

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
June 28, 2022
1:00 PM

A. CALL TO ORDER

B. ROLL CALL

C. PRESENTATION

1. Jamestown Rediscovery
2. Care Team Presentation

D. CONSENT CALENDAR

1. Acceptance of Funds - \$4,589 - Virginia Forfeited Asset Sharing Program
2. Adoption of a Revised Policy for Remote Participation in Meetings by Board Members
3. Grant Award - \$275,000 - Child Health Initiative
4. Hampton Roads Hazard Mitigation Plan Adoption
5. Master Services Agreement for Internet Service Provider - SEGRA
6. Master Services Agreement for Telecommunications Services - Cox Communications
7. Minutes Adoption
8. Resolution of Chesapeake Bay Preservation Ordinance Violation at 130 Lakeside Circle and 1581 Jamestown Road
9. Small Municipal and County Government Enterprise Agreement - ESRI

E. BOARD DISCUSSIONS

1. RecConnect Program

F. BOARD CONSIDERATIONS

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. Appointments - Clean County Commission
3. Appointments - Colonial Behavioral Health Board
4. Appointment - Colonial Community Criminal Justice Board
5. Appointment - Economic Development Authority
6. Appointments - Historical Commission
7. Appointment - Thomas Nelson Community College Board
8. Appointment - Williamsburg Regional Library Board of Trustees

J. ADJOURNMENT

1. Adjourn until 5 pm on July 12, 2022 for the Regular Meeting

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Dr. James Horn, President and CO, Jamestown Rediscovery Foundation

SUBJECT: Jamestown Rediscovery

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:47 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Lynette Diaz,

SUBJECT: Care Team Presentation, Care Team Coordinator

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:27 PM |



History of the *Child Health Initiative*

Care Team

Promoting A Healthier Community

January 2014:

- **Williamsburg Health Foundation** and community stakeholders explore health needs of children who were not meeting educational and developmental goals.
- **Care Team** community support model created.

July 2015:

- **City of Williamsburg Human Services** awarded funding for a Care Team

July 2018:

- **James City County Department of Social Services** awarded funding for a Care Team



Primary Community Partners

**Child Development
Resources (CDR)**



WJCC Public Schools



WILLIAMSBURG-JAMES CITY COUNTY
PUBLIC SCHOOLS | EST. 1955

Child Health Initiative

Care Team
Promoting A Healthier Community

**City of Williamsburg
Human Services**



**JCC Department of
Social Services**



WILLIAMSBURG
Health
FOUNDATION

Mission

To promote the health and well-being of all people in our community, including under-resourced families and children who face multiple and complex stressors.

Vision

Whole family health and well-being will create a healthy community.

Care Team

Promoting A Healthier Community



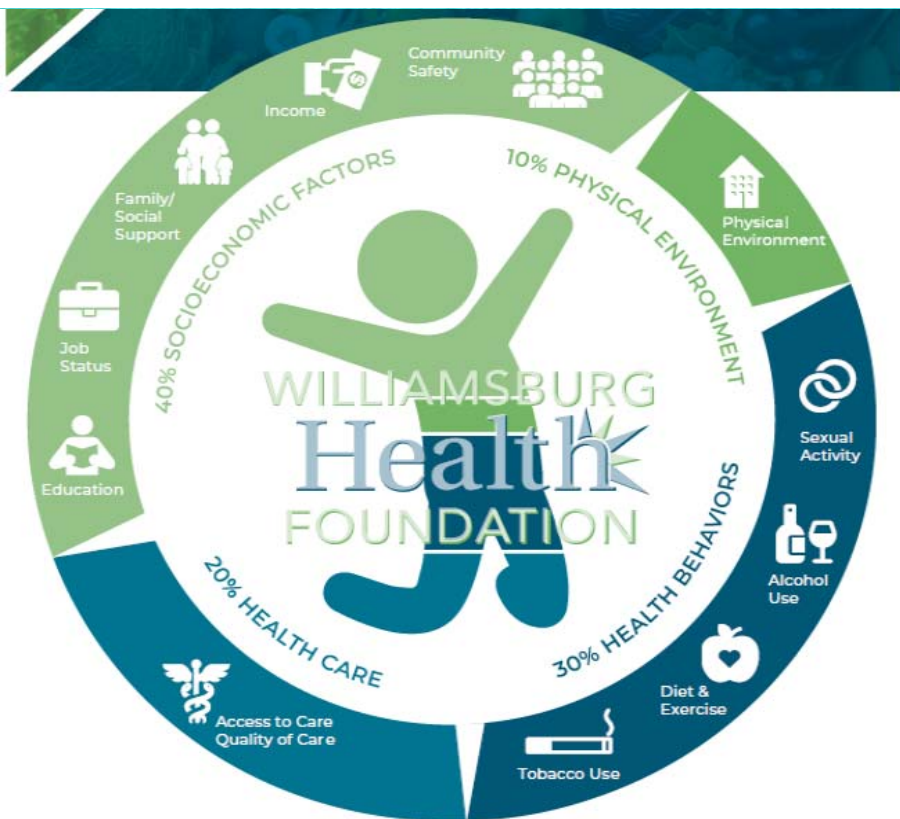
Target Population

Care Team

Promoting A Healthier Community

- Families with children in **5th grade or younger** who reside in James City County.
- Caregivers or children with lifestyle habits that increase health risks.
- Families who need support with coordinating services related to healthcare, education, employment, or maintaining basic needs.
- Families with no to low risk factors related to child welfare and safety.





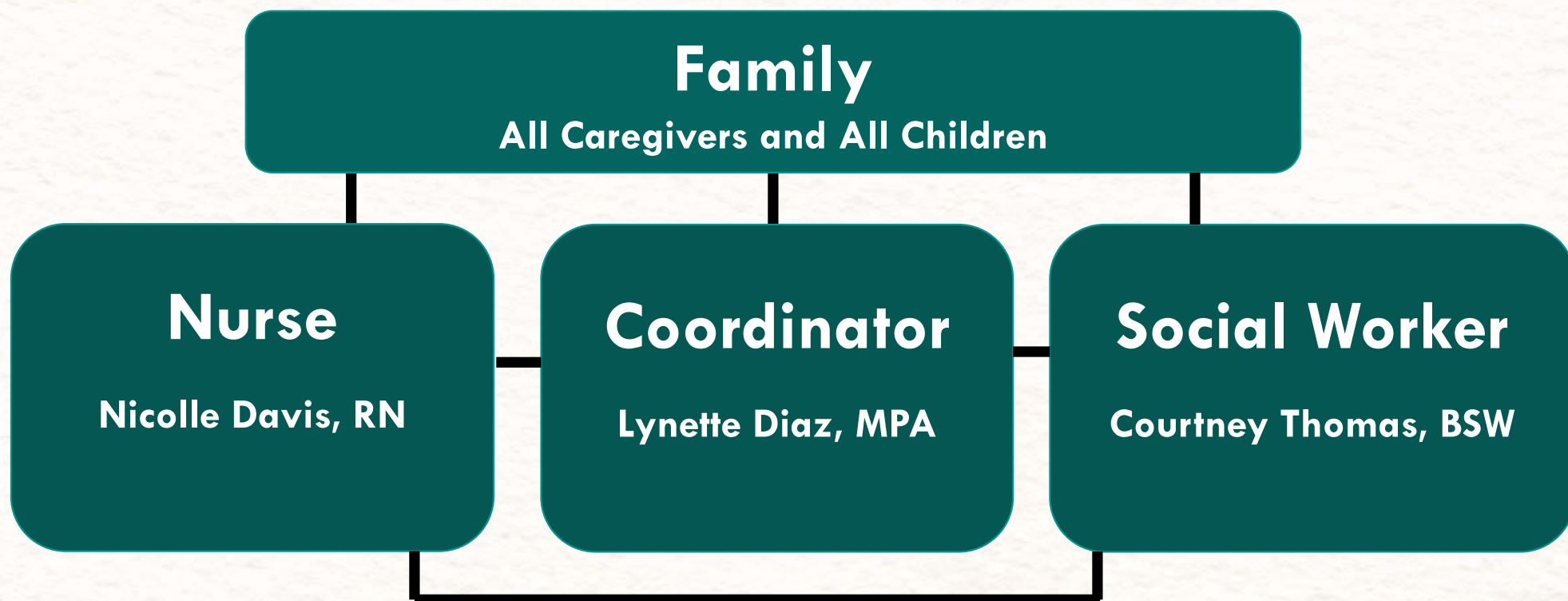
What Goes Into Our Health?

- Healthy Living
- Social and Economic Mobility

#2GEN



Care Team Partnership Model



Partnering with the Whole Family



- Health Coverage
- Finding Doctors
- Care Coordination
- Health Education
 - Nutrition
 - Physical Activity
 - Sleep
 - Hygiene
- Counseling Resources

- Parenting Support
- Child Developmental Supports
- Coordination with Schools
- Economic Stability
- Employment/Training
- Benefits Management
- Housing Stability
- Resource Coordination
- Transportation Resources



WILLIAMSBURG
Health
FOUNDATION

Improving Health Outcomes for Children and their Families

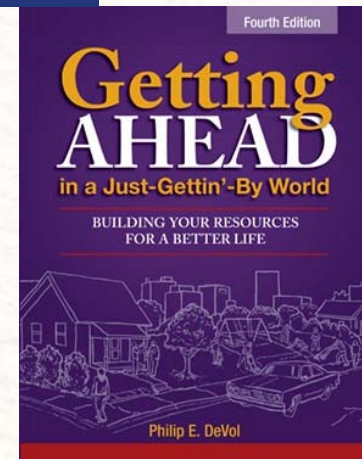
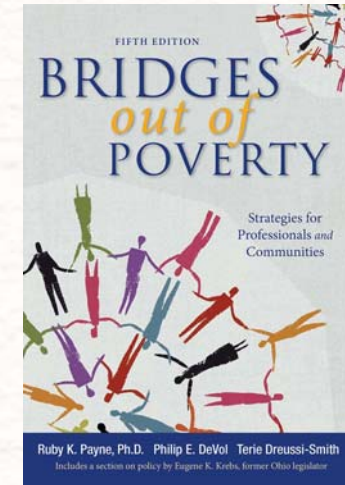
Care Team
Promoting A Healthier Community

- Make **healthier choices** for the family's lifestyle, including better nutrition, increased physical activity and improved sleep.
- Address the health needs of the whole family, including following up with **ongoing health care**.
- Achieve **better school attendance** and ensure there are positive developmental supports for the children.
- Achieve **more stability** with economic assets and financial responsibilities.
- Make meaningful decisions about the natural support systems that are connected to the family, to ensure a **safe and positive living environment** for everyone.



Bridges Out of Poverty Initiative

- **Introduction to *Bridges Out of Poverty*** - All JCC DSS staff receive the training to foster understanding about the mental models of economic classes.
- **Bridge Builders Workgroup** – Staff committee uses the framework to dissect our internal culture and how it impacts external service delivery.
- ***Getting Ahead in a Just Gettin'-By World*** - Pilot program launched in March 2022 in partnership with The Salvation Army. Five community residents and three staff facilitators conducted a co-investigation on poverty and community resource navigation in James City County.



ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Eric A. Peterson, Chief of Police; Nathan R. Green, Commonwealth's Attorney

SUBJECT: Acceptance of Funds - \$4,589 - Virginia Forfeited Asset Sharing Program

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|---------------------|
| Police | Peterson, Eric | Approved | 5/24/2022 - 9:32 AM |
| Police | Peterson, Eric | Approved | 5/24/2022 - 9:32 AM |
| Publication Management | Daniel, Martha | Approved | 5/24/2022 - 9:37 AM |
| Legal Review | Kinsman, Adam | Approved | 5/24/2022 - 9:40 AM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:13 PM |
| Board Secretary | Rinehimer, Bradley | Approved | 6/21/2022 - 1:40 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:44 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Eric A. Peterson, Chief of Police
Nathan R. Green, Commonwealth's Attorney

SUBJECT: Acceptance of Funds - \$4,589 - Virginia Forfeited Asset Sharing Program

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

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

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

Funds have been dispersed to the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office in the amount of \$4,589.

Staff recommends acceptance of the funds and adoption of the attached resolution to the Special Projects/Grants Fund.

EAP/NRG/md
VAForfASPrm22-mem

Attachment

RESOLUTION

ACCEPTANCE OF FUNDS - \$4,589 -

VIRGINIA FORFEITED ASSET SHARING PROGRAM

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

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

WHEREAS, funds have been dispersed to the James City County Police Department and the Williamsburg-James City County Commonwealth's Attorney's Office in the amount of \$4,589.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby accepts and appropriates funds of \$4,589 to the Special Projects and Grants Fund for the Police Department's and Commonwealth's Attorney's participation in the Virginia Forfeited Asset Sharing Program.

Revenues:

| | |
|---|----------------|
| State - Police Department State Asset Forfeit Funds | \$2,827 |
| State - Commonwealth Attorney State Asset Forfeit Funds | <u>\$1,762</u> |
| Total | <u>\$4,589</u> |

Expenditures:

| | |
|---|----------------|
| Police Department State Asset Forfeit Funds | \$2,827 |
| Commonwealth Attorney State Asset Forfeit Funds | <u>\$1,762</u> |
| Total | <u>\$4,589</u> |

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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MCGLENNON

VOTES

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Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Liz Parman, Deputy County Attorney

SUBJECT: Adoption of a Revised Policy for Remote Participation in Meetings by Board Members

ATTACHMENTS:

| | Description | Type |
|---|---|------------|
| ☐ | Memorandum | Cover Memo |
| ☐ | Resolution | Resolution |
| ☐ | Board of Supervisors' Remote Participation Policy | Exhibit |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Attorney | Parman, Liz | Approved | 6/9/2022 - 1:46 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/9/2022 - 1:53 PM |
| Legal Review | Parman, Liz | Approved | 6/9/2022 - 2:33 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:14 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 12:44 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:21 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Elizabeth Parman, Deputy County Attorney

SUBJECT: Adoption of a Revised Policy for Remote Participation in Meetings by Board Members

The Board of Supervisors (the “Board”) currently has a policy, pursuant to Virginia Code § 2.2-3708.2, governing remote participation in Board meetings by Board members.

Virginia Code § 2.2-3708.2 was reorganized and recodified in Virginia Code § 2.2-2708.3 during the 2022 General Assembly Legislative Session such that the Policy should be amended to reflect the new legislation.

Namely, the General Assembly added language to allow for remote participation if the member’s residence is more than 60 miles away and adds a requirement that the Board detail the process by which remote participation is requested and approved.

The proposed revised policy, titled Board of Supervisors’ Remote Participation Policy, and attached as Exhibit A, is in conformance with the new legislation. Staff recommends approval.

EP/ap
RevPolRmtPart-mem

RESOLUTION

ADOPTION OF A REVISED POLICY FOR REMOTE PARTICIPATION

IN MEETINGS BY BOARD MEMBERS

WHEREAS, the Board of Supervisors of the County of James City, Virginia (the "Board"), has a policy governing remote participation in Board meetings by Board members; and

WHEREAS, during the 2022 Session, the Virginia General Assembly amended the provisions of Virginia Code § 2.2-3708.2 and added Virginia Code § 2.2-3708.3 relating to remote participation in meetings of public bodies; and

WHEREAS, the Board desires to adopt a revised policy to conform to the new legislation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, does hereby adopt the Board of Supervisors' Remote Participation Policy presented as an Exhibit, which shall replace and supersede the prior policy governing remote participation.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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MCGLENNON

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Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

RevPolRmtPart-res

BOARD OF SUPERVISORS'
REMOTE PARTICIPATION POLICY

In accordance with § 2.2-3708.3 of the Code of Virginia, the following policy is established for members' remote participation in meetings of the Board of Supervisors of James City County, Virginia (the "Board"). A member may participate in a meeting through electronic communication means from a remote location only as follows:

A. Permissible reasons for remote participation.

1. Disability or medical condition. The member has a temporary or permanent disability or other medical condition that prevents the member's physical attendance.
2. Medical condition of family member. A medical condition of a member of the member's family requires the member to provide care that prevents the member's physical attendance.
3. Residence more than 60 miles away. The member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting.
4. Personal matter. The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter.
 - a. Limitation. The member may not use remote participation due to personal matters more than two meetings per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

B. Procedure.

1. A quorum of the Board must be physically assembled at the meeting location.
2. On or before the day of a meeting, the member shall notify the chair of the Board and the County Administrator that the member is unable to attend the meeting due to one of the four reasons listed in paragraph A.
3. The Board members physically present must approve the remote participation by a majority vote, which shall be recorded in the Board's minutes.
4. If participation is approved pursuant to Paragraph A 1 or A 2, the Board shall include in its minutes the fact that the member participated through electronic communication means due to a (i) temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance.
5. If participation is approved pursuant to Paragraph A 3, the Board shall include in its minutes the fact that the member participated through electronic communication means due to the distance between the member's principal residence and the meeting location.

6. If participation is approved pursuant to Paragraph A 4, the Board shall include in its minutes the specific nature of the personal matter cited by the member.
7. If the member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the Board's minutes with specificity.
8. The location of the member's remote participation need not be open to the public and may be identified in the minutes by a general description.
9. For any remote participation by electronic communication means, the Secretary of the Board shall make arrangements for the voice of the member or members to be heard by all persons in attendance at the meeting location.

C. Application.

1. This policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.
2. This policy is adopted by the James City County Board of Supervisors for itself and on behalf of its committees and subcommittees.
3. This policy supersedes and replaces any prior remote participation policy adopted by the Board.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director, Department of Social Services

SUBJECT: Grant Award - \$275,000 - Child Health Initiative

ATTACHMENTS:

| | Description | Type |
|---|---------------------------------------|------------|
| 📎 | GA-ChldHlthInit22-mem(RebeccaVinroot) | Cover Memo |
| 📎 | GA-ChldHlthInit22-res(RebeccaVinroot) | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|---------------------|
| Social Services | Vinroot, Rebecca | Approved | 6/14/2022 - 7:47 AM |
| Publication Management | Pobiak, Amanda | Approved | 6/14/2022 - 8:06 AM |
| Legal Review | Parman, Liz | Approved | 6/14/2022 - 8:17 AM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:14 PM |
| Board Secretary | Rinehimer, Bradley | Approved | 6/21/2022 - 1:42 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:44 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Grant Award - \$275,000 - James City County Child Health Initiative

The James City County Child Health Initiative has received funding through a grant received by the Williamsburg Health Foundation to operate the program through the Department of Social Services for the fifth year. The program is a collaborative effort between the Williamsburg Health Foundation, Child Development Resources, Williamsburg-James City County Public Schools, Williamsburg Department of Human Services, and James City County Department of Social Services.

Through the program, community families who need support with effectively managing health, educational, and public service systems work in partnership with a three-person Care Team. The program focuses on children and families with multiple and complex stressors, who specifically have children aging out of preschool and/or home visiting programs and who are transitioning into the public school system.

The Williamsburg Health Foundation's grant award in the amount of \$275,000 is for the continuation of the program from July 1, 2022, through June 30, 2023.

Included in the grant is full funding for the continuation of three full-time positions under the Department of Social Services - Care Team Coordinator, Social Work Case Manager, and Nurse Case Manager.

Staff respectfully requests that the Board accept the grant award in the amount of \$275,000 and approve the continuation of the three full-time positions for Fiscal Year 2023.

RV/md
GA-ChldHlthInit22-mem

Attachment:
1. Resolution

RESOLUTION

GRANT AWARD - \$275,000 - JAMES CITY COUNTY CHILD HEALTH INITIATIVE

WHEREAS, the Williamsburg Health Foundation seeks to continue the James City County Child Health Initiative, the goal of which is to improve health outcomes for children by eliminating barriers and promoting positive social determinants of health; and

WHEREAS, the program is a collaborative effort between the Williamsburg Health Foundation, Child Development Resources, Williamsburg-James City County Public Schools, Williamsburg Department of Human Services, and James City County Department of Social Services; and

WHEREAS, the Williamsburg Health Foundation has awarded \$275,000 (the "Grant") to James City County to continue implementation of the James City County Child Health initiative, to include the continuation of three full-time positions under the supervision of the Department of Social Services; and

WHEREAS, no direct financial support is needed from the County to continue the James City County Child Health Initiative except in-kind services provided by the Department of Social Services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby directs the County Administrator to execute the Grant contract and authorizes the acceptance of the Grant, the continuation of three positions, and the following appropriation amendment to the Special Projects/Grants Fund:

Revenue:

| | |
|--------------------------------|------------------|
| Williamsburg Health Foundation | <u>\$275,000</u> |
|--------------------------------|------------------|

Expenditure:

| | |
|---|------------------|
| James City County Child Health Initiative | <u>\$275,000</u> |
|---|------------------|

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

| | | VOTES | | | |
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| Teresa J. Saeed | HIPPLE | _____ | _____ | _____ | _____ |
| Deputy Clerk to the Board | LARSON | _____ | _____ | _____ | _____ |
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Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief

SUBJECT: Hampton Roads Hazard Mitigation Plan Adoption

ATTACHMENTS:

| | Description | Type |
|---|-------------------|------------|
| ☐ | Memorandum | Cover Memo |
| ☐ | HRHazMitPln22-res | Resolution |

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|---------------------|
| Fire | Ashe, Ryan | Approved | 6/8/2022 - 3:19 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/8/2022 - 3:34 PM |
| Legal Review | Parman, Liz | Approved | 6/9/2022 - 1:46 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:15 PM |
| Board Secretary | Rinehimer, Bradley | Approved | 6/21/2022 - 1:43 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:44 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Ryan T. Ashe, Fire Chief
Michael D. Woolson, Resource Protection Section Chief, CRS Coordinator

SUBJECT: Hampton Roads Hazard Mitigation Plan Adoption

The Disaster Mitigation Act of 2000 requires localities to adopt a Hazard Mitigation Plan to be eligible for pre-disaster and post-disaster mitigation funding from the Federal Emergency Management Agency (FEMA). The Disaster Act of 2000 also requires localities to update their Hazard Mitigation Plans every five years.

To comply, James City County, along with 16 other Hampton Roads localities, formed Committees and with regional grant funding retained a consultant to assist with creating the 2022 Hampton Roads Hazard Mitigation Plan. The entire 2017 plan was reformatted and reorganized to develop the current Hampton Roads Hazard Mitigation Plan.

The 2022 Plan includes a hazard and risk assessment for the region, as well as community-specific profiles for each of the participating localities. The Plan includes regional hazard mitigation goals and objectives, with mitigation recommendations prioritized by each locality. As such, the Plan is both a mitigation plan for the region and an individualized mitigation plan for each participating locality.

The final 2022 Hampton Roads Hazard Mitigation Plan has been tentatively approved by the Virginia Department of Emergency Management and FEMA pending adoption.

Staff recommends approval of the attached resolution.

RTA/MDW/ap
HRHazMitPln22-mem

Attachment

RESOLUTION

HAMPTON ROADS HAZARD MITIGATION PLAN ADOPTION

WHEREAS, the James City County Board of Supervisors is seeking the Federal Emergency Management Agency (FEMA) approval of a Hazard Mitigation Plan that recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre-disaster and post-disaster mitigation grant programs; and

WHEREAS, James City County fully participated in the FEMA-prescribed mitigation planning process to prepare this Hazard Mitigation Plan; and

WHEREAS, the Virginia Department of Emergency Management and Federal Emergency Management Agency, Region III Officials have reviewed the “2022 Hampton Roads Hazard Mitigation Plan” and approved it contingent upon the official adoption of the participating governments and entities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby adopts the “2022 Hampton Roads Hazard Mitigation Plan” as an official plan; and

BE IT FURTHER RESOLVED that the James City County Fire Department will submit this Adoption Resolution to the Virginia Department of Emergency Management and Federal Emergency Management Agency, Region III Officials to enable the Plan’s final approval.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

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VOTES

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Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Alisa Fox - Assistant Director of Information Resources Management

SUBJECT: Master Services Agreement for Internet Service Provider - SEGRA

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Information Resources | Page, Patrick | Approved | 6/10/2022 - 10:05 AM |
| Financial Management | Cochet, Cheryl | Approved | 6/21/2022 - 1:41 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/21/2022 - 2:05 PM |
| Legal Review | Kinsman, Adam | Approved | 6/21/2022 - 2:25 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:39 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 2:43 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:48 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Alisa Fox, Assistant Director of Information Resources Management

SUBJECT: Master Services Agreement for Internet Service Provider - SEGRA

Information Resources Management Department has evaluated and recommends the proposed agreement with SEGRA for internet service. Under the Master Services Agreement, staff intends to continue internet service with expanded capacity at a reduced rate. The term is a five-year contract, as this will provide the County another internet service provider with Cox being the other.

The Master Services Agreement offers an assurance of timely repair services.

This renewal has reduced the yearly cost from \$47,388 to \$30,756 which is a savings of \$16,632 per year and will increase the bandwidth from 50Mbps to 500Mbps on two circuits and from 200Mbps to 1000Mbps on another circuit.

Having two internet service providers delivers service load balance and redundancy/failover.

Staff recommends approval of the attached resolution.

AF/ap
MSAgmtSEGRA-mem

RESOLUTION

MASTER SERVICES AGREEMENT FOR INTERNET SERVICE PROVIDER - SEGRA

WHEREAS, County staff has evaluated and recommends the proposed agreement with SEGRA for internet services; and

WHEREAS, the internet services offered meet our business requirements; and

WHEREAS, the Agreement will result in a reduction of \$16,632 per year and will increase the bandwidth from 50Mbps to 500Mbps on two circuits and from 200Mbps to 1000Mbps on another circuit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Agreement with SEGRA.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

| | | | | | |
|---------------------------|-----------|--------------|------------|----------------|---------------|
| | | <u>VOTES</u> | | | |
| | | <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
| | ICENHOUR | _____ | _____ | _____ | _____ |
| | HIPPLE | _____ | _____ | _____ | _____ |
| _____ Teresa J. Saeed | LARSON | _____ | _____ | _____ | _____ |
| Deputy Clerk to the Board | SADLER | _____ | _____ | _____ | _____ |
| | MCGLENNON | _____ | _____ | _____ | _____ |

Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

MSAgmtSEGRA-res

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Alisa Fox - Assistant Director of Information Resources Management

SUBJECT: Master Services Agreement for Telecommunications Services - Cox Communications Hampton Roads, LLC

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Information Resources | Page, Patrick | Approved | 6/10/2022 - 10:04 AM |
| Financial Management | Cochet, Cheryl | Approved | 6/21/2022 - 1:41 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/21/2022 - 2:09 PM |
| Legal Review | Kinsman, Adam | Approved | 6/21/2022 - 2:25 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:39 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 2:43 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:48 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Alisa Fox, Assistant Director of Information Resources Management

SUBJECT: Master Services Agreement for Telecommunications Services - Cox Communications Hampton Roads, LLC

Information Resources Management Department has evaluated and recommends the proposed agreement with Cox Communications for telecommunications services. Under the Master Services Agreement, staff intends to continue telecommunications service with expanded capacity at a reduced rate. The term of three years plus two one-year renewable extensions is ideal, as the volatility of the telecommunications business sector requires diligent reevaluation of services. This offer provides five-year pricing with only a three-year commitment.

The Master Services Agreement covers a number of offered services, including telephone and internet services. The telephone services offered meet our wireline business telephone requirements and internet services are supplied by using high speed optical technology. Furthermore, the inclusion of a Service Level Agreement in the Master Services Agreement offers an assurance of timely repair services for all services.

This renewal has reduced the yearly cost from \$35,400 to \$30,672 which is a savings of \$4,728 per year. It also increased the bandwidth from 50Mbps to 1000Mbps per circuit.

Use of this contract is available to James City County, Williamsburg-James City County (WJCC) Schools, WJCC Courthouse, Williamsburg Regional Library, Virginia Peninsula Regional Jail, James City Service Authority, and the Williamsburg Area Transit Authority.

Staff recommends approval of the attached resolution.

AF/ap
MSAgmtCox-mem

RESOLUTION

MASTER SERVICES AGREEMENT FOR TELECOMMUNICATIONS SERVICES -

COX COMMUNICATIONS HAMPTON ROADS, LLC

WHEREAS, County staff has evaluated and recommends the proposed agreement with Cox Communications for telecommunications services; and

WHEREAS, the telecommunications services offered meet our business requirements; and

WHEREAS, the Agreement will result in a reduction of \$4,728 per year and increased bandwidth from 50Mbps to 1000Mbps per circuit.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Agreement with Cox Communications Hampton Roads, LLC.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

ICENHOUR
HIPPLE
LARSON
SADLER
MCGLENNON

VOTES

| <u>AYE</u> | <u>NAY</u> | <u>ABSTAIN</u> | <u>ABSENT</u> |
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Adopted by the Board of Supervisors of James City County, Virginia, this 28th day of June, 2022.

MSAgmtCox-res

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Minutes Adoption

ATTACHMENTS:

| | Description | Type |
|---|---------------------------------------|---------|
| 📎 | May 10, 2022 Regular Meeting Minutes | Minutes |
| 📎 | May 23, 2022 Special Meeting Minutes | Minutes |
| 📎 | May 24, 2022 Business Meeting Minutes | Minutes |
| 📎 | June 14, 2022 Regular Meeting Minutes | Minutes |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/17/2022 - 2:49 PM |

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
May 10, 2022
5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:06 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
P. Sue Sadler, Vice Chairman, Stonehouse District - via phone
John J. McGlennon, Chairman, Roberts District

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

Mr. McGlennon sought a motion to allow Ms. Sadler to participate remotely due to an ongoing medical issue that prevented her attendance in person.

A motion to allow Ms. Sadler to participate remotely was made by Ruth Larson, the motion result was Passed.

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

Ayes: Hipple, Icenhour Jr, Larson, McGlennon

Absent: Sadler

Mr. McGlennon welcomed Ms. Sadler to the meeting.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Lorenzo Gray, a 3rd grade student at D.J. Montague Elementary School

Mr. McGlennon gave highlights of Lorenzo's interests and activities.

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

E. PUBLIC COMMENT

None.

F. CONSENT CALENDAR

1. Supplemental Appropriation Request - \$11,435

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

G. PUBLIC HEARING(S)

1. Ordinance to Establish the Colonial Juvenile Services Commission

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

Ms. Rebecca Vinroot, Director of Social Services, addressed the Board noting she was joined by Mr. Brian Fuller of York County. She noted he was the administrating staff to the Colonial Juvenile Services Commission. Ms. Vinroot further noted this Ordinance had been presented to the Board in June 2021. She added this Ordinance reflected the name change from the Colonial Group Home Commission after the closure of the Crossroads Group Home along with a shift toward more community-based services for at-risk youths and those in the juvenile justice system. Ms. Vinroot noted some adjustments regarding State Code had to be made prior to this presentation to the Board. She further noted those changes had been implemented. Ms. Vinroot stated the Commission was a regional entity, which with these changes, could be established to address the community needs.

Mr. McGlennon asked if the Board had any questions for Ms. Vinroot or Mr. Fuller.

There were none.

Mr. McGlennon thanked both Ms. Vinroot and Mr. Fuller.

Mr. McGlennon opened the Public Hearing.

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

2. SUP-22-0001. 3 Marclay Road Tourist Home

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

Ms. Terry Costello, Senior Planner, addressed the Board regarding the Special Use Permit (SUP) application for short-term rental of a four-bedroom home. She cited the specifics of the application. Ms. Costello noted staff found the proposal was not fully consistent with the adopted 2045 Comprehensive Plan's recommendations for short-term rentals. She further noted staff was not able to recommend the application. Ms. Costello stated the Planning Commission voted 6-1 in favor of the application at its April 6, 2022, meeting. She noted the applicant was available for questions.

Mr. McGlennon asked if the Board had any questions.

Ms. Sadler asked Ms. Costello to repeat the Planning Commission's vote and describe the Comprehensive Plan Airport designation associated with the application.

Ms. Costello noted the vote was 6-1 in favor of the application. She further noted the six parcels in that general area, which were designated Airport, were unique as the parcels represented the only Airport designated area in the County.

Mr. Rich Krapf, Planning Commission representative, addressed the Board reiterating the Commission's 6-1 vote in favor of the application. He noted during the Planning Commission's meeting, the applicant had indicated a tenant would be on-site during rentals. Mr. Krapf further noted a later revision to the applicant's statement reflecting withdrawal of the tenant stipulation, adding that was not a factor in the Planning Commission's approval vote. He cited the favorable factors of the application, adding the property did not affect residential area protection per the short-term rental conditions noted in the 2045 Comprehensive Plan. Mr. Krapf stated this property was part of the Williamsburg-Jamestown Airport and could be considered as an accessory use for commercial support of the Airport. He cited other factors regarding the SUP and the Planning Commission. Mr. Krapf noted short-term rental SUPs contained no sunset clauses with the SUP's conveyance in perpetuity as discussed by the Planning Commission.

Mr. Hipple referenced an on-site tenant renting monthly versus tourism rentals. He noted tourists spent money in the community. Mr. Hipple further noted Airbnbs were held to particular standards. He added caretakers were not on-site at motels and such. Mr. Hipple noted rentals such as this one would enhance the community.

Mr. Krapf noted this particular application as an accessory use for the Airport was categorized differently. He further noted that point was considered in relation to performance standards.

Mr. Hipple thanked Mr. Krapf and the Planning Commission for their work.

Mr. McGlennon opened the Public Hearing.

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

Mr. McGlennon asked the applicant to address the Board regarding the change with no on-site caretaker and how the property's condition would be monitored.

1. Ms. Kenya DelValle, 4001 Cedarwood Lane, addressed the Board stating the possibility of an on-site caretaker had been noted at the April 6, 2022, Planning Commission meeting. She noted she did not feel an on-site caretaker was necessary with the Airbnb business model compared to a Bed-and-Breakfast where meals and such were provided. Ms. DelValle further noted if the Board deemed an on-site caretaker was required, she was willing to accommodate that requirement. She added the property was maintained by a landscaping person who was available in the event of an emergency. She stated she and others were available to assist. Ms. DelValle noted the property owner, Mr. Larry Waltrip, was also available.

Mr. McGlennon noted he asked the question to ascertain who would be responsible and available in the event of a concern or problem.

Ms. DelValle noted she would be available on behalf of the company, Kingdom Living Estates, LLC.

Ms. Larson noted her difficulty with this application, adding she had denied previous applications based on no on-site caretaker. She further noted that was an important component of the application for her. Ms. Larson stated her concerns for the property with no one on-site if issues arose with smoke detectors. She added Mr. Waltrip had contributed

greatly to the community.

Ms. DelValle addressed the smoke detector concern raised by Ms. Larson. She referenced Mr. Hipple's comment on the Airbnb standard and the availability of staff to address visitors' needs or concerns. Ms. DelValle noted those concerns should be addressed with regular check-ins by staff on the property.

Mr. McGlennon and Ms. Larson thanked Ms. DelValle.

Mr. McGlennon noted approval of an SUP did not include operation as an Airbnb facility. He further noted the opportunities for any short-term rental use under an SUP approval for this purpose.

Mr. Hipple noted the Board had been cautious with short-term rental SUPs in neighborhoods. He further noted short-term rentals with regard to economic opportunities, rental limitations, affordable housing, and other factors. Mr. Hipple noted being open to the requirement of an on-site caretaker on the property.

Ms. Larson noted a long-standing neighborhood was near the Airport and she wanted to be mindful of those residents. She further noted this was a commercial parcel with more land. Ms. Larson stated the Airport was open seven days a week and asked how this affected the home and if someone would be available to address any issues.

Ms. DelValle noted someone would be available seven days a week, adding the business was behind the property should issues arise.

Ms. Larson thanked Ms. DelValle.

Mr. Icenhour asked about the on-site caretaker requirements and if that was in the Comprehensive Plan, adding he did not think it was in an Ordinance.

Mr. Paul Holt, Director of Community Development and Planning, noted the requirement was stated in the Comprehensive Plan.

Mr. Icenhour questioned if that requirement was for short-term rentals.

Mr. Holt confirmed yes, adding it was not in an Ordinance.

Mr. Icenhour noted a review of definitions in Ordinances might need to be addressed.

Mr. Holt confirmed it was a policy.

Mr. Icenhour noted a SUP, if approved, followed the property in perpetuity. He noted the Board had no authority to establish a sunset clause.

Mr. Kinsman confirmed that was correct.

Mr. Icenhour noted caution in moving forward when the property could change ownership. He further noted concerns regarding enforceability of SUP conditions and performance standards and questioned those points.

Mr. Kinsman noted the question possibly arose over enforceability of a resident caretaker. He further noted the difficulty for staff on enforceability due to limitations of staff work hours.

Ms. Sadler noted the uniqueness of this property. She further noted her support for the

application.

Mr. McGlennon referenced previous SUPs and the concern of no on-site caretaker at properties within residential areas. He noted the Planning Commission's reference to the unique and mostly commercial aspect of this property. Mr. McGlennon further noted the seven-day Airport operation and prompt response to potential situations on the property. He addressed different scenarios regarding the property use and higher service standards. Mr. McGlennon noted the home's location on the Airport property offered him more security than other situations, adding the home was also located on a wider section of Lake Powell Road for traveling visitors. He echoed many of Ms. Larson's concerns regarding short-term rentals and their adjacency to residential development, but he added his support of the application.

Mr. Icenhour echoed Mr. McGlennon's comments, adding this property was primarily commercial so the surrounding residential impact was less adverse. He noted his ongoing concern with the language and application, but the availability of on-site 24-hour/7-day staff to address issues was important. Mr. Icenhour further noted his support.

Ms. Larson recognized her Board peers' comments regarding this application's uniqueness. She noted she felt non-commercial property should have someone on-site, but she was taking a chance, adding she hoped this venture was successful.

3. Sale of County Property Located at 4097 Ironbound Road

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

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

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

Mr. Brad Rinehimer, Assistant County Administrator, addressed the Board regarding the resolution in the Agenda Packet. He noted the resolution authorized the County Administrator to sign off on the necessary documents to sell the County-owned property at 4097 Ironbound Road. Mr. Rinehimer further noted 4093, 4095, and 4097 Ironbound Road had been purchased in 2021. He stated the arrangements regarding the purchase and discussion with the existing tenants. Mr. Rinehimer noted a price arrangement with the current tenants who formed their own Limited Liability Corporation (LLC) and purchased the property for \$1,891,365. He further noted that price matched the County's purchase price of the three buildings based on square footage.

Ms. Larson thanked Mr. Rinehimer for his efforts in working with the rehabilitation of the buildings.

Mr. Rinehimer acknowledged his appreciation, adding General Services Department and the County Attorney had been instrumental in those efforts also.

Ms. Larson thanked everyone.

Mr. Icenhour echoed the comments on the well done work.

Mr. McGlennon opened the Public Hearing.

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

4. Lease of County Property Located at 5300 Palmer Lane

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

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

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

Mr. Rinehimer addressed the Board regarding the resolution in the Agenda Packet. He noted the resolution authorized the County Administrator to enter into a lease agreement with the Virginia Department of Health (VDH) for the lease of property located at 5300 Palmer Lane, the former location of the Office of Elections (former Voter Registrar's Office). Mr. Rinehimer detailed the movement of the VDH, adding several lease agreement points were being discussed. He noted the lease agreement was slated for a minimum of \$60,000 per year with the potential for an increased amount.

Ms. Larson noted the parking issue at that site and questioned if it was sufficient for the VDH staff.

Mr. Rinehimer confirmed yes.

Ms. Larson thanked Mr. Rinehimer.

Mr. McGlennon opened the Public Hearing.

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

H. BOARD CONSIDERATION(S)

1. Grant Award \$570,000 - Virginia Tourism Corporation American Rescue Plan Act Funds

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

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

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

Ms. Carla Brittle, Tourism and Centers Administrator of Parks & Recreation, addressed the Board regarding the \$570,000 grant from the Virginia Tourism Corporation. She noted the grant was funded by the American Rescue Plan Act (ARPA) and presented to James City County to infuse the tourism industry which suffered during the COVID-19 pandemic. Ms. Brittle further noted \$275,000 of the grant would be used for the Department of Parks & Recreation to purchase a portable trailer stage and a portable restroom trailer as aid for various events and concerts in County parks and commerce districts. She stated the balance of \$295,000 would pass to Visit Williamsburg. Ms. Brittle noted those funds would be used for costs associated with a large television campaign to market the historic area in Boston, Massachusetts. She further noted the City of Williamsburg and York County were contributing a portion of their funds for this \$1 million campaign. Ms. Brittle stated 50% funding would be awarded immediately with the balance awarded following financial documentation. Mr. Icenhour noted the \$295,000 for the tourism group which would be used for a television campaign in the Boston area. He asked if the campaign was already designed. Ms. Brittle confirmed yes. She noted there was documentation detailing the timeline for the advertisements. Ms. Brittle further noted the City of Williamsburg was contributing \$402,000 with York County contributing \$240,000 toward the campaign.

Mr. Icenhour noted Ms. Larson could possibly address his next question from the Williamsburg Tourism Council aspect. He asked what measures would be used to determine the campaign's success after the money was spent in relation to the investment.

Ms. Larson noted television was an element, adding the campaign was multimedia. She

referenced Ms. Amy Jordan, a former James City County employee, who was recently in Boston, saw some of the promotional campaign featuring Jamestown, Colonial Williamsburg, and York County, and shared the pictures locally. Ms. Larson noted the campaign had begun and had a timeline for reimbursement. She further noted data would be obtained from the Boston market by analyzing hits on local tourism websites and reservations. Ms. Larson added Boston had been chosen as data showed increased interest from people in that area looking for information regarding this area and so that market had been pursued.

Mr. Icenhour thanked Ms. Larson for the explanation.

Ms. Brittle noted the County's funding portion was only supporting television ads, but other jurisdictions were paying for other media.

Mr. Icenhour thanked Ms. Brittle.

Mr. McGlennon asked for additional information on the portable stage.

Ms. Larson noted she had questions on that same topic.

Ms. Brittle noted a towable trailer would be purchased. She further noted the unit had sides which came down with a stage and which could be used at special events in areas like New Town or at area sports events or concerts. Ms. Brittle added the purchase of the portable bathroom facility aligned with the stage trailer and could be used on sites with no restroom facilities.

Ms. Larson questioned if Jamestown Jams would take place this summer.

Ms. Brittle noted Jamestown Jams would not take place, but the After Hours Concert Series, in conjunction with Mr. Steve Rose and his organization, CultureFix, would take place in New Town on May 11. She further noted future plans after the New Town series were being evaluated.

Ms. Larson asked if staff felt the stage would be used.

Ms. Brittle confirmed yes.

Mr. Stevens noted he had previously been in a community with no stage and one had been purchased. He further noted the stage was used continually, adding he felt confident the stage would be well used in the County at various events. Mr. Stevens added tents had been used previously for events and the stage would offer a highly presentable image for James City County.

Ms. Larson noted she enjoyed Jamestown Beach Event Park, but recognized logistics and timing were factors.

Mr. McGlennon thanked Ms. Brittle for the presentation. He sought a motion on the item as there was no additional Board discussion.

2. FY2023 - FY2024 Budget Adoption & Resolution of Appropriation

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

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

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

Ms. Sharon Day, Director of Financial and Management Services (FMS), addressed the Board noting a resolution to appropriate the Fiscal Year 2023 budget was in the Agenda Packet. She noted the County Administrator's Proposed Budget and Board changes made at budget meetings were reflected in the resolution. Ms. Day further noted the major budget changes included a real estate tax rate reduction from \$0.84 to \$0.83 or a revenue reduction of \$1.1 million; \$1.1 million reduction in the Capital Improvements Program to balance the budget; the introduction of a Business Investment Grant Program administered by the County's Office of Economic Development for \$50,000. Ms. Day noted staff's recommendation for the Board to adopt the resolution.

Mr. Icenhour thanked Mr. Stevens and staff for the budget process, adding it was one of the least painful. He noted the responsiveness to questions and concerns. Mr. Icenhour further noted the budget was approximately \$10 million less with the implementation of the assessment rate reduction for personal property on automobiles and the tax rate reduction by one penny. Mr. Icenhour reminded residents the County was continually growing and current inflation rates were factors in maintaining the operations of the County. He noted the budget addressed those points and maintained a level of service citizens expected. Mr. Icenhour thanked everyone for all the good work.

Mr. Hipple echoed those comments. He added budget discussion during the COVID-19 pandemic had focused on cuts and revisions. Mr. Hipple complimented the County Administrator and staff for all the work necessary to address savings prior to this year's budget while still providing a tax relief for citizens. He noted increased cost for residents as well as businesses in the County and elsewhere, adding salary increases for staff were another factor. Mr. Hipple further noted upcoming projects within the County that were needed. He added those projects required additional debt, which brought additional cost and some things would be reevaluated in several years regarding cost and debt. Mr. Hipple noted the importance of maintaining the quality of life James City County residents enjoyed.

Ms. Sadler echoed the comments of her fellow Board members and expressed her appreciation to Mr. Stevens, Ms. Day, and staff for all their efforts. She noted staff's responsiveness to citizen relief with costs. Ms. Sadler further noted citizen feedback she had received also indicated appreciation.

Ms. Larson thanked staff for its hard work and time regarding the budget, adding it encompassed continual changes throughout the year. She thanked her colleagues for addressing cost-savings. Ms. Larson noted a \$10 million reduction was significant. She commended staff for its efficiencies. Ms. Larson reminded citizens that while restaurants and stores could close several hours early for cost-saving measures, the County did not have that option. She noted cost reductions still had costs as County services continued, citing Police and Fire as examples. Ms. Larson acknowledged staff for its ongoing efforts. She also echoed Mr. Hipple's comments regarding wages for workers, adding her appreciation to staff and all who show up every day.

Mr. McGlennon expressed his appreciation to Mr. Stevens, Ms. Day and the FMS staff for all the work on the budget and County finances over the past few years. He noted the cautious approach to the budget in response to the COVID-19 pandemic had proved successful. Mr. McGlennon further noted those savings benefited citizens with tax relief and he acknowledged staff and public service workers for providing quality services to the community. He added the implementation of public budget meetings and other outlets for citizens to address concerns. Mr. McGlennon expressed caution for the future as the Virginia General Assembly could pass legislation that could adversely impact the County's share of state revenue. He noted his hope was a state budget that offered tax relief as well as funding for essential services. Mr. McGlennon further noted careful use of the one-time funds available. He also addressed the growth of the County and continuation of providing quality services.

3. Legislative Agenda 2023

Mr. McGlennon noted a meeting of Regions Two and Three of the Virginia Association of Counties (VACo) would take place on May 23, 2022, in Henrico County. He further noted that meeting would allow localities to engage in initial discussion regarding the 2023 General Assembly legislative agenda. Mr. McGlennon stated this earlier change in the timeline would allow the Board more opportunity to develop a list for the General Assembly or even Congress to address legislatively. He noted an earlier list could then be presented to both VACo and the Virginia Municipal League (VML) at their summer meetings for agenda development. Mr. McGlennon noted one topic for consideration was if the possibility for opportunities existed in granting the use of SUPs to provide sunset clauses. He further noted identifying areas where SUPs were granted and sunset clauses would be appropriate.

Mr. Hipple noted he was not particularly interested in sunset clauses. He cited the example of an Airbnb rental with an SUP granted, which was then run by a family member. Mr. Hipple noted if that property was sold, then the next owner would have to appear before the jurisdiction's Board where continuation or denial could be addressed regarding a new SUP.

Mr. McGlennon noted evaluation of an SUP being granted and the overall impact. He further noted some previous SUPs had provisional restrictions on them. Mr. McGlennon thought that had been the case for some of the older short-term rentals.

Mr. Kinsman cited several examples, which included day care use. He noted sunset clauses had been addressed in a prior year's legislative agenda, but had been pulled after meeting resistance. Mr. Kinsman further noted the support of VACo and VML could be helpful.

Mr. Icenhour stated he was agreeable to the option of either a time limitation of potentially five or 10 years on the sunset clause or change of ownership. He noted having several options could allow flexibility with the General Assembly, adding the VACo and VML support would also be beneficial. Mr. Icenhour commended Mr. McGlennon for discussing this topic now. He asked for the Regions Two and Three meeting date.

Mr. McGlennon stated May 23, 2022, 3-5 p.m. in Henrico County.

Ms. Larson noted Mr. Icenhour should have received an email from VACo.

Mr. Icenhour noted he would contact them, particularly as he was the Vice Chairman to the VACo Finance Committee. He further noted another to discuss was impact fees, adding vetting those points through VACo and VML was very important. Mr. Icenhour asked Mr. Kinsman if any of the Board's legislative agenda items were endorsed by local legislators.

Mr. Kinsman replied none were picked up for endorsement.

Mr. Icenhour noted that was an opportunity and suggested two members meeting with a legislator prior to the Board's annual legislator meeting. He further noted getting commitment for sponsorship sooner if possible.

Mr. McGlennon noted community appearance with relation to State Code. He further noted that area could potentially be addressed with legislation, particularly regarding enforcement opportunities in residentially zoned areas.

Mr. Hipple addressed the cost of central wells when the County took over the maintenance. He noted central wells may be an item the Board no longer wanted to approve.

Mr. Icenhour asked Mr. Kinsman if the County was required by its own Ordinances to take over the central wells. He also asked if the Board could change that requirement or was it controlled by the state.

Mr. Kinsman noted the Board could make that change. He further noted intervention had allowed the central wells to be maintained longer than some taken over from the James City Service Authority earlier.

Mr. Hipple noted even with that, the County still took a loss on the wells.

Mr. Kinsman confirmed yes.

Mr. McGlennon noted the cost of a central well may have been a disadvantage for developers.

Mr. Hipple confirmed yes when the well was started. He noted in some situations, it was not so.

Mr. McGlennon noted the central wells could be a disincentive for a development, adding if the development was done, it could potentially cost the County money.

Mr. Hipple confirmed yes.

Mr. McGlennon noted he wanted to create the opportunity for more discussion. He welcomed Board members to the May 23, 2022, meeting to hear other localities' thoughts and potentially joining them in seeking VACo and VML support.

Ms. Larson endorsed the early discussion. She noted the many unknowns surrounding the state budget, adding continual discussion on legislative agenda items over the summer was paramount.

Mr. Hipple asked the location for the meeting in Henrico County.

Ms. Larson noted it was 2100 Libbie Lake East Street.

Mr. Hipple asked if this would be considered a Board meeting.

Mr. Kinsman noted a meeting occurred when the Board members were discussing County business. He further noted if there was uncertainty if three members would attend together, that could be addressed with a formal Freedom of Information Act (FOIA) advertisement prior to the meeting. Mr. Kinsman stated he spoke with Ms. Michelle Gowdy, Executive Director at VML. He noted her opinion regarding the General Assembly, particularly for James City County, was to maintain local control over short-term rentals. Mr. Kinsman added a number of bills are presented annually to reduce or remove any local control over those rentals. He noted one particular bill focused on the County's SUP control over short-term rentals, adding that bill was considered specific to James City County.

Ms. Sadler noted she had no item for legislative consideration at this time.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour thanked Mr. Stevens. He noted the streets and well-maintained medians, particularly along high traffic areas such as Monticello Avenue and Route 199. He noted it came at a price, but the improvements were very noticeable and well worth the investment. Mr. Icenhour thanked Mr. Stevens and staff for their efforts both for citizens and visitors to the

area.

Mr. Hipple echoed Mr. Icenhour's comments. He noted the trash pickup had enhanced the community.

Ms. Larson noted she had been traveling and recognized the trash pickup efforts also. She extended her appreciation for the work. Ms. Larson thanked staff for the work on the budget and the citizens who participated in budget conversations. She noted her parents were on a fixed income, paid their taxes, and were grateful for the amenities of living in this community. Ms. Larson noted she and Mr. McGlennon had visited Jamestown Island. She further noted Jamestown Rediscovery was put on the National Trust for Historic Preservation as one of the 11 most endangered locations due to the threat of sea level rise and climate change. Ms. Larson stressed the importance of the Island and its history to the nation. She noted the issue needed to be addressed within the next five years and the monetary consideration, adding more information would be forthcoming. Ms. Larson further noted her recent attendance with Mr. McGlennon and Mr. Icenhour at the Williamsburg-James City County (WJCC) School Division Teacher of the Year program. She stated the program was outstanding and congratulated all the teachers. She noted this program marked the first year it was sponsored by the WJCC Educational Foundation. Ms. Larson noted her attendance at the Blessing of Reverence program at Cedar Grove, which was sponsored by Williamsburg Downtown and the Let Freedom Ring Foundation. She further noted it was a very worthwhile program.

Ms. Sadler reminded everyone about the Fish Fry on Saturday, May 14, at Station One from 3-7 p.m. She noted the proceeds supported James City County's Volunteer Rescue Squad and encouraged community participation. Ms. Sadler thanked the volunteers and first responders for keeping the community safe. She congratulated her grandsons on their respective graduations.

Ms. Larson extended her condolences to the family of Ms. Patty Westmoreland, a Berkeley resident, and former teacher at James River and Matthew Whaley Elementary Schools. She noted Ms. Westmoreland was working between Matthew Whaley and Laurel Lane Elementary Schools at the time of her unexpected death.

Mr. McGlennon noted Jamestown Rediscovery would be launching a \$30 million campaign toward efforts to enhance the seawall for prevention of water intrusion. He further noted the honorable United States Senator Tim Kaine of Virginia, who appeared via Zoom, was hopeful of federal assistance to join that campaign. Mr. McGlennon stated Ms. Stephanie Kline of Laurel Lane Elementary School was chosen as the WJCC's School Division Teacher of the Year. He extended his congratulations to Ms. Kline.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens thanked the Board for its guidance and support regarding the budget. He also thanked the Board for staff recognition of its budget work. Mr. Stevens noted his appreciation that community appearance efforts were visible. He further noted ongoing planning with the Virginia Regional Peninsula Jail and its inmates who assist with those efforts. He stated that arrangement had worked well since last October, adding increased mowing and the implementation of the road crew were also assisting in community appearance for both residents and visitors. Mr. Stevens added National Police Week was May 11-17 and it served to especially recognize Law Enforcement Officers who died in the line of duty. He noted 458 Law Enforcement Officers lost their lives in the line of duty in 2021. Mr. Stevens added that while some deaths were related to COVID-19, that was the highest total since the 1930s. He noted Emergency Medical Services (EMS) Week would be observed May 15-21 in recognition of the professionals who provided emergency medical services throughout

communities. Mr. Stevens extended his thanks to both Law Enforcement and EMS personnel in the County for the services they provide in the James City County community. He noted the Clean County Commission was hosting its first Repair Fair on Saturday, May 14 at Warhill High School, 10 a.m.-2 p.m. Mr. Stevens further noted the intent was to register items for repair to ensure a repair person was available for the items and at no cost with no warranty implied. He listed the items available for repair included clothing, jewelry, small appliances, and small welding jobs. Mr. Stevens noted advance registration was required and was available on the County's website or at 757-259-5375.

Mr. McGlennon thanked Mr. Stevens. He asked if different plantings had been incorporated during the trash pickups.

Mr. Stevens noted he would check as he wanted to confirm if that was County work or the Virginia Department of Transportation work.

K. CLOSED SESSION

None.

L. ADJOURNMENT

1. Adjourn until 1 pm on May 24, 2022 for the Business Meeting

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

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

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

At approximately 6:40 p.m., Mr. McGlennon adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
SPECIAL MEETING
Legacy Hall, 4301 New Town Avenue, Williamsburg, VA 23188

May 23, 2022
1:45 PM

A. CALL TO ORDER

B. ROLL CALL

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

Scott A. Stevens, County Administrator

It was noted that all members were properly notified of the called Special Meeting; however, as only 2 members were in attendance, the meeting failed to establish a quorum.

C. BOARD DISCUSSIONS/GUIDANCE

1. Attendees will carpool to the Virginia Association of Counties ("VaCo") Regions 2 and 3 meeting at the Libby Mill Library, 2100 Libbie Lake East Street, Henrico, Virginia 23230 from 3:00 – 5:00 PM to discuss local and statewide legislative issues of concern for the 2023 General Assembly, including taxation, water quality, wastewater, economic development, and tourism.

D. CLOSED SESSION

E. ADJOURNMENT

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

Mr. McGlennon adjourned the meeting for failure to establish a quorum.

MINUTES
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

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

Mr. McGlennon requested a motion to Amend the Agenda to add a Closed Session item for the purpose of a discussion of property disposition.

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

C. PRESENTATION

None.

D. CONSENT CALENDAR

Mr. McGlennon asked if any Board member wished to pull any items from the Consent Calendar or to make a motion to approve the Consent Calendar.

1. Appropriation - \$112,800 - COVID-19 Cost Recovery

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

2. Contract Award - \$370,226 - Warhill Sports Complex Basketball Court Replacement

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

3. Heritage Humane Society Contract for Animal Shelter Management Services

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

4. Minutes Adoption

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

The Minutes Approved for Adoption included the following meetings:

-April 12, 2022, Regular Meeting
-April 26, 2022, Business Meeting

5. Public Housing Agency Plan

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

E. BOARD DISCUSSIONS

Mr. McGlennon noted a few items for discussion and the Planning Commission was in attendance to address those items. Mr. McGlennon welcomed Mr. Paul Holt, Director of Community Development and Planning, to the podium.

1. Joint Work Session with the Planning Commission: Planning Division Work Program

Mr. Holt called the roll to convene the Planning Commission.

ROLL CALL

Planning Commissioners Present:

Stephen Rodgers
Barbara Null
Rob Rose
Frank Polster
Jack Haldeman
Rich Krapf
Tim O'Connor

Mr. Holt indicated a physical quorum present, adding he would turn it over to Mr. Tim O'Connor, Chairman of the Planning Commission.

Mr. O'Connor thanked the Board for the opportunity to be in attendance and thanked the Planning staff for all its efforts in relation to the Comprehensive Plan update. Mr. O'Connor stated the Work Session today would cover the Planning Division Work Program for Fiscal Year (FY) 2023 and discuss anticipated program items for future years. Mr. O'Connor

welcomed any questions the Board might have during the discussions. Mr. O'Connor advised Mr. Haldeman would begin the discussion.

Mr. Haldeman addressed the Board to discuss Ordinance amendments for FY23. Mr. Haldeman displayed the Ordinance amendments on the PowerPoint presentation which included the following: 1) Scenic Roadway Protection; 2) Lot sizes in the A-1/R-8 Zoning Districts; 3) Residential Density Calculation; 4) Community Recreation Facilities; and 5) Use List of the General Business District, B-1. Mr. Haldeman stated the Policy Committee reviewed the Ordinance process and the public input approach, adding the anticipated process would include staff presenting its findings to the Policy Committee for discussion and guidance. Mr. Haldeman indicated up to three Policy Committee meetings would be scheduled for each item. Mr. Haldeman noted this process would continue through FY23 to include periodic discussions with the Board of Supervisors. Mr. Haldeman further noted the anticipated timeframe for Item No. 1 Scenic Roadway Protection Ordinance amendment would begin immediately with the Board's approval, adding a Policy Committee meeting would be held in August and a meeting with the Board of Supervisors in September. Mr. Haldeman moved on to discuss the anticipated timeframe for Item No. 2 Lot sizes in the A-1/R-8 Zoning Districts which included a Policy Committee review in August, adding the remaining three Ordinance amendment items would be reviewed by the Policy Committee in the ensuing months. Mr. Haldeman remarked the Committee welcomed any feedback from the Board on these items. Mr. Haldeman concluded the PowerPoint presentation.

Mr. Holt addressed the Board to discuss Item No. 2 Lot sizes in the A-1/R-8 Zoning Districts noting in the Zoning Ordinance there was only one minimum lot size set for the R-8 District while the A-1 District had six different minimum lot standards depending on the land use and other various factors. Mr. Holt stated there were minimum lot standards for single-family dwellings, multifamily dwellings, non-residential uses, family subdivisions, cluster housing, in addition to a grandfathering provision which allowed a subdivision of six acres or less for parcels in existence prior to 1989. Mr. Holt indicated staff would update minimum lot sizes for residential use types but keep the minimum lot standards the same for non-residential uses and family subdivisions unless the Board had a different approach. Mr. Holt mentioned the Ordinance amendment would be reviewed by the Policy Committee, a public hearing with the Planning Commission, and then it would come before the Board of Supervisors. Mr. Holt expressed he felt there was adequate guidance from the Board and the adopted Initiating Resolution to proceed specifically to the provision of eliminating central well system requirements for subdivisions with the new minimum lot size of 20 acres. Mr. Holt indicated the resolution grandfathers lots of 25 acres or less and could yield up to eight lots with the old lot size standard of three acres. Mr. Holt mentioned staff proposed to develop an Ordinance that would ultimately eliminate the central well requirement and would collaborate with James City Service Authority (JCSA) for logistic purposes.

Ms. Sadler asked if the grandfathering of the 25 acres or less would remain one to three acres.

Mr. Holt confirmed yes.

Mr. Holt turned the meeting over to Mr. O'Connor.

Mr. O'Connor addressed the Board noting in the adopted 2045 Comprehensive Plan, the Implementation Chapter had categories of Goals, Strategies, and Actions (GSAs) that were Regulatory and Guidelines Updates. Mr. O'Connor added the list could be utilized for updating portions of the Zoning and Subdivision Ordinances in future fiscal years. Mr. O'Connor adverted to the memorandum in the Board's Agenda Packet in which staff had identified certain GSAs from the list to update. Mr. O'Connor briefly spoke about other work program items which included routine duties such as administrative and legislative plan review. Mr. O'Connor added it was a renewal year for the Agricultural and Forestal Districts (AFDs),

so the Planning Division and Commission would review the districts this summer in preparation for the Board's consideration in late summer/early fall timeframe. Mr. O'Connor stated staff would continue to work on the Comprehensive Plan "leave-behind model" tools to help assess future fiscal transportation and land use impacts. Mr. O'Connor concluded the presentation and welcomed any questions the Board might have.

Mr. McGlennon asked if any of the Board members had any questions and/or comments for the Planning Commission.

Mr. Icenhour inquired on the process and timeframe specifically for Item Nos. 1 and 2.

Mr. Holt replied the timeline was based upon the Policy Committee meeting which would be held in August and as a periodic check-in could provide the findings to the Board in September; however, the process in place was to allow up to three Policy Committee meetings based on outstanding questions the Committee had prior to recommending approval of the Ordinance to the Planning Commission. Mr. Holt did not want to commit to a deadline until further information was available. Mr. Holt anticipated Item No. 2 would come before the Board sooner than Item No. 1.

Mr. Icenhour thanked Mr. Holt.

Ms. Larson asked if there was a public viewing opportunity for the Policy Committee meeting. Mr. Holt replied the Policy Committee was a working group and not typically televised; however, the meetings were publicized and the public had the opportunity to attend. Mr. Holt mentioned once the Policy Committee recommended approval to the Planning Commission a public hearing would be organized and at that point it would then be televised, and citizens would have an opportunity to speak if desired.

Ms. Sadler remarked with the increased interest in preserving the rural lands she recommended implementing alternatives to working with larger landowners. Ms. Sadler stated she knew of other jurisdictions that offered other options to allow the land to remain viable. Ms. Sadler expressed her interest in seeking other opportunities.

Mr. Holt mentioned staff developed a decision tree which would be utilized to assist landowners based on the objective, timeline preservation, etc. that would allow for alternative options to accommodate the landowner's intent with the tools available. Mr. Holt stated the decision tree would be showcased with the Board as the next segment.

Ms. Sadler asked if there were other options other than what was already in place.

Mr. Holt confirmed yes, adding there were other tools with regard to the Comprehensive Plan to aid in implementing desired results which he would address with the Board in the next segment of the Business meeting.

Mr. McGlennon asked if the Planning Commission had a list of Ordinance amendments that may need to be prioritized and/or considered.

Mr. McGlennon remarked the Planning Commission reviewed these circumstances daily and if there were any instances that may require consideration.

Mr. O'Connor stated he would ask Mr. Haldeman to weigh in on the subject as he was not present for the last Policy Committee meeting; however, he felt all the items which had Initiating Resolutions at this time were pertinent, in addition to the central well development, which was relevant to various cases recently. Mr. O'Connor expressed the challenges of how the County defined rural lands and whether it was located inside the Primary Service Area

(PSA) or outside of the PSA. Mr. O'Connor invited Mr. Krapf and Mr. Polster to comment on the subject if they desired.

Mr. Haldeman mentioned at the last Policy Committee meeting the Committee suggested consideration of Design Guidelines for the B-1, General Business District. Mr. Haldeman anticipated hearing several suggestions from the Committee subject to the Board's approval.

Mr. Polster expressed the concerns with potential impacts to the landowners. Mr. Polster reported approximately 81 properties out of the 125 properties which would be reviewed were in the AFDs. Mr. Polster remarked to Ms. Sadler's point what were the alternative options, communication to those landowners, etc. Mr. Polster noted Ms. Tammy Rosario, Assistant Director of Community Development, would be making a presentation in which he believed one of her points to be made was to determine a location in the County and the specific preservations. Mr. Polster questioned alternative tools that would be available to reimburse landowners for the value of their property, but still retain it. Mr. Polster commented on the timeframe of these initiatives creating a significant amount of Board consideration on these matters.

Mr. McGlennon offered the opportunity to allow any additional members of the Planning Commission who would like to speak to do so. Mr. McGlennon remarked the Board depended on the Planning Commission's guidance for various circumstances.

Mr. O'Connor asked if there were any further questions.

Mr. Hipple expressed the beneficial aspect of alternative programs to allow preservation of land, adding he thanked the Planning Commission for its efforts.

Mr. O'Connor expressed he felt the Planning Commission did a good job of preserving the character in the various mixed-use districts based on several components. Mr. O'Connor believed there was a significant amount of protection for both the landowners and the community.

Mr. Hipple commented once land was sold, it could not be reclaimed. Mr. Hipple added it was critical to utilize the land in the most beneficial way.

Mr. McGlennon asked Mr. O'Connor if he wanted to adjourn the Planning Commission meeting.

Mr. O'Connor confirmed yes; however, the Commission intended on staying in attendance for Ms. Rosario's presentation. Mr. O'Connor requested a motion to adjourn.

Mr. Krapf made a motion to adjourn.

At approximately 1:27 p.m., the Planning Commission adjourned on a unanimous voice vote.

2. Overview of Open Space Preservation Programs and Update on the Natural and Cultural Assets Plan Effort

Ms. Rosario addressed the Board to provide a brief introduction on the overview of the presentation. Ms. Rosario mentioned the County had a long history of public support for conservation and open space preservation. Ms. Rosario highlighted various tools utilized to conserve the County's natural and cultural resources on the PowerPoint presentation. Ms. Rosario added the tools were used to help support a wide range of circumstances for both the

landowner and County. Ms. Rosario discussed and displayed the County's main tools used which included the following: 1) Use Value Taxation and AFDs; 2) County Policies and Ordinances; 3) Greenspace Program; and 4) Purchase of Development Rights (PDR) Program on the PowerPoint presentation. Ms. Rosario mentioned staff developed a decision tree displayed on the PowerPoint slide to assist landowners in selecting the right tool for the property's future. Ms. Rosario spoke about the options such as: taxing incentives which included temporary benefits to both the landowner and the County, in addition to funding opportunities through the Greenspace Program and/or PDR Program, which were more permanent solutions. Ms. Rosario stated Tool No. 1 Use Value Taxations and AFDs were best for temporary protection and deferring development, in addition, it encouraged farming and forestry uses. Ms. Rosario discussed the eligibility criteria for this program was 5 acres or more for agriculture/horticulture land and with forestry, a minimum of 20 acres or more was required. Ms. Rosario explained this program was funded through reduced tax assessments and taxes. Ms. Rosario indicated this program was essential for continuation of the PDR Program.

Ms. Larson asked about the duration of reduced taxes.

Ms. Rosario replied it was for the term of the AFD, adding for most areas in the County it was a four-year term. Ms. Rosario remarked some jurisdictions offered the reduced taxes for up to 10 years. Ms. Rosario continued the PowerPoint presentation touching on the Greenspace Program in more detail noting it was best for more strategic situations needing flexibility in size, location, ownership, etc. Ms. Rosario mentioned the funding opportunities such as real estate taxes, bonds, competitive state matching grants, donations, sales, and partnerships. Ms. Rosario indicated this program required ongoing stewardship and required active review of building permits, conceptual plans, etc. which required the County to review the deeds of easement and other obligations to ensure the grant terms were adhered to, in addition to a regular monitoring process. Ms. Rosario spoke about the PDR Program in more depth noting the program was best for permanent protection which the landowner desired to retain ownership. Ms. Rosario mentioned the funding opportunities which included real estate taxes, bonds, Virginia Department of Agriculture and Consumer Services (VDACS) matching reimbursement grants, and donations. Ms. Rosario stated this program also required the ongoing stewardship. Ms. Rosario noted both the Greenspace and PDR Programs were initiated through the Virginia Open-Space Land Act, adding this allowed the County to acquire property or easements for various purposes; however, any acquisition must be consistent with the Comprehensive Plan. Ms. Rosario explained should there be an open application period for these programs it would require review of the PDR Ordinance to ensure it was up-to-date and reflected best practices, in addition to reappointments for the PDR Committee. Ms. Rosario touched on recent County efforts which included conducting upgrades to the PermitLink system for greater involvement in new development and active communication with landowners. Ms. Rosario discussed updates on the Natural and Cultural Assets Plan which included the completion of the natural and cultural assets maps which identify habitat cores, agricultural and forestal lands, lands that contribute to water quality, etc. Ms. Rosario noted a public survey was conducted in February with implementation of citizen feedback on the maps. Ms. Rosario mentioned the next step was to map the risk factors in relation to the natural assets and develop strategies to mitigate risk factors. Ms. Rosario informed the Board the maps would be presented to the public at a Community Open House on June 29, 2022, from 4-7 p.m. at the James City County Recreation Center, adding there would also be online opportunities to view information and share ideas. Ms. Rosario concluded the presentation and welcomed any questions the Board might have.

Mr. McGlennon thanked Ms. Rosario for the presentation, adding for citizens interested in further information on the subject to refer to the memorandum in the Agenda Packet.

Mr. Icenhour asked if there were any properties outside of the AFDs which could qualify for

the Use Value Taxation.

Ms. Rosario replied she believed that there were lands which could qualify outside of the AFDs for agricultural and horticulture use; however, in order to qualify for forestry, the property must be in an AFD.

Mr. Icenhour thanked Ms. Rosario for the clarification.

Mr. Hipple mentioned the verbiage “as staff time permits” which was in the PowerPoint presentation several times. Mr. Hipple expressed his concern of the County being understaffed and the heavy workload on current staff. Mr. Hipple mentioned a prior Board discussion to potentially initiate a new position in the future to address these specific concerns, adding he felt it was pertinent and recommended Board consideration on the matter. Mr. Hipple recommended communication with larger landowners to provide information on County offered programs to aid with relief.

Ms. Rosario stated the County did fund the position to oversee the Open Space programs, and which she had taken the role. Ms. Rosario mentioned communication opportunities to landowners now that the funding of these programs was at a sufficient level. Ms. Rosario noted considerations on potentially extending AFDs for longer terms, in addition to providing landowners information on Open Space Preservation programs. Ms. Rosario indicated she received a number of calls for interest in these programs, adding she felt more public outreach would be beneficial.

Ms. Larson inquired if there were landowners who were interested in longer terms for the AFDs.

Ms. Rosario replied she felt the landowners who reached out to her were more interested in potential acquisition of easement concerns. Ms. Rosario stated she believed based on the outcome of the survey that landowners did not desire extending the term, but to remain the current term length.

Ms. Larson expressed the challenges in protecting rural lands or lands which were designated for other uses. Ms. Larson stated it was about balance and other factors; however, she felt the public outreach was making a positive impact. Ms. Larson appreciated the efforts on this matter.

Ms. Sadler thanked Ms. Rosario for the presentation. Ms. Sadler suggested being open-minded on alternative programs. Ms. Sadler agreed to Ms. Larson’s point that it was about balance. Ms. Sadler recommended the continued public outreach and publication to eliminate confusion and misunderstandings.

Mr. McGlennon inquired if there were considerations of potentially combining both programs together for simplicity purposes.

Ms. Rosario replied in some respects it may be more beneficial to streamline for management purposes or to focus on one program versus the other.

Mr. McGlennon stated he was curious as to whether there was a beneficial aspect of combining the programs. Mr. McGlennon inquired about the challenges and length of the AFD terms.

Ms. Rosario replied she was unsure; however, she deferred the question to Mr. Holt.

Mr. Holt stated staff would come back before the Board in September for the AFD renewals

in which the survey results would be included for the Board's review; however, he felt it was the uncertainty concern for most.

Mr. McGlennon remarked from what he understood there were some funding opportunities for addressing water quality issues which may correlate with open space and land preservation. Mr. McGlennon inquired if staff considered looking into pursuing these grants or utilize a consultant to assist with identifying potential funding sources.

Ms. Rosario replied she found that those specific grants were complex and consumed a lot of staff time to ensure preliminary work was completed. Ms. Rosario commented there were resources in the budget to allow for grant application assistance.

Mr. McGlennon inquired if staff had considered thoughts on reforestation. Mr. McGlennon added there were some beneficial opportunities to help reduce erosion, lower temperatures to some degree, and other factors. Mr. McGlennon remarked he believed that there were some funding opportunities there.

Ms. Rosario replied not to date; however, the ideas presented would be documented and utilized through the mapping efforts and strategies to determine which items were most feasible. Ms. Rosario explained landowners could benefit from reforestation as it could create additional values to the property. Ms. Rosario commented the Natural and Cultural Assets Plan would allow further guidance to landowners and the opportunities available.

Mr. McGlennon thanked Ms. Rosario.

Mr. Hipple reiterated the understaffed concern.

Mr. McGlennon replied a potential internship would help alleviate some of those concerns and for future recruitment opportunities.

Ms. Larson stated she was going to send Ms. Rosario an email as she was interested in gathering additional information about reforestation.

Mr. McGlennon stated there were several local organizations such as the Master Gardeners, Master Naturalists, and Tree Stewards who would be resourceful.

Ms. Rosario mentioned an instance a couple of years ago that the Board of Supervisors acted on to reforest a portion of the land and to allow fencing to protect the reforestation. Ms. Rosario remarked the Department of Forestry could provide advice and additional guidance to landowners as well.

3. Building Consolidation Study

Mr. Jason Purse, Assistant County Administrator, addressed the Board providing a brief introduction. Mr. Purse touched on the conducted Space Needs Study which determined inadequate personnel space which led to the next phase of the project, the County Facilities Master Plan. Mr. Purse noted the County Facilities Master Plan allowed for review to determine whether to buildout or to build new facilities. Mr. Purse mentioned the General Services Building as an instance of inability to buildout, adding the Master Plan assisted with that determination. Mr. Purse stated that this presentation was the culmination of both studies. Mr. Purse informed the Board that GuernseyTingle would be presenting the PowerPoint presentation. Mr. Purse added it was the same information which was presented at the Board of Supervisors Retreat; however, this was the final version. Mr. Purse remarked this was to

allow further opportunity for consideration.

Mr. McGlennon welcomed Mr. Tingle.

Mr. Tom Tingle, President of GuernseyTingle, addressed the Board to discuss the County Facility Consolidation Impact Analysis. Mr. Tingle noted the focus was on two scenarios. The first scenario was to remain in existing facilities and expand to accommodate current space deficiencies. Mr. Tingle stated the second scenario was to consolidate the facilities to one location, preferably an accessible location for citizens and businesses. Mr. Tingle remarked that would then allow the sale of those buildings if desired, which would create additional income for the County. Mr. Tingle indicated the study included capital costs for renovations, expansions, new construction, in addition to operational costs. Mr. Tingle recognized collaborative efforts with RKG Associates who conducted the modeling scenarios and the fiscal impact study. Mr. Tingle commented he would introduce the President of RKG Associates momentarily. Mr. Tingle acknowledged RJS & Associates Inc. would assist with market evaluations of the County's real estate assets that could be vacated and sold if desired. Mr. Tingle recognized Mr. Bob Singley, President of RJS & Associates Inc. in attendance. Mr. Tingle mentioned Clark Nexsen who assisted with model energy usage and operational usage for a potential consolidated facility. Mr. Tingle also recognized County staff, Ms. Grace Boone, Director of General Services, and Mr. Shawn Gordon, Capital Project Management Engineer, for their efforts in gathering an abundance of information on operational costs, energy costs, maintenance reserve forecasts, etc. Mr. Tingle turned the presentation over to Mr. Kyle Talente, President of RKG Associates to discuss the findings.

Mr. Talente addressed the Board to reiterate the concern of County space deficiency for the needs today, much less for the next 40 years based on the projection of growth in the community. Mr. Talente highlighted the facilities to be considered for the consolidation effort on the PowerPoint presentation. Mr. Talente briefly reiterated the capital costs and operational costs and the data collected from County personnel was to provide a more precise evaluation and analysis for the community. Mr. Talente remarked additional considerations were taken into account such as travel time/mileage, staff time, etc. to provide a comprehensive look at the difference in both scenarios. Mr. Talente touched on the asset valuation for a few of the County-owned buildings to determine property uses and market value to allow for cash infusion to reduce costs of construction and considerations of economic and fiscal impacts. Mr. Talente displayed the Existing Facilities on the PowerPoint slide which consisted of the needed future square footage of each building and whether it could be renovated, or additional buildout was needed for the existing facility and/or whether the property could be sold. Mr. Talente moved on to discuss the Consolidation Scenario displayed on the PowerPoint slide. Mr. Talente indicated this scenario consisted of one facility, adding the footprint with regard to the future square footage was reduced due to the ability to create efficiency with the shared space. Mr. Talente explained by co-locating the facilities the number of data storage rooms and conference rooms could be reduced as it was not pertinent to have for each specific department as those rooms were not utilized full-time resulting in space savings. Mr. Talente highlighted the County-owned facilities which could be sold if desired. Mr. Talente touched on the potential process moving forward once a determination was made. Mr. Talente mentioned the renovation and new construction would start in 2024 and the work would take approximately two years to complete. Mr. Talente indicated in 2027 the facilities not utilized would be available for potential sale as the construction and relocation would be completed. Mr. Talente expressed the pertinence of the timeline as it was based on a longitudinal period which factored in time value of monies to provide a clear comparison of value. Mr. Talente added the County Capital Improvements Plan (CIP) had to be factored in as well, adding based on the decision made on this matter would dictate whether those investments for the next five years were made or not. Mr. Talente stated cost factors were held in 2022 dollars for comparison purposes. Mr. Talente explained another part of the analysis was looking at land use efficiency for the consolidated facility which would include a structured parking area for

50% of the parking. Mr. Talente remarked the cost of a structured parking space was substantially greater than the cost of a surface lot space which did increase the cost of construction; however, there were various benefits to a structured parking space. Mr. Talente indicated the design of the facility would ensure integrity of use and access as requested by County Department heads, in addition to retaining the existing level of services. Mr. Talente moved on to discuss energy efficiency and the findings of the analysis reported a 20% improvement in utility costs in a new facility over current operations. Mr. Talente commented renovations to existing facilities would improve efficiency; however, not to the extent of the new construction. Mr. Talente stated water usage would decrease substantially by approximately 70%-80% due to new standards with regards to a new facility. Mr. Talente spoke about the reduction in vehicle usage for a consolidated facility would reduce vehicle miles traveled by approximately 15%, adding this was not part of the analysis; however, it was useful information to consider. Mr. Talente displayed and discussed the financial costs for both scenarios on the PowerPoint slide. Mr. Talente stated for the existing facilities scenario the cost was approximately \$65 million, adding the operational costs would increase after expansion. Mr. Talente reported the cost for the consolidation scenario was approximately \$99 million, adding there was a cost differential based on rehabilitation costs per square foot as opposed to building new per square foot. Mr. Talente mentioned the sale of the County-owned facilities would help alleviate some of those costs and would create additional annual net fiscal benefits. Mr. Talente added the operational costs for the consolidated scenario would remain close to the current operational costs due to the efficiencies of the new construction. Mr. Talente highlighted the non-fiscal benefits of the consolidation scenario which included approximately \$5 million in locally captured retail sales and an estimated 800-1,000 office jobs would be created if County-owned facilities were sold to the private sector. Mr. Talente reiterated the benefits to a consolidated facility scenario. Mr. Talente concluded the PowerPoint presentation and welcomed any questions the Board might have.

Mr. Icenhour asked Mr. Talente if he could go back to the scenario comparison slide. Mr. Icenhour inquired if the annual existing operational costs and annual expanded operational costs were annual figures for a 30-year projection and adjusted for inflation costs in 2022 dollars.

Mr. Talente confirmed yes.

Mr. Icenhour asked if the reversion value was for the County facilities sold.

Mr. Talente replied correct.

Mr. Icenhour inquired on the projections for the annual net fiscal benefits.

Mr. Talente stated the projections included three properties: Mounts Bay Road Government Complex, Human Services Office, and Ironbound Village Office using the County's fiscal impact model and plugged-in values specific to this area. Mr. Talente explained there were other various factors which were considered in order to create the fiscal impact analysis such as the values of homes built in the area and the average student generation rate. Mr. Talente reported in the community there was a slightly lower generation rate than the County average, in addition to a higher per unit value rate which did impact the calculations. Mr. Talente reiterated the objective was to provide a precise evaluation and analysis for this specific community.

Mr. Icenhour replied thank you.

Mr. Hipple commented based on the data regardless of which scenario was chosen the costs were relatively close. Mr. Hipple mentioned the convenience factor of a consolidated facility, in addition to reducing the travel time and mileage.

Mr. Talente replied there were calculations conducted on travel time/mileage pertaining to County vehicles as it was a common occurrence to have to drive to another location for a meeting or to meet an individual in a different department.

Mr. Hipple remarked on the engagement benefits of being in a consolidated facility.

Mr. Talente agreed.

Mr. Hipple stated from a citizen's standpoint the consolidated facility would be more convenient and would eliminate traveling to multiple destinations.

Mr. Talente agreed.

Ms. Larson stated she looked forward to future discussions on this matter.

Mr. McGlennon expressed there were some beneficial factors to a consolidated facility; however, there would be some facilities which would remain dispersed. Mr. McGlennon questioned if the consolidated facility would accommodate the space needs for the next 50 years based on community growth and increased services.

Mr. Icenhour asked if the Williamsburg-James City County (WJCC) School Administration was included in the potential centralized location.

Mr. Talente confirmed yes.

Ms. Larson remarked it made sense; however, she was curious as to how the WJCC School System felt about the potential relocation.

Mr. Stevens expressed he believed the WJCC School System would support the relocation if it was an accessible location. Mr. Stevens added the demand for a School Administration building was in its 5-10-year CIP.

Mr. Hipple inquired if the Board should provide direction on this matter now.

Mr. McGlennon expressed he felt there should be further discussion prior to making a definitive decision as there were various factors to consider. Mr. McGlennon recommended public outreach for feedback purposes.

Mr. Hipple remarked he felt if a decision was made now, it would allow direction for staff. Mr. Hipple added staff could assist with the additional details.

Mr. Stevens stated the decision was up to the Board, adding the decision did not have to be made immediately; however, considerations should be made within a reasonable timeframe. Mr. Stevens explained significant delay could create various impacts such as cost savings. Mr. Stevens added there was approximately \$600,000 in maintenance costs which were deferred in the budget due to the uncertainty of possible relocation, so the decision timeline was critical for future actions. Mr. Stevens informed the Board if a decision were made today, it would not be a final decision; however, it would initiate the process.

Ms. Larson expressed her concern of deciding based upon an unknown location and other various factors. Ms. Larson commented both options were costly; however, it was critical to have further details to support the determination.

Ms. Sadler asked if the Board could decide today without knowing the location of the

consolidated facility and at a future meeting discuss the potential location opportunities.

Mr. Icenhour expressed his concern of the unknown location aspect as well, adding he was reluctant to decide without further details.

Ms. Sadler asked if the Board would need to select a location first for the consolidated facility.

Mr. Icenhour remarked options for the location should be considered and then narrowed down in a timely manner.

Ms. Sadler agreed, adding the costs would continue to increase.

Mr. Hipple remarked he disagreed, adding the Board first needed to decide what route to take and allow the professionals to assist with guidance and further action. Mr. Hipple provided an instance of a preferred chosen location for the consolidated facility and the professionals determine the facility would not fit in that desired location, the process would then be delayed again. Mr. Hipple mentioned various components could be decided collectively as a Board as time moves forward; however, this would provide staff a direction and would initiate the process.

Mr. Icenhour asked Mr. Stevens if a decision were made today, what would the timeframe be to come back before the Board with potential site opportunities, costs, footprints, etc.

Mr. Stevens replied once a decision had been made then more specifics would become available and potentially hire a consultant to ensure proper layout guidance. Mr. Stevens mentioned developing high-level estimates for each potential site for comparison purposes, in addition to other various factors. Mr. Stevens reiterated if the Board decided today, it would not be a final decision; however, it would initiate the process.

Mr. McGlennon stated what he gathered from the Board discussion on this matter was that consolidation may be the most rational decision, but it was heavily dependent on the location.

Mr. Icenhour stated from his understanding the structured parking was approximately \$16 million, correct.

Mr. Talente confirmed yes.

Mr. Icenhour replied surface lot parking throughout the consolidated facility would be more cost-effective.

Ms. Sadler asked if there would be more room for growth with the consolidated facility.

Mr. Stevens replied any potential facility would need to accommodate future growth.

Mr. Icenhour recommended that should be factored into the site analysis.

Ms. Larson pointed out Mr. Tingle who stood up in the boardroom; she wanted to give him an opportunity to speak if desired.

Mr. Tingle mentioned a test fit was conducted for structured parking advising it takes approximately 10 acres or if the decision were to create all surface parking that would require approximately 15-16 acres.

F. BOARD CONSIDERATION(S)

1. Contract with WJCC Schools and the City of Williamsburg

A motion to Amend the School Contract was made by Ruth Larson, the motion result was Passed.

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

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

Mr. Stevens addressed the Board to discuss a joint school contract between the County and the City of Williamsburg. Mr. Stevens stated the last contract was for a period from FY 2017 to the end of FY 2022. Mr. Stevens informed the Board that the new negotiated contract would use the previous five-year period contract for the joint operation of the schools to include a few modifications which included the following: 1) establishing a future school use account in which each locality would deposit 90% of the Unexpended Funds, except in emergency situations, these funds would be discussed and appropriated during the normal budget process; 2) the State Sales Tax for Education would be a direct distribution to the school division from the State; and 3) approval of the annual budget, capital improvement projects, and the hiring of the superintendent would require the affirmative vote of five of the seven members of the School Board. Mr. Stevens informed the Board the City Council had adopted the new contract. Mr. Stevens stated the contract would be effective July 1, 2022, and valid through the end of June 2027. Mr. Stevens recommended adoption to the Board, welcoming any questions.

Ms. Larson inquired on the School Board voting role and potential circumstances if the requirement was not met.

Mr. Stevens replied communication may be needed to ensure the School Board honors the requirement; however, the Board of Supervisors ultimately controls the funding source of majority of its budget.

Ms. Larson understood; however, she wanted to ensure that the School Board was aware of the recent changes.

Mr. Stevens stated he would communicate that with Dr. Olwen Herron, WJCC Superintendent, and provide the new contract for reference to share the revisions with the School Board members.

Ms. Larson thanked Mr. Stevens.

G. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour stated he would be reachable primarily through email or text. Mr. Icenhour mentioned he was boarding a flight tomorrow and would return June 11.

Mr. Hipple stated he had nothing to report.

Ms. Larson stated she attended the VACo Regions 2 and 3 meeting with Chairman McGlennon and Mr. Stevens. Ms. Larson spoke about a fatal car accident that occurred this past weekend at the intersection of Greensprings Road and The Maine of Williamsburg. Ms. Larson extended her deepest sympathies to the families involved. Ms. Larson mentioned numerous requests for a speed limit reduction on Greensprings Road where the speed limit was currently 45 miles per hour. Ms. Larson remarked that the Virginia Department of

Transportation (VDOT) was unwilling to change the speed limit in the past. Ms. Larson expressed the visibility issues on Greensprings Road and requested contact with VDOT to obtain an updated accident report for the road and to see what options there were to mitigate these concerns.

Ms. Sadler stated the Economic Development Authority meeting was canceled. Ms. Sadler recognized Mr. Christopher Williams, Video Production Administrator, and the Information Technology Department for all their efforts.

Mr. McGlennon stated on Sunday he attended the WJCC Education Foundation Scholarship Award Ceremony, adding many students were recognized for their academic excellence and received scholarships from a variety of funding sources. Mr. McGlennon mentioned the VACo meeting he attended with Ms. Larson and Mr. Stevens. Mr. McGlennon added he and Mr. Stevens also attended the Hampton Roads Transportation Planning Organization and Hampton Roads Planning District Commission meetings.

H. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted he had no report.

I. CLOSED SESSION

A motion to Enter a Close Session was made by Sue Sadler, the motion result was Passed.

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

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

At approximately 3:09 p.m., the Board entered Closed Session.

At approximately 3:23 p.m., the Board re-entered Open Session.

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

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

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

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

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 3:24 p.m., Mr. McGlennon adjourned the Board of Supervisors.

MINUTES
JAMES CITY COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
County Government Center Board Room
101 Mounts Bay Road, Williamsburg, VA 23185
June 14, 2022
5:00 PM

A. CALL TO ORDER

Mr. McGlennon called the meeting to order at approximately 5:01 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
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 the applicant for Public Hearing No. 4, the Ford's Village project, had requested a postponement until the September 13, 2022, Regular Meeting. He further noted the Public Hearing would remain open until that meeting date. Mr. McGlennon stated neither staff nor the applicant would make presentations at this evening's meeting. He noted any registered speakers regarding the project could speak at this meeting or wait until the September 13, 2022, meeting. Mr. McGlennon reminded speakers they were only allowed to speak once on the Public Hearing whether this meeting or the September 13, 2022, meeting.

C. MOMENT OF SILENCE

D. PLEDGE OF ALLEGIANCE

1. Pledge Leader - Ki'Shaun Sterling, a rising 4th grade student at James River Elementary and a resident of the Roberts District

Mr. McGlennon noted Ki'Shaun was unavailable for the meeting. He invited Ms. Peg Boarman, Chair of the Clean County Commission, to be the pledge leader.

Ms. Boarman led the Board and citizens in the Pledge of Allegiance.

Mr. McGlennon thanked Ms. Boarman. He referenced her attendance and impressive work at the Memorial Day service at Memorial Park.

E. PUBLIC COMMENT

1. Ms. Peg Boarman, 17 Settlers Lane, noted she was present to talk trash to the Board. She further noted the County's roads currently looked better, adding that was due to Ms. Grace Boone, Director of General Services, and her part in contracting inmates from the Virginia Peninsula Regional Jail to assist with litter pickup. Ms. Boarman addressed trash in the County

and visitors. She noted the ongoing efforts of the Clean County Commission to educate people on litter prevention. Ms. Boarman further noted the celebration of Will Barnes Day would take place on Saturday, June 18. She added the Commission was still seeking volunteers to pick up trash in the County and representatives for the Clean County Commission. Ms. Boarman noted representatives from the Powhatan and Jamestown Districts were needed. She added another representative from the Roberts District was also needed. Ms. Boarman thanked the Board for its support of the Clean County Commission and its activities. She noted applications would be accepted in August for the Good Neighbor Grant followed by the Recycling Expo in November. Ms. Boarman further noted the Repair Fair would also return. She stated the Sweethaven Lavender Farm was the recipient of the quarterly Clean Business Award in May with the Ulster American Homestead Garden Center as the November winner.

Mr. McGlennon called the next speaker, Mr. Chris Henderson, to the podium. Mr. Henderson was unavailable.

2. Mr. Curtis Stoldt, 303 Moody's Run, addressed the Board noting his attendance at various Board meetings. He noted he had attended the Electoral Board meeting for James City County earlier in the day and the discussion surrounding the 45-day early voting period at their current facility. Mr. Stoldt further noted the County had 65,000 registered voters with current standards indicating approximately 60% of those voters would choose early voting. He added the current facility was inadequate to handle that early voting process. Mr. Stoldt noted the mathematical breakdown equated to approximately 1,500 people processed on a daily basis. He further noted parking was insufficient and the impact to the two dental practices at the location. Mr. Stoldt cited the statistical impact in terms of the reduced number of voting booths and poll books, as well as curbside voting and handicap parking accessibility. He noted the Board of Supervisors had received the Electoral Board's recommendation, though he was unsure what it entailed, and strongly urged absentee in-person voting be held at the James City County Recreation Center this year until a more detailed plan was developed for the new site. Mr. Stoldt cited the previous use of the Recreation Center as a benefit to processing voters.

3. Ms. Susan Franz, 103 Cardinal Court, addressed the Board noting her attendance at the Electoral Board meeting earlier in the day. She noted she was an Election Officer who participated on numerous days for voting at the Recreation Center. Ms. Franz commented on the efficiency of the voting process there. She echoed Mr. Stoldt's comments that the Ironbound Road location for the Office of Elections was not suitable while the Recreation Center, as it currently existed with no construction modifications to walls, was available. Ms. Franz noted with the other building occupants no longer there at a future date, the Ironbound Road location could prove to be a viable solution. She further noted the goal was to make voting easier for the citizens.

F. CONSENT CALENDAR

None.

G. PUBLIC HEARING(S)

1. 5427 Olde Towne Road Easement Exchange

Mr. McGlennon noted the applicant had withdrawn the request for action, adding the Public Hearing had been advertised previously but there was no item to come before it.

Mr. McGlennon opened the Public Hearing.

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

2. Amendment to the Adopted Budget for Federal Coronavirus Relief Funding

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

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

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

Ms. Sharon Day, Director of Financial and Management Services, addressed the Board, noted a Code of Virginia requirement for a Public Hearing when a budget amendment exceeded 1% of total expenditures. She noted for Fiscal Year 2022, that amount was \$2.3 million. Ms. Day explained the Public Hearing would consider the budget amendment for the American Rescue Plan Act (ARPA) federal funds the County received. She noted the Board approved a plan for use of the ARPA funds for providing government services in accordance with federal guidance in November 2021. Ms. Day stated James City County's ARPA allocation was \$14.8 million with payment to be made in two equal installments. She noted the first payment, \$7.4 million, was received by the County in May 2021 with a Public Hearing held for that allocation in June 2021. Ms. Day further noted this resolution and Public Hearing addressed the second allocation, which was received June 2022. She noted the recommendation for the Board to adopt the resolution authorizing acceptance of the second ARPA funding payment and appropriation of the funds in the budget.

Mr. McGlennon opened the Public Hearing.

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

3. Sale of County Property Located at 1637 Green Mount Parkway

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

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

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

Mr. Jason Purse, Assistant County Administrator, addressed the Board noting the County had purchased the property at 1637 Green Mount Parkway in 2019. He noted InLight Real Estate Partners approached staff regarding interest in the property for a warehouse project. Mr. Purse further noted staff felt this was a desirable use of the property regarding zoning and adjacent uses. He stated the agreed price of \$90,000 per acre for the 14.37 developable on-site acreage for a total sale price of \$1.293 million. Mr. Purse noted the resolution in the Agenda Packet authorized the County Administrator to execute the necessary documents for the property sale. He further noted staff's recommendation for the Board to approve the resolution.

Mr. McGlennon opened the Public Hearing.

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

Mr. McGlennon thanked staff for the significant time devoted to this project and the economic development opportunity.

4. 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)

A motion for Postponement was made by Michael Hipple, the motion result was Passed.

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

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

Mr. McGlennon reiterated the September 13, 2022 deferral on this case. He asked the Board if there was any discussion on the project.

Mr. McGlennon opened the Public Hearing, noting there were no speakers, but the Public Hearing would remain until the September 13, 2022, Regular Meeting.

H. BOARD CONSIDERATION(S)

None.

I. BOARD REQUESTS AND DIRECTIVES

Mr. Icenhour thanked everyone for their well wishes during his three-week absence and trip to Europe. He noted some observations from his trip in relation to James City County, adding the roads he traveled in Northern France were spotless with no litter. Mr. Icenhour noted his trip's highlights included visiting Normandy on the anniversary of D-Day with 40,000 attendees at the ceremony. He further noted American flags adorned homes and pictures of American soldiers who had died in the battle were displayed on lamp posts throughout the area. Mr. Icenhour commented the local people remembered D-Day and he was proud to be an American and be present at the ceremony.

Mr. Hipple noted his attendance at the Sweethaven Lavender Farm for the Clean Business Award presentation along with Mr. Stevens and several staff members. He complimented the owners on the great job done at the farm. Mr. Hipple noted several upcoming events included the Juneteenth celebration, the Hampton Roads Military and Federal Facilities Alliance (HRMFFA) and Hampton Roads Transportation Accountability Committee (HRTAC) meetings. He stated Admiral Craig Quigley, Executive Director of HRMFFA, was retiring and plans for his replacement were forthcoming.

Ms. Larson referenced receipt of a citizen letter and the recent traffic fatality at the intersection of Greensprings Road and The Maine. She noted several citizens had previously requested a reduced speed limit from the Virginia Department of Transportation (VDOT) be implemented there. She noted citizen requests for additional information gathering from VDOT and the County. Ms. Larson stated Mr. Stevens was gathering information regarding the number of accidents at that location over the past several years. Ms. Larson noted the letter she received referenced the bicycle lane at Greensprings Road and Route 5 and the Virginia Capital Trail. She further noted the bicycle crossing intersection was still a dangerous location, despite some recent improvements. Ms. Larson stated her concern with the area and wanted it noted for public record. She questioned if Mr. Rossie Carroll, VDOT Williamsburg Residency Administrator, had provided information on the intersections of Centerville Road and Route 5 and Greensprings Road and Route 5 since road changes had been implemented. Ms. Larson thanked Mr. Stevens and Ms. Toni Small, Director of Stormwater and Resource Protection, for accompanying her to address an issue raised in the Fernbrook neighborhood. She noted sinkhole issues in the neighborhood over several years, adding issues remained ongoing despite the work done there. Ms. Larson addressed safety concerns and VDOT involvement, particularly potential state funding for VDOT improvements to the area. She cited safety concerns and impacts to homeowners. Ms. Larson referenced an earlier Public Comment regarding the Electoral Board and office space for the Office of Elections. She inquired what similar sized localities such as York County were doing in terms of early voting services for citizens regarding space and if state financial aid was available to address the concerns. Ms. Larson noted the importance of voting and the opportunity for everyone to vote. She further noted her attendance in June for a Virginia Association of Counties (VACo) meeting in Stafford, Virginia, adding the interesting history in that area. Ms. Larson stated she recently had attended the Williamsburg Tourism Council Chamber Business meeting where several

James City County businesses were recognized. She noted County attendees included Mr. Chris Johnson, Director of Economic Development, and several others. Ms. Larson further noted she and Mr. McGlennon attended numerous local high school graduations. She asked Mr. Stevens for the information from other counties regarding voting services.

Mr. Stevens confirmed he would.

Ms. Sadler echoed Ms. Larson's request for VDOT updates from Mr. Carroll. She cited the locations, particularly the area around Rochambeau Drive and Old Stage Road. Ms. Sadler noted traffic visibility issues at the Williamsburg Indoor Sports Complex (WISC) on Longhill Road where rose bushes near the sign were obstructing the view. She further noted she had received complaints on that area. Ms. Sadler extended congratulations to her grandson's Williamsburg Youth Baseball team for its season as well as area graduates.

Mr. McGlennon noted his presence at the Memorial Day ceremony at Memorial Park. He further noted he and Ms. Larson had also attended the General Educational Development (GED) graduation at Jamestown High School. Mr. McGlennon stated he attended two of the three local high school graduations, adding he missed Jamestown High School's program due to a prior commitment in Richmond. He noted last week he and Mr. Stevens had the opportunity to speak with the Parks & Recreation Department's Reaccreditation Team for certification. Mr. McGlennon further noted James City County was among a small group of localities with such programs. He noted there were fewer than 20 departments in the state that held certification, adding the County was very successful. Mr. McGlennon cited the external confirmation of the Reaccreditation Team for the County's Parks & Recreation Department and its programs. He noted his attendance at the Coming to the Table ceremony at Freedom Park on June 11 which highlighted the journey toward racial healing. Mr. McGlennon stated he had attended a memorial service for Mr. Michael Flanary, a local accountant and tax preparer, earlier in the day. He noted Mr. Stevens informed the Board that VDOT was readdressing the Pipeline project and issues on Route 199, Jamestown Road, Brookwood Drive, and Route 5. Mr. McGlennon noted VDOT would hold public meetings on the plan with the County advertising those meetings as information becomes available. Mr. McGlennon further noted he had requested staff prepare a resolution acknowledging the dedication and work of Ms. Ginny Wertman, whose work on the James City County Workforce Housing Task Force, Planning Commission Working Group, and Chair of the Citizen Participation Team was recognized. He read the resolution acknowledging Ms. Wertman's other community work for the audience. Mr. McGlennon noted the Coalition of High Growth Communities would be holding a conference in Culpeper on June 30 with a focus on affordable housing. He welcomed Board members and staff to the event and supplied meeting details.

J. REPORTS OF THE COUNTY ADMINISTRATOR

Mr. Stevens noted the Juneteenth celebration for County staff on June 15 at Freedom Park with a start time of 11 a.m. He invited any Board members who were able to attend. Mr. Stevens further noted County offices would be closed Monday, June 20 in observance of Juneteenth. He reminded citizens that hurricane season had begun and ran through November 30, adding one storm passing through locally could impact the County. Mr. Stevens noted preparation included having an emergency plan, creating a kit to support you and your family for three to five days with food and a gallon of water per person per day. He further noted that kit should contain a battery-operated radio, batteries, first aid kit, prescriptions, and some cash. Mr. Stevens reminded citizens of flood insurance, particularly if their properties were prone to flooding. He noted the availability of flood insurance discounts to area citizens due to the efforts of the Stormwater Division. Mr. Stevens further noted staying informed with the County's alert system, which was available for sign-up at jccalert.org to receive emergency notifications. He added the website, ready.gov, was also a valuable resource.

K. CLOSED SESSION

A motion to Enter a Closed Session for 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 for appointments to the Williamsburg Regional Library Board of Trustees and the appointments to the Economic Development Authority was made by Sue Sadler, the motion result was Passed.

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

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

At approximately 5:47 p.m., the Board of Supervisors entered a Closed Session.

At approximately 5:54 p.m., the Board re-entered Open Session.

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

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

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

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. Appointments - Williamsburg Regional Library Board of Trustees

A motion for Nomination to Appoint Ms. Feather Foster to the Library Board for a term that expires July 31, 2026, was made by James Icenhour, the motion result was Passed.

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

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

3. Appointments - Economic Development Authority

A motion to Reappoint Mr. William Turner for a term on the Economic Development Authority that expires June 30, 2026, was made by James Icenhour, the motion result was Passed.

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

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

L. ADJOURNMENT

1. Adjourn until 1 pm on June 28, 2022 for the Business Meeting

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

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

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

At approximately 5:56 p.m., Mr. McGlennon adjourned the Board of Supervisors.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Michael Woolson, Section Chief - Resource Protection

SUBJECT: Resolution of Chesapeake Bay Preservation Ordinance Violation at 130 Lakeside Circle and 1581 Jamestown Road

ATTACHMENTS:

| | Description | Type |
|---|--------------------------------------|-----------------|
| ☐ | Memorandum | Staff Report |
| ☐ | Resolution | Resolution |
| ☐ | Notice of Violation - April 15, 2021 | Backup Material |
| ☐ | Location Map | Exhibit |
| ☐ | Civil Charge Consent | Backup Material |
| ☐ | Restoration Agreement Email | Backup Material |
| ☐ | Civil Charge Policy | Backup Material |

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------------------------|----------------|----------|----------------------|
| Engineering & Resource Protection | Small, Toni | Approved | 6/8/2022 - 1:18 PM |
| Development Management | Holt, Paul | Approved | 6/9/2022 - 9:21 AM |
| Publication Management | Daniel, Martha | Approved | 6/9/2022 - 9:31 AM |
| Legal Review | Parman, Liz | Approved | 6/9/2022 - 1:45 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:16 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 12:44 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:21 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Michael D. Woolson, Section Chief - Resource Protection
Adam R. Kinsman, County Attorney

SUBJECT: Chesapeake Bay Preservation Ordinance Violation - Civil Charge - Paula Orphanidys, 130 Lakeside Circle and 1581 Jamestown Road

Attached is a resolution for consideration by the Board of Supervisors involving a violation of the County's Chesapeake Bay Preservation Ordinance at 130 Lakeside Circle and 1581 Jamestown Road, further identified as James City County Real Estate Tax Parcel Nos. 4740600001 and 4740100031, respectively. The case involved the clearing of vegetation within a defined Chesapeake Bay Preservation Area on these parcels. This work was done without obtaining a Chesapeake Bay exception.

On or about March 17, 2021, County staff received a report of unauthorized activity at the subject parcels. County staff visited near the site on March 18, 2021, and observed vegetation removal within portions of 130 Lakeside Circle and the adjacent property, 1581 Jamestown Road. Following the site visit, staff performed research on the parcel using County records and Geographic Information System mapping. Subsequently, County staff sent a Notice of Violation (NOV) to the owner of 130 Lakeside Circle on April 15, 2021. Staff then met with the parcel owner and her counsel, Mr. Vernon Geddy, at the County Government Complex on May 26, 2021, to discuss the NOV.

In accordance with provisions of the Ordinance, the owner and County mutually came to terms to resolve and settle the violation through the County's civil charge process. The owner voluntarily signed a Consent Agreement and entered into a Chesapeake Bay Restoration Agreement with the County on May 23, 2022.

The resolution and attachments present additional specific details of the violation. Under the provisions of the Ordinance, the Board may accept civil charges for each violation of up to \$10,000. The owner has agreed to the recommended civil charge of \$750 for violation of Section 23-10 of the County's Chesapeake Bay Preservation Ordinance.

The Chesapeake Bay Ordinance Civil Penalty Procedures Policy, endorsed by the Board in August 1999, was used by staff as guidance in determining the civil charge amount. The Policy considers the degree of water quality impact and the degree of noncompliance involved in the case. The civil charge amount using the Civil Penalty Procedures Policy's civil charge matrix is based on a minor water quality impact and a minor/moderate degree of noncompliance of \$750.

Staff recommends adoption of the attached resolution, establishing the civil charges for the Chesapeake Bay Ordinance violation presented.

MDW/ARK/ap
CBBViol130LksdeCr-mem

Attachments:

1. Resolution
2. Notice of Violation - April 15, 2021
3. Location Map
4. Civil Charge Consent
5. Restoration Agreement Email
6. Civil Charge Policy

RESOLUTION

CHESAPEAKE BAY PRESERVATION ORDINANCE VIOLATION - CIVIL CHARGE -

PAULA ORPHANIDYS, 130 LAKESIDE CIRCLE

WHEREAS, Ms. Paula Orphanidys is the owner of a certain parcel of land commonly known as 130 Lakeside Circle, Williamsburg, Virginia, designated as Parcel No. 4740600001 within the James City County Real Estate Tax Map system ("Property"); and

WHEREAS, on or about March 17, 2021, Ms. Paula Orphanidys caused clearing within a defined Chesapeake Bay Preservation Area (CBPA) on the Property without prior approval of a Chesapeake Bay exception and caused impact to a CBPA; and

WHEREAS, Ms. Paula Orphanidys has executed a Consent Agreement in order to remedy a violation of the County's Chesapeake Bay Preservation Ordinance; and

WHEREAS, Ms. Paula Orphanidys has agreed to pay a total of \$750 to the County as a civil charge under the County's Chesapeake Bay Preservation Ordinance; and

WHEREAS, the James City County Board of Supervisors is willing to accept the civil charge in full settlement of the Chesapeake Bay Preservation Ordinance violation, in accordance with Section 23-18 of the Code of the County of James City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes and directs the County Administrator to accept the \$750 civil charge from Ms. Paula Orphanidys as full settlement of the Chesapeake Bay Preservation Ordinance violations at the Property occurring on or about March 17, 2021.

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 28th day of June, 2022.



General Services
107 Tewning Road
Williamsburg, VA 23188
P: 757-259-4080
General.Services@jamescitycountyva.gov
jamescitycountyva.gov

| | | | | |
|---|--|--|---|--|
| Capital Projects 107 Tewning Road Williamsburg, VA 23188 757-259-4080 | Fleet 103 Tewning Road Williamsburg, VA 23188 757-259-4122 | Stormwater and Resource Protection 101-E Mounts Bay Road Williamsburg, VA 23185 757-253-6670 | Facilities & Grounds 113 Tewning Road Williamsburg, VA 23188 757-259-4080 | Solid Waste 1204 Jolly Pond Road Williamsburg, VA 23188 757-565-0971 |
|---|--|--|---|--|

NOTICE OF VIOLATION
of James City County's Environmental Regulations

April 15, 2021

Ms. Paula Orphanidys
130 Lakeside Circle
Williamsburg, Virginia 23185

Re: Resource Protection Area, 130 Lakeside Circle and 1581 Jamestown Road
SRP-21-0004

To Whom It May Concern:

On March 17, 2021, representatives of the James City County Stormwater and Resource Protection Division investigated a complaint of unauthorized vegetation removal that has occurred in the resource protection area (RPA) at 130 Lakeside Circle and 1581 Jamestown Road (former Lake Powell property). There is no active exception request on file in our office for the clearing that has taken place on these properties within the RPA. Section 23-7 of the James City County Chesapeake Bay Preservation Ordinance (CBPO), which regulates activities within the RPA, prohibits removal of vegetation without approval from the Stormwater and Resource Protection Division. This activity is a violation of the CBPO, subject to a Civil Penalty of up to \$5,000.00 for each day of the violation per property or a Civil Charge of up to \$10,000 per property.

Please be advised that this is an official notification that the vegetation removal within the limits of the RPA buffer is a CBPO violation. In order to resolve this violation, please contact our office at your earliest convenience to arrange for a meeting with representatives of the Stormwater and Resource Protection Division staff to discuss restoring the RPA buffer by entering into a Chesapeake Bay Restoration Agreement.

Per Section 23-17 of the Chesapeake Bay Preservation Ordinance, the "owner of property subject to an administrative decision, order or requirement under this chapter may appeal by submitting a written application for review to the board no later than 30 days from the rendering of such decision, order or requirement. The board shall hear the appeal as soon as practical after receipt of the application." The Board that this section refers to is the Chesapeake Bay Board.

Please contact our office at 757-253-6823 to discuss this matter within the next 30 days. After 30 days from the date of this letter, the matter is no longer appealable to the Chesapeake Bay Board.

Sincerely,

Michael Woolson

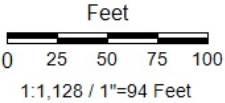
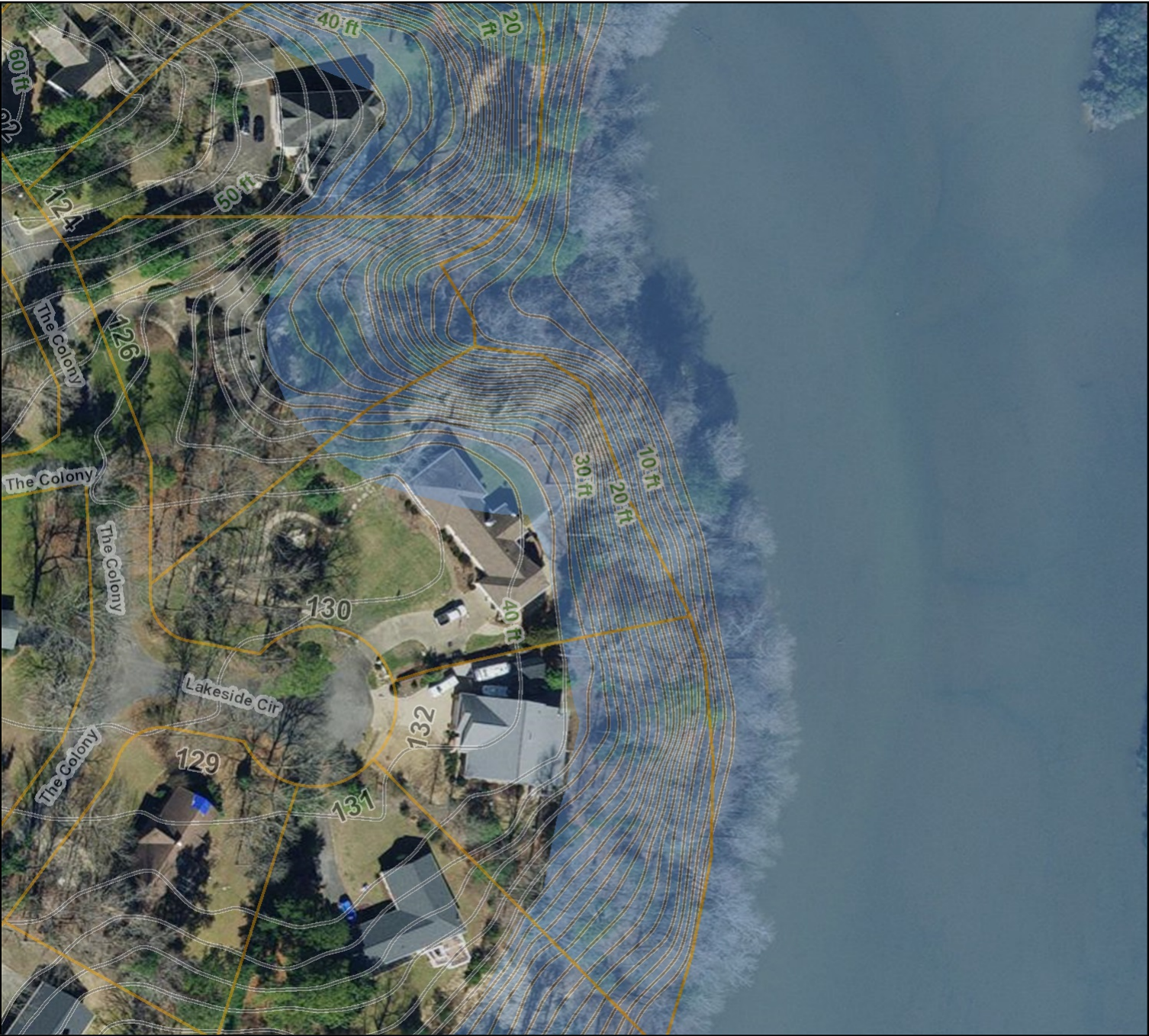
Michael Woolson
Section Chief, Resource Protection
Stormwater and Resource Protection Division

cc: Toni Small, Stormwater and Resource Protection Division Director, via email
Liz Parman, Assistant County Attorney, via email
Paul Holt, Community Development Director, via email
Christy Parrish, Zoning Administrator, via email



Legend

- Parcels
- Street Names
- Contours
- Resource Protection Area RPA



Title: Location Map

Date: 6/9/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and James City County is not responsible for its accuracy or how current it may be.



Chesapeake Bay Preservation Civil Charge Consent Agreement

THIS AGREEMENT, made on this 23rd day of May, 2022, by and between
Paula Orphanidys _____, residing at
130 Lakeside Circle, Williamsburg, Virginia 23185 _____, ("OWNER") and the COUNTY OF
JAMES CITY, VIRGINIA, ("COUNTY").

WHEREAS, the Owner of that certain parcel of land known and identified as;
130 Lakeside Circle, James City County PIN 4740600001 _____, has
violated or has caused a violation of the James City County Chesapeake Bay Preservation Ordinance, Chapter 23 of the
County Code, by unauthorized removal of vegetation with in the resource protection area buffer
_____ on that
aforementioned parcel.

NOW, THEREFORE, to resolve this violation the parties hereto agree as follows:

1. The Owner hereby agrees to provide for the payment of a civil charge in the amount of
Seven hundred fifty dollars and zero cents (\$750.00), for the violation of the ordinance described above.
2. In consideration of the Owner's payment of the civil charge, the County agrees to accept the civil charge as the
final resolution of this violation and in consideration of this executed agreement the County will not prosecute
the Owner under the civil penalty provision provided for within the ordinance.

Once the consent agreement is executed, the County will proceed with processing the civil charge in accordance with the
provisions of Section 23-18(b) of the Chesapeake Bay Preservation ordinance. This includes scheduling the case on the
consent calendar at an upcoming Board of Supervisor regular meeting.

OWNER:

Paula M. Orphanidys

COUNTY OF JAMES CITY, VIRGINIA

By: [Signature]

Approved as to form:

Adamskensen
County Attorney

Michael Woolson

From: Michael Woolson
Sent: Thursday, July 15, 2021 5:15 PM
To: 'vgeddy@ghfhlaw.com'
Cc: Liz Parman; Adam Kinsman; Toni Small
Subject: Paula Orphanidys
Attachments: CBE16099.pdf; CBE18059.pdf; 1999 Civil Charge Matrix.pdf

Vernon,

I apologize on not getting back to you sooner on this issue. Trevor, Robin and I visited Ms. Orphanidys' house as discussed during our May 26th meeting. I found that the area that had been cut was revegetating nicely and it makes no sense to require revegetation plantings at this time. However, she has applied for and received exception requests at least twice in the past (2016 and 2018), see attached. Therefore, I feel the only appropriate penalty in this case is a monetary fine of \$750. In the attached civil charge matrix, this penalty corresponds to a minor water quality impact and a minor/moderate degree of non-compliance. If this is acceptable to Ms. Orphanidys, we can provide the paperwork for her to sign, then take everything to the BOS for approval. Please let me know what she would like to do. Thanks.

Mike

Michael Woolson, PLA
Section Chief, Resource Protection



Stormwater and Resource Protection Division
General Services Department
101-E Mounts Bay Road
Williamsburg, VA 23185
P: 757-253-6670
jamescitycountyva.gov

Most permit requests and inquiries can now be handled online
Visit JCC Permitlink: <http://www.jamescitycountyva.gov/permitlink>

Chesapeake Bay Preservation Ordinance Civil Penalty Procedures
(As adopted by the Board of Supervisors - August 19, 1999)

Principle

All violations of the Ordinance will be prosecuted to obtain an acceptable remedy. All RPAs and associated buffers that are disturbed without an exception or waiver granted in accordance with the provisions of the Ordinance will be restored on a 2:1 replacement basis.

Process

The process will be to document the violation with a Notice Of Violation that states the conditions necessary to bring their site into compliance with the Ordinance. If there is a failure to follow the terms stipulated in the Notice, the County will file suit to take the violator to court where civil penalties of up to \$5000 per day can be assessed. However, if the violator cooperates with all provisions of the Notice and remedies the violation, we will not file suit. An exception would be if we can determine that the violation was intentional as would be the case if we had prior contact with the violator regarding the matter of the RPA restrictions.

Penalty

In order to serve as a deterrent, even in the event of a cooperative restoration settlement, civil charges will be sought. Under current state law, the Board of Supervisors must approve all civil charges. The amount of the civil charge recommended will be dependent on the violation's impact on water quality and the degree of non-compliance. Violations that are more severe and will take longer to be restored to an acceptable condition will have larger charges recommended by staff. Violations comprising less than 100 square feet of disturbance or the removal of no more than three trees will not have a civil charge recommended unless there have been prior violations by the violator. The maximum civil charge is \$10,000 per violation.

The following table presents a matrix that will guide staff recommendations on the establishment of a civil charge for a specific violation. The amounts presented are not absolute and are intended to be a guide. Each violation will have several unique characteristics that will require the exercise of judgment in arriving at a civil charge. Charges in each case could vary by up to 100% depending on the specific circumstances involved.

| <u>Civil Charge Determination</u> | | | | |
|-----------------------------------|-------------|--------|----------|----------|
| Water Quality Impact | Significant | \$5000 | \$7500 | \$10,000 |
| | Moderate | \$1500 | \$3000 | \$4500 |
| | Minor | \$500 | \$1000 | \$1500 |
| | | Minor | Moderate | Major |
| Degree of Non-Compliance | | | | |

Water Quality Impact

The impact of a given violation will be determined based on several factors. It involves more than just the square footage of impact; it also addresses the relative environmental value of the resource lost. Factors that will be considered as they relate to the violation's impact on water quality include the size of the violation, the number of trees and other vegetation removed, the size and maturity of the vegetation removed, the amount of tree canopy removed, the amount of ground disturbance involved, etc. Mitigating factors that will be considered are whether the vegetation removed would have qualified for removal if a request was made in accordance with the Ordinance. The Ordinance allows for the removal of vegetation weakened by age, storm, fire or other natural causes or vegetation that is dead, diseased or dying. These factors will be used to determine how much of the functional value of the buffer was lost and how long it will take for the function to be recovered.

Degree of Non-compliance

This factor will be used to assess the motivation behind the violation. Factors that will be considered in assessing the degree of non-compliance are degree of willfulness, history of non-compliance, and cooperation. Unintentional violations that are cooperatively restored will not be charged the same as intentional violations that are difficult to resolve.

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Alisa Fox - Assistant Director of Information Resources Management

SUBJECT: Small Municipal and County Government Enterprise Agreement - ESRI

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Information Resources | Page, Patrick | Approved | 6/10/2022 - 10:07 AM |
| Financial Management | Cochet, Cheryl | Approved | 6/21/2022 - 1:41 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/21/2022 - 2:14 PM |
| Legal Review | Kinsman, Adam | Approved | 6/21/2022 - 2:25 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:39 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 2:43 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:48 PM |

MEMORANDUM

DATE: June 28, 2022

TO: The Board of Supervisors

FROM: Alisa Fox, Assistant Director of Information Resources Management

SUBJECT: Small Municipal and County Government Enterprise Agreement - ESRI

James City County (JCC) and James City Service Authority (JCSA) currently utilize ESRI software products, called ArcGIS, as the primary desktop and online solution for all mapping needs in the County. ArcGIS desktop software is used by Information Technology, JCSA, Planning, Stormwater and Resource Protection, Police, Fire, Real Estate, County Attorney, Economic Development Authority, Office of Elections, and Building Safety and Permits. ArcGIS software is running in the background of major software used in the County, including CentralSquare used by Dispatch E-911, EnerGov used by Community Development, and Enterprise Asset Management used by General Services. ArcGIS software is used to create online maps and surveys, including the Property Information Site used by many citizens.

JCC and JCSA are moving to an agreement with ESRI, called Small Municipal and County Government Enterprise Agreement (SGEA), to allow access to unlimited desktop, advanced analytical tools, server software, and developer tools. The upgrade of the E-911 system will require desktop, server software, and analytical tools that we currently do not have access to.

Staff requested proposals from ESRI. Pricing is as follows:

| <u>Year</u> | <u>Amount</u> |
|-------------|---------------|
| 1 | \$55,000.00 |
| 2 | \$55,000.00 |
| 3 | \$55,000.00 |

The three-year total equals \$165,000.00.

ESRI has satisfactorily provided incumbent services, and the total cost for the three-year agreement is determined to be fair and reasonable. Funds for Year 1 are available in approved Fiscal Year 2023 funds.

Attached is a resolution authorizing the contract award to ESRI to transition to the SGEA solution. Staff recommends approval of the attached resolution.

AF/ap
ESRICnt22-mem

RESOLUTION

SMALL MUNICIPAL AND COUNTY GOVERNMENT ENTERPRISE AGREEMENT - ESRI

WHEREAS, County staff has evaluated and recommends the proposed upgrade from the current ERSI software to ESRI Small Municipal and County Government Enterprise Agreement for the County's mapping needs; and

WHEREAS, the Mapping Enterprise Agreement meets our business requirements; and

WHEREAS, the Agreement will allow access to unlimited desktop, analytical tools, server software, and developer tools; and

WHEREAS, moving to the Agreement will be required by the upgrade of the E-911.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby authorizes the County Administrator to execute the Agreement with ESRI.

John J. McGlennon
Chairman, Board of Supervisors

ATTEST:

Teresa J. Saeed
Deputy Clerk to the Board

ICENHOUR
HIPPLE
LARSON
SADLER
MCGLENNON

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 28th day of June, 2022.

ESRICnt22-res

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: John Carnifax, Director of Parks and Recreation

SUBJECT: RecConnect Program

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/17/2022 - 3:12 PM |

ITEM SUMMARY

DATE: 6/28/2022

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 | 6/17/2022 - 2:53 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Cassie Cordova, Environmental Sustainability Coordinator

SUBJECT: Appointments - Clean County Commission

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|---------------------|
| General Services | Ripley, Joanna | Approved | 6/17/2022 - 1:35 PM |
| Publication Management | Pobiak, Amanda | Approved | 6/17/2022 - 2:14 PM |
| Legal Review | Kinsman, Adam | Approved | 6/21/2022 - 2:24 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:38 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 2:42 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:47 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Rebecca Vinroot, Director of Social Services

SUBJECT: Appointments - Colonial Behavioral Health Board

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|--------------------|----------|----------------------|
| Social Services | Vinroot, Rebecca | Approved | 6/14/2022 - 12:25 PM |
| Publication Management | Daniel, Martha | Approved | 6/14/2022 - 12:27 PM |
| Legal Review | Kinsman, Adam | Approved | 6/16/2022 - 10:59 AM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:21 PM |
| Board Secretary | Rinehimer, Bradley | Approved | 6/21/2022 - 1:41 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:44 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Colonial Community Criminal Justice Board

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:48 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Economic Development Authority

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 2:22 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: John Risinger, Staff Liaison to the Historical Commission

SUBJECT: Historical Commission Appointments

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|------------------------|----------------|----------|----------------------|
| Planning | Holt, Paul | Approved | 6/10/2022 - 11:02 AM |
| Development Management | Holt, Paul | Approved | 6/10/2022 - 11:02 AM |
| Publication Management | Daniel, Martha | Approved | 6/10/2022 - 11:06 AM |
| Legal Review | Parman, Liz | Approved | 6/10/2022 - 12:12 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/15/2022 - 2:15 PM |
| Board Secretary | Purse, Jason | Approved | 6/21/2022 - 12:44 PM |
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 1:21 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Thomas Nelson Community College Board

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 3:47 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Appointment - Williamsburg Regional Library Board of Trustees

ATTACHMENTS:

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

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/21/2022 - 3:56 PM |

ITEM SUMMARY

DATE: 6/28/2022

TO: The Board of Supervisors

FROM: Teresa J. Saeed, Deputy Clerk

SUBJECT: Adjourn until 5 pm on July 12, 2022 for the Regular Meeting

REVIEWERS:

| Department | Reviewer | Action | Date |
|-----------------|---------------|----------|---------------------|
| Board Secretary | Saeed, Teresa | Approved | 6/17/2022 - 2:51 PM |