="list-style-type: none"> • Support Affordable Workforce Housing 	
<p>H 2.1 - Guide new developments to incorporate high housing quality and design:</p> <p>2.1.4 - Propose additional amendments to residential zoning districts to promote diversity within new residential developments by allowing more diverse structure types.</p> <p>2.1.5 - Promote a scale and density of residential development that is contextually compatible with adjacent and surrounding land uses, supporting infrastructure, and environmental conditions.</p> <p>2.1.6 - Locate moderate density residential development, including developments within areas of appropriate Mixed-Use designations, in proximity to employment centers and service destinations.</p>	<ul style="list-style-type: none"> • Preserve Community Character 	
<p>H 2.2 - Amend the Zoning Ordinance to facilitate a wider range of housing choices affordable to households with incomes of less than 80% of Area Median Income. Including:</p> <p>2.2.1 - Review the allowed uses in each zoning district, modify the uses allowed to reflect the current types of uses that exist in the County, and ensure that diverse housing types are specifically included in the use-lists in zoning districts where housing is permitted.</p> <p>2.2.2 - Reduce site and lot area minimums to facilitate smaller home types and to encourage the development of workforce housing, including by smaller, nonprofit developers.</p> <p>2.2.3 - Examine options for allowing by-right development of workforce housing.</p> <p>2.2.4 - Consider form-based zoning to preserve neighborhood character while allowing flexibility in housing options.</p> <p>2.2.5 - Increase the number of units permitted in multi-family structures in select zones.</p> <p>2.2.6 - Increase the maximum number of units per acre in all developments that provide for workforce housing.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing 	

Housing Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>H 2.3 - Support the adaptive reuse and repurposing of old, vacant, and/or underutilized commercial buildings as workforce housing:</p> <p>2.3.5 - Review and modify the use lists for all zones to encourage residential/mixed-use developments along specific corridors, and facilitate adaptive reuse opportunities in existing commercial areas.</p> <p>2.3.9 - Develop a new zoning designation that would simplify motel-to-apartment conversions.</p> <p>2.3.10 - Consider creating an administrative permitting process for commercial or residential conversions that include workforce housing.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing • Preserve Community Character • Expand Economic Development 	Short-Term in Strategic Plan
<p>H 2.4 - Support the development of accessory apartments as one type of workforce housing, while retaining the residential character of existing neighborhoods:</p> <p>2.4.1 - Modify the Zoning Ordinance to facilitate the development of more accessory units while retaining the residential character of existing neighborhoods.</p> <p>2.4.2 - Develop a pattern book, training sessions, and other technical assistance documentation to help homeowners construct accessory units.</p> <p>2.4.3 - Revise Ordinances to increase the maximum size of detached accessory units to be large enough to accommodate a "reasonably-sized" one-bedroom unit (e.g., up to 750 square feet)</p> <p>2.4.4 - Revise Ordinances to modify setback, parking, and other requirements to make it easier to build an accessory apartment.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing • Preserve Community Character 	
<p>H 2.6 - Establish an incentive-based inclusionary zoning program to support the development of workforce housing:</p> <p>2.6.2 - Review the County's existing density bonus system in the Zoning Ordinance. Determine whether providing workforce housing should be a bonus-density priority or a requirement (rather than an option) for any developments proposed over the current baseline density.</p> <p>2.6.4 - Evaluate the use of a sliding density bonus scale based on the quantity of units and affordability of the product.</p> <p>2.6.5 - Amend the Zoning Ordinance to establish an Affordable Dwelling Unit (ADU) program under the Code of Virginia Affordable Dwelling Unit Ordinances.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing • Preserve Community Character 	
<p>H 3.1 - Review existing Ordinances to identify barriers to respond to housing needs for special needs populations, including senior citizens, and make amendments, as necessary.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing 	
<p>H 3.2 - Support the concept of "aging in place" by promoting universal design for a portion of units in major subdivisions or multi-family projects.</p>	<ul style="list-style-type: none"> • Support Affordable Workforce Housing 	

Housing Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>H 4.1 - Expand expedited permitting to incentivize production of workforce housing:</p> <p>4.1.1 - Establish the income threshold not exceeding 80% of AMI necessary for a project to qualify for an expedited review.</p> <p>4.1.2 - Develop a fast-track subdivision, site plan, and building permit process for qualified workforce housing developments.</p> <p>4.1.3 - Consider a program to waive, reduce, or rebate development fees for qualified workforce housing developments.</p>	<ul style="list-style-type: none"> Support Affordable Workforce Housing 	
<p>H 4.2 - Create tax incentives to support the production of workforce housing:</p> <p>4.2.1 - Create a property tax exemption or abatement for residential properties that guarantee units will be affordable to, and leased to, individuals and families with incomes at or below 60% of AMI.</p> <p>4.2.2 - Investigate using utility, building permit, and water connection fees and property taxes to incentivize new affordable housing and to be a disincentive for new market-rate housing.</p>	<ul style="list-style-type: none"> Support Affordable Workforce Housing 	

Land Use Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
LU 1.1 - Craft regulations and policies such that development is compatible in scale, size, and location to surrounding existing and planned development. Protect uses of different intensities through buffers, access control, and other methods.	<ul style="list-style-type: none"> Preserve Community Character 	
LU 1.2 - Review and update the Zoning Ordinance to ensure consistency between densities and intensities of development recommended by the Comprehensive Plan and the residential and commercial zoning districts.	<ul style="list-style-type: none"> Preserve Community Character 	
LU 1.3 - Use policy and Ordinance tools to ensure the provision of open space as part of development proposals, as applicable. In particular, maintain or increase incentives for cluster development in exchange for additional open space that provides significant benefits to the community.	<ul style="list-style-type: none"> Protect Nature Preserve Community Character 	
LU 1.5 - In coordination with the Board of Supervisors and the County Attorney's Office, provide updates on state legislation to the Planning Commission on an as-needed basis on the major new planning legislation topics during non-Comprehensive Plan update years.	<ul style="list-style-type: none"> Protect Nature Preserve Community Character Enhance Quality of Life Expand Economic Development Support Affordable Workforce Housing 	

Land Use Chapter | Regulatory and Guideline Updates

Action	Related Public Input Priorities	Prioritization
LU 1.6 - Explore emerging technologies in the renewable energy industry, with the intention of protecting the County's unique rural character, preserving natural resources, and mitigating impacts to neighboring properties.	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Enhance Quality of Life • Expand Economic Development 	Short-Term in Strategic Plan
LU 1.7 - Amend the Zoning Ordinance to address short-term rentals, including re-examining the districts where such uses are permitted.	<ul style="list-style-type: none"> • Expand Economic Development • Support Affordable Workforce Housing • Preserve Community Character 	
<p>LU 3.4 - In accordance with the recommendations of the adopted Joint Base Langley Eustis (Fort Eustis) Joint Land Use Study, establish a Military Influence Overlay District (MIOD) on the Future Land Use Map.</p> <p>LU 3.4.2 - For areas within the MIOD, update the zoning and subdivision ordinances to incorporate the Code of Virginia sections that promote coordination between military installations and local municipalities.</p> <p>LU 3.4.3 - For areas within the MIOD, update the zoning and subdivision ordinances to establish a Military Influence Area (MIA) overlay district. The exact boundary of the MIA should be determined through additional discussion with Fort Eustis. The Zoning and Subdivision Ordinances should include:</p> <ol style="list-style-type: none"> A. Siting guidelines for commercial solar wind farms and wind turbine farms, only if those uses become added to the Use List. B. Standards and requirements for increased setbacks, buffers, and other design requirements to increase safety and security around the Fort Eustis installation. C. Vertical obstruction standards and limitations. D. Additional dark sky lighting requirements, as needed, within the defined air space of the Fort Eustis installation. E. References to a newly created vertical constraints map identifying locations where tall structures should be prohibited. 	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Enhance Quality of Life • Expand Economic Development • Support Affordable Workforce Housing 	

Land Use Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
<p>LU 4. 3 - Promote infill, redevelopment, revitalization, and rehabilitation within the PSA. Consider the following strategies as appropriate:</p> <p>LU 4. 3.2 - Revisions to the Zoning Ordinance and/or Subdivision Ordinance or the development of guidelines to provide additional flexibility, clear standards, or incentives, such as expedited plan review.</p>	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Enhance Quality of Life • Expand Economic Development • Support Affordable Workforce Housing 	
<p>LU 6.1 - Promote the economic viability of traditional and innovative farming and forestry as industries through measures, including but not limited to, the following:</p> <p>LU 6.1.3 - Continue to update the Zoning Ordinance list of permitted and specially permitted uses in the A-1 Zoning District. Investigate adding a development standards policy for those uses that might benefit from a rural location. Continue to look at non-residential uses and development standards that may be appropriate, such as agri-business, eco-tourism, or green energy uses, and uses related to projects that are identified by the Strategy for Rural Economic Development.</p> <p>LU 6.1.7 - Craft regulations and policies in a manner that recognizes the value of, and promotes the conservation of, prime farmland soils and environmentally sensitive areas, and consider impacts to the County's farm and forestal assets in land use decisions.</p>	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Expand Economic Development 	

Land Use Chapter | Regulatory and Guideline Updates

Action	Related Public Input Priorities	Prioritization
<p>LU 6.2 - Residential development is not a recommended use in the Rural Lands. Creation of any lots should be in a pattern that protects the economic viability of farm and forestal assets and protects natural and cultural resources and rural character. Amend the Subdivision Ordinance, Zoning Ordinance, utility regulations, and related policies to promote such an overall pattern. Consider providing more than one option, such as the following, so long as an overall very low density pattern can be achieved, and the design and intensity of the development is consistent with stated Rural Lands designation description and development standards and available infrastructure.</p> <p>LU 6.2.1 - Revise the R-8 and A-1 zoning districts to set lot sizes to be consistent with stated Rural Lands designation description and development standards. As part of this amendment, consider easing the subdivision requirements such as eliminating or permitting the waiver of the central well requirement, allowing private streets in limited circumstances, as part of an overall balanced strategy.</p> <p>LU 6.2.2 - Revise the rural cluster provisions in the A-1 zoning district to be more consistent with the Rural Lands designation description and development standards. As part of this amendment, consider easing the subdivision requirements such as eliminating or permitting the waiver of the central well requirement, allowing private streets in limited circumstances, making it a streamlined by-right use at certain scales, allowing off-site septic or community drainfields, etc.</p> <p>LU 6.2.3 - Consider implementing a subdivision phasing program, where the number of blocks that could be created from a parent parcel within a given time period is limited.</p> <p>LU 6.2.4 - Consider adding strong buffer and expanded setback regulations to the A-1 and R-8 districts, particularly if the permitted densities are not lowered in these districts.</p>	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Expand Economic Development 	Short-Term in Strategic Plan
<p>LU 6.3 - To help retain the character of Rural Lands, develop additional zoning and subdivision tools (e.g., scenic easement dedication requirements, increased minimum lot sizes, increased setbacks, and/or overlay districts) to protect and preserve scenic roadways such as Forge Road. Consider 400 foot setbacks along Community Character Corridors outside the PSA.</p>	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character 	
<p>LU 7.2 - Incorporate rural and open space preservation best practices within the new character design guidelines. Develop additional guidelines as necessary for specific resource protections including historic, environmental or scenic resources.</p>	<ul style="list-style-type: none"> • Protect Nature • Preserve Community Character • Expand Economic Development 	
<p>LU 7.3 - Refine the buffer and setback standards specifically for visual character protection, addressing viewshed protection and maintenance of community character.</p>	<ul style="list-style-type: none"> • Preserve Community Character 	

Public Facilities Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
PF 2.7 - Evaluate the possible use of impact fees to help defray the capital costs of public facilities related to residential development.	<ul style="list-style-type: none"> Enhance Quality of Life 	
PF 3.5 - Develop policies that support the conservation of water through education and awareness, higher water rates for greater usage, restricting irrigation, and, when financially feasible, rebate programs that reward conservation efforts.	<ul style="list-style-type: none"> Protect Nature Enhance Quality of Life 	
PF 4.2 - Review and update as necessary the County's Sustainable Building Policy in accordance with the County's Strategic Plan goals.	<ul style="list-style-type: none"> Protect Nature 	
PF 4.7 - Consider adopting and using the Virginia C-PACE (Commercial Property Assessed Clean Energy) program to pursue energy retrofit projects for public buildings. Consider setting up the program for use by private property owners as well.	<ul style="list-style-type: none"> Protect Nature Enhance Quality of Life 	

Parks and Recreation Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
PR 5.4 - Amend Zoning Ordinance regulations to facilitate development of recreational facilities, including but not limited to neighborhood parks, playgrounds, sport courts, fields and trails within by-right residential developments in accordance with design standards as enabled by the Code of Virginia.	<ul style="list-style-type: none"> Enhance Quality of Life Preserve Community Character 	
PR 6.4 - Establish and maintain program performance measures (including goals, objectives, and essential eligibility guidelines) to incorporate consistent standards in program design.	<ul style="list-style-type: none"> Enhance Quality of Life 	
PR 10.1 - Develop sustainable strategies similar to LEED (Leadership in Energy and Environmental Design) for the design and location of parks and incorporate the strategies into park development guidelines, where feasible.	<ul style="list-style-type: none"> Protect Nature Enhance Quality of Life 	

Transportation Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
T 1.2.1 - Limit driveways and other access points and provide shared entrances, side street access, or frontage roads to promote a well-connected and safe road network, consistent with the roadway's functional classification.	<ul style="list-style-type: none"> Enhance Quality of Life Preserve Community Character 	
T 1.2.2 - Provide a high degree of inter-connectivity within new developments, adjoining new developments, and existing developments, including County facilities, using streets, trails, sidewalks, bikeways, and multi-use trails to improve accessibility and connectivity, and provide alternate routes for emergency access.	<ul style="list-style-type: none"> Enhance Quality of Life Preserve Community Character 	

Transportation Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
T 1.2.3 - Concentrate commercial development in compact nodes or in Mixed Use areas with internal road systems and interconnected parcel access rather than extending development with multiple access points along existing primary and secondary roads.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	
T1.2.4 - Pursue active outreach for travel demand management in coordination with Hampton Roads Transportation Planning Organization and TRAFFIX to promote flexible work schedules, off-site work arrangements, and telecommuting. Pursue Zoning Ordinance revisions to require bike racks in more developments throughout the County.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	
T 1.2.5 - Implement strategies that encourages walking, bicycling, and use of public transit in place of automobile trips.	<ul style="list-style-type: none"> • Protect Nature • Enhance Quality of Life • Preserve Community Character 	
T 1.2.7 - Prepare guiding principles for roads identified in the Comprehensive Plan as needing future improvements. Use these guiding principles during consideration of any plans of development or concurrent with any road improvement project.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	
T 1.2.8 - Identify ways to improve access management by reducing driveways and turning movements on the adjacent roadway(s) during consideration of plans of development or concurrent with any road improvement project.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	
T 3.3 - Promote increased utilization of public transit through the following actions: (3.3.5) - Require new developments to support bus and transit services at or near the center of mixed use areas, high density multi-family housing communities, and large scale commercial development, and amend the Zoning Ordinance to support this requirement.	<ul style="list-style-type: none"> • Enhance Quality of Life • Expand Economic Development 	
T 3.4 - Encourage pedestrian circulation by providing safe, well-lit, and clearly marked crosswalks and unobstructed sidewalks. Encourage the use of accessible design and provision of shade benches, attractive landscaping, and scenic vistas along pedestrian routes.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	

Transportation Chapter Regulatory and Guideline Updates		
Action	Related Public Input Priorities	Prioritization
T 4.2 - Utilize planning and design standards for road projects and related improvements which will allow innovation, promote an efficient transportation system, increase public safety, improve visual quality, and expand modal choice for transportation in the County. Require implementation of standards for development proposals and encourage VDOT to incorporate these standards. When improving roads designated as Community Character Corridors, Virginia Byways, or roads outside the PSA, encourage VDOT to be sensitive to the context, including viewsheds, historic sites and structures, and landscaped medians.	<ul style="list-style-type: none"> • Enhance Quality of Life • Preserve Community Character 	



Planning Division Work Program FY23 and Beyond

2022

James City County Planning Division

Ordinance Amendments FY23

- Scenic Roadway Protection
- Lot sizes in A-1/R-8 (revisions to Subdivision and Zoning Ordinances)
- Residential density calculation
- Community Recreation Facilities
- Use List of the General Business District, B-1

Ordinance Amendments FY23

Process: Meetings with Policy Committee to consider, draft and refine ordinance language as well as periodic Board work session meetings for guidance.

Resources: County staff, technical assistance for Scenic Roadway Protection and A-1/R-8 lot size items.

Engagement: 2045 Comp. Plan public input as basis.

Ordinance Amendments FY23

- The Board's initiating resolution states to establish lot sizes in R-8 and A-1 that are consistent with the Rural Lands Designation Description and Development Standards.
- While there is only one minimum lot size included in R-8, the A-1 district has six, including residential and non-residential.
- Staff proposes exploring the minimum lot size types for the residential uses, including the cluster provisions, in A-1, in accordance with the adopted initiating resolution.

Ordinance Amendments FY23

- The Board's resolution eliminates central well system requirement for subdivisions with the new minimum lot size (20 ac).
- The resolution grandfathers lots < 25 ac. These parcels could yield up to 8 lots with the old minimum lot size(3 ac).
- Staff proposes exploring the elimination of the central well requirement unless directed otherwise by the Board.

Ordinance Amendments: Future Years

- The Implementation Chapter in the Comprehensive Plan has a category of GSAs that are Regulatory and Guideline Updates.
- This list can be a reference for updating portions of the Zoning and Subdivision Ordinances in future fiscal year(s) following FY23.
- Certain GSAs listed in the staff memo have preliminarily been identified for the next set of updates.
- Over the course of FY23, more information may be developed.

Other Work Program Items

- Routine Duties, including administrative and legislative plan review
- Agricultural and Forestal District Renewals
- Comprehensive Plan: setting up and use of “leave-behind models”

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development

SUBJECT: Overview of Open Space Preservation Programs and Update on the Natural and Cultural Assets Plan Effort

ATTACHMENTS:

	Description	Type
▣	Memorandum	Cover Memo
▣	Attachment 1. Purchase of Development Rights Ordinance	Backup Material
▣	Attachment 2. Purchase of Development Rights Program Certification Form	Backup Material
▣	Attachment 3. Purchase of Development Rights Fiscal Certification Form	Backup Material
▣	Attachment 4. Presentation	Presentation

REVIEWERS:

Department	Reviewer	Action	Date
Planning	Holt, Paul	Approved	5/9/2022 - 4:01 PM
Development Management	Holt, Paul	Approved	5/9/2022 - 4:01 PM
Publication Management	Daniel, Martha	Approved	5/9/2022 - 4:07 PM
Legal Review	Kinsman, Adam	Approved	5/13/2022 - 9:46 AM
Board Secretary	Saeed, Teresa	Approved	5/16/2022 - 11:06 AM
Board Secretary	Purse, Jason	Approved	5/17/2022 - 3:48 PM
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:50 PM

MEMORANDUM

DATE: May 24, 2022

TO: The Board of Supervisors

FROM: Tammy Mayer Rosario, Assistant Director of Community Development

SUBJECT: Overview of Open Space Preservation Programs and Update on the Natural and Cultural Assets Plan Effort

As requested by the Board of Supervisors, this memorandum provides an overview of the Open Space Preservation programs that exist in the County, specifically the Greenspace and Purchase of Development Rights (PDR) programs. It also contains a brief update on the Natural and Cultural Assets Plan, which will be moving through the final stage of its process this summer.

Summary of Main Tools

The County has four main tools designed to support conservation of its natural and cultural resources. Each one is unique in its form and focus, offering different opportunities to landowners as well as varying levels of protection for the resources. Together, they are intended to serve as a set of complementary tools that can fit a wide range of circumstances.

Briefly, the main tools include the following:

- **Use Value Taxation and Agricultural and Forestal Districts** - provide temporary tax reductions and land use protections for agricultural, horticultural, and forested land to interested and qualified landowners. The County has 13 districts, 12 of which are up for renewal this year. The majority of the districts have four-year terms.
- **Policies and Ordinances** - encourage or require the preservation of certain resources (sensitive archaeological resources, rare species, Community Character Corridors (CCC), and water quality) when property is developed. In some developments, natural open space easements are dedicated to the County to accomplish this.
- **Greenspace Program** - allows the County to proactively purchase open space easements or entire properties as strategic opportunities arise on properties deemed high priorities by the Board of Supervisors. This program primarily focuses on highly sensitive land inside the Primary Service Area (PSA) or special situations outside the PSA using criteria established by the Board. Examples include Mainland Farm, Whitehall Tavern, Jamestown Campground, and Jamestown Yacht Basin.
- **Purchase of Development Rights Program** - sets a process whereby landowners can apply during an open period for consideration of easement purchases by the County, and County staff and the PDR Committee score, rank, and recommend applications to the Board of Supervisors using an adopted Ordinance, a set of criteria, and a ranking criterial point system. The program recognizes the broad range of natural and cultural resources important to County citizens, but places emphasis on agriculture and forestry in rural lands. Examples include MillFarm Christmas Trees & Berry Farm and Bush Neck Farm.

Deeper Look at the Main Tools

For a deeper understanding of how the tools work in James City County, it is helpful to look at how they were developed and used over time. As mentioned in a previous Board memorandum, public support for conservation and open space preservation led the County to build its collection of programs, policies, and Ordinances over the past 45 years, covering different types of conservation values, durations and levels of protection, ownership arrangements, legal mechanisms, and funding sources. The earliest programs adopted in the County were **use value taxation** in 1974 and the **Agricultural and Forestal District (AFD) Program** in 1986, both of which focused on reducing development pressures on agricultural, horticultural, and forested land on private property through temporary tax reductions and land use protections. Although both programs are still active, participation levels have declined over time. In 1991, the AFD Program conserved or deferred development on nearly 20% of the County's total land area; more recently that figure has been holding steady around 15%.

In the following years, the County added regulatory tools for the permanent protection of certain scenic and environmentally sensitive land during the development review process. Adoption of the **Greenbelt (now CCC) Policy** in 1987 and the mandated **Chesapeake Bay Preservation Act Ordinance** in 1990 allowed the County and developers to use scenic easements and natural open space easements to protect buffers along certain roads and to achieve water quality points for stormwater purposes. The County later adopted similar policies for archaeological and natural resources (primarily rare species and habitats). Through the years, these tools have been invaluable in permanently protecting these resources; however, they are largely reactionary to the development process and narrow in scope.

In 1995 and 1996, during the development of the 1997 Comprehensive Plan, citizens expressed a strong desire for the County to expand its open space preservation efforts in order to be more proactive and to protect a wider range of resources which contribute to the County's character. Several high-profile cases at that time highlighted the fact that the County's conservation tools, while helpful, still left holes in terms of ensuring permanent protection, making progress in non-development situations, targeting properties with significant resources, and having reliable funding. In response, the Board of Supervisors began funding the **Greenspace Program** in 1996 with the objective to protect properties with natural, scenic, historic, cultural, or other qualities essential to the character or heritage of the County which were for sale, threatened by development, or available by alternative means of acquisition.

Although the initial focus areas were inside the PSA, concentrated along Jamestown Road, John Tyler Highway, and Greensprings Road, the Board of Supervisors later added priorities in Norge, Toano, Anderson's Corner, Powhatan Creek, and Yarmouth Creek in order to incorporate recommendations from various studies and input from the Board, Planning Commission, and citizens. The majority of the Greenspace Program's acquisitions resulted in permanent conservation easements on land within the PSA, but the program's flexible structure allowed it to encompass special situations outside the PSA and to tailor the terms of the purchase to the purpose of the acquisition and the County's/owner's interests (e.g., fee simple acquisitions for parkland). The Board's last focused update on the program was in May 2011, at which time the Board reaffirmed criteria for selection of parcels and reviewed progress on priority parcels.

To complement this program, the Board of Supervisors added an action in the 1997 Comprehensive Plan to investigate establishing a PDR program, similar to one that had been recently created in Virginia Beach. As adopted by James City County in 2001, the PDR Program's purpose was to protect open space, community character (including scenic and cultural resources), farmland, and natural resources through permanent conservation easements voluntarily offered for sale by landowners. Although all properties in the County except federal and state lands were eligible for consideration, the ranking system favored parcels outside the PSA. The PDR Program's development took into account input from the County departments, related agencies and Boards, the community, other jurisdictions with similar programs, and guidance from the State Code. Accordingly, James City County's program is governed by a PDR Ordinance that includes

local elements as well as those required by State Code to make purchases eligible for state-matching funding. This structure provided much transparency and financial support, but it also made it a more deliberate and time-consuming process. Changes were made to the program in 2007, including Ordinance amendments and the creation of a draft guidance document, to update the Ordinance and to make the program more attractive to landowners; however, no significant updates have occurred since that time.

Collectively, the Greenspace and PDR Programs have preserved more than 2,100 acres of open space over the past 20 years, with notable acquisitions in every category of conservation value. An analysis of inventory of protected properties confirms that the Greenspace Program's emphasis has been inside the PSA while the PDR Program's emphasis has been outside the PSA, and there are examples where the two programs have coordinated on protection.

As the Board looks to reactivate its land/development rights acquisition program, it is worth noting that while the two programs have a common goal of permanently protected open space, they have different emphases, means, and results. Looking more broadly, all of James City County's programs, policies, and Ordinances mentioned above contribute toward conservation and open space protection with varying results. All the tools can still be useful in accomplishing specialized tasks as well as contributing to the overall job and therefore, may be useful to keep in the toolbox.

Selecting the Right Tool for the Landowner and the County

It can be confusing for property owners to know which tools to use when deciding the future of their property. This is especially true when considering taxing incentives such as use value taxation or the AFD Program, which may have temporary benefits to both the County and landowner, versus funding incentives such as the PDR or Greenspace land conservation programs, which are more permanent. There may also be situations in which both are appropriate.

During development of the 2045 Comprehensive Plan, a simplistic decision tree was developed (copied below) that is intended to help property owners and staff members sort through the complex options to find a tool that matches the property owner's intentions and the property's attributes. As James City County's open space preservation toolkit evolves, this decision tree may change accordingly.



Once staff has determined the eligibility of the property and the landowner's intentions for open space preservation, the choice of tool becomes clearer. The next level of analysis can occur as to the property's potential for the specific tool or program and the acquisition's compatibility with different non-local funding programs (such as matching state or federal grants).

Listed below are the various tools/programs currently available in James City County's toolbox. Basic criteria for each program are listed as well as a sampling of funding options. Possible refinements or areas of exploration for each tool based on a review of other localities' programs or new information are shown in *italics*.

TOOL	FITS BEST WITH	FUNDING
Use Value Taxation and Agricultural and Forestal Districts (AFDs)	<ul style="list-style-type: none"> Situations where landowner only desires temporary protection Situations where County wishes to defer or delay development rather than prevent it Agricultural/horticultural uses on properties five acres or greater Forestry properties of 20 acres or greater (only allowed in AFDs) Parcels meet size and location requirements of Va. Code § 15.2-4305 <i>Many localities actively promote AFDs. Some use this opportunity to cross-promote conservation easements and other programs.</i> <i>Some localities have longer terms (up to 10 years) and/ or AFDs of local significance.</i> 	<ul style="list-style-type: none"> Currently funded via reduced tax assessments and reduced real estate taxes Use Value Taxation is required for local PDR programs to be eligible for Virginia Department of Agriculture and Consumer Services (VDACS) reimbursement grants (see below)
Purchase of Development Rights (PDR)	<ul style="list-style-type: none"> Situations where landowner wants permanent protection of entire property and to retain ownership (conservation easement) Protection of rural character: focused outside the PSA (where agricultural/ forestry uses are recommended) but there could be properties with other high conservation values inside PSA Landowners who are comfortable with limitations on uses, future subdivisions and dwelling units per PDR guidelines (e.g., one dwelling/100 acres) Easements that qualify for agricultural grants (see next column). Both VDACS and National Resources Conservation Service (NRCS) grants are intended for working farms and/or certain forest lands Broad invitations for landowners to make application to the County 	<ul style="list-style-type: none"> Previously funded with \$0.01 of the real estate tax Previously funded with \$5 million in general obligation bonds Previously funded with VDACS matching reimbursement grants Grants (some matching) currently available through VDACS, Virginia Land Conservation Fund (VLCF), Virginia Outdoor Foundation's (VOF) Virginia Open-Space Lands Preservation Trust Fund 50-75% matching grants available from the United States Department of Agriculture's NRCS Agricultural Conservation Easement Program Loans available through Virginia Clean Water Revolving Loan Fund (VCWLF) Donations of permanent conservation easements to localities can qualify landowners for attractive state and federal tax incentives

	<ul style="list-style-type: none"> • <i>Several model PDR programs offer annual cycles of applications.</i> • <i>Several localities enlist a coordinator and link administration of the program with agricultural economic development initiatives (marketing, promotion, links between agricultural land for rent and farmers looking to rent, local foods, estate planning).</i> 	<ul style="list-style-type: none"> • <i>Several localities use a dedicated local funding stream to leverage state/ federal grants.</i> • <i>Virginia Beach has used U.S. Treasury STRIPS bonds to finance 25-year installment purchase agreements.</i> • <i>Albemarle County has established a contribution fund for private donations.</i>
Greenspace Program	<ul style="list-style-type: none"> • Strategic situations needing flexibility: <ul style="list-style-type: none"> ○ Land acquisitions where landowners do not want to retain ownership and County can use, steward, or re-sell land with permanent protections ○ Conservation easements where property owners want permanent protection and to retain ownership in situations outside PDR Program ○ Temporary easements only in situations of timbering buffers • Acquisition for open spaces, parks, greenways, trails; environmental protection, and flooding resilience; historic areas; community character, mainly within the PSA • Targeted pursuit of properties or special opportunities by County • James City County has applied to receive credit for its conserved properties through the National Flood Insurance Program Community Rating System, securing higher flood insurance premium discounts for residents • <i>Several localities create partnerships with VOF, land conservation groups, wetlands banks, land trusts, and other nonprofits to extend opportunities.</i> 	<ul style="list-style-type: none"> • Previously funded with \$0.01 of the real estate tax • Previously funded with \$5 million in general obligation bonds • Previously funded with variety of state and federal grants, private donations, sale of properties, partnerships • Grants (some matching) available through VLCF, VOF's Land and Water Conservation Fund, Virginia Recreational Trails Fund, Federal Land and Water Conservation Fund monies for Civil War battlefield acquisition, and Virginia Department of Historic Resources • Federal grants are available through the National Fish and Wildlife Foundation Coastal Resilience Fund and Federal Emergency Management Association's Flood Mitigation Program • Loans available through VCWRLF • Donations of permanent conservation easements to localities can qualify landowners for attractive state and federal tax incentives • <i>Several localities use a dedicated local funding stream to leverage state/ federal matching grants.</i>

Current Status of the Greenspace and PDR Programs

Both the Greenspace Program and the PDR Program are outgrowths of the Virginia Open-Space Land Act, which gives authority to the County to purchase conservation easements on land for conservation purposes. These conservation purposes are defined as:

- (i) park or recreational purposes;
- (ii) conservation of land or other natural resources;
- (iii) historic or scenic purposes;
- (iv) assisting in the shaping of the character, direction, and timing of community development; or
- (v) wetlands as defined in § 28.2-1300; or
- (vi) agricultural and forestal production.

The act requires that the use of the real property for open space conform to the Comprehensive Plan. It also details the County's powers to generally administer the programs. The County recently reiterated citizens' desires and established goals, strategies, and actions to conserve lands for the purposes noted above in the recently adopted 2045 Comprehensive Plan. Criteria last used in each of these programs continue to mirror the provisions of the Virginia Open-Space Land Act. The County's PDR Ordinance (Attachment No. 1) and PDR Committee remain in existence, although Committee reappointments or new appointments would be necessary. Certainly, opportunities may arise to enhance and evolve both programs using the results of the Natural and Cultural Assets Plan effort and current best practices.

Many, if not all, acquisitions achieve multiple purposes, but examples for each are noted below for illustrative purposes:

STATE CODE PURPOSE (CONSERVATION VALUES)	EXAMPLE PROPERTIES	PROGRAM
Park or recreational purposes	Chickahominy Riverfront Park	Greenspace
Conservation of land or other natural resources	Luna/Zamora - 4000, 4052, 4024, 4200 John Tyler Highway	Greenspace
Historic or scenic purposes	Whitehall Tavern - 3200 Rochambeau Drive	Greenspace/PDR
	Warren Farms - 2235, 2239, 2243, 2247 Forge Road, 101 Lakeview Drive	Greenspace
Assisting in the shaping of the character, direction, and timing of community development	Exxon Property - 3493 John Tyler Highway	Greenspace
	Jamestown Campground/Yacht Basin	Greenspace
Wetlands	Gilley - 318, 320 Neck-O-Land Road; 227, 229, 231 Gatehouse Boulevard	Greenspace/PDR
Agricultural and forestal production	Mainland Farm - 2881 Greensprings Drive	Greenspace
	Apperson Farms - 4900, 4916, 4920 Fenton Mill Road	PDR

Additionally, the act allows the County to fund both programs through budget appropriations, bond proceeds, and grant applications. With the creation of the Assistant Director of Community Development position, the Board of Supervisors took the initial step toward reallocating resources to the programs. With ongoing Capital Improvements Program funding, staff can pursue easements within the budget limits or as time permits, pursue supplemental grant funding for properties where both the County and landowner have an interest in moving forward. One upcoming opportunity is for staff to reapply for program and fiscal certification from the VDACS for PDR matching fund allocations (Attachment Nos. 2 and 3).

Alongside the pursuit of new conservation easements is the need to steward existing conservation easements. Already, significant staff time has been dedicated to amending and finalizing the easements for the former Hall-Temple and Meadows properties and then working with prospective owners on plans for their properties. As staff has worked to improve JCC PermitLink to flag new development activity on Greenspace and PDR properties, additional staff time has gone toward reviewing construction permits, conceptual plans and other applications to ensure compliance with the easement terms. Moving forward, monitoring and stewarding the properties will continue to be a necessary component of these programs in order to protect the public's investment and interest in these properties.

Update on Natural and Cultural Assets Plan Effort

At its January 25, 2022, meeting, the Board of Supervisors received an update on the Natural and Cultural Assets Plan effort from the County's consultant, Ms. Karen Firehock. She described how the project team

(consultants and staff) worked with the Mapping Committee and the Technical Advisory Committee to complete its first major task, producing draft maps of James City County's ecological and cultural assets, including a base map of habitat cores and several themed maps. She also shared the public engagement plan and news of a survey to be held during the month of February.

Since that time, several additional major tasks have been completed. First, the public survey concluded at the end of February, yielding more than nearly 150 suggestions regarding revisions, additions, or questions for the asset maps. In response, the Project Team and Committees refined the maps based on these comments. Second, the Project Team and Committees mapped risks to these assets, ranging from storm surge to development pressures. In the coming weeks, the Project Team will work with the Committees to identify strategies, such as potential actions or policies, to help to conserve or restore the highest ranked assets. This information will be shared at a public open house on June 29 from 4-7 p.m. at the James City County Recreation Center, where the citizens will have an opportunity to view the assets and risk and to comment on the draft strategies. In addition, another online survey will be launched for a period of one week before and after the public open house to allow those who cannot attend (or who attended but have additional thoughts) to also share their ideas and responses to draft strategies.

Over the summer, the public's comments will once again be used to inform the assets maps, risks maps, and strategies. Staff anticipates having another briefing with the Board in September to receive final input before proceeding to plan completion and adoption.

Conclusion

Staff looks forward to discussing this information and answering questions.

TMR/ap
OpnSpcPrgs-NatCultUpd-mem

Attachments:

1. Purchase of Development Rights Ordinance
2. Purchase of Development Rights Program Certification Form
3. Purchase of Development Rights Fiscal Certification Form

CHAPTER 16A PURCHASE OF DEVELOPMENT RIGHTS PROGRAM

Sec. 16A-1. Short title.

This chapter shall be known and may be cited as the "Purchase of Development Rights ("PDR") Program."
(Ord. No. 194, 11-27-01)

Sec. 16A-2. Purpose.

The purposes of this chapter include, but are not limited to:

- (1) Establishing a program enabling the county to acquire conservation easements voluntarily offered by owners to serve as one means of assuring that James City County's resources are protected and efficiently used;
- (2) Establishing and preserving open-space and the rural character of the county;
- (3) Preserving farm and forest land;
- (4) Conserving and protecting water resources and environmentally sensitive lands, waters and other natural resources;
- (5) Conserving and protecting biodiversity and wildlife and aquatic habitat;
- (6) Assisting in shaping the character and direction of the development of the community;
- (7) Improving the quality of life for the inhabitants of the county; and
- (8) Promoting recreation and tourism through the preservation of scenic and historical resources.

(Ord. No. 194, 11-27-01)

State law reference(s)—Code of Va., § 10.1-1700 et seq.

Sec. 16A-3. Applicability.

The PDR program shall be available for all qualifying lands in the county, except those lands under the ownership or control of the United States of America, the Commonwealth of Virginia, or an agency or instrumentality thereof. Any conservation easement acquired pursuant to this chapter shall be voluntarily offered by the owner.

(Ord. No. 194, 11-27-01)

Sec. 16A-4. Definitions.

The following definitions shall apply in the interpretation and implementation of this chapter:

Administrator. Administrator is that person placed in a managerial position over the daily operations of the PDR program. The administrator shall serve as a direct liaison to the program.

Board. The Board of Supervisors of James City County.

Conservation easement. A nonpossessory interest in one or more parcels by one or more qualified easement holders under section 16A-10(d) of the Code of the County of James City acquired under the Open-Space Land Act (Virginia Code § 10.1-1700 et seq.), whether the easement is appurtenant or in gross, voluntarily offered by an owner and acquired by purchase or donation pursuant to the PDR program, imposing limitations or affirmative obligations for the purpose of retaining or protecting natural or open-space values of the parcel or parcels, assuring availability for agricultural, forestal, recreational or open-space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural or archaeological aspects of the parcel or parcels.

Dwelling. Any structure which is designed for use for residential purposes.

Owner. The owner or owners of the freehold interest of the parcel.

Parcel. A lot or tract of land, lawfully recorded in the clerk's office of the circuit court of the City of Williamsburg and County of James City. A conservation easement may contain one or more parcels, for purposes of this chapter the term "parcel" shall include all parcels covered by, or proposed to be covered by, the conservation easement.

Purchase of development rights (PDR) guidelines. The current guidelines document as approved by the purchase of development rights committee, the county administrator, the manager of development management, and the community services manager.

(Ord. No. 194, 11-27-01; Ord. No. 194-1, 12-11-07)

Sec. 16A-5. Designation of program administrator; powers and duties.

- (a) *Designation.* The administrator shall report to the assistant manager of community services.
- (b) *Powers and duties.* The administrator shall administer the PDR program and shall have powers and duties to:
 - (1) Establish reasonable and standard procedures and forms consistent with this chapter for the administration and implementation of the program.
 - (2) Promote the program, in cooperation with the PDR committee, by providing educational materials to the public and conducting informational meetings.
 - (3) Investigate and pursue, in conjunction with the county, state, federal and other programs available to provide additional public and private resources to fund the program and to maximize private participation.
 - (4) Evaluate all applications to determine their eligibility and their ranking score, rank applications based on their ranking score, and make recommendations thereon to the PDR committee.
 - (5) Coordinate the preparation of appraisals.
 - (6) Negotiate with owner relating to conservation easement terms and value.
 - (7) Provide staff support to the board, the PDR committee, and the appraisal review committee.
 - (8) For each conservation easement accepted into the program, establish baseline data, and assure that the terms and conditions of the easement are monitored and complied with by coordinating a monitoring program with each easement holder.

(Ord. No. 194, 11-27-01)

Sec. 16A-6. Purchase of development rights program committee established; powers and duties.

- (a) *Establishment.* The PDR committee is hereby established, as follows:
- (1) The committee shall consist of five members appointed by the board. Each member shall be a property owner in and of James City County. The committee should, but is not required to be, comprised of members who are knowledgeable in the fields of conservation, conservation biology, planning, real estate, land appraisal, farming and forestry and may also include members of conservation easement holding agencies and conservation organizations.
 - (2) The members of the committee shall serve at the pleasure of the board. The initial terms of the members shall be as follows: two members shall be for one year; two members shall be for two years; and one member shall be for three years. Each term after the initial term shall be for three years.
 - (3) The members of the committee shall serve without pay, but the board may, in its discretion, reimburse members for actual and necessary expenses incurred in the performance of his/her duties.
 - (4) The committee shall elect a chairman, vice chairman and secretary at its first meeting each calendar year. The secretary need not be a member of the committee.
 - (5) The administrator shall be an ex officio member of the committee.
- (b) *Powers and duties.* The PDR committee shall have the powers and duties to:
- (1) Promote the program, in cooperation and under the guidance of the administrator, by providing educational materials to the public and conducting informational meetings.
 - (2) Review the ranking of applications recommended by the administrator, and make recommendations to the administrator and the board as to which conservation easements should be purchased.
 - (3) Annually review the program's eligibility and ranking criteria and recommend to the administrator any changes needed to maintain the program's consistency with the comprehensive plan, or to improve the administration, implementation and effectiveness of the program.
 - (4) A quorum shall consist of three members present and the committee shall operate on a "majority rule" basis.
 - (5) Develop and annually update a purchase of development rights guideline document which shall guide the purchase of development rights committee in its review.

(Ord. No. 194, 11-27-01; Ord. No. 194-1, 12-11-07)

Sec. 16A-7. Appraisal review committee established; powers and duties.

- (a) *Establishment.* The appraisal review committee is hereby established, as provided herein:
- (1) An appraisal review committee shall be created as a subcommittee of the PDR committee and operate directly under its supervision.
 - (2) The subcommittee shall consist of a minimum of three members. The subcommittee shall be comprised of at least one real estate professional, one member of the PDR committee, and the county assessor. The members shall be appointed by the PDR committee.
 - (3) The members of the subcommittee shall serve at the pleasure of the PDR committee. Each member, other than the county assessor, shall serve a one year term. The county assessor shall be a permanent member of the subcommittee.

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(Supp. No. 63)

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- (4) The county assessor shall be the chairman of the subcommittee.
- (b) *Powers and duties.* The appraisal review committee shall have the power and duty to review appraisals to assure they are consistent with appropriate appraisal guidelines and practices, and to make recommendations thereon to the PDR committee, and provide final approved appraisal results to the PDR committee, and the administrator.

(Ord. No. 194, 11-27-01)

Sec. 16A-8. Eligibility criteria.

In order for a parcel to be eligible for a conservation easement, it must meet the following criteria: (i) the use of the parcel subject to the conservation easement must be consistent with the comprehensive plan; (ii) the proposed terms of the conservation easement must be consistent with the minimum conservation easement terms and conditions set forth in section 16A-10, unless modified by the board; and (iii) the parcel must be located in the County of James City.

(Ord. No. 194, 11-27-01)

Sec. 16A-9. Ranking system.

In order to effectuate the purposes of this chapter, parcels for which conservation easement applications have been received shall be evaluated by utilizing a ranking system. The initial ranking system and changes to the ranking system shall be approved by the county administrator, the manager of development management, and the community services manager. The ranking system may be used to prioritize the acquisition of conservation easements.

(Ord. No. 194, 11-27-01; Ord. No. 194-1, 12-11-07)

Sec. 16A-10. Conservation easement terms and conditions.

Each conservation easement shall conform with the requirements of the Open-Space Land Act of 1966 (Virginia Code § 10.1-1700 et seq.) and this chapter. The deed of easement shall be in a form approved by the county attorney, and shall contain, at a minimum, the following provisions:

- (a) *Restriction on dwellings and subdivision.* The PDR Guidelines shall apply on matters involving dwellings and future subdivision.
- (b) *Conservation easement duration.* A conservation easement acquired under the terms of this chapter shall be perpetual.
- (c) *Other restrictions.* In addition to the foregoing, the parcel shall be subject to standard restrictions contained in conservation easements pertaining to uses and activities allowed on the parcel. These standard restrictions shall be delineated in the deed of easement and shall include, but not necessarily be limited to, restrictions pertaining to: (i) accumulation of trash and junk; (ii) grading, blasting or earth removal; (iii) conduct of industrial or commercial activities on the parcel that would make its use inconsistent with the intent and purposes of this ordinance; and (iv) monitoring of the easement.
- (d) *Designation of easement holders.* The county shall be the easement holder, and if designated by the board, one or more other public bodies, as defined in Virginia Code Section 10.1-1700, or one or more organizations then qualifying as an eligible donee as defined by Section 170(h)(3) of the Internal Revenue Code of 1986, as amended, shall also be an easement holder.

Sec. 16A-11. Application and evaluation procedure.

Each application for a conservation easement shall be processed and evaluated as follows:

- (a) *Application; program materials to be provided to owner.* The application materials provided by the administrator to an owner shall include, at a minimum, a standard application form and information about the PDR program.
- (b) *Application form.* Each application shall be submitted to the administrator on a standard form prepared by the administrator. The application form shall require, at a minimum, that the owner provide: the names of all owners of the parcel, the address and telephone number of each owner, the acreage of the parcel, the James City County tax map and parcel number, the zoning designation of the parcel, and permission for the administrator and an independent appraiser and such other staff as may be appropriate to enter the property after reasonable notice to the owner to evaluate the parcel, and for the county assessor or an independent appraiser to appraise the property. The application form shall also include a space for an owner to indicate whether he/she volunteers to have his parcel be subject to greater restrictions than those contained in the standard deed of easement, and to delineate those voluntary, additional restrictions.
- (c) *Additional application information required by administrator.* The administrator may require an owner to provide additional information deemed necessary to determine: (i) whether the proposed easement is eligible for purchase; (ii) the ranking of the parcel; and (iii) the value of such easement.
- (d) *Submittal of application.* Applications shall be submitted to the administrator. An application fee may be required. An application may be submitted at any time during an open application period. However, applications received after an open application period deadline, shall be held by the administrator until the next open application period.
- (e) *Evaluation by administrator.* The administrator shall evaluate each application received and determine whether the application is complete. If the application is incomplete, the administrator shall inform the owner in writing of the information that must be submitted in order for the application to be deemed complete. When an application is deemed complete, the administrator shall determine whether the parcel satisfies the eligibility criteria set forth in section 16A-8 and, if it does, shall determine the number of points to be attributed to the parcel by applying the ranking system in accordance with section 16A-9. The administrator shall then rank each parcel with the parcel scoring the most points being the highest ranked and descending there from. The administrator shall submit the list of ranked parcels to the PDR committee after each open application period.
- (f) *Evaluation by PDR committee.* The PDR committee shall review the list of ranked parcels submitted by the administrator. The PDR committee shall forward to the administrator and the board recommendations of which conservation easements should be purchased.
- (g) *Evaluation by board.* The board shall review the list of ranked parcels submitted by the PDR committee and identify on which parcels it desires conservation easements. The board shall then prioritize the parcels on which it will seek to purchase conservation easements. Nothing in this chapter shall obligate the board to purchase a conservation easement on any property that is eligible for purchase.
- (h) *Requirements and deadlines may be waived.* Any requirement or deadline set forth in this chapter may be waived by the board if, for good cause, it is shown that urgent circumstances exist that warrant consideration of an application. Under such circumstances, the board may purchase a conservation easement at any time it deems necessary.

-
- (i) *Reapplication.* An owner of a parcel not selected by the board for purchase of a conservation easement may reapply in any future open application period.

(Ord. No. 194, 11-27-01)

Sec. 16A-12. Purchase of development rights procedure.

Each purchase of a conservation easement shall proceed as follows:

- (a) *Identification of initial pool.* From the list of parcels received under section 16A-11, the board shall designate the initial pool of parcels identified for conservation easements to be purchased.
- (b) *Determining purchase price.* Negotiations with the property owners regarding the easement terms shall be coordinated by the administrator. Upon completion of these negotiations, the administrator shall arrange for an appraisal of the properties by the county assessor or an independent appraiser. Each completed appraisal shall be submitted to the administrator. The results of the appraisal shall be reviewed by the appraisal review committee which shall review and approve each appraisal. Final approved appraisal results shall be provided to the PDR committee and the administrator.
- (c) *Invitation to sell.* The county administrator shall invite the owner of each parcel included in the initial pool of parcels to sell to the county a conservation easement on that parcel for an amount based upon the appraised value of such conservation easement, subject to the terms and conditions of a proposed deed of easement. The invitation to sell shall be in writing and shall include the purchase price, the proposed deed of easement, and the date by which a written offer must be received by the administrator in order to be accepted. The invitation may contain a form offer to be returned by the owner if the owner desires to sell a conservation easement.
- (d) *Offer to sell.* Each owner who desires to sell and/or donate a conservation easement shall submit a written offer that must be received by the administrator by the date contained in the invitation to sell. The offer should include a statement that substantially states the following: "(The owner) offers to sell and/or donate a conservation easement to the County of James City, Virginia for the sum of (purchase price), subject to the terms and conditions set forth in the proposed deed of easement enclosed with the invitation to sell." Nothing in this chapter shall compel an owner to submit an offer to sell.
- (e) *Acceptance.* An offer to sell a conservation easement shall be accepted by the board in writing, following an action by the board authorizing acceptance.
- (f) *Conservation easement established.* A conservation easement shall be established when the owner and an authorized representative of the holder of the easement have each signed the deed of easement. The deed shall be recorded in the office of the clerk of the circuit court of the City of Williamsburg and County of James City. A single conservation easement may be established for more than one parcel under the same ownership.
- (g) *Offers not made; offers not accepted; invitation to other owners.* If an owner invited to sell elects not to do so, or if the offer to sell is not accepted by the board, then the county administrator may send an invitation to sell to the owner(s) of the next highest prioritized parcel(s) remaining on the list of parcels identified in section 16A-11(g).
- (h) *Costs.* If the board accepts an offer to sell a conservation easement, the county shall pay the grantor's tax, if any, and the county may pay all other costs, including environmental site assessments, surveys, recording costs, if any, and other charges associated with closing. However, the county shall not pay expenses or fees incurred by the property owner for independent appraisals or legal, financial, or other advice, or expenses or fees in connection with the release and subordination of liens to the easement purchased by the county.

(Ord. No. 194, 11-27-01)

Sec. 16A-13. Restriction on buy-back; extinguishment and exchange of easements.

- (a) *Restriction on buy-back.* The owner shall not have the option to reacquire any property rights relinquished under the conservation easement, except as provided hereafter, the deed of easement may allow an exchange of easements as follows:
- (1) *Petition to board.* Upon the expiration of 25 years from the date on which a conservation easement was recorded, the owner or successor in interest to the property which is subject to the easement may petition the board for the extinguishment of such easement in exchange for the conveyance to the county of a conservation easement on a different parcel of property meeting all of the eligibility requirements as set forth in section 16A-8.
 - (2) *Requirements.* No such extinguishment and exchange of easement shall be authorized, unless a majority of the board find that:
 - (i) The extinguishment and exchange is determined to be essential to the orderly development and growth of the county;
 - (ii) The extinguishment and exchange is in accordance with the comprehensive plan for the county in effect at the time of the extinguishment and exchange;
 - (iii) The extinguishment and exchange does not adversely affect the county's interests in accomplishing the purposes of this ordinance;
 - (iv) There is substituted other real property which is (a) of at least equal fair market value and at least equal acreage; (b) of greater value as permanent open-space land than the land upon which the easement is extinguished, (c) of as nearly as feasible equivalent usefulness and location for use as permanent open-space land as is the land upon which the easement is extinguished and (d) is in accordance with the Virginia Open-Space Land Act, (Virginia Code §10.1-1700 et seq.).
 - (3) *Expenses.* The petitioner shall bear all expenses and fees in connection with the exchange, including, but not limited to purchase of the substituted easement, site assessments, surveys, closing costs, recording fees and taxes, title search, and title insurance if required.

(Ord. No. 194, 11-27-01)

**APPLICATION FOR CERTIFICATION OF LOCAL PURCHASE OF DEVELOPMENT RIGHTS (PDR)
PROGRAM- FY 2022**

Application Deadline: Friday, December 10, 2021

Locality:

Contact person:

Title:

Address:

Address 2:

City, State, Zip:

Phone:

Fax:

E-mail:

Date:

The following application is based on *A Model Purchase of Development Rights (PDR) Program for Virginia*, which was released by the Virginia Department of Agriculture and Consumer Services (VDACS) Farmland Preservation Task Force in November 2005. It is strongly suggested that applicants refer to the model PDR document while completing this application. Please contact Jen Perkins at Jennifer.Perkins@vdacs.virginia.gov or call (804) 786-1906 to obtain a copy of this report.

To complete this application, please answer each of the questions listed below. Also, please submit any additional documentation to help support or clarify your answers. ***If your locality is currently certified for fiscal year (FY) 2021, please only provide an update to the questions covering the changes that have occurred to your program since you submitted your application last year.***

1. Use Value Taxation

Does your locality participate in use value taxation pursuant to Va. Code § 58.1-3229 et seq.? If so, please provide a copy of your local ordinance that shows the date it was adopted by your governing body. If your local ordinance is online, it is acceptable to provide a link to the location provided it meets the above.

2. Adopted PDR ordinance or resolution

Please attach your local PDR ordinance or resolution as adopted. If your ranking system is not part of your ordinance or resolution, please include this as well.

3. Program goals and purposes

Please specify your program goals or purposes as outlined in your local PDR ordinance or resolution.

VDACS will be looking for clearly defined program goals or purposes that are supported by the program ordinance or resolution.

4. Action plan for education/outreach

Please provide information on how your program reaches out to farmers or landowners, public officials, and the non-farming public.

VDACS will be looking for examples of efforts to educate various stakeholders in the community on the PDR program and other working farm and forest land preservation initiatives.

5. Easement valuation process

Please outline how your locality determines easement value.

VDACS will be looking for transparency and replicability in the easement valuation process.

6. Broader agricultural enhancement strategy

Please outline what additional strategies your locality is using to preserve working farm and forest land and how these various strategies work together. Examples include comprehensive land use plan, agricultural zoning, use value taxation, agricultural and forestal districts, agricultural economic development efforts, farm transition efforts, etc.

VDACS will be looking to see that the PDR program is part of a broader strategy designed to preserve working farm and forest land.

7. Deed of easement

Please attach a copy of your deed of easement template.

*VDACS will be looking to see that the deed of easement is flexible enough to allow for future agricultural production and that it contains the appropriate components established in the model document. All easements funded by VDACS must be perpetual. **Please note: A more detailed review by VDACS of each individual easement will be required prior to closing.***

8. Monitoring and enforcement strategy

Please describe your monitoring and enforcement schedules or procedures.

VDACS will be looking to see that a clear strategy has been established outlining how the easement will be monitored and enforced.

9. Program evaluation mechanism

Please describe the process used to evaluate the effectiveness of your program and indicate the process for making changes or updates to your program based on this evaluation.

VDACS will be looking to see that the program has an evaluation mechanism and a process established for implementing evaluation findings.

Completed applications and any questions should be addressed to:

Jen Perkins
Coordinator, Office of Farmland Preservation
Virginia Department of Agriculture and Consumer Services
102 Governor Street
Richmond, VA 23219
Phone: (804) 786-1906
Mobile: (804) 382-6305
Jennifer.Perkins@vdacs.virginia.gov

**CERTIFICATION OF LOCAL PURCHASE OF DEVELOPMENT RIGHTS (PDR) PROGRAM
MATCHING FUNDS – FY 2022**

Application Deadline: Friday, December 10, 2021

The _____ of _____ hereby certifies that on
(County Administrator/City Manager) (Locality)
this _____ day of _____, local funds in the amount of
\$ _____ were appropriated for the July 1, 2021 to June 30, 2022 fiscal year,
and that local funds in the amount of \$ _____ are currently available from
previous fiscal years for the purpose of purchasing agricultural conservation easements. Added
together, this equals a total of \$ _____ in local matching funds currently
available to match funding from the Virginia Farmland Preservation Fund as established in § 3.2-
201 of the *Code of Virginia*.

It also is certified that none of the funds listed above are from any of the following: grants made
by the United States of America; the Virginia Department of Agriculture and Consumer Services
(VDACS), the Virginia Department of Conservation and Recreation (DCR), the Virginia
Outdoors Foundation (VOF), or any other agency or political subdivision of the Commonwealth
of Virginia; payments made by any other funding sources either directly to the landowner or to
reimburse the locality; or in-kind donations or contributions. It is further certified that the total
amount above is comprised only of local funding available for the purchase of agricultural
conservation easements by the locality.

It is the intent of _____ to use these funds to purchase perpetual conservation
(Locality)
easements on working farm and forest land through participation in the agricultural conservation
easement program administered by VDACS' Office of Farmland Preservation pursuant to Va.
Code § 3.2-201.

It is understood and agreed that participation in VDACS' agricultural conservation easement
program requires meeting additional criteria as promulgated by the Office of Farmland
Preservation and that certification of the locality's available funds does not guarantee or obligate
acceptance into the agricultural conservation easement program.

County Administrator/City Manager

County/City Chief Fiscal Officer

Date

Date

Completed certification form and any questions should be addressed to:

Jen Perkins
Coordinator, Office of Farmland Preservation
Virginia Department of Agriculture and Consumer Services
102 Governor Street
Richmond, VA 23219
Phone: (804) 786-1906
Mobile: (804) 382-6305
Jennifer.Perkins@vdacs.virginia.gov



Overview of Open Space Preservation Tools & Update on Natural and Cultural Assets Plan

5/24/2022 Board of Supervisors Meeting

Today's Objectives

- Review the County's Open Space Preservation programs, with a focus on:
 - Greenspace
 - Purchase of Development Rights (PDR)
- Receive an update on the Natural and Cultural Assets Plan



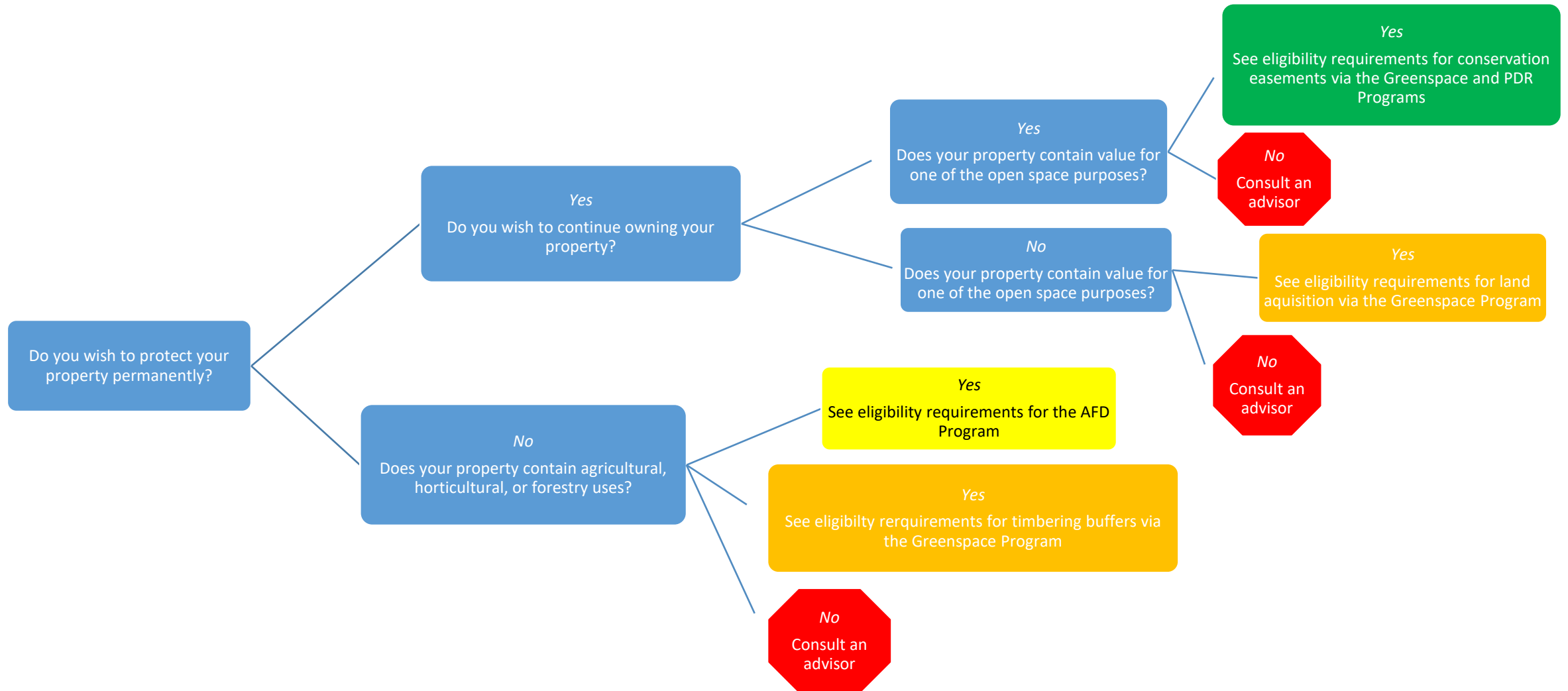
Summary

- James City County has a long history of public support for conservation and open space preservation.
- The County has built its toolbox with different tools over the past 45 years in response to:
 - New state legislation and programs
 - Comprehensive Plan public input and actions
 - High-profile development cases
 - Funding opportunities
- The tools are meant to be complementary and fit a wide range of circumstances for the landowner and the County.

Main Tools in the Toolbox

TOOL	YEAR	TYPE	
Use Value Taxation	1974	Tax assistance in exchange for	Comprises about 15% of County land
Agricultural and Forestal Districts (AFDs)	1986	temporary land protections	13 AFDs with land in agricultural, horticultural, and forestry use. All but one have 4-year terms.
Policies Ordinances	1987 onward	Regulatory measures during development process	Greenbelt Policy; Chesapeake Bay Preservation Act Ordinance; Archaeological Policy and Ordinance; Natural Resources Policy and Ordinance
Greenspace Program	1996	Direct purchase of land and easements from landowners	Initially focused inside PSA – Jamestown Rd, John Tyler Hwy, Greensprings Rd. Later added Norge, Toano, Powhatan & Yarmouth Creek
Purchase of Development Rights (PDR) Program	2001	Direct purchase of easements from landowners	Favors parcels outside the PSA. Focused on agricultural and forestal land, but also factored in community character and natural resources

Selecting the Right Tool



Fit, Criteria, Funding

Use Value Taxation/AFDs

- Best for temporary protection and deferring development
- Encourages farming and forestry as uses
- Size: agriculture/horticulture land = 5+ ac, forestry = 20+ ac.
- Funded through reduced tax assessments and taxes
- Required for PDR certification



Fit, Criteria, Funding

Greenspace Program

- Best for strategic situations needing flexibility in size, location, ownership and proactive acquisition of key parcels
- Can be funded with real estate taxes, bonds, competitive state matching grants, donations, sales, and partnerships
- Requires ongoing stewardship



Fit, Criteria, Funding

Purchase of Development Rights (PDR)

- Best for permanent protection where landowner wants to retain ownership.
- Can be funded with real estate taxes, bonds, VDACS matching reimbursement grants, donations
- Requires ongoing stewardship



Current Status of Greenspace/ PDR Programs

- Both remain enabled through the Virginia Open-Space Land Act
 - **Purposes:** park or recreation; conservation of land or other natural resources; historic or scenic purposes; assisting in shaping the character, direction, and timing of community development; wetlands; agricultural and forestal production. Must be consistent with Comprehensive Plan
 - PDR ordinance and committee exist, will require review/reappointments
- Funding through the CIP, grants only as situations/ staff time permit
 - Can apply for recertification to access annual VDACS grant funding
- Stewardship:
 - PermitLink modifications to flag new development on Greenspace/PDR
 - Amendments & finalization of Hall-Temple & Meadows property easements
 - Monitoring as staff time permits

Update on Natural and Cultural Assets Plan

- Completed natural & cultural assets maps
 - Habitat cores
 - Themed maps
- Conducted public survey in February
 - 150 suggestions and comments
 - Input analyzed and used in refinements
- Mapped risks, will discuss strategies
- Community Open House
 - June 29 from 4-7 PM at the Rec Center
 - In-person and online opportunities to view information and share ideas



JAMES CITY COUNTY Natural & Cultural Assets Plan





Questions?

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Jason Purse, Assistant County Administrator

SUBJECT: Building Consolidation Study

ATTACHMENTS:

	Description	Type
▣	Presentation	Presentation
▣	Market Valuation Report	Exhibit
▣	Fiscal Impact Analysis Report	Exhibit

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 2:26 PM

James City County, Virginia

County Facility Consolidation Fiscal Impact Analysis

March 5, 2022

Presented by:

Kyle Talente, President

Agenda

Study Intent and Approach

Methodology

Analysis Results

Discussion

Study Intent and Approach

Analysis Intent

James City County has a substantial need to increase its administrative space

Existing Building Space	Current Space Needs	2040 Space Needs
400,184 SF	556,445 SF	624,630 SF

This existing unmet need is the impetus for estimating all renovation and construction starting in 2024

The County's facility master plan calls for the consolidation of some central administrative services into a single facility

- Reduces the overall footprint
- Creates operational efficiencies
- Centralizes County services

This analysis quantifies the potential capital and operational impacts of consolidating these services into a single facility

Analysis Approach

This analysis focuses on specific facilities and services to be considered as part of the consolidation effort

- JCC Government Center (Mounts Bay Road)
- Ironbound Village (Palmer Lane)
- Fire Administration Building
- IRM Community Video Center
- Emergency Operations Center (EOC)
- Human Services Center
- WJCC Schools Administration and Annex Buildings

The analysis considered two scenarios; a control scenario and a change scenario

- Existing Facilities Scenario – Remain at the seven facilities and expand in place
- Consolidation Scenario – Consolidate all seven operations to a central facility

The two scenarios are critical to understand the fiscal impact of consolidation

- There needs to be a baseline of how the County would somehow accommodate this need
- The 'do not grow' option is not viable

What Did We Measure?

Existing Facilities Scenario

- Capital costs of maintaining the existing facilities
- Capital costs of renovating existing facilities to LEED Silver status
- Capital costs of new construction of the space to address current/future needs
- Operating costs to maintain existing and new building space
- Economic costs of continuing to operate at remote facilities (e.g., VMT and lost staff time)

Consolidation Scenario

- Capital costs of constructing a new consolidated administration building
- Moving costs associated with relocation
- Capital revenues from the sale of specific facilities
 - Mounts Bay Road, Ironbound Village, Human Services Center
 - Other facilities repurposed for JCC/WJCCPS use
- Operational costs to maintain existing (until relocation) and new facilities
- Net fiscal impact from the private use of the disposed assets (revenues and expenditures)
 - Fiscal impact based on the County's fiscal impact model

Specific Analysis Parameters

Operating Costs

- Averages calculated from previous two years actual operating costs
- Analysis of the costs for utilities by ClarkNexsen

Capital Costs

- Analysis done by Mosely Architects and Guernsey Tingle Architects
- Research into costs of construction (e.g., Marshall & Swift Valuation Services)
- Data provided by County General Services Department

Valuation of Assets

- Analysis done by RJS & Associates
- Calculation of the potential market value based on market viable future uses

Efficiency Analysis

- Analysis performed by GTA and RKG Associates
- Interviews with department representatives in each facility

Methodology

Existing Facilities Scenario

Facility	Current SF	Future SF	Rehab?	New?	Sold?
Mounts Bay Road	58,539	89,877	Yes	Yes	No
EOC Facility	8,097	13,529	No	Yes	No
Fire Admin	10,655	17,606	Yes	Yes	No
IRM	3,893	7,568	Yes	Yes	No
Ironbound Village	15,006	23,603	Yes	Yes	No
Human Services	29,138	32,841	Yes	Yes	No
School Admin	51,168	59,429	Yes	Yes	No
Consolidated Facility	0	0	N/A	N/A	N/A
TOTAL	176,496	244,453			

Consolidation Scenario

Facility	Current SF	Future SF	Rehab?	New?	Sold?
Mounts Bay Road	58,539	0	No	No	Yes
EOC Facility	8,097	0	No	No	No
Fire Admin	10,655	0	No	No	No
IRM	3,893	0	No	No	No
Ironbound Village	15,006	0	No	No	Yes
Human Services	29,138	0	No	No	Yes
School Admin	51,168	0	No	No	No
Consolidated Facility	0	227,341	No	Yes	No
TOTAL	176,496	227,341			

Assumptions

Renovation (control scenario) and new construction will start in 2024

- Work will take two years
- Rehab and construction costs specific to facility/use (e.g., EOC design requirements)
- All new construction and rehabilitation work will meet County's sustainability plan

Disposition of select facilities will occur in 2027

- Sale price based on potential use
- Mounts Bay Road – mixed use office and single family residential
- Human Services – office use
- Ironbound Village – office use

Consolidated facility offers potential for a reduction in space needs and operations

- Efficiencies of shared facility (e.g., conference rooms) can save on space (estimated at 7%)
- New construction will have state of the art utility efficiencies
- Shared parking can reduce overall need
- Improved worker efficiency through proximity and design (e.g., within same building)

Assumptions

Cost factors held in 2022 dollars for comparison

- Assumes inflation and cost escalation will be consistent
- While fluctuations are likely, they are impossible to predict accurately
- Regardless, the analysis is about relative differences (control versus change) and not overall

Consolidated facility will include structured parking in design

- Current facilities are all surface lots
- Creates physical efficiency
- Increases security and creates covered parking

Design will ensure integrity of use/access

- Create a secure and inviting experience for each department
- EOC facility to maintain construction standards

Retain existing level of services

- Grounds maintenance, facility maintenance, operations

Analysis Results

Parking

Parking needs will increase in the Existing Facilities scenario

- Estimated 338 new surface parking spaces

Consolidation scenario will require new parking development

- Estimated 918 parking spaces
- Clustering facilities offers efficiency savings in parking
- New facility to include mixture of surface and structured spaces
- Scenario assumes 50%/50% surface and structured parking

Structured spaces offer benefits, but at a financial cost

- Increases security and creates covered parking
- Cost of surface space = \$6,000
- Cost of structured space = \$30,000

Energy Efficiency

ClarkNexsen analysis reveals LEED certification will reduce cost of utilities

- Impacts from both design improvements and efficient equipment

Energy efficiency projected to reach at least 20% improvement over current operations

- This is on a per square foot basis
- Rehab work in the Existing Facilities scenario will improve efficiency, but not reach the benefit of new construction for the consolidated building

Water usage likely will reduce substantially

- Modern, efficient plumbing and fixtures offer substantial reduction in water use
- Estimated 70% to 80% reduction in water use due to new standards
- This is on a per square foot basis

Not included in this analysis is the reduction in vehicle usage for intraoffice engagement

- More central location to other facilities also will reduce amount of vehicle miles traveled (VMT)
- Being in single building estimated to reduce VMT by 15%

Existing Facilities Scenario

Cost of Construction

- Site development costs
- New facility costs (\$350-\$450 PSF)
 - 67,957 SF
- Rehab costs (\$100-\$200 PSF)
 - 176,496 SF

No sale or fiscal impact benefits

Operation Costs

- Increase after expansion (more space)
- Decrease relatives due to sustainability (e.g., reduced water consumption)

No non-fiscal benefits of move

Topic	Value
Rehab/Construction Cost	\$65,318,918
Land Development Costs	\$4,725,000
New Construction Costs	28,691,031
Rehabilitation Costs	\$29,874,887
Surface Parking Costs	\$2,028,000
Structured Parking Costs	\$0
Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$893,253
Reversion Value	\$0
Net Fiscal Impact of Private Development	\$0
Cumulative 30-Year Cost	\$91,291,298

Consolidation Scenario

Cost of Construction

- Site development costs
- New facility costs (\$350-\$450 PSF)
 - 227,341 SF
- No rehab costs – 0 SF
- All new construction = higher costs

Sale of facilities for private use

- \$14.4 million in sale value
- Creates ~\$350,000 in annual net fiscal benefits (office and residential)

Operation Costs

- Approximate 20% decrease from control scenario at 2040 capacity level

Non-Fiscal Benefits

- Estimated \$5M in locally-captured retail sales
- Estimated 800-1,000 office jobs

Topic	Value
Rehab/Construction Cost	\$99,013,871
Land Development Costs	\$2,273,413
New Construction Costs	\$80,216,459
Rehabilitation Costs	0
Surface Parking Costs	\$2,754,000
Structured Parking Costs	\$13,770,000
Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$733,188
Reversion Value	\$14,343,600
Net Fiscal Impact of Private Development	\$355,480
Cumulative 30-Year Cost	\$98,723,138

Scenario Comparison

EXISTING FACILITIES SCENARIO		CONSOLIDATION SCENARIO	
Topic	Value	Topic	Value
Rehab/Construction Cost	\$65,318,918	Rehab/Construction Cost	\$99,013,871
Land Development Costs	\$4,725,000	Land Development Costs	\$2,273,413
New Construction Costs	28,691,031	New Construction Costs	\$80,216,459
Rehabilitation Costs	\$29,874,887	Rehabilitation Costs	0
Surface Parking Costs	\$2,028,000	Surface Parking Costs	\$2,754,000
Structured Parking Costs	\$0	Structured Parking Costs	\$13,770,000
Existing Operational Cost (Annual)	\$686,953	Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$893,253	Expanded Operational Cost (Annual)	\$733,188
Reversion Value	\$0	Reversion Value	\$14,343,600
Net Fiscal Impact of Private Development	\$0	Net Fiscal Impact of Private Development	\$355,480
Cumulative 30-Year Cost	\$91,291,298	Cumulative 30-Year Cost	\$98,723,138

Discussion

RJS

& ASSOCIATES, INC.

March 1, 2022

Mr. Jason Purse
Assistant County Administrator
JAMES CITY COUNTY
101 Mounts Bay Road, Building D
Williamsburg, Virginia 23185

Dear Jason:

Re: Market Value of Excess Properties
James City County Municipal Consolidation Study

Guernsey Tingle's Municipal Consolidation Fiscal Impact Analysis Proposal dated December 10, 2021, tasked RJS & Associates, Inc. ("RJS") with determining the market value of those properties to be vacated and sold based on the current James City County (JCC) Facilities Master Plan. During the analysis, the list of properties to be sold was updated as follows:

1. Mounts Bay Road Government Complex and Excess Land (Exhibits A-1 and A-1.2). This property consists of three contiguous tax parcels: Parcel #49-201-6, #50-101-11, and #50-101-9 containing a total of \pm 135.5 acres.
2. Ironbound Village Buildings #1, 2 and 3 located at 5300, 5320 and 5340 Palmer Lane (Exhibit A-2).
3. Human Services Center located at 5249 Olde Towne Road and the contiguous vacant \pm 0.81-acre parcel at 5237 Olde Towne Road (Exhibit A-3).
4. The James City County Service Authority (JCSA) and General Services (GS) campus located at 119 Tewning Road on Tax Parcel #39-101-3 (Exhibit A-4).

The address, zoning classification, acreage, building size and current real estate assessment for these properties are shown on the attached table (Exhibit B).

RJS consulted with Simerlein Appraisals, Ltd. (Simerlein) to develop an opinion of Market Value for each of the properties. RJS and Simerlein decided the best approach in determining market value was the "*Sales Comparison Approach*", particularly since all

the properties will be vacant and not encumbered with leases at the time of sale. A copy of Simerlein's report is attached along with a summary of the market value range for each property (Exhibit A). The report includes plats, surveys, building plans, and/or general information on each property and current sales data on various real estate sectors (i.e., Commercial, Residential, Industrial, etc.) in the Greater Williamsburg and Southeastern Virginia markets.

Based upon Simerlein's report and my knowledge of the Williamsburg market, I am providing the following summary for each group of properties as previously referenced.

Mounts Bay Road – Government Complex and Excess Land

This property consists of three adjacent parcels, identified as Parcels 1, 2 and 3 on Exhibit A.1-2 and contains a total of ± 135.5 acres. The Government Complex is located on Parcel 1 and is improved with five (5) one-story buildings totaling $\pm 59,686$ SSF, covering ± 13.9 acres of the 60 acres as shown on Exhibit A-1. Parcel 2 contains ± 27.5 acres and is encumbered by The Country Road. Parcel 3 contains ± 48 acres, abuts the Route 199 right-of-way, and has frontage on Tutter's Neck Creek. The Colonial Gas Pipeline transits Parcel 3 as shown on Exhibit A-1.2.

In determining the total developable acreage of the property, it was assumed the Colonial Pipeline would remain in place. The Country Road right-of-way would be reduced to 50 feet and be rerouted through any future residential development. The property is also adversely affected by steep slopes and RPA as shown on Exhibit A-1.2. Therefore, the net developable acreage is ± 91 acres as shown on the bottom legend on Exhibit A-1.2.

The ultimate market value of the property is determined by the development constraints James City County places on the property to include use and density. I have considered three different scenarios.

SCENARIO ONE

The entire property is developed for single-family residential. This will involve razing the Government Complex and rerouting The Country Road through the planned residential development.

Density	2 units/acre
Price/Unit	\$25,000
Developable Acreage	± 91 acres

Market Value

Total Units	2 x 91 = 182	
Price/Unit	\$25,000	
Total Value:		\$ 4,550,000

SCENARIO TWO

The Government Complex on the ± 13.9-acre parcel and the ±2.9-acre parcel fronting on Mounts Bay Road, are subdivided out from the entire property, as shown on Exhibit A-1. The remaining developable acres of ± 77.1 acres is developed for single-family residential. The Government Complex would be converted into a condominium development in which a condominium association is formed to maintain and manage the common areas and each building is sold as a condominium. Sell the ±2.9 acres for office development and the remaining ±77.1 acres of developable land for a single-family development at a density of 2 units/acre.

Assumptions:

1. Offices valued at \$100/SF
2. 2.9 acres valued at \$150,000/acre
3. Residential Land valued at \$25,000/lot

Market Value

Office Complex 59,686 SF x \$100/SF	\$ 5,968,600
±2.9 acres at \$150,000/acre	435,000
Residential ±77.1 acres x \$50,000/acre	<u>3,855,000</u>
Total Value:	\$10,258,600

SCENARIO THREE

Same as Scenario Two, except a ±15-acre parcel on the northeast quadrant of the property is subdivided out for an Independent/Assisted Living Development which is valued at \$300,000/acre.

Market Value

Office Complex	\$ 5,968,000
±2.9 acres at \$150,000/acre	435,000
Senior Living Development (15 acres at \$300,000/acre)	4,500,000
Residential ±62.1 acre at \$50,000/acre	<u>3,105,000</u>
Total Value	\$14,008,000

Market Value

RJS	\$4,550,000 to \$14,000,000
Simerlein	\$8,860,000 to \$10,225,000

In the event JCC prefers the entire tract be rezoned for a residential development, Escalante Kingsmill Resort, LLC is the logical buyer. They could incorporate this tract into their existing development, *Kingsmill*, and allow the residents use of the existing amenities. The sales price should be based on the number of residential units approved in the entitlement process.

IRONBOUND VILLAGE CAMPUS

The Ironbound Village Campus has three two-story, \pm 5,000 SF office buildings and related parking located on five (5) parcels as shown on (Exhibit A-2). The maximum aggregate sales price can be attained by selling each building separately. This will probably require creating a condominium development in which a condominium association is formed to maintain and manage the common areas and each building is sold as a condominium.

Potential buyers are accounting firms, insurance companies, law firms, etc. Sales comparables support a value of \$115/SF for a total value of \$1,725,000.

Market Value

RJS	\$1,750,000
Simerlein	\$1,650,000 to \$1,800,000

HUMAN SERVICES CENTER (HRC)

The \pm 29,316 SF one-story, building, and associated parking lot is located on a \pm 5.5-acre parcel. JCC also owns the contiguous undeveloped \pm 0.81-acre parcel shown on Exhibit A-3. Both properties should be marketed as one allowing more flexibility should the buyer need to enlarge the existing building or parking lot.

Potential buyers would be a private school, church, medical offices, etc.

I assigned a value of \$75/SF to the HSC building to allow for the reconfiguration of the floor layout and \$180,000 to the contiguous parcel. The market value of the combined properties is \pm \$2,380,000.

Market Value

RJS	\$2,380,000
Simerlein	\$2,510,000 to \$2,800,000

JCSA/GS CAMPUS

The property contains ± 19.6 acres and is delineated on Exhibit A-4. The ± 10 -acre sub-parcel, outlined in red, is the location of a JCC Convenience Center and will be retained by JCC. Much of the acreage is not developable due to steep slopes and Resource Protection Area (RPA).

The remaining ± 9.6 acres are configured such that it could be subdivided into a ± 3.6 -acre parcel and a ± 6 -acre parcel as shown on Exhibit A-4; however, I believe the entire ± 9.6 -acre parcel is more marketable to a single user. A general contractor, sitework contractor, or VDOT, could use the $\pm 13,536$ sf JCSA Operations Building for offices, the Fleet Maintenance Facility (Building #4) to service vehicles and equipment and Building #5 for storage. Buildings 1,2,3 and 6 would be razed to free-up ± 3 acres for a storage yard or more warehouse space.

Based on sales comparables, the market value is as follows:

	<u>Area</u>	<u>Unit Value</u>	<u>Value</u>
JCSA Operations Building	13,536 SF	\$110/SF	\$1,488,960
Fleet Maintenance Building (Bldg. #4)	14,321 SF	\$70/SF	\$1,002,470
Warehouse (Bldg. #5)	6,924/SF	\$60/SF	\$ 415,440
Front ± 3 acres	± 3 acres	\$150,000/acre	<u>\$ 450,000</u>
			\$3,356,870

Market Value

RJS	\$3,350,000
Simerlein	\$2,760,000 to \$3,040,000

I look forward to discussing the market valuation with you and your staff at our JCC Consolidation Study Work Session on March 9, 2022. In the interim should you have any questions after your review of the report, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Singley', with a stylized flourish at the end.

Robert J. Singley

RJSsr/pab
Enclosures

5/10/2022

EXHIBIT "A-1.2"



8746 HAMELSINE PKWY WILLIAMSBURG, VA 23186
 90 MOUNTS BAY ROAD WILLIAMSBURG, VA 23186
 201 MOUNTS BAY ROAD WILLIAMSBURG, VA 23186
 133.6 ACRES
 48.11 ACRES
 27.14 ACRES
 133.6 ACRES
 COMBINED AREAS STEEP GRADE
 48.11 ACRES
 COMBINED AREAS RPA
 27.14 ACRES
 CARTERS GROVE COUNTY ROAD 100' RIGHT OF WAY
 48.11 ACRES
 BASE LINE RIGHT OF WAY
 133.6 ACRES
 NET DEVELOPABLE AREA
 85.9 ACRES

① JCC MOUNTS BAY ROAD PARCELS
 1" = 1000'

EXHIBIT "A-1"

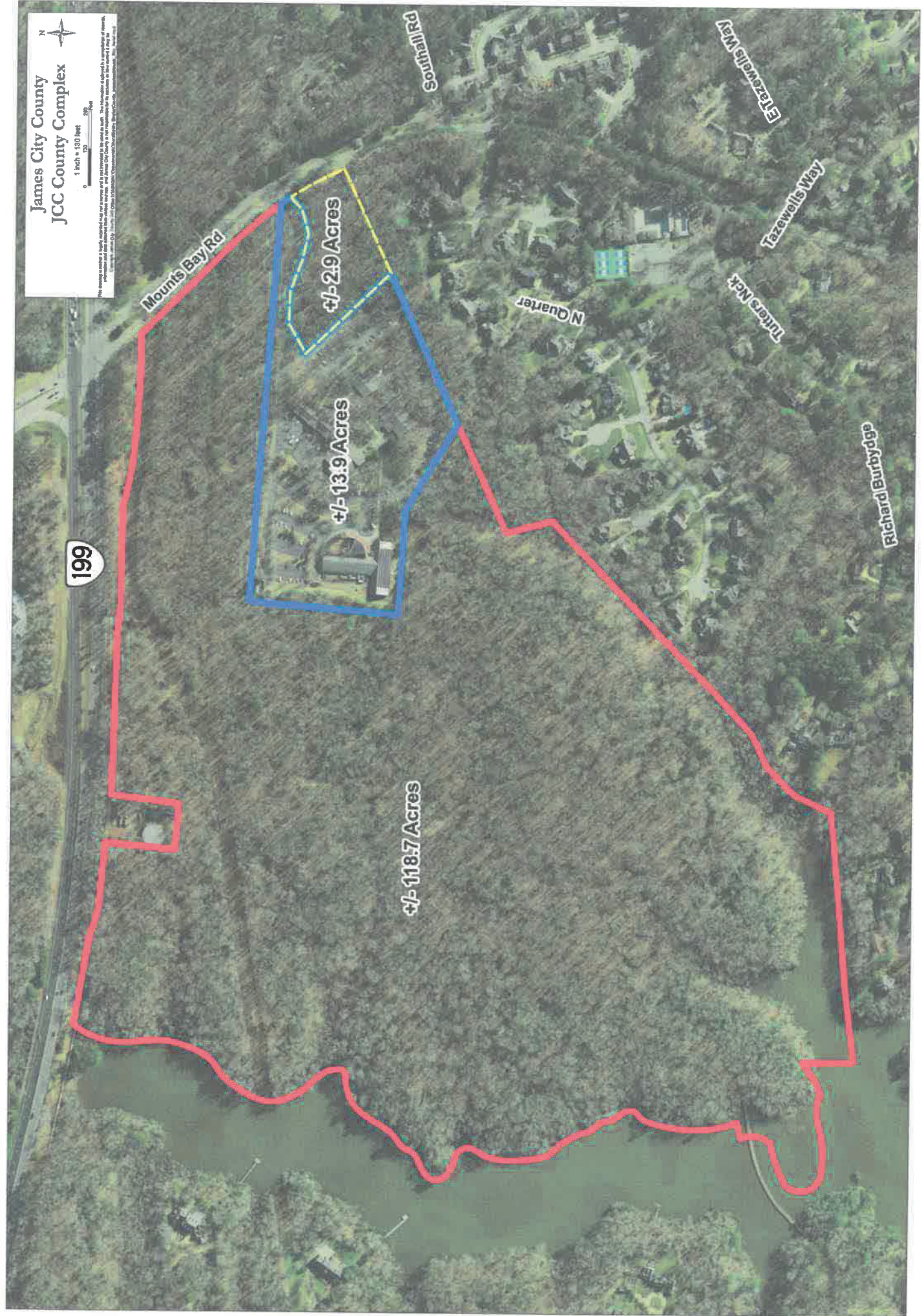


EXHIBIT "A-3"

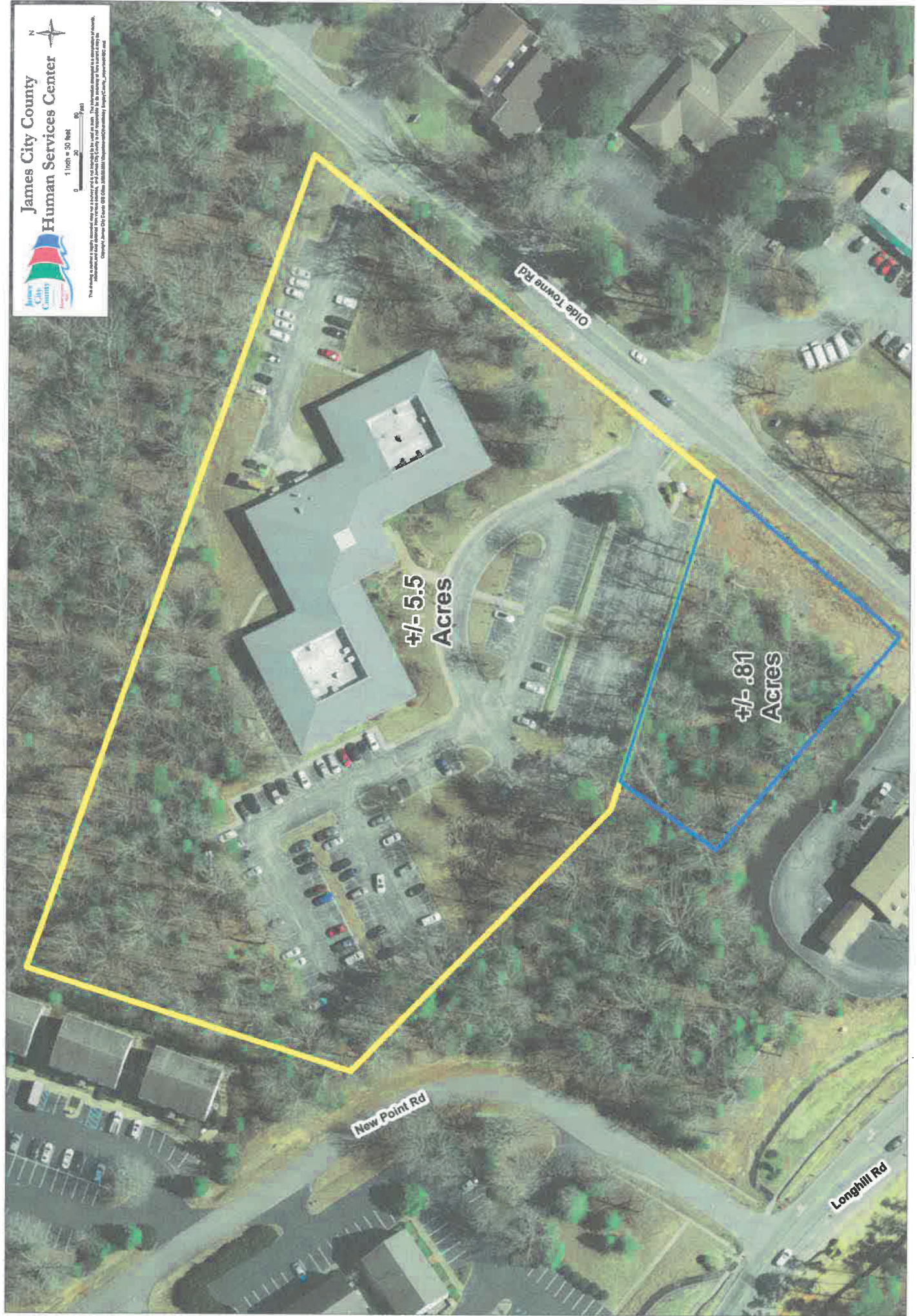


EXHIBIT "A-4"

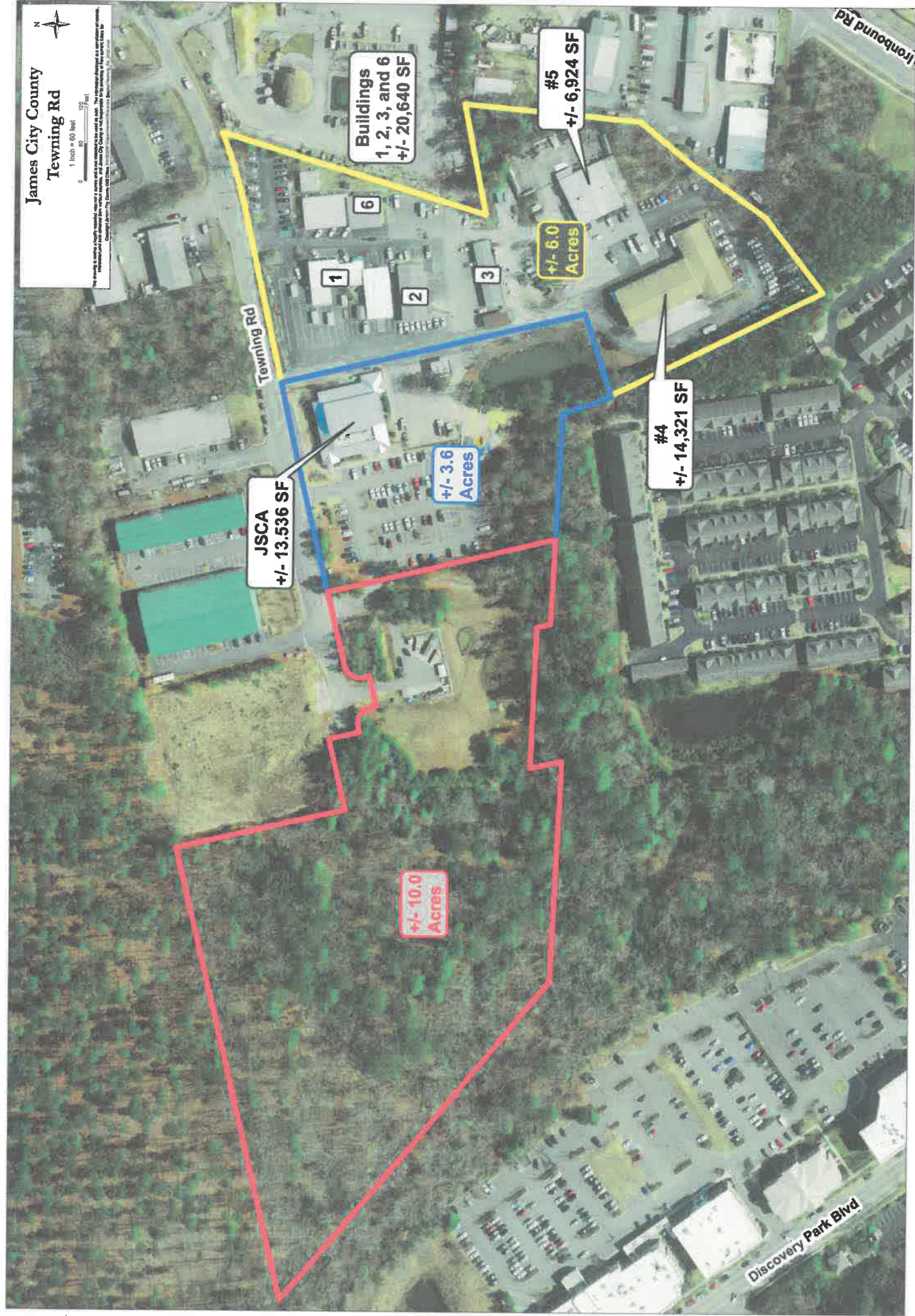




EXHIBIT "B"
JCC GOVERNMENT EXCESS PROPERTIES
Property Data

5/10/2022

	A	B	C	D	E	F	G	H	I	J
1								Tax Assessment		
2	#	Facility	Address	Zoning	Land Size	Bldg. Sqft	Land	Improvements	Total	Note
3	1	JCC Government Center	101 Mounts Bay Road	R-4	60	59,686	\$5,187,000	\$6,911,200	\$12,098,200	
4		Building A				6,311				
5		Building B				8,638				
6		Building D				10,481				
7		Building E				9,109				
8		Building F				24,000				
9	2	Parcel behind Government Center	95 Mounts Bay Road	R-4	27.5		\$54,900		\$54,900	JCC purchased Properties #2 & #3 in July 2018 for \$1,200,000 (\$15,894/acre)
10	3	Land fronting Rt 199	6745 Humelsine Pkwy	R-8	48		\$914,000		\$914,000	
11	4	Ironbound Village Building #1	5300 Palmer Lane	PL	0.2	4,800	\$222,800	\$527,000	\$749,800	
12	5	Ironbound Village Building #2	5320 Palmer Lane	PL	0.1	4,800	\$172,600	\$527,000	\$699,600	
13	6	Ironbound Village Building #3	5340 Palmer Lane	PL	0.4	4,800	\$194,200	\$527,000	\$721,200	
14	7	Ironbound Village Parking #1	5304 Palmer Lane	PL	0.2		\$300	\$0	\$300	
15	8	Ironbound Village Parking #2	5324 Palmer Lane	PL	0.5		\$1,100	\$0	\$1,100	
16	9	JCSA/General Services	105 Tewning Road	PL & M1	20	51,538	\$2,150,000	\$3,900,200	\$6,050,200	
17	10	Human Services	5249 Olde Towne Road	PL	5.5	29,316	\$2,269,000	\$713,900	\$2,982,900	
18	11	Human Services Vacant Land	5237 Olde Towne Road	PL	0.8		\$186,000	\$0	\$186,000	

County Facility Consolidation Fiscal Impact Analysis

Assessment of the fiscal impact of consolidating select county administrative functions into a single facility

James City County, Virginia

Prepared by:

RKG Associates, Inc.

www.rkgassociates.com



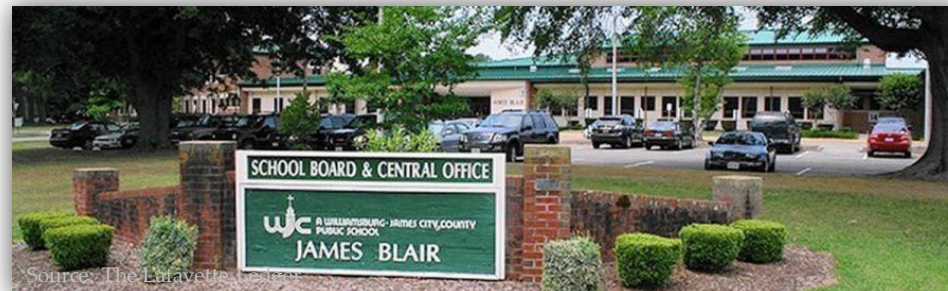
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Project Approach and Intent

Project Context

- Several factors had to be considered to for an 'apples-to-apples' comparison. RKG utilized a variety of data sources and input from JCC leadership and staff.
- Previous analysis prepared by Moseley Architects identified county has substantial existing and projected administrative space needs
- The James City County facilities master plan calls for the consolidation of some central administrative services into a single facility
 - Will reduce the overall footprint of the county administration
 - Creates intra- and inter-office operational efficiencies
 - Centralizes county services into single location
- Facilities considered for this effort include
 - JCC Government Center (Mounts Bay Road)
 - Ironbound Village (Palmer Lane)
 - Fire Administration Building
 - IRM Community Video Center
 - Emergency Operations Center (EOC)
 - Human Services Center
 - WJCC Schools Administration and Annex Buildings



Project Context

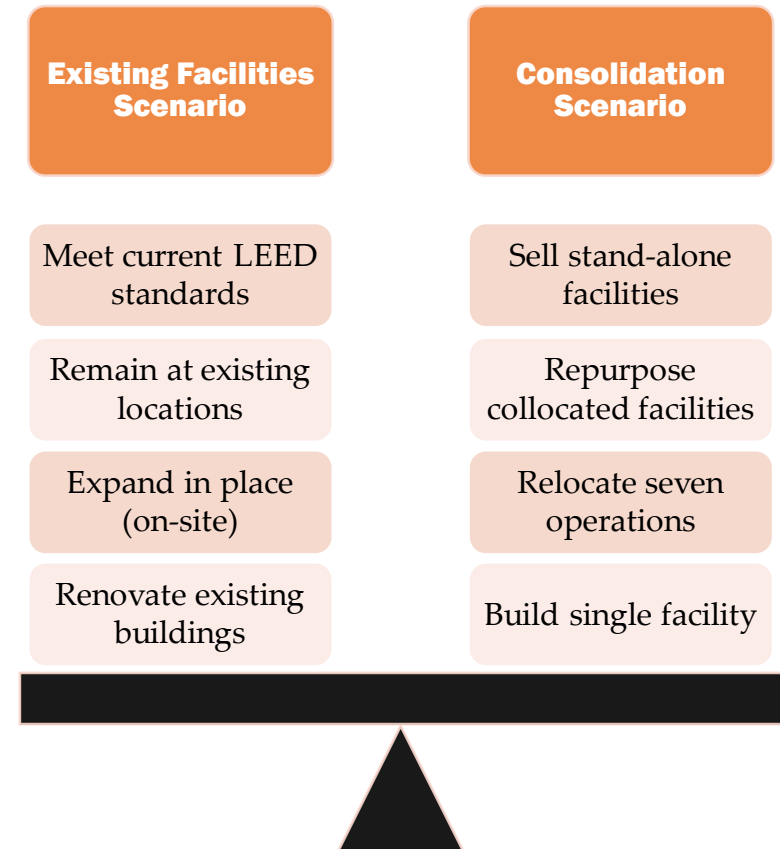
The administrative operations in these seven locations currently require additional building space to adequately function. The need increases based on County growth projections. This unmet need is not unique to these seven locations, James City County space needs are substantial across all departments.

Facility	Existing Building Space (SF)	Current Space Needs (SF)	Future (2040) Space Needs (SF)
Mounts Bay	58,539	74,078	89,877
Palmer Lane	10,002	20,930	23,603
Fire Admin	10,655	15,284	17,606
IRM Video	3,893	7,355	7,568
EOC	8,097	13,284	13,529
Human Services	18,515	29,413	32,841
WJCC Admin	51,168	50,881	59,429
Subtotal	160,869	211,225	244,453
All JCC Needs	400,184	546,445	624,630

Analysis Approach

This fiscal impact analysis quantifies the potential capital (cost of construction/renovation of building space) and operational (cost to run these departments) impacts of consolidating these services into a single facility

- **To effectively measure the fiscal impact of a new consolidated facility on county capital and operational budgets, RKG Associates had to compare a ‘control’ scenario to a ‘change’ scenario**
 - The control scenario (called the **Existing Facilities Scenario**) assumes the county will continue to operate these functions at their current location and expand building space on-site (where possible)
 - The change scenario (called the **Consolidation Scenario**) assumes all county functions at these seven facilities are consolidated into a central facility to be constructed
 - Without a comparison, it is impossible to determine whether a consolidation strategy will have positive, neutral, or negative fiscal impacts on the county’s fiscal health
 - A ‘do not change’ scenario was not considered because the County already has greater space needs than the existing facilities can accommodate



What Did We Measure?

For each scenario, we had to measure the fiscal impacts slightly differently, given the uniqueness of each facilities program. While the scenarios varied, the outputs were consistent to provide direct comparison.

- **Existing Facilities Scenario**

- Capital costs of maintaining the existing facilities
- Capital costs of renovating existing facilities to LEED Silver status
- Capital costs of new construction of the space to address current/future needs
- Operating costs to maintain existing and new building space
- Economic costs of continuing to operate at remote facilities (e.g., VMT and lost staff time)

- **Consolidation Scenario**

- Capital costs of constructing a new consolidated administration building
- Moving costs associated with relocation
- Capital revenues from the sale of specific facilities
 - Mounts Bay Road, Ironbound Village, Human Services Center
 - Other collocated facilities repurposed for JCC/WJCCPS use
- Operational costs to maintain existing (until relocation) and new facilities
- Net fiscal impact from the private use of the disposed assets (revenues and expenditures)
 - Fiscal impact based on the County's fiscal impact model

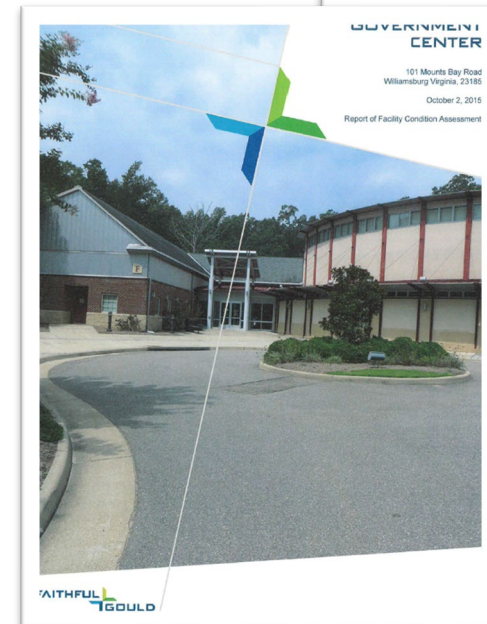
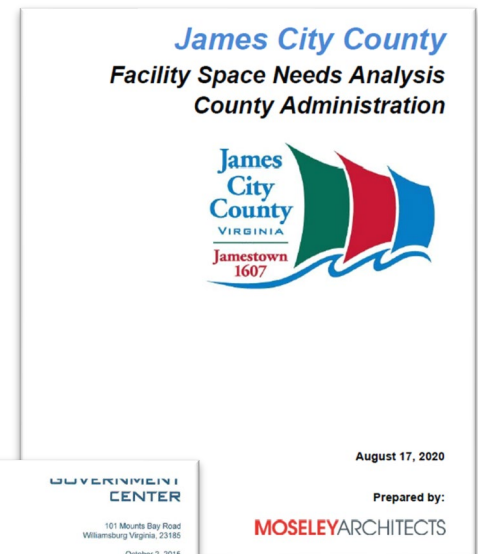


Methodology

Analysis Parameters

RKG Associates relied upon the extensive work already completed by the County and its other consulting teams working on the facilities master plan to populate the fiscal impact model. Where data was not available, RKG Associates used industry standard calculations developed over its 40+ years of performing these analyses.

- **Operating Costs**
 - Averages calculated from previous two years actual operating costs
 - Analysis of the costs for utilities by ClarkNexsen
- **Capital Costs**
 - Analysis done by Mosely Architects and Guernsey Tingle Architects
 - Research into costs of construction (e.g., Marshall & Swift Valuation Services)
 - Data provided by County General Services Department
- **Valuation of Assets**
 - Analysis done by RJS & Associates
 - Calculation of the potential market value based on market viable future uses
- **Efficiency Analysis**
 - Analysis performed by GTA and RKG Associates
 - Interviews with department representatives in each facility



Scenario Considerations

The fiscal impact modeling had to consider several market-based factors that will affect the financial and fiscal performance for each scenario. RKG worked with Guernsey Tingle Architects, ClarkNexsen, RJS & Associates, Inc., as well as James City County administrators and department heads to create locally-relevant and market accurate assumptions. The following highlight the most pertinent factors.

- **Existing scheduled renovations are projected to occur in both scenarios**
 - Whether continued operation or sale/repurposing, the buildings need to be maintained and updated
- **All renovation and new construction work will begin in 2024**
 - This assumption accounts for going through the design and review process
 - New construction work is projected to take two years (both expansion and new development)
 - Land development, new construction, and rehabilitation costs were calculated for each facility based on site and building needs/costs
 - All new construction and substantial rehab work are expected to meet the county's sustainability plan
- **The disposition of those facilities to be sold in the Consolidation Scenario occurs in 2027**
 - With construction ending in 2026, the sale of the property is projected to occur the next year
 - The sale price was appraised by RJS based on potential use/redevelopment
 - Mounts Bay Road estimated to be mixed use development maintaining office space while accommodating new housing

Scenario Considerations

- **To stabilize the impact of the time-value of money, the fiscal impact analysis is reported in 2022 dollars.**
 - The model assumes that inflation and cost escalation will be consistent into the near future.
 - While construction costs have (and most likely will) fluctuate differently than the inflation rate, it is impossible to model this accurately. The impact of this also is mitigated due to the similar timelines for construction and rehabilitation in both scenarios.
 - It is important to remember the analysis is not intended to predict the future, but rather compare the fiscal impacts for two alternatives to meeting the county's future building needs. Thus, both scenarios will be affected similarly to market/economic changes. While the numbers may vary from the results of this analysis, the relative differences will remain consistent.
- **The consolidated building will have above-ground structured parking.**
 - All current facilities have surface lots, which reduces costs but increases the amount of consumed land
 - Using structured parking reduces the necessary impervious surface area, but substantially increases cost
 - Average surface lot space costs approximately \$6,000, compared to \$30,000 for a structured space
 - In addition, the structured spaces offer potential to increase security to those spaces while providing covered parking for inclement weather
 - The consolidated scenario assumes that 50% of parking spaces will be structured (the remaining will be surface spaces)
 - The existing facilities scenario did not consider any structured parking, even with the expanded building space

Scenario Considerations

- **The proposed consolidated building design will maintain integrity for the various departments and use appropriate design standards.**
 - Recognizes that some departments have a customer-facing focus, and will need to have a secure and inviting entry
 - The new EOC facility will follow all minimum design standards to ensure compliance with state/federal law
 - The consolidated building campus will be designed to maximize pedestrian flow while strengthening intra-parcel and inter-parcel connectivity
- **The fiscal modeling assumes the county will retain current level of services.**
 - This includes both on-property services as well as service levels for the community
 - Maintaining existing levels of service is critical to be able to compare 'like' scenarios
 - For example, maintaining the same frequency and detail of physical and property maintenance
 - Making this assumption identifies construction and operational efficiencies (and inefficiencies) between the scenarios
 - Consolidated Scenario has an efficiency in maintenance since there will be fewer properties to maintain
 - This assumption is an academic effort, the county's space expansion (either through expanding existing facilities or a consolidated building) may affect levels of service

Scenario Considerations

- **Utility costs and the consumption of fossil fuels are substantial for the county.**
 - Operating several, older buildings at different locations is not efficient
 - County staff and the consulting team quantified current and projected costs
- **Both scenarios assume that any new construction will follow the county's LEED certification requirements, creating new energy efficiencies.**
 - The ClarkNexsen analysis performed earlier in this process reveals LEED certification will reduce cost of utilities, particularly energy use and water/sewer use. Both required design elements and energy-efficient equipment will reduce the carbon footprint of the identified county operations.
 - Based on the proposed development scenarios, energy efficiency is projected to reach at least 20% improvement (on a per square foot basis) for the consolidated scenario over current operations. While the rehab work in the existing facilities scenario will offer opportunities to improve utility efficiency, this scenario is projected to remain less efficient than the consolidated building.
 - Most notably, water usage likely will reduce substantially due to the installation of modern, efficient plumbing and fixtures. The ClarkNexsen model projects water use reduction of approximately 70% to 80% due to LEED standards.
 - In addition to the utility benefits of the consolidated facility, RKG analyzed the potential impact to fossil fuel reduction. Effectively, the county's multiple facilities increases fossil fuel consumption for maintenance operations as well as inter-office meetings (even with increased videoconferencing). RKG interviewed the department heads to understand the potential impact.
 - The analysis revealed that inter-office engagement would increase while reducing driving needs. Further, a more central location in the county (to other facilities) will reduce amount of vehicle miles traveled (VMT).

Analysis Results

Existing Facilities Scenario

- **JCC Government Center (Mounts Bay Road)**
 - Rehabilitate the existing buildings (A-F) and build additional space needs as a new building(s)
- **Ironbound Village (Palmer Lane)**
 - Remain in the three buildings and build additional space through expansions
- **Fire Administration Building**
 - Renovate existing space and accommodate additional demand through an expansion
- **IRM Community Video Center**
 - Renovate existing space and accommodate additional demand through an expansion
- **Emergency Operations Center (EOC)**
 - Build a new facility on the property, with the Emergency Communications Center absorbing the existing EOC
- **Human Services Center**
 - Renovate existing space and accommodate additional demand through an expansion
 - Reclaim space occupied by Olde Town Medical by not renewing lease
- **WJCC Schools Administration and Annex Buildings**
 - Renovate existing space and accommodate additional demand through an expansion

Existing Facilities Scenario

Facility	Current SF	Future SF	Rehab?	New?	Sold?
Mounts Bay	58,539	89,877	Yes	Yes	No
Palmer Lane	15,006	23,603	Yes	Yes	No
Fire Admin	10,655	17,606	Yes	Yes	No
IRM Video	3,893	7,568	Yes	Yes	No
EOC	8,097	13,529	No	Yes	No
Human Services	18,515	32,841	Yes	Yes	No
WJCC Admin	51,168	59,429	Yes	Yes	No
Consolidated Facility	0	0	N/A	N/A	N/A
TOTAL	160,869	244,453			

Existing Facilities Scenario

- **The cost of construction for the existing facilities scenario ranged due to the mix of rehabilitation and new space development.**
 - Site development costs occurred at all seven locations
 - Construction costs range from \$350 to \$450 per square foot (PSF)
 - Total of 67, 957 new building square feet
 - Rehabilitation costs estimated to range from \$100 to \$200 PSF
 - Total of 176,496 rehabbed building square feet
- **Because the existing facilities analysis involves all departments remaining in-place, there are no sale of land (cash infusion) or fiscal benefits (property taxes).**
- **Operation costs are projected to increase from current levels, but at a lower cost per square foot of operation.**
 - Most square feet = more overall costs
 - LEED design and enhanced utilities will reduce the marginal cost PSF

Topic	Value
Rehab/Construction Cost	\$65,318,918
Land Development Costs	\$4,725,000
New Construction Costs	28,691,031
Rehabilitation Costs	\$29,874,887
Surface Parking Costs	\$2,028,000
Structured Parking Costs	\$0
Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$893,253
Reversion Value	\$0
Net Fiscal Impact of Private Development	\$0
Cumulative 30-Year Cost	\$91,291,298

Consolidation Scenario

- **JCC Government Center (Mounts Bay Road)**
 - All functions relocated to consolidated facility, property sold for redevelopment
- **Ironbound Village (Palmer Lane)**
 - All functions relocated to consolidated facility, property sold for private use
- **Fire Administration Building**
 - All functions relocated to consolidated facility, property repurposed to expand operations of Fire Station #1
- **IRM Community Video Center**
 - All functions relocated to consolidated facility, property repurposed back to WJCCPS
- **Emergency Operations Center (EOC)**
 - All functions relocated to consolidated facility, building repurposed for the Emergency Communications Center
- **Human Services Center**
 - All functions relocated to consolidated facility, property sold for private use
- **WJCC Schools Administration and Annex Buildings**
 - All functions relocated to consolidated facility, property repurposed back to WJCCPS

Consolidation Scenario

Facility	Current SF	Future SF	Rehab?	New?	Sold?
Mounts Bay	58,539	0	No	No	Yes
Palmer Lane	15,006	0	No	No	Yes
Fire Admin	10,655	0	No	No	No
IRM Video	3,893	0	No	No	No
EOC	8,097	0	No	No	No
Human Services	18,515	0	No	No	Yes
WJCC Admin	51,168	0	No	No	No
Consolidated Facility	0	227,341	No	Yes	No
TOTAL	160,869	227,341			

Consolidation Scenario

- **JCC Government Center (Mounts Bay Road)**
 - All functions relocated to consolidated facility, property sold for redevelopment
- **Ironbound Village (Palmer Lane)**
 - All functions relocated to consolidated facility, property sold for private use
- **Fire Administration Building**
 - All functions relocated to consolidated facility, property repurposed to expand operations of Fire Station #1
- **IRM Community Video Center**
 - All functions relocated to consolidated facility, property repurposed back to WJCCPS
- **Emergency Operations Center (EOC)**
 - All functions relocated to consolidated facility, building repurposed for the Emergency Communications Center
- **Human Services Center**
 - All functions relocated to consolidated facility, property sold for private use
- **WJCC Schools Administration and Annex Buildings**
 - All functions relocated to consolidated facility, property repurposed back to WJCCPS

Consolidation Scenario

- **The cost of construction for the consolidated scenario substantially higher due to 100% of all building space being newly constructed.**
 - Site development costs lower due to a single facility rather than spread over several
 - Construction costs range from \$350 to \$450 per square foot (PSF)
 - Total of 227,341 new building square feet
 - Further, parking costs are substantially higher due to higher number of spaces needed and the structured parking
 - No rehab costs
- **The consolidated scenario assumes three facilities will be sold totaling \$14.4M .**
 - This total reflects estimates developed by RJS & Associates
 - Sale of Mounts Bay Road totals the most due to its large size and potential use for office and residential
- **In addition to the fiscal benefits, the consolidated scenario includes non-fiscal benefits generated by the additional private sector development of the three sold sites.**
 - Approximately \$5M in locally-captures retail sales
 - Estimated 800-1,000 new office jobs

Topic	Value
Rehab/Construction Cost	\$99,013,871
Land Development Costs	\$2,273,413
New Construction Costs	\$80,216,459
Rehabilitation Costs	0
Surface Parking Costs	\$2,754,000
Structured Parking Costs	\$13,770,000
Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$733,188
Reversion Value	\$14,343,600
Net Fiscal Impact of Private Development	\$355,480
Cumulative 30-Year Cost	\$98,723,138

Results Comparison

EXISTING FACILITIES SCENARIO		CONSOLIDATION SCENARIO	
Topic	Value	Topic	Value
Rehab/Construction Cost	\$65,318,918	Rehab/Construction Cost	\$99,013,871
Land Development Costs	\$4,725,000	Land Development Costs	\$2,273,413
New Construction Costs	28,691,031	New Construction Costs	\$80,216,459
Rehabilitation Costs	\$29,874,887	Rehabilitation Costs	0
Surface Parking Costs	\$2,028,000	Surface Parking Costs	\$2,754,000
Structured Parking Costs	\$0	Structured Parking Costs	\$13,770,000
Existing Operational Cost (Annual)	\$686,953	Existing Operational Cost (Annual)	\$686,953
Expanded Operational Cost (Annual)	\$893,253	Expanded Operational Cost (Annual)	\$733,188
Reversion Value	\$0	Reversion Value	\$14,343,600
Net Fiscal Impact of Private Development	\$0	Net Fiscal Impact of Private Development	\$355,480
Cumulative 30-Year Cost	\$91,291,298	Cumulative 30-Year Cost	\$98,723,138

Detailed Comparison

- **Land Development Cost Comparison**

- Both scenarios assume the county will not need to acquire more land. The consolidated scenario assumes the new facility is built on land already owned by James City County.
- The difference in land development costs reflects the inefficiency of developing seven different building expansions rather than a single, consolidated facility.

- **Building Construction Cost Comparison**

- Despite the reduced building square footage needs of the consolidated scenario, building construction costs are notably higher. In effect, the rehabilitation of existing facilities has a lower capital impact than building new and selling off the retired assets
- It is important to note that only 3 of the 7 facilities are proposed to be sold in the consolidated scenario. The remaining facilities will be repurposed for public use including reverting the two WJCCPS sites back for school use. The analysis does not calculate what the cost would be to have to accommodate those indirect needs if the existing buildings were not made available through consolidation.

- **Parking Cost Comparison**

- The consolidation scenario has substantially higher parking costs for two reasons. First, much of the parking at the existing facilities already exists. As a result, the county does not need to rebuild it. Second, the consolidation scenario includes 50% of the spaces in structured parking. The cost of a structured space is six-fold of a surface space.
- That said, the structure parking offers benefits not available to a surface lot, particularly weather cover and heightened security. The proposed design of the consolidated facility includes a covered walkway from the parking deck to the building.

Detailed Comparison

- **Net Capital Cost Comparison**

- The consolidated scenario has a higher capital cost of \$34.7M over the existing facilities costs. This gap is narrowed by the reversion of the three surplus properties to approximately \$20.3M. As noted, the analysis does not value what the four land assets are worth to the county and the school system to be repurposed. That said, the county and school system would have to incur additional costs to accommodate the uses that will backfill into these four spaces.

- **Net Operational Cost Comparison**

- The consolidated scenario offers the county a substantial reduction in operational costs. The analysis reveals operational costs for the existing facilities strategy are more than \$160,000 higher annually. This savings primarily is due to the increased energy efficiency and the reduction in lost time and fossil fuel consumption of having these central departments located in different facilities.
- The annual cash flow gap is even more substantial when the net fiscal impact of the three disposed properties are considered. The reuse of Mounts Bay Road (office and residential mixed use), Human Services (office), and Ironbound Village (office) are projected to create a net fiscal benefit to the county of approximately \$355,000 annually.
 - RKG Associates used the county's existing fiscal impact model to measure the potential fiscal impact of the three disposed properties, utilizing market-calculated price points, values, and socioeconomic data.
- The comparative combined annual operational benefit of the consolidation scenario total more than \$500,000. That annual cost savings reflects both an opportunity to defray some of the additional capital costs to build a new consolidated facility as well as increase the county's levels of service without a net increase in expenditures.

Detailed Comparison

- **Cumulative Fiscal Impact Comparison**

- The cumulative cost of each scenario over a 30-year study period exceeds \$90M. The consolidation scenario has a higher cumulative cost of approximately \$98.7M, which is \$7.4M above the existing facilities scenario.
- There are two primary differences between the scenarios.
 - First, the consolidation scenario has a much higher initial capital cost due to constructing the full 227,341 square feet and the cost of providing 50% of the parking as a parking deck. The existing facilities scenario only has 67,957 square feet of new construction, with the existing 176,496 square feet needing much lower-cost rehabilitation.
 - Second, the consolidation scenario creates a much lower operational cost for the county. The LEED certification for the consolidated building is projected to reduce utility costs. Having these core department collocated will reduce loss of staff time and reduce fossil fuel consumption. Finally, selling the Mounts Bay, Ironbound Road, and Human Services facilities will generate annual fiscal benefits for the county.
- Not included in this analysis is the cost benefit of being able to repurpose the Fire Admin building, the EOC land, the IRM facility, and the school administration buildings. Both the county and school system will benefit from being able to repurpose those locations for other public use that otherwise would have required additional development/property acquisition
- Further, the consolidation scenario includes non-fiscal benefits to the county. RKG's analysis indicates that the repurposing of the three disposed assets will create approximately \$5M annually in locally-captured retail sales (strengthening the local market) and generate between 800 and 1,000 new office jobs in James City County.

Conclusions

- **Each scenario offers benefits and drawbacks to the county.**
 - The existing facilities strategy offers a lower initial capital cost, at approximately \$65.3M. In comparison, the consolidation scenario would have a net capital cost of \$84.7M once the revenues from asset disposition are considered.
 - This initial cost is tempered by the substantial differences in operational costs. The existing facilities scenario is projected to require approximately \$893,000 annually. The consolidation scenario has a \$733,000 annual operational cost as well as a projected net fiscal benefit of \$355,000 annually from the three disposed properties. The difference is approximately \$515,000 less cost for the county annually.
- **The consolidated scenario offers non-financial benefits.**
 - Increased county employee efficiency (through collocation) and reduced fossil fuel consumption (through a more central location and collocation) offer both a financial and non-financial benefit to the county. The increased residential and office uses are projected to generate approximately \$5M annually in locally-captured retail sales. Much of this activity will be taxable, and all will create greater support for existing retailers. Further, the repurposing of the existing office spaces will accommodate as much as 1,000 new office jobs in James City County, creating greater wealth and spending as well.
- **Economic, long-term benefits indicate consolidation scenario better choice.**
 - Taking a global perspective of the two options, the consolidation scenario offers more benefits to the county. At a base level, having a consolidated facility offers a more modern, efficient, and eco-friendly alternative to modernizing and expanding



ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Scott A. Stevens, County Administrator

SUBJECT: Contract with WJCC Schools and the City of Williamsburg

ATTACHMENTS:

	Description	Type
📎	Memorandum	Cover Memo
📎	Resolution	Resolution

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 7:44 AM

MEMORANDUM

DATE: May 24, 2022
TO: The Board of Supervisors
FROM: Scott A. Stevens, County Administrator
SUBJECT: WJCC School Contract

This is a Joint school contract between James City County and City of Williamsburg. The last contract was for a period from Fiscal Year 2017 to the end of Fiscal Year 2022.

The negotiated contract uses the previous five-year period contract for the joint operation of the schools as a base and modifies agreement in a few areas:

- Establishing a “Future School Use Account” in which each locality will deposit their respective amount of ninety percent (90%) of the Unexpended Funds.
- The State Sales Tax for Education will be a direct distribution to the school division from the Commonwealth.
- Approval of the annual budget, capital improvement projects, and the hiring of the superintendent shall require the affirmative vote of five (5) of the seven (7) members of the Board.

The contract shall be effective on July 1, 2022 and last through the end of Fiscal Year 2027.

I recommend adoption of the attached resolution.

SAS/ap
WJCCSchoolCntrct22-mem

Attachment

RESOLUTION #

JOINT RESOLUTION TO AMEND THE RESTATED

CONTRACT FOR THE JOINT OPERATION OF SCHOOLS,

CITY OF WILLIAMSBURG AND COUNTY OF JAMES CITY

DATE OF DOCUMENT: May 24, 2022

PREAMBLE

By Agreement dated October 9, 1980, the County School Board of James City County, Virginia, and the County of James City, parties of the first part and the School Board of the City of Williamsburg, Virginia and the City of Williamsburg, Virginia, parties of the second part entered into a restated contract for the operation of a joint school system, hereinafter referred to as the “Restated Contract.”

By Resolution dated October 9, 1980, the City of Williamsburg (hereinafter referred to as “City”) and the County of James City (hereinafter referred to as “County”) and their respective school boards amended the funding formula as set forth in the Restated Contract.

By Resolution dated February 27, 1989, the City of Williamsburg and County of James City and their respective school boards, further amended the Restated Contract to provide that James City County would fully pay all costs of constructing three schools as described therein and that the County would have all ownership equity in such schools.

By Resolution dated December 12, 1991, by the City, December 16, 1991, by the County, and December 17, 1991, by the School Boards, (hereinafter referred to as “1991 Resolution”) the parties further amended the Restated Contract by repealing in its entirety the October 9, 1980, Restated Contract and substituting therefore new provisions for all aspects of the contract.

By Resolution dated April 11, 1996, by the City and April 30, 1996, by the County (hereinafter referred to as the “1996 Resolution”), the parties amended the Restated Contract.

By Resolution dated October 9, 2001, by the County, and October 11, 2001, by the City (hereinafter referred to as the “2001 Resolution”), the parties amended the Restated Contract.

By Resolution dated November 14, 2006, by the County and November 9, 2006, by the City (hereinafter referred to as the “2006 Amendment”), the parties amended the Restated Contract.

By Resolution dated March 27, 2007, by the County, and April 12, 2007, by the City (hereinafter referred to as the “2007 Amendment”), the parties amended the Restated Contract.

By Resolution dated April 24, 2012, by the County, and April 12, 2012, by the City (hereinafter referred to as the “2012 Amendment”), the parties amended the Restated Contract.

By Resolution dated April 25, 2017, by the County, and Resolution # 17-05 by the City (hereinafter referred to as the “2017 Amendment”), the parties amended the Restated Contract.

By Resolution dated May 24, 2022, by the County and Resolution # _____ by the City (hereinafter referred to as the “2022 Amendment”) the parties amended the Restated Contract.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED that effective July 1, 2022, the funding formula of the *Restated Contract* is amended as follows:

1. Operational Costs. Beginning Fiscal Year 2017/2018, City's contribution toward annual operational costs of the joint school system shall be:

- a. A portion of the total operational costs jointly approved by County and City for each fiscal year which portion shall be equivalent to the percentage of City students enrolled in the joint system determined as hereinafter set forth times an add-on factor of 1.14 for Fiscal Years 2023 through 2027.

b. For the purposes of calculating the percentage of City students under subparagraph a above, the average school division daily membership shall be computed as of September 30 of the preceding fiscal year which date is here defined as the “determination date.” The percentage thus obtained, and the percentage determined for the two preceding fiscal years shall be averaged and the average shall be used in applying the formula to the next fiscal year; provided, certain City/County student populations will be excluded from the funding formula set forth in 1a above as follows:

- Non-residents (children living in other localities)
- Residents of halfway houses, group homes, detention centers, mental hospitals, or other institutions with no home address in either the City or County.
- Children for whom the school division cannot assign a home address in City or County.
- Children who reside in hotels, motels, campgrounds, or some other type of non-residential property.

Both City and County shall be entitled to review all pertinent school enrollment records to verify such calculations. Should either City or County, after reviewing such records wish to contest the accuracy of the calculation for any year, it must elect to do so by December 31 immediately following the September 30 calculation cutoff date. The contesting party shall give written notice to the other on or before December 31 specifying the basis of its disagreement. Upon receipt of such notice, the parties shall meet together as soon as is reasonably practicable and shall in good faith attempt to resolve the dispute. Should such efforts fail, each party shall appoint a certified public accountant as its arbitration representative. Such representatives shall choose an attorney at law duly licensed to practice in Virginia as a third arbitrator. The decision of the arbitrators shall bind both parties. Each party shall compensate its own accountant and the fees of the attorney shall be equally shared by the parties.

“Operational Costs” are all costs of operating the joint school system other than Capital Project Costs and shall include, but not be limited to: Administration, operation of school plants, routine maintenance of school plants, instructional costs, F.I.C.A. taxes and other employer funded employment benefits, repair and replacement of furnishing and equipment.

- c. Based on § 22.1-100 of the Code of Virginia, local school funds unexpended in any year (the “Unexpended Funds”) shall become a part of the appropriated funds of the City and County for the School Board in a future year. The City and County will each establish an account dedicated for future school use (the “Future School Use Account”) into which each will deposit their respective amount of ninety percent (90%) of the Unexpended Funds. Except in extreme situations (as such many be determined by the respective Future School Use Account holder), funds in the Future School Use will be discussed and appropriated during the City and County’s normal budget process. The remaining ten percent (10%) of the Unexpended Funds will be retained by the City and County in the respective amount due to each locality.
- d. The State Sales Tax for Education will be a direct distribution to the school division from the Commonwealth.
- e. City and County shall have a responsibility to their respective citizens to assure that funding provided to the school system is spent wisely and efficiently in achieving quality of education for the students.

The funding formula calculated for operational costs in Section 1, above, shall be used to determine the funding by City and County for all Capital Project Costs approved by their respective governing bodies, if any new school is to be contracted for during the five-year term of this agreement the City and County shall negotiate their respective participation at that time.

“Capital Project Costs” shall include: (a) all costs of land acquisition; all costs of land lease having a term of at least ten (10) years, including but not limited to rents and lease negotiation fees and costs; (b) all construction costs of new buildings including all architectural, engineering, consultation and, other design and development costs related thereto; (c) all costs of equipping new buildings, building additions and renovations and other structures or facilities; (d) all construction costs for major renovations of and/or additions to existing buildings, structures and facilities, including all architectural, engineering, consultation and other design and development costs related thereto (“major” being defined for purposes of subsections (d), (e), and (f) as an expenditure in excess of \$50,000); (e) all major studies such as engineering, feasibility, etc., related to existing or proposed school facilities, sites, properties, equipment, etc., (f) all costs for acquisition of major equipment and mechanical systems whether new or replacement, (g) expansion of existing school bus fleet.

City and County agree, for any School capital project with an estimated cost of \$1 million or more, to appropriate funds to the project in two phases:

Phase 1 shall include site acquisition and sufficient engineering and design services to produce reliable cost estimates. Constructability, peer review and value engineering reports shall be reviewed and critically evaluated. The expected capital improvement impact of any required school attendance zone redistricting shall also be evaluated during Phase 1. This includes identification of additional buses or design changes to existing school facilities to meet new zone requirements.

Phase 2 shall come at the conclusion of Phase I and shall result in an appropriation of sums sufficient for construction.

Any capital project balance not to exceed \$500,000 may be retained by the School Board if these funds are invested in a capital project included in the adopted five-year capital improvement programs of both City and County. Project balances exceeding \$500,000 shall be considered in the same way as unexpended local funds in the operating budget, paragraph 1(c) of this agreement.

FURTHER RESOLVED that paragraphs 3 through 6 of the Restated Contract are hereby amended and restated as follows:

2. Termination. Either the Williamsburg City Council or the James City County of Board of Supervisors may elect to terminate this contract at any time by giving written notice to the other. Unless City and County shall agree otherwise, termination shall become effective at the close of the school year next following the school year during which notice was given.

In the event of termination, the City shall have one hundred percent (100%) equity in all school facilities located within the City's corporate limits and the County shall have one hundred percent (100%) equity in all school facilities located in the County; provided, however, that the non-situs locality shall have an equity interest in any real property located in the other locality which was used for school purposes, equal to all capital contributions made by the non-situs locality for the erection or improvement of buildings on such real property subsequent to July 1, 1997; provided, however, that City's capital contributions made under the provisions of this contract attributed to the construction of Matoaka Elementary School, Hornsby Middle School, and Blayton Elementary School shall be considered as an increase in City's equity position in Warhill High School or any other currently operating school buildings chosen by City. City relinquishes all equity interest in Matoaka Elementary School, Hornsby Middle School, and Blayton Elementary School effective November 1, 2006.

In event that any building previously used for educational purposes under this contract ceases to be used as such, and is declared surplus by a resolution of the School Board, then full ownership of such building, the land upon which it is located, together with all other related facilities, shall vest in the locality in which the building is located; provided, however, that the non-situs locality shall have an equity interest in such building and land, equal to all capital contributions made by the non-situs locality for the erection or improvement of such building subsequent to July 1, 1997.

“Facilities” shall include all real and personal property located at a school site. School-owned real property not identified with a specific school site and owned as of June 30, 2002, shall be distributed 26% to City and 74% to County. Real property acquired after June 30, 2002, shall be distributed based on the proportional funding at the time the acquisition/construction is made. Personal property not identified with a specific school site shall be distributed between City and County on a formula that represents the average operating budget funding percentage as calculated using the five most recent annual budgets. Such non-school site property includes, but is not limited to, central administration and operations real and personal property, school buses, vehicles and equipment not used primarily at a particular school.

In applying the above percentages to non-school site property, the current values of such properties shall be determined as follows:

Real Property - Fair market value based on comparable sales and highest and best use.

School Buses - As shown in most recent issue of valuation booklet for school buses, “Yellow Book” published by Yellow School Buses, P. O. Box 261, Los Angeles, CA 90078 or if out of publication, as determined by other mutually agreeable method.

Other Personal - Acquisition cost depreciated over five (5) years with ten percent (10%) salvage value.

3. School Board Membership. Effective July 1, 1993, City’s School Board shall consist of two (2) members and County’s School Board shall consist of five (5) members. The two School Boards shall serve as one Board for all decisions regarding operation of the joint school system including the hiring and firing of the superintendent; provided, however, that approval of the annual budget, all capital improvement projects, and the hiring of the superintendent shall require the affirmative vote of five (5) of the seven (7) members of the Board.

4. Review of Contract. The Restated Contract as here amended shall be reviewed by City and County prior to the fiscal year beginning July 1, 2027; and every fifth (5th) year thereafter. Each review shall commence not later than January of the previous fiscal year. The parties intend that any subsequent amendments to the Restated Contract shall result from the regularly scheduled reviews, and each party represents to the other its intent to withhold requests for further amendments until the time of such scheduled reviews unless urgent necessity dictates otherwise.

5. Effective Date of Amendments. All future amendments to the Restated Contract as here amended shall become effective on July 1 following the fiscal year in which the parties reach written agreement as to such amendment.

IN WITNESS WHEREOF, Pursuant to resolution duly adopted, the City of Williamsburg, Virginia, on this ____ day of _____, 2022; the County of James City on the 24th day of May, 2022.

COUNTY OF JAMES CITY

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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

CITY OF WILLIAMSBURG

By: _____
Mayor

ATTEST:

Clerk

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

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

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 8:38 AM

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Williamsburg Regional Library Board of Trustees

ATTACHMENTS:

Description	Type
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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 8:39 AM

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Economic Development Authority

ATTACHMENTS:

Description	Type
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REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 3:53 PM

ITEM SUMMARY

DATE: 5/24/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Adjourn until 5 pm on June 14, 2022 for the Regular Meeting

REVIEWERS:

Department	Reviewer	Action	Date
Board Secretary	Saeed, Teresa	Approved	5/17/2022 - 7:45 AM